

**SEXUAL HARASSMENT OF ACADEMIC STAFF AT
HIGHER EDUCATION INSTITUTIONS IN SOUTH AFRICA**

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REMARKS

The reader is reminded of the following:

In this thesis, the references and editorial style used have been prescribed by the Publication Manual (4th edition) of the American Psychological Association (APA). This practice is in line with the policy requirements of the industrial sociology programme at the North-West University.

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SUMMARY

Subject: Sexual harassment of staff at higher education institutions in South Africa

Key terms: incidence, policies, grievance procedures, likelihood to harass, vicarious liability, power, implementation, preventative and remedial measures, complaints, formal and informal procedures

The efforts to create an equal non-discriminatory South African society should also manifest in the workplace and, more specifically, in the academic arena. Academics are regarded as the leaders of society and the shapers of the future of a country. Their conduct should be of the highest ethical and moral standards, and no form of discrimination should be allowed by or against them. In terms of the Employment Equity Act, sexual harassment is a form of unfair discrimination and carries a substantial penalty should an employer be found guilty of vicarious liability.

The purpose of this study was to determine the perceived incidence of sexual harassment of academic staff at higher education institutions in South Africa, as well as their awareness of the policies dealing with sexual harassment. The sufficiency of the grievance procedures designed to deal with complaints of sexual harassment was also evaluated.

A cross-sectional survey design was used to reach the research objectives. The Sexual Harassment Questionnaire (SHQ) was randomly distributed amongst a sample of 710 academic staff members from 10 higher education institutions in South Africa. A response rate of 22,8 percent ($n = 162$) was achieved. The statistical analysis was carried out using the SPSS 15.0 program (SPSS 2007), a program that is used to conduct statistical analysis regarding reliability and validity of the measuring instruments, descriptive statistics, *t*-tests, analysis of variance, correlation coefficients and multiple regression analysis.

Article 1 focuses on the perceived incidence of sexual harassment. In this article, five categories of sexual harassment were used as indicators of the incidence thereof, namely verbal, non-verbal, physical, gender and *quid pro quo* harassment. A statistically significant correlation coefficient with a large effect was found between verbal and non-verbal harassment. A practically significant correlation of a medium effect was also found between

physical, verbal, non-verbal and *quid pro quo* harassment and sexism, as well as between the control item of sexual harassment and physical, verbal, non-verbal and *quid pro quo* harassment. Analyses of variance were performed on the different demographic groups using various variables and the findings indicate no practically significant effect of gender, age, population group or years of service on sexual harassment.

In Article 2, the awareness of sexual harassment policies and procedures were determined. Various aspects of policies were investigated, such as content, development, types and implementation. The results show that despite indications that sexual harassment policies do exist and that they are regarded as effective tools in addressing sexual harassment, the implementation of such policies is not effective. In addition, few academic staff members receive training/guidance on the utilisation of these policies. Significant correlation coefficients were found between the elements of an effective policy and between population groups and some of the elements.

Article 3 reports on findings regarding the sufficiency of grievance procedures in dealing with complaints of sexual harassment. The results show a positive correlation between confidence in the grievance procedure, the amount of attention that supervisors pay to grievances, regular feedback to employees regarding the progress of grievances, willingness of supervisors to take decisions, the amount of confidence in supervisors and the effectiveness of the procedure. The reluctance of management to deal with grievances unless they are reported via the grievance procedure was related to the perceived effectiveness of the procedure.

Recommendations for higher education institutions as well as for future research are made.

OPSOMMING

Onderwerp : Seksuele teistering van akademiese personeel in hoër opvoedkundige instellings in Suid-Afrika

Sleuteltermes : Voorkoms, beleide, grieweprosedures, geneigdheid om te teister, aanspreeklikheid, mag, implementering, voorkoming, hantering, klagtes, formele en informele prosedures.

Die pogings om 'n gelyke en nie-diskriminerende Suid-Afrikaanse gemeenskap te skep, moet ook in die werksplek geld en meer spesifiek in akademiese instellings. Akademici word beskou as gemeenskapsleiers en die vormers van die toekoms van 'n land. Hulle optrede behoort van die hoogste etiese en morele standaard te wees en geen vorm van diskriminasie teen of deur hulle behoort toegelaat te word nie. Seksuele teistering word beskou as 'n vorm van onbillike diskriminasie in terme van die Wet op Gelyke Indiensneming en werkgewers kan 'n beduidende bedrag beboet word sou hulle skuldig bevind word aan derde party aanspreeklikheid.

