

# Exploring the Intersections of Sexual Violence and Precarious Work: A Literature Review

## INTRODUCTION

In recent years, global online movements such as #MeToo and #TimesUp have forced many of us to acknowledge and reflect on the prevalence of gendered forms of workplace violence in Canada. Indeed, 52% of the Canadian women surveyed by the Angus Reid Institute in 2018 reported having experienced workplace sexual harassment during their lifetime and 89% of women reported having taken steps to avoid unwanted sexual advances at work, (Kurl & Holliday, 2018). In response to these political movements and their calls for change, many Canadian employers have begun reevaluating their existing sexual harassment policies and procedures (Canadian Women's Foundation, n.d.). Nevertheless, in order to address this kind of workplace violence, it is essential that we examine how such forms of violence are currently experienced, understood and responded to. While this literature review focuses specifically on workplace sexual harassment, we adopt a relational and intersectional approach to workplace violence that connects sexual harassment to broader patterns of structural violence and oppression. Framing sexual harassment within a continuum of violence takes the sole emphasis away from the individual victim-survivors and/or perpetrators involved in any given case and allows us to observe the contexts in which this kind of violence takes place (Berlingieri, 2015a). Considering these contexts intersectionally is essential since workplace violence is experienced differently (and to different degrees) depending on employment status and social location. This is especially true when considering precarious work since exposure to this type of work increases the likelihood of experiencing workplace violence such as sexual harassment (Vallas & Kalleberg, 2018).

Sexual harassment is a dynamic, and highly contextual concept. In the 1970s and 1980s, gendered forms of workplace harassment were often limited to overtly sexualized behaviours (such as sexual advances) experienced by women and perpetrated by men (Konrad & Gutek, 1986; Giuffre & Williams, 1994). In recent years, however, researchers have begun to expand on this definition to include non-sexualized forms of gendered harassment. As Katherine Franke (1997) explains, this kind of harassment can be understood as “a disciplinary practice that inscribes, enforces and polices the identities of both harasser and victim according to a system of gender norms that envisions women as feminine (hetero)sexual objects and men as masculine, (heterosexual) subjects” (p. 696). As Franke demonstrates, gender and sexuality are at the core of sexual harassment. Nevertheless, it is important to remember that these and other social locations intersect with each. Sexual harassment can, therefore, also function to (re)affirm unequal power hierarchies based on race, disability, immigration status, and other social locations (Bannerji, 1995). Finally, defining sexual harassment in broad and dynamic terms allows us to better understand why so many victim-survivors are reluctant to label their experiences of gendered or sexualized harassment as sexual harassment. As MacQuarrie et al. (2004) explain, “How fast women resolve the ambiguities surrounding their experiences appears to depend on both the kind of harassment they experience and what impact the harassment has on various aspects of their lives” (p. 19). The “sexual harassment” label is often fraught with cultural and historical associations that can feel limiting for those whose experiences do not match up with the conventional or normative definitions.

Sexual harassment can have negative short- and long-term impacts on employees who directly experience harassment and who observe someone else in the organization experience harassment. Although a serious health and safety issue, workers are reluctant to report their experiences. Therefore, clear and safe mechanisms for finding information, reporting experiences without retaliation, and providing supports are among the key responses desired by workers (MacQuarrie et al., 2004). However, we know very little about which practices organizations are adopting and their effectiveness to support victims and to respond to experiences of harassment and violence at work (Berlingieri, 2015b). This is particularly true with regard to the Canadian context (Berlingieri, 2015b). Practices that are considered cornerstones of anti-violence programs include policies, training programs, investigating processes, and reporting procedures. This literature review presents an overview of the existing academic research on workers' experiences of sexual harassment in order to better understand the factors influencing workers' responses to these forms of harassment. We focus on the understudied intersection of precarious work and sexual harassment to address and investigate the higher rates of unwanted sexual attention reported by workers engaged in precarious work (LaMontagne et al., 2009; Krasas Rogers & Henson, 1997).

## DEFINING WORKPLACE SEXUAL HARASSMENT IN THE CANADIAN CONTEXT

### Canadian Federal Legislative Context

The *Canadian Labour Code* (the *Code*) defines sexual harassment as “any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.” The *Code* also gives all

employees the right to “employment free of sexual harassment” and “requires employers to take positive action to prevent sexual harassment in the workplace” (Human Resources and Skills Development Canada, 2010, p.1).

The federal government has recently announced that new legislation related to anti-harassment and violence will take effect on January 1, 2021. Bill C-65 amends the *Canadian Labour Code* taking a comprehensive approach to harassment and violence of all forms, including sexual harassment. It requires employers of federally regulated workplaces to prevent harassment and violence, respond to incidents of harassment and violence effectively, and support employees affected by harassment and violence (Employment and Social Development Canada, 2018).

## Precarious Work

Precarious work generally includes forms of work involving atypical contracts, job insecurity, lack of control over the labour process, low income, high risks of ill-health, and limited access to benefits and protections (Vosko, 2006; Vosko et al., 2014). As Leah Vosko (2006) explains, such forms of employment are shaped by “employment status (i.e., self-employment or wage work), form of employment (i.e., temporary or permanent, part-time or full-time), and dimensions of labour market insecurity as well as social context (such as occupation, industry, and geography), social location (the interaction between social relations, such as gender and ‘race,’ and political and economic conditions)” (p. 3-4). Unfortunately, labour laws often center what is known as a ‘standard employment relationship’ (Fudge & Vosko, 2001; Matulewicz, 2015). These sorts of relationships, based on “normative (male) employment relationships, often in unionized sectors,” are modeled on full-time employment opportunities that provide job security and occupational benefits (Matulewicz, 2015). Not only does this distinction between “standard” and “non-standard” employment obscure the different dimensions of precarious work, it also obscures the increasing degradation of “standard” forms of employment (Vosko, 2006).

## SEXUAL HARASSMENT AND PRECARIOUS WORK

While sexual harassment occurs across all occupations and industries, social location and employment status place some workers at higher risk than others. In a study of the personal experiences of women who have experienced sexual harassment at work, women reported that their race, ethnic identity, citizenship status, disability, sexual orientation, language, and other perceived difference was as much at the root of their harassment as their gender (MacQuarrie et al., 2004). It is therefore extremely important to use an intersectional approach when analyzing workers’ experiences of sexual harassment. In doing so, we understand that workers’ experiences of workplace harassment intersect with their social locations (gender, race, ethnicity, age, disability, employment status, etc.). This applies to experiences of sexual harassment as well as to the actions marginalized workers take when experiencing harassment/violence and the results of those actions within organizations. 2020 | *Sexual Harassment and Precarious Work* | 4

An intersectional perspective of workers’ experiences of harassment positions sexual harassment as connected and intersecting with other forms of workplace harassment related to social location and employment status. Workers who are precariously employed report higher rates of unwanted sexual advances at work, even after adjusting for gender, age, and skill level (LaMontagne et al., 2009). Women, migrants, immigrants, and workers from racialized groups are overrepresented in precarious forms of employment (Noack & Vosko, 2011). Unequal power relations related to class, race, gender, and sexual orientation (among other social positionalities) are embedded in—and exacerbated by—our temporary work arrangements. Factors such as “unpredictable scheduling and the possibility of extended time off between assignments, the ability of an agency to terminate an assignment without notice, and the overall low status of temporary workers” act as barriers to workers looking to report or put an end to sexual harassment (Matulewicz, 2015, p. 405). Workers in industries with particular characteristics experience higher rates of sexual harassment. Examples include the service industry, which is largely populated by women, particularly at the lower echelons of the organization and industries where employees work long, irregular hours, especially if during night and evening shifts (Hunt et al., 2007; LaMontagne et al., 2009). Other characteristics of workplaces that may increase the incidents of sexual harassment include, unequal sex ratio (e.g. male dominated workplaces) (European Commission, 1999), where there are large power differentials between men and women (e.g. where men are in managerial roles and women predominantly in lower status positions) (Veale & Gold, 1998), and during periods of job insecurity (Björkqvist, et al., 1994).

Understanding workplace harassment intersectionally and on a continuum is an essential step in protecting workers in precarious employment (Perry et al., 2019). In an analysis of Ontario’s current provincial legislative frameworks (the Occupational Health and Safety Act and the Employment Standards Act) as they intersect with workers’ experiences, Perry et al. (2019) clearly illustrate that workers’ experiences of harassment and violations of employment standards are not distinct but interrelated and a result of social structural inequalities which are constitutive of the precarious employment relationship. The employment relationship, and the power imbalances within it, must be understood within the context of organizational and broader institutional practices (e.g., legislative frameworks and related processes and procedures) (Berlingieri, 2015a; Perry et al., 2019). By holding labour rights issues as separate from harassment behaviour, legislation frameworks (such as in Ontario) fail precariously employed workers by rendering invisible the power inequalities upon which precarious labour is reliant (Perry et al., 2019). As this example demonstrates, we cannot address the workplace violence workers in precarious employment experience without also addressing the systems and institutions that create and perpetuate power inequalities.