Die doel van hierdie navorsing is om die waargenome voorkoms van seksuele teistering onder akademiese personeel van hoër opvoedkundige instellings in Suid Afrika sowel as hulle bewustheid van beleide wat seksuele teistering reguleer. Die geskiktheid van grieweprosedures om klagtes van seksuele teistering te hanteer sal ook evalueer word.

'n Dwarssnee-opnameontwerp is gebruik om die doelwitte van hierdie navorsing te bereik. Die Sexual Harassment Questionnaire, is versprei onder 'n ewekansige steekproef van 710 akademiese personeel van 10 hoër opvoedkundige instellings in Suid Afrika. 22,8 persent ($n=162$) terugvoer is ontvang. Die statistiese ontleding is gedoen met behulp van die SPSS 15.0 program (SPSS 2007), 'n program wat gebruik word om statistiese ontledings van die geldigheid en betroubaarheid van die meetinstrumente uit te voer. Die program verskaf ook beskrywende statistiek soos *t*-toetse, variasie ontledings en korrelasiekoëffisiënte.

In Artikel 1 het die navorser op die persepsies van die voorkoms van seksuele teistering gefokus. Vyf kategorieë van seksuele teistering is gebruik as indikatore van die voorkoms daarvan, naamlik verbale, nie-verbale, fisiese, geslags en *quid pro quo* teistering. 'n Statisties

beduidende korrelasie met 'n groot effek is gevind tussen verbale en nie-verbale teistering. 'n Statisties beduidende korrelasie met 'n medium effek is gevind tussen fisieke, verbale, nie-verbale, *quid pro quo* en geslags seksuele teistering, asook tussen die kontrole item en fisiese, verbale, nie-verbale en *quid pro quo* seksuele teistering. Variansie-ontledings van die verskillende veranderlikes en die demografiese groepe het geen beduidende effek van geslag, ouderdom, bevolkingsgroep of jare diens op die voorkoms van seksuele teistering gevind nie.

In Artikel 2 is die bewustheid van akademiese personeel van seksuele teistering beleide en prosedures bepaal. Verskeie aspekte van beleide is ondersoek soos die inhoud, ontwikkeling, tipes en implementering. Die resultate toon dat ten spyte van die aanduiding dat seksuele teistering beleide wel bestaan en beskou word as doeltreffende middele om seksuele teistering aan te spreek, die implementering van die beleide nie doeltreffend is nie en dat baie min akademiese personeel opleiding ontvang om die beleid te gebruik. Beduidende korrelasie koëffisiente bestaan tussen die elemente van 'n doeltreffende beleid en tussen bevolkingsgroep en sommige van die elemente.

Die geskiktheid van griewe-prosedures om klagtes van seksuele teistering te hanteer word in Artikel 3 ondersoek. Resultate toon 'n positiewe korrelasie tussen vertroue in die griewe-prosedure, die aandag wat toesighouers aan griewe skenk, gereelde terugvoer aan werknemers oor die vordering met die grief, die bereidwilligheid van toesighouers om besluite te neem, die vertroue in die toesighouer en die doeltreffendheid van die prosedure. Die onwilligheid van bestuur om klagtes te hanteer tensy dit deur middel van die griewe-prosedure rapporteer word, is verwant aan die waargenome doeltreffendheid van die prosedure.

Aanbevelings vir HOI's asook vir toekomstige navorsing is aan die hand gedoen.

CHAPTER 1: INTRODUCTION AND PROBLEM STATEMENT

1.1 INTRODUCTION

This study covers the incidence of sexual harassment among academic staff at higher education institutions in South Africa, as well as their awareness of the policies and procedures designed to deal with complaints of sexual harassment. The effectiveness of the grievance procedures in dealing with these complaints is included in the study.

Chapter 1 introduces and defines the concept sexual harassment, where after the study is demarcated. This is followed with a problem statement, leading to the identified research questions relating to the perceptions of the incidence of sexual harassment, and the awareness of sexual harassment policies and procedures. An overview of the literature on the legislation and organisational theoretical models is provided as motivation for conducting this study. A discussion of the research objectives and methodology follows, together with an outline of the ethical considerations pertaining to the study. The chapter concludes with an overview of the chapters/articles comprising this study.

1.2 PROBLEM STATEMENT

South Africa is currently experiencing a proliferation of sexual harassment cases. These cases are high profile and are widely reported on in the media. The case of *Grobler v Naspers Ltd* [2004] 25 ILJ 439 not only focused on the sexual harassment of an employee by a manager but also on the vicarious liability of an employer. The findings of this case have far-reaching implications for employers who need to protect themselves against claims for damages suffered by the harassed party. In the *Grobler/Naspers* case, an amount of close to R1 million was awarded to Grobler for loss of earnings, loss of past income, loss of future earnings and for medical expenses. This finding by the Cape High Court was upheld by the Supreme Court of Appeal (*Media 24 Ltd and Samuels V Grobler* [2005] 16 (4) SALLR (SCA)). A similar case, this time in the higher education sector, was heard by the Labour Court in the matter of *Orr & Another v Unisa* [2004] 9 BLLR 954 (LC). Apart from the amount of R500 000 that the implicated university, the University of South Africa (Unisa), was ordered to invest in a bursary fund for needy black female students, the University was also ordered to apologise unconditionally to Prof. Orr for the professional and personal suffering that she had to

endure. Of particular interest to this study was court order requiring Unisa to implement its policy on sexual harassment and commit itself to the application of a code of conduct for its council members, and maintain an approved grievance procedure for employees and students. While this amounts to a rapping over the knuckles for Unisa, it does indicate that the Labour Court views complaints of sexual harassment as very serious, especially when employers fail to act or do not act in a timely manner.

The courts raised two important issues for employment relations: the mention of a sexual harassment policy and the implementation of a grievance procedure. These are seen as mechanisms for preventing and dealing with complaints of sexual harassment. Through effectively adhering to a sexual harassment policy and implementing a grievance procedure, the employers mentioned in these two court cases could have prevented matters from developing into litigation, with the resultant high costs. The assumption is made and even accepted that most organisations do have such policies and procedures in place. What cannot be readily accepted is that these policies and procedures are effective or that they are applied in an effective manner. This study aims to shed light on this matter. The fact that this case occurred in a university setting highlights the relevance of this study. The study was conducted at higher education institutions in order to determine the perceived incidence of sexual harassment amongst colleagues within these institutions.

These two court cases serve to highlight the growing incidence of sexual harassment in the workplace in general. When considering the consequences of sexual harassment for individuals and organisations, it is clear that it requires a deeper understanding. These consequences are classified in terms of psychological, physiological and career-related reactions. Psychological reactions include denial, avoidance, depression, shock, anger, fear, frustration, irritability, insecurity, embarrassment, confusion, feelings of powerlessness, shame, self-consciousness, low self-esteem, guilt, self-blame and isolation (O'Hare & O'Donohue, 1998; Schell, 2003). These psychological reactions may also manifest in different physiological reactions, such as headaches, lethargy, gastrointestinal distress, dermatological reactions weight fluctuations, sleep disturbances, nightmares, phobias, panic reactions and even sexual problems. Employees who have been sexually harassed may suffer career-related effects, which may include decreased job satisfaction, loss of job or promotion, drop in work performance and a resultant impact on productivity. Furthermore, sexual harassment may lead to increased absenteeism and use of sick leave, a drop in morale of

employees and a negative impact on the image of an organisation if the harassment becomes known publicly (Ramsaroop & Brijball Parumasur, 2007).

When these consequences are quantified, the costs to organisations manifest in the increased turnover of staff with resultant increased replacement costs. Organisations who turn a blind eye to sexual harassment experience a loss of ethical standards, discipline, trust and respect for especially senior staff who are involved or aware of harassment in the workplace. This knowledge affects an organisation's image among staff, customers and the general public (Carrell, Elbert, Hatfield, Grobler, Marx & Van de Schyf, 2000)

A review of the relevant literature on sexual harassment leaves no doubt that sexual harassment is described from the viewpoints of various disciplines. These disciplines range from psychology (understanding the behaviour of harassers and victims), to sociology (studying environmental factors that influence the prevalence of such behaviour in organisations) and to legal studies (prosecution of transgressors and compensation (Corr & Jackson, 2001; Snyman–Van Deventer & De Bruin, 2002; Timmerman & Bajema, 2000). These disciplines are involved in the study of sexual harassment as the origins of sexual harassment are formed in cultural, social, behavioural and other areas (Grobler, Erasmus, & Kölkenbeck–Ruh, 2003). The multi-faceted nature of sexual harassment forces any research into this phenomenon to be specific in its approach and not to confuse the causes, contributing factors, consequences, costs and management of sexual harassment. However, it is imperative that such a study refer to these diverse areas as part of a discipline-specific approach. In order to meet the research objectives of this study, only the literature relating to sexual harassment policies and procedures will be reviewed. The theoretical basis of this study is based on labour legislation, psychology, sociology and organisational theory. This statement is motivated as follows. Harassment is listed in the Employment Equity Act (no 55 of 1998) (South Africa, 1998) as a form of unfair discrimination. The rationale of the Act focuses *inter alia* on the eradication of unfair discrimination of any kind (Tinarelli, 2000). Therefore, it can be argued that the Employment Equity Act places a legal and moral obligation on employers to ensure that their workplace policies and procedures are non-discriminatory, meaning that an effective sexual harassment policy is non-negotiable in order to avoid being accused of discrimination. Apart from this Act, the National Economic Development and Labour Council (NEDLAC) has issued the 2005 Amended Code of Good

Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482) in terms of Section 203(2) of the Labour Relations Act (no 66 of 1995) (South Africa, 1995). This Code encourages and promotes the development and implementation of policies and procedures that will lead to the creation of workplaces that are free of sexual harassment, where employers and employees respect one another's integrity and dignity, their privacy and their right to equity in the workplace. This Code represents the legal motivation for conducting this study.

A brief overview of certain organisational theories is provided in Table 1 to ensure a balanced approach to this study and to highlight the behavioural dimensions of workplace policies and procedures.

Table 1

Implications of Organisational Theory for People Management

Organisational Theory	Implications for people management
Welfare Capitalism	Provide benefits and establish in-house committees and <i>grievance procedures</i> to facilitate problem solution
Human Relations School	Nurture good interpersonal <i>relations</i> Extensive <i>counselling</i> of employees <i>Fair treatment</i> as incentive for worker performance
Theory of Institutional Leadership	Positive leadership influence employees to advantage of organisation <i>Sensitivity training</i>
Fox's Sophisticated Paternalistic Style	Positive motivation of employees Gain employee commitment by good <i>human resource policies</i>
Fox's Sophisticated Modern Style	Establish <i>procedures</i> to regulate behaviours within the relationship

Source: Adapted from Bendix (2005)

These theories were selected for their relevance to this study as they emphasise the importance of fair policies and procedures as a management tool to motivate employees by providing them with the security that they will be protected in the employment relationship.

In order to provide a sound theoretical base for the study of sexual harassment, an overview of five models will be provided. The models will be discussed on a continuum from the psychological basis to the management of sexual harassment. Emphasis will be placed on those elements of the models that are applicable to the study of sexual harassment and that will contribute to the objectives of this study.

The first model is the psycho-social contract that focuses on the "reciprocal expectations of co-responsibility for organisational success by all the involved parties" (Swanepoel, Slabbert, Erasmus, Brink, Prinsloo, & Backer, 1999 p.367). It encompasses the interaction between the demands made by both the organisation and its members, and the resources offered by both parties. According to Swanepoel et al. (1999), the psycho-social contract, as an employment contract, forms the foundation of an organisation and the management of its people. This contract can be extended to include the expectations of employees regarding the treatment

they expect from the organisation and its members as well as the expectations of the employer regarding the behaviour of its employees. This contract can be described as an invisible and, therefore, unwritten set of expectations between the different stakeholders of an organisation, which forms the basis of the employment relationship (Swanepoel et al., 1999). The psycho-social contract is a major motivator for organisational policies and procedures, which aim to accommodate the expectations of the parties to the relationship. One of these expectations is to be able to participate in the employment relationship free from any form of harassment, especially sexual harassment. When this model is applied to sexual harassment, it implies that employees expect not to be harassed in the workplace and employers expect employees not to sexually harass each other or their clients/customers. These expectations need to manifest themselves in explicit organisational policies, procedures and other relevant documentation such as a sexual harassment policy and a grievance procedure. This model allows for the individual level where each member of the organisation holds a psychological contract comprising a wide range of expectations, as well as the organisational level where the organisation is expected to adhere to the parameters of activity. Some of the core attributes of a psycho-social/partnership contract, as listed by Swanepoel et al. (1999), should equally be part of the psychological values that underpin any approach to sexual harassment. Some of these attributes/values are:

- respect for the dignity and uniqueness of each party
- recognition of each party's inherent worth and rights
- acceptance of the good faith and integrity of each party
- commonly shared and internalised values, norms and beliefs
- open expression of feelings, thoughts and needs.

The tripartite model of Gelfand, Fitzgerald, and Drasgow (1995) aims to provide a comprehensive description of the nature of sexual harassment as a behavioural construct. The model confirms that sexual harassment is a multidimensional construct consisting of three distinct but related dimensions, namely gender harassment, unwanted sexual attention and sexual coercion. Elements of this model are evident in the classification of sexual harassment discussed in the second article of this study. The model endeavours to provide a behavioural perspective to the definition of sexual harassment, and has considerable implications for

legislation and social policy formulation. A major implication for this study is the indication of the multidimensional nature of sexual harassment in this model.