# FACTORS INFLUENCING REPORTING AND HELP SEEKING

## Barriers to Reporting/Help Seeking

To prevent and respond to sexual harassment, it is crucial that employers understand why victim-survivors are so often unable or unwilling to share their experiences with co-workers or supervisors. Even though it is generally assumed that women<sup>1</sup> will report harassment when it occurs, the reality is that most women do not. Factors contributing to this reality include fears about retaliation, losing one's job, potential disbelief, and/or lack of information about resources (MacQuarrie et al., 2004). Definitions of sexual harassment (whether cultural or legal) may also discourage some victim-survivors from labeling and/or reporting their experiences of harassment (Welsh et al., 2006; Buchanan et al., 2018). Racialized women and women lacking full citizenship rights, for example, may experience raced, classed, and gendered forms of harassment that do not fit within the dominant discourses surrounding sexual harassment. Conversely, white women with full citizenship rights may be better represented by dominant discourses that invisibilize intersections of race, citizenship, and other social locations with gendered and sexed forms of violence (Welsh et al., 2006).

<sup>1</sup> While we acknowledge that not all victim-survivors of sexual harassment identify as women, and while we recognize the importance of addressing the experiences of non-women victim-survivors as often as we can, some of the research we cite in this paper addresses women specifically. Since women make up the majority of victim-survivors of sexual harassment, we accept this focus and make specific reference to women victim-survivors when citing women-centered research.

Instead of reporting, women use coping strategies such as ignoring the harassment, deflecting it (by making jokes, for example), or avoiding the harasser (Welsh, 1999, p. 182). While reporting can mean many different things, MacQuarrie et al. (2004) offer an inclusive definition of reporting as “making a verbal or written complaint to the perpetrator, making a formal complaint to the company and making a formal complaint to an external legal forum such as a Human Rights Commission” (p. 48). By employing this broad definition, we can study and analyze the various ways in which victim-survivors choose to disclose and address harassment behaviours. It is also worth noting that many victim-survivors end up reporting in multiple ways. For example, women who experience workplace sexual harassment may end up filing informal complaints first and filing formal complaints later, when informal complaints are ineffective (p. 53). They may also be directed toward different procedures and/or reporting forums (p.62). Finally, it is essential to acknowledge that the act of reporting sexual harassment does not necessarily improve victim-survivors' personal or professional circumstances. According to Bergman et al. (2002), for example, reporting sexual harassment can trigger retaliation and “harm the victim in terms of lowered job satisfaction and greater psychological distress” (p. 237). Therefore, reporting sexual harassment is often simply unsafe.

As previously discussed, sexual harassment must be understood as a form of systemic violence occurring within greater cultural contexts. Sexual harassment operates to reinscribe patriarchal 2020 | Sexual Harassment and Precarious Work | 6

norms about gender (and intersecting social identities). It is directly related to cultural beliefs about women and men's roles in society (Welsh, 1999; Jones, 2006). It both constructs and is constructed by/within institutions including workplace environments themselves (Berlingieri, 2015b). As Krasas, Rogers, and Henson (1997) put it, “there is nothing deemed inappropriate about the incorporation of (hetero)sexuality into the workplace; indeed, jobs are often designed to incorporate sexual appeal seamlessly into the capitalist drive for accumulation” (p. 216). It is also shaped by histories of colonialism and racism that sexualize and dehumanize racialized women in different (though sometimes overlapping) ways (Bannerji, 1995; Welsh et al., 2006; Bucanan et al., 2018). It is therefore essential to contextualize our understanding of sexual harassment since understandings, coping strategies, and responses differ drastically depending on factors such as the workplace, a worker's social location, and/or type of employment (Welsh, 1999, pp.182-183).