Hayter (1996) is of the opinion that traditional approaches to dealing with sexual harassment in the workplace, which entail the formulation of formal policies, grievance and disciplinary procedures, have largely been unsuccessful in addressing harassment. She proposes a conflict management model that should include the following:

- multiple levels for preventing or dealing with the problem
- multiple levels of access (formal and informal procedures)
- multiple options for managing conflict (interest/rights based)

On a more practical level, the approach an organisation takes in dealing with sexual harassment, according to this model, should include a broad definition of the different types of harassment. A code of practice should be included that sets out standards for acceptable behaviour. The approach should place emphasis on preventing harassment and creating a culture of mutual respect in the workplace. Moreover, the organisation should adopt a dispute system that includes both formal and informal procedures to resolve a dispute. More detail on these procedures is provided in the fourth article.

A model that is similar in some respects to the Conflict Management Model is the Business Policy Statement Model for Eliminating Sexual Harassment and Related Employer Liability (Pearce & DiLullo, 2001). The primary goal of this model is to prevent sexual harassment by means of an activated policy while the secondary goal is to limit an employer's liability should sexual harassment occur by documenting the efforts of an employer to prevent sexual harassment. When this model is used to assist an organisation in its efforts to prevent sexual harassment, the organisation should have a sexual harassment policy in place that includes five elements:

- a clear policy statement
- an effective complaint procedure
- an effective policy distribution plan
- education and training for all employees, and
- a system for timely investigations and corrective action

Each of these elements is thoroughly explained in the second article.

Grobler et al. (2003) developed a model for the management of sexual harassment in South African companies. Their model creates a framework within which the various elements can interact with one another in order to empower the organisation to manage sexual harassment effectively. The model is described as interactive and integrative, with each step permitting the exchange of data and feedback. It consists of a number of steps, the first being the execution of a company-specific audit. The purpose of this audit is to determine what individual members of the workforce regard as sexual harassment and how they should react as victims. The second step of the model involves the development of preventative measures such as the formulation of a policy, dispelling sexual harassment myths and misconceptions, interpersonal behaviour training, role negotiation techniques, self-defence techniques and interpersonal conflict management training. A reactive process forms the third step of the model and includes methods for dealing with cases of sexual harassment and investigation procedures. After all the steps have been followed, the last step is to evaluate periodically whether or not the organisation's efforts are effective or not.

The model proposed by Grobler et al. (2003) contains elements of the Business Policy Statement Model developed by Pearce et al. (2001) and the Conflict Management Systems Approach developed by Hayter (1996). This model is regarded as a valuable framework for organisations that are serious in their efforts to manage sexual harassment effectively.

Numerous studies have concluded by expressing the need for an effective policy on sexual harassment as the first step in the attempt by organisations to prevent and mitigate the effects of sexual harassment. Stimpson (1989) argues that while progress has been made in combating sexual harassment by accepting it as a problem, conducting workshops and

creating grievance procedures, many other organisations are still begging in this respect. Hulin, Sitzgevalde and Drasgow (in Stockdale, 1996) suggest that the prevention of sexual harassment by aggressive intervention programmes appear to be the best defence that organisations have in reducing their liability to victims. They warn employers that if they do not have a policy in place that makes it easy for employees to seek redress for their claims, or if they do not regularly revisit those policies with their entire workforce, they will have no defence available to them other than asserting that the complained-of conduct was not severe and pervasive enough to constitute sexual harassment in the first place (Orlov & Roumell, 1999).

A number of authors stress the need for sexual harassment policies by indicating the following:

- the value of a well-drafted, carefully considered policy (Wilken & Badenhorst, 2003)
- the understanding of human sexual behaviour and its effect on improving appropriate behaviour in the workplace (Corr et al., 2000)
- the ways in which organisations could benefit from increased understanding of how organisations culture affect their employees perceptions of unwanted sexual behaviours (Timmerman et al., 2000).

It can be deduced that authors on sexual harassment agree that an effective policy is critical to creating a harmonious non-threatening working environment that will contribute to employee wellness. When viewing sexual harassment from a legal perspective, the literature is clear on the value of implementing a fair and reasonable policy, dealing with workplace sexual harassment and the avoidance of liability (Aalberts & Seirduran, 1996; Snyman-Van Deventer et al., 2002). An employer is expected to take reasonable steps to prevent sexual harassment. This can be done by developing a sexual harassment policy that establishes a procedure for investigating complaints quickly, confidentially and impartially. It should ensure that action is taken against harassers and that victims are protected from reprisals. This means that prevention is the key to avoiding liability. Vicarious liability places responsibility on the employer for the conduct of its employees, even if the employer was not aware of their actions (not responding to complaints of sexual harassment).

When considering the emphasis placed on having a sexual harassment policy in order to prevent and deal with sexual harassment in the workplace, it becomes necessary to investigate the existence of these policies. The effectiveness of policies in preventing and managing sexual harassment should also be determined and the necessary corrections made should it be found that the policies are not effective. Timmerman et al. (2000) found that at the time of conducting their research little was known about the effectiveness of sexual harassment policies and procedures. Their study also indicated that few organisations evaluate their sexual harassment policy, leading the authors to conclude that current policies and procedures have not solved the discrepancy between the relatively high number of instances of sexual harassment and the low incidence of reporting. A further need for this research is the recommendation by Luther and Pastille (2000) that additional research is needed to determine the effect sexual harassment policy and, specifically, training programmes have on influencing the perception of social-sexual interaction. They also stress the need for these programmes (as part of the policy) to be evaluated for effectiveness.

The first step of the model proposed by Grobler et al. (2003) for the management of sexual harassment in South African companies entails the execution of a company-specific audit. They motivate the need for this step by stating: "if the company fails to conduct such an audit, but merely develops a policy which defined the company's views and the subject, various individuals may not agree with the company's interpretation/definition of the phenomenon. This, in turn, will result in individuals rejecting the policy." The objective of the audit is to determine what workplace behaviour constitutes sexual harassment and what should individual employees do when they regard themselves as victims of sexual harassment. In other words, do employees regard themselves as the recipients of unwelcome sexual attention and are employees aware of the sexual harassment policy, which should outline the definition and provide examples of sexual harassment. In addition, it should determine whether employees are familiar with the steps that should be taken when sexual harassment occurs (procedure). These are exactly some of the objectives of this study. The study by Wilken et al. (2003) found that not one of the eight universities that were part of their analysis paid sufficient attention to the implementation of and training in sexual harassment policies. The universities were especially lacking in the evaluation of supervisors, periodic feedback to all stakeholders and surveys at all levels of the institution to determine stakeholder satisfaction, the effectiveness of the process and the success of disciplinary steps.

It becomes clear that the implementation of sexual harassment policies at universities in South Africa is problematic and this leads to the following research questions:

- To what extent do academics at higher education institutions regard themselves as victims of sexual harassment?
- How effective is the implementation of the sexual harassment policy at the participating institutions?
- What is the level of awareness of academic staff regarding the existence and content of the sexual harassment policy at their institution?
- Do academic staff members know what their rights are? Do they know who to approach with complaints of sexual harassment?

1.3 RESEARCH OBJECTIVES

Arising from the introduction and problem statement described above, the following general and specific objectives were set for this research.

1.3.1 General objective

The study aims to determine the perceived incidence and management of sexual harassment at higher education institutions in South Africa.

1.3.2 Specific objectives

- Investigate the perceptions of academic staff regarding the incidence of sexual harassment.
- Determine the level of awareness among academic staff regarding the policy and procedure to deal with complaints of sexual harassment.
- Evaluate the sufficiency of grievance procedures to deal with complaints of sexual harassment.

1.4 RESEARCH METHOD

Two phases of research were conducted, namely a literature review and an empirical investigation. This study is presented in the format of articles.

1.4.1 Literature review

A comprehensive literature study was done to determine the criteria for effective sexual harassment policies and to establish international best practice for the implementation of a sexual harassment policy. The primary sources of data were journals, textbooks, dissertations, research reports, newspaper reports, court reports, acts, examples of sexual harassment policies and the World Wide Web. These criteria were built into a model sexual harassment policy that can be used to benchmark the policies of higher education institutions in South Africa.

1.4.2 Empirical research

The empirical portion of the study comprised the following elements:

1.4.2.1 Research design

The purpose of research design is to plan and structure a research project in such a way that it enhances the ultimate validity of the research findings (Bailey, 1987; Mouton & Marais, 1992). A survey design was used to support the research objectives since questionnaires were used as the data collection method. This method was decided upon because it has 'relevance' to the purpose of the research (Bailey, 1987); that is, (1) relevance of the study's goals, (2) relevance of questions to the goals of the study and (3) relevance of the questions to the individual respondent.