## Institutionalization of Norms

The institutionalization of cultural norms surrounding gender can lead to the invisibilization of sexual harassment and to lower reporting rates. Victim-survivors who have been socialized in a culture that normalizes sexual harassment may not know that such behaviours are illegal or may be afraid that their reports would not be believed or taken seriously (Giuffre & Williams, 1994; Welsh, 1999; Backhouse & Cohen, 1981). Harassment related to racism and sexism is often understood as an individual/psychological problem (i.e. bad apples) rather than as systemic issues grounded in—and affected by—historical and persistent power relations (Ng, 1993, p. 193). The naturalization of systemic oppression may, therefore, influence victim-survivor reporting rates and the responses of colleagues and/or supervisors who have not interrogated power dynamics and structural inequality in the workplace (p. 195). Relatedly, sexual harassment behaviours that naturalize or reaffirm normative power hierarchies are more likely to be accepted. In their study, for example, Giuffre and Williams (1994) found that sexual harassment behaviours that naturalized heterosexuality were more likely to be accepted (p. 382). This mechanism can be better understood according to what Joan Acker calls “inequality regimes” (2006). These “interrelated practices, processes, actions, and meanings that result in and maintain class, gender, and racial inequalities within particular organizations” (p. 443) operate insidiously to normalize and invisibilize oppression.

Inequality regimes can include, for example, institutionalized expectations about how employees should look, dress, or act according to their gender, race, employment status, or other marginalized positionalities. For workers who rely on tips to make a living, for example, sexual behaviours can be understood as a necessary part of the job. When this is the case, denouncing sexual harassment from customers can be particularly challenging. As Ms. Adams, a waitress interviewed by Backhouse and Cohen in *Sexual Harassment on the Job* (1981) states, “It's a very sexual job, and that's how you make most of your tips. That means you have to smile through abusive

remarks made by the customer” (p. 6). For Ms. Adams, “Surviving depends on your tips” (p. 8) and reporting sexual harassment perpetrated by customers is simply not a viable option. This is true for many customer-service and public facing jobs, including in federally regulated workplaces such as Canada’s national rail service, in airlines and air transportation operations, in radio and television broadcasting, and more.

## Organizational Structures and Cultures

The ways in which sexual harassment policies and procedures are designed, organized, and used (or not) can positively or negatively affect reporting or help seeking (see Berlingieri 2015a). When sexual harassment is tolerated within organizations, incidents of sexual harassment are more likely to occur (Welsh, 1999; Bergman et al., 2002). Similarly, when organizations are structured according to strict power hierarchies, reporting procedures may be less effective since organizations are less likely to take action against perpetrators with higher degrees of power and status (Bergman et al., 2002) and employees with negative expectations regarding the policies or support provided by their employer are less likely to report incidents of sexual harassment (Nuñez & Ollo López, 2018). Sexual harassment policies are often set up for women experiencing particular forms of sexualized harassment behaviours perpetrated by men (Jones, 2006). While it is essential to address the highly gendered dynamics of sexual harassment, narrow definitions of sexual harassment can be limiting and discourage victim-survivors from seeking help. When workplaces employ narrow definitions of sexual harassment, they ignore and conceal the gendered components of other forms harassment. For example, the boundaries that have been drawn between bullying and sexual harassment in the workplace often depend on a limited understanding of sexual harassment as describing sexual and/or physical behaviours/acts (such as sexual touching or sexual advances). While bullying is generally understood as a gender-neutral issue (since it can be experienced by both men and women), research suggests that women experience it at higher rates and that the types of bullying behaviours experienced by women are often highly gendered (Jones, 2006). Workplaces that employ broader definitions of sexual harassment may be better equipped to address the gendered components of harassment behaviours such as bullying. This points once again, to the importance of understanding violence as a continuum where forms of harassment and violence are not distinct but, rather, related to each other and to systems of power (Berlingieri, 2015a). According to Hunt et al. (2007), effective sexual harassment policies involve (a) training in which sexual harassment conduct and behaviours are defined and discussed; and (b) clearly stating that sexual harassment will not be tolerated. As they explain, the three main approaches to policy development are: the ‘consultative’ approach, the ‘top down’ approach, and the ‘bottom up’ approach. The ‘consultative’ approach is proactive. It centres prevention and includes various definitions of sexual harassment in order to help employees identify and report these types of behaviours when they occur. This type of approach tends to lead to higher reporting rates and, as Hunt et al. explain, universities where ‘consultative’ policies were adopted “ensured that there was an informal network of advisers available for employees” (p. 41). On the other hand, the ‘top down’ approach centres reactive strategies that aim to tackle sexual harassment once it has already occurred. While the reporting rates are much lower when this approach is used, Hunt et al. speculate that this may occur when victim-survivors do not feel empowered to report or when organizations are not handling sexual harassment conduct effectively. Finally, the ‘bottom up’ approach invites staff and staff representatives to join with management to develop sexual harassment policies. This allows all employees to foster a workplace culture where “mutual respect and intolerance of harassment [is] viewed by employees as a choice made by them to improve their working environment” (p. 41).