This part of the study consisted of a quantitative approach to gather data. A questionnaire was designed based on the criteria identified in the literature review in order to determine the perceptions of staff and students regarding the incidence of sexual harassment, as well as their awareness of the policy and procedure to consult in cases of sexual harassment. A Likert

scale was used in the construction of questions (Neuman, 1997). The assumption tested was that if the policy was properly implemented, levels of awareness will be high and incidence levels will be low. A pre-test was done on a sample of academic staff members. Feedback was used to improve the questionnaire by adapting, removing or adding questions.

1.4.2.2 Participants

All 23 higher education institutions in South Africa were invited to participate in the study. Based on their responses, a purposive sample (Maree, 2007) of 10 institutions was used. Academic staff at the following South African higher education institutions participated in the study: Central University of Technology, Fort Hare University, Free State University, Nelson Mandela Metropolitan University, North-West University, Rhodes University, University of Johannesburg, University of KwaZulu-Natal, Vaal University of Technology and Walter Sisulu University of Technology. The names of the academic staff members were obtained from the official Internet websites of the institutions and a random systematic sample of 10 percent of all participating institutions was drawn. The length of the interval was calculated by the ratio $k=N/n$, where k =the length, N =size of the population and n =size of the sample (Bless & Higson-Smith, 2004). Questionnaires were sent to 710 participants.

A response rate of 22,8 percent ($n=162$) was achieved. The participants that took part in this study represent academic staff on different post levels and range from junior lecturers to professors and deans of faculties. Owing to confidentiality and the sensitivity of the research topic, no individual responses for the participating institutions are reported. The participants are representative of the population given that they are in academic positions and are in interaction with the various role players at their respective institutions. This places them in a position to provide information on the perceived incidence of sexual harassment, as well as on the awareness and effectiveness of policies and procedures.

1.4.3 Measuring instrument

The research-measuring instrument was developed specifically for the purpose of this study. Questionnaires used by various other researchers in the field of sexual harassment were considered but found to be not specific enough to meet the research objectives. The Sexual

Experiences Questionnaire (SEQ), developed by Fitzgerald, Shullman, Bailey, Richards, Swecker, Gold, Ormerod, and Weitzman (1988), is a standardised measuring instrument designed to assess the prevalence of sexual harassment in a psychometrically sound manner. The SEQ is, however, limited in its application as it only measures the actual experiences of respondents. Respondents who are aware of or who have witnessed incidents of sexual harassment will not be able to contribute to the objective of determining the perceptions of staff of the incidence of sexual harassment in their institution. The SEQ was also not designed to measure the awareness of sexual harassment policies and procedures or to evaluate the effectiveness of these measures. For this reason, the Sexual Harassment Questionnaire (SHQ) was developed based to some extent on the work of Jardim (2004), Kölkenbeck-Ruh (2003), Paludi and Barickman (1991) and Retief (2000).

The SHQ consists of a standard section (Section A) to obtain biographical information from the respondents. Owing to the sensitive nature of the topic, the questionnaire is completed anonymously and institutions are not identified.

The following scales were used in the questionnaire:

- Incidence of sexual harassment (Section B): In this section, 22 items were used to collect information about the opinions of staff on the incidence of sexual harassment at their institutions. The experience of the respondent was assessed with a 4-point scale, which allowed respondents to indicate whether they have personally experienced (1) or observed (2) incidents of sexual harassment or whether they are aware (3) or not aware (4) of these incidents. The items correlate to some extent with the examples provided in the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482) and are grouped into five dimensions/constructs, namely sexual favouritism, non-verbal harassment, verbal harassment, physical conduct and *quid pro quo* harassment. This section also contained the direct question: "Have you ever been sexually harassed on campus?" This is followed by options to indicate gender, job level and relationship to the victim of the alleged harasser.

- Awareness of sexual harassment policy (Section C): This section comprised 15 items designed to determine respondents' level of awareness of the existence and effectiveness of sexual harassment policies in their respective institutions. It also asked respondents to indicate whether the incidence of sexual harassment at their institution is high or low. Their responses were correlated with the responses received in Section B, relating to the incidence of harassment. A 5-point Likert scale was used to assess the level of awareness. Respondents had to indicate if they strongly agree with (1), agree with (2), disagree with (3), strongly disagree with (4) or are not sure of (5) the statements relating to the status of the sexual harassment policy at their institutions. The items were included based on the guidelines for the implementation of policies as described in the second article.