Even when inclusive sexual harassment policies, procedures, or resources exist, however, victim-survivors may not report incidents of harassment if these resources are inaccessible. Among the women interviewed in MacQuarrie et al.’s report (2004), those who did not report avoided doing so for reasons including race or language barriers, lack of information about their options, and trouble finding a qualified lawyer that they could afford. This is complicated and worsened for victim-survivors engaged in precarious work. For the precarious status migrant women participating in Villegas’ (2019) research, being informed about resources for victim-survivors of workplace sexual harassment was irrelevant since institutional resources are often completely inaccessible to them due to their immigration status. Furthermore, reporting either internally or externally may put precarious status migrant women at risk of job loss or deportation (Villegas, 2019).

## Factors that Facilitate Reporting

### Broad/Inclusive Definitions

While it is important to center women’s experiences of sexual harassment since women make up an overwhelming majority of victim-survivors (Bjorkqvist, et al., 1994; Welsh, 1999), policies and responses that acknowledge the plurality of sexual harassment behaviours may facilitate reporting for victim-survivors whose experiences are not represented by traditional definitions of sexual harassment. Franke’s (1997) reformulation of sexual harassment as “gender harassment” is helpful here:

Understood in this way, sexual harassment is a kind of sex discrimination not because the conduct would not have been undertaken if the victim had been a different sex, not because it is sexual, and not because men do it to women, but precisely because it is a technology of sexism. That is, it perpetuates, enforces, and polices a set of gender norms at work that seek to feminize women and masculinize men...it is used to keep gender nonconformists in line. (p. 696)

Workplace policies, procedures, and responses that include definitions of sexual harassment as a form of gender oppression that functions to reaffirm and police gender norms and relations leave room for victim-survivors whose experiences of sexual harassment are not overtly physical or sexual (Jones, 2006). Relatedly, when sexual harassment behaviours are interpreted as personal rather than as institutionalized (e.g., restaurant industry expectations about sexualized dress vs. personalized comment by a boss about his feelings about sexualized dress), they are more likely to be understood as sexual harassment (Giuffre & Williams, 1994).

## Supportive Surroundings

The consequences of sexual harassment are not only felt before the harassment is reported. In fact, the consequences of reporting on victim-survivors' health, relationships, and work can be just as bad as—and sometimes even worse than—the harassment itself (MacQuarrie et al., 2004). Still, working through these consequences can be more manageable when attentive and consistent support is available. In fact, MacQuarrie et al. (2004) report that the most common theme discussed by the women survivor-victims of sexual harassment they interviewed was support. More specifically, supportive co-workers can play an important role in helping victim-survivors through the reporting process: “Co-worker support is important in two ways. Women may receive emotional support to help them get through their experiences. Women also need witnesses to strengthen any formal complaint they make. Without witnesses, women face barriers in making successful complaints about their workplace harassment” (p. 68). This sort of support may be more difficult to access for women who work in more isolated settings and sexual harassment procedures and policies should therefore pay special attention to “occasional and peripheral” work (Nuñez & Olló López, 2018, p. 186).

## WHEN A REPORT IS RECEIVED

Although facilitating reporting and help seeking is an essential step for workplaces seeking to eliminate sexual harassment behaviours from their organization, it is equally important to address the efficacy and suitability of workplace responses to such reports of sexual harassment. Research on workplace interventions and responses to sexual harassment suggests that it is important these procedures acknowledge and address the unequal power dynamics at the root of sexual violence. It is, therefore, essential that we acknowledge existing power inequalities and structural oppression rather than holding on to false beliefs about ‘neutrality’ or ‘objectivity.’ This means understanding how we are all positioned as raced, classed, gendered (etc.) subjects with differing access to power and privilege (Ng, 1993; Bannerji, 1995). It also means acknowledging how specific historical and societal contexts shape how sexual harassment is deployed and utilized (Bannerji, 1995).

The ways in which sexual harassment is defined by employees and employers are likely to affect their responses to reports of sexual harassment (Giuffre & Williams, 1994; Welsh, 1999). Positioning harassment as an individual or psychological issue rather than as a form of systemic violence meant to (re)establish unequal power hierarchies often leads to inappropriate and/or inadequate responses from colleagues and supervisors (Ng, 1993). Proactive sexual harassment policies that aim to change workplace cultures by implementing training sessions and official complaint procedures, however, may effectively reduce incidents of harassment (Gruber, 1998).

For example, training sessions can increase awareness of what behaviours may constitute sexual harassment and, therefore, increases reporting rates while reducing sexual harassment behaviours (Nuñez & Olló López, 2018).

## Workplace Responses and Forms of Redress Sought Out

We know, from reading their testimonies, that victim-survivors of workplace sexual harassment experience all sorts of responses from their coworkers and superiors. As previously discussed, receiving emotional support from coworkers can be very helpful (MacQuarrie et al., 2004, p. 68). On the other hand, negative workplace responses such as retaliation, gaslighting, and other forms of silencing can also be incredibly harmful to victim-survivors' mental and physical health as well as to their professional well-being (Cortina & Magley, 2003).

As Backhouse and Cohen emphasize (1981), victim-survivors are often fearful of experiencing retaliation at the hands of their co-workers and employers. Unfortunately, these fears are grounded in a reality that is too often confirmed by those victim-survivors who do choose to speak out about their experiences. As Backhouse and Cohen write, “Women have had ample opportunity to observe what happens to those women who do publicly complain...They have repeatedly seen these women ridiculed, intimidated, and ignored” (p. 35-36). While this sort of silencing may appear more covert than other forms of retaliation, it operates as a form of gaslighting by which victim-survivors are denied their testimony and manipulated into seeing their own experiences as groundless (Stark, 2019). Furthermore, the act of being silenced is not only harmful because it allows the harassment behaviours to continue and devalues the victim-survivors experiencing the harassment. The very act of restraining from speaking out is enough to cause serious psychological and physical harm. As evidenced by Cortina and Magley's (2003) findings, self-silencing takes a toll on the body and can result in “rumination, depression, memory impairment, reactivity to stress-related cues, poorer immune response, and disease progression” (p. 262). These harmful effects add to the weight of the violence already experienced by victim-survivors and further illustrate the need for effective workplace responses to harassment and other forms of workplace violence.

Nevertheless, silencing does not operate in the same ways or to the same extent for all victim-survivors or across all workplaces. Melinda Mills' (2020) exploration of black and brown women's' experiences of sexual violence in academia is a powerful example of how racialized women are silenced at the individual and institutional level. As she writes, the “silence of violence” is “not always nor necessarily life-threatening, but rather soul-crushing, distracting, depleting, exhausting, and stunning” (p. 16). The many layers of silencing Mills experienced linked to her positionality as a non-tenured faculty member and as a brown woman. As she explains, “Speaking up, ironically, might have meant losing my voice in other ways (i.e. tenure denial)” (p. 23). For many racialized women, choosing when and where to speak up about harassment, therefore, requires careful planning. When Mills did speak up, her experiences were played down or met with indifference. When she told a white woman colleague about the sexual harassment, she was experiencing at the hands of a white male senior colleague, for example, the white woman colleague responded with indifference

and normalized the harassing behaviour. As Mills writes, “Refusals to recognize reality (and the attendant injury of a reality that accommodates harassment) speaks to how silence becomes violence, too” (p. 26). To refuse to see the realities of racialized sexual harassment as legitimate, violent, and systemic is to refuse to see the humanity of the victim-survivors involved.

While overt forms of retaliation are sometimes considered more “serious” or “harmful” than covert forms of retaliation, covert retaliation can actually be more concerning to victim-survivors since it is often harder to identify. In their article on sexual harassment in American medical schools, Binder et al. (2018) recount how a junior female faculty member was “less concerned about overt retaliation...because she believed the medical school would be able to protect her” and more concerned about covert forms of retaliation from the senior physician who was harassing her. As she explained, “even a minor comment about the value of her research could result in her grant application not being approved.” This kind of retaliation is especially pernicious since it is near impossible to prove. The perpetrator could easily argue that the comments were only related to the faculty member’s work and, as Binder et al. make clear, even if the retaliation did not occur, the faculty member “would always be worried that some form of covert retaliation could happen and that she would never find out about it” (p. 1772).

Furthermore, even the most well-intentioned policy changes can worsen retaliation if they are inadequately researched and/or developed. This is the case with the Royal Canadian Mounted Police (RCMP) and their 2014 harassment policies reform. In their “Report into Workplace Harassment in the RCMP”, the Civilian Review and Complaints Commission (2017) emphasize how the new disciplinary process put in place to address breaches of the *Code of Conduct* have made RCMP members even more fearful of harassment by supervisors. According to some members, for example, “conduct violations are being used to target and intimidate members, particularly if they raise concerns about harassment” (p.3). This sort of problem points to the need for systemic changes within organizations. Berlingieri (2015a) cautions organizations about the use of organizational systems (such as performance management) to harass. She states, “These systems and practices play a large role in creating the organization’s environment and they are also often used as tactics by the [harasser]. A performance evaluation represents a particular opportunity for the [harasser] to exercise control over and [harass] an employee” (p. 238). In the case of the RCMP, though many short-term initiatives have been implemented, these have failed to make RCMP members feel safe. As the 2017 report makes clear, the RCMP’s organizational culture and structure is to blame. More specifically, the RCMP has failed to properly address harassment due to 1) a lack of commitment from its senior leaders to take meaningful steps towards systemic change; 2) a poor and underdeveloped culture of leadership; and 3) an absence of civilian oversight that allows the RCMP to maintain their current workplace organizational culture and structure.

While this report focuses specifically on the RCMP, it illustrates a broader issue concerning the ways in which workplaces are organized and the underlying cultures that can permeate despite the existence of policies, training, or other types of harassment-related programming. In fact, other Canadian policing agencies have reported similar findings. According to a survey conducted for the Ontario Provincial Police (OPP) (Cunningham et al., 2019), for example, although half of Ontario Provincial Police member respondents had experienced “bullying, harassment, discrimination, and/or rejection” in the past year, less than 30% of them had reported these experiences (p. 51). Reasons for not reporting included “their expectation that nothing would be done, fear of reprisal and fear that reporting would negatively impact their advancement opportunities” (p. 51). As in the RCMP Report, the OPP Report suggests impartial providers rather than partisan advocates, the prioritization of leadership skills, and organizational restructuring.

## CONCLUSION

This literature review provides an overview of the major issues affecting victim-survivors of workplace sexual harassment today. We have focused our report on the ways in which victim-survivors respond to gendered forms of workplace harassment and have adopted intersectional and inclusive approaches that centre the experiences of marginalized workers engaged in precarious work while also recognizing the experiences of victim-survivors who experience understudied and often ignored forms of sexual harassment (such as gender policing). As many of the authors cited in this review make clear, there are countless barriers in place that prevent or discourage victim-survivors from seeking help or reporting incidences of sexual harassment. If laws, policies, measures, and procedures are to effectively prevent and eliminate workplace violence of any kind, including sexual harassment, they must necessarily acknowledge and address the historical, cultural, social, and economic contexts that shape how specific forms of violence are deployed, utilized, and experienced by workers. Services and support must be made readily accessible and must be useful for victim-survivors experiencing racialized sexual violence, for those whose immigration status is precarious, for those working in sexualized workplaces, for those engaged in precarious work, and for any other marginalized workers.

While our article has tried to highlight some of the major issues regarding legislation, workplace cultures, organizational structuring, and other barriers to victim-survivors experiencing sexual harassment (or workplace violence more broadly), we must also acknowledge the work that victim-survivors and their communities have done to raise awareness about workplace violence and to better protect workers who experience it. Victim-survivors of workplace violence are better protected than ever before thanks to women who have been spurred to action by their own experiences. They are women such as Bonnie Robichaud, whose seven-year legal battle (from 1980 to 1987) led the Supreme Court to rule that employers are responsible for maintaining a harassment free workplace; Yvonne Séguin, who became the Director of the *Groupe d’aide et d’information sur le harcèlement sexuel au travail* (the only Centre dedicated exclusively to helping victim-survivors of workplace harassment in Canada) after having experienced sexual harassment herself; Sharon Scrimshaw who fought a seven year legal battle and refused to accept a gag order in her settlement with her employer for the thirteen years of sexual harassment and assault she experienced and Jacquie Carr, daughter of Theresa Vince, murdered by the supervisor who was sexually harassing her, who engaged in research and efforts to change legislation (Make It Our

Business, 2018). That said, much work remains to be done if we want to see a world without workplace violence. We hope that this literature review—in conjunction with our research—will serve as a step in that direction.

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