- Evaluation of the grievance procedure (Section D): The requirements for effective grievance procedures, as identified in the literature and described in the third article, formed the basis of the items that evaluate the sufficiency of grievance procedures to deal with complaints of sexual harassment. This section consisted of 19 items, which correlates with the requirements for an effective grievance procedure. These requirements are visibility, intelligibility, steps and time scales, credibility, support, commitment and fairness. A 5-point Likert scale was used to assess the responses and ranged from 1 (strongly agree) to 4 (strongly disagree), with a fifth option available for respondents who were not sure.

1.4.4 Statistical analysis

The Statistical Package for Social Sciences (SPSS 15.0), a data management and analysis product, was used to carry out the statistical analysis (SPSS, 2007).

The internal consistency of the items that form the scale of the SHQ was assessed using Cronbach's alpha, which is a useful coefficient for assessing internal consistency. It assesses reliability with regard to the consistency of scores obtained when the same people are re-examined with the same test on various occasions, or when equivalent items have been tested under other variable conditions (Anastasi & Rhodes, 2000).

The relationship between variables is specified by means of Pearson's product moment correlation coefficients. The level of statistical significance was set at $p < 0,05$ and effect sizes were computed to assess the practical significance of relationships in this study. A cut-off point of 0,30 represents a medium effect and a cut-off point of 0,50 represents a large effect with regard to the practical significance of correlation coefficients (Cohen, 1988).

The *t*-test compares the sample mean and the population mean, and tests whether there is a significance difference between the two. This test was used in this study to measure the significance of differences between groups. One of the most powerful and most common tests used in the social sciences is the analysis of variance (ANOVA). ANOVA was used to analyse the variance between independent (qualitative) and dependent (quantitative) variables/factors (Sarantakos, 2006).

Tables and graphic illustrations are used to promote a comprehensive understanding of essential features of frequency distributions.

1.4.5 Research procedure

The websites of all 23 higher education institutions in South Africa were accessed to obtain the name lists of academic staff at those institutions, as available on the websites. For the study, 710 questionnaires were sent to a random systematic sample of ten institutions. A self-addressed envelope was included to allow respondents to return the completed questionnaires with the minimum effort. Owing to the sensitive nature of the topic and the direct questions asked, it was decided not to make use of electronic mail to distribute and receive questionnaires, as it would identify respondents. Confidentiality was also ensured by means of the cover letter that reassured respondents that neither they nor their institutions would be identified. Participants were requested to complete and return the questionnaires within 21 days.

1.5 ETHICAL CONSIDERATIONS

The researcher undertook to abide by the following ethics:

- acknowledge and give due credit to the contributions of other researchers

- honour commitments made to research participants
- obtain permission from the institution to publish the research results
- treat participants with respect and to ensure the confidentiality of the information given to the researcher
- avoid fabricating or falsify of any data.

1.6 OVERVIEW OF CHAPTERS

Chapter 1 focuses on the introduction, the problem statement and the objectives of the study. Chapter 2 (Article 1) deals with the perceived incidence of sexual harassment of academic staff at higher education institutions in South Africa. Chapter 3 (Article 2) explores the awareness of academic staff at higher education institutions of policies and procedures to deal with complaints of sexual harassment. Chapter 4 (Article 3) evaluates the sufficiency of grievance procedures to deal with complaints of sexual harassment by investigating the requirements for effective procedures. Chapter 5 provides conclusions regarding the research objectives and discusses the limitations of this research. In addition, the chapter outlines recommendations to higher education institutions, as well as recommendations for future research.

1.7 CHAPTER SUMMARY

Chapter 1 provided a discussion of the problem statement and the various research objectives. An explanation regarding the measuring instruments and research method was given, followed by a brief overview of the chapters to follow.

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RESEARCH ARTICLE 1

CHAPTER 2:

THE INCIDENCE OF SEXUAL HARASSMENT AT HIGHER EDUCATION INSTITUTIONS IN SOUTH AFRICA: PERCEPTIONS OF ACADEMIC STAFF

ABSTRACT

The aim of this study was to investigate the perceptions of academic staff relating to the incidence of sexual harassment at higher education institutions in South Africa. A cross-sectional survey design was conducted among 162 academic staff members representing higher education institutions in South Africa. The Sexual Harassment Questionnaire (SHQ) was administered. The results showed a relatively low incidence level of sexual harassment, with gender harassment being more prevalent than unwanted sexual attention and *quid pro quo* harassment. No significant effect of gender, age, population group or years of service was found on the perceptions of the incidence of sexual harassment. The results suggest that discrimination based on gender is more prevalent among academic staff in South Africa than other forms of sexual harassment such as inappropriate touching, staring or rewards/punishment linked to sexual favours.

OPSOMMING

Die doelstelling van hierdie studie was om die persepsies van akademiese personeel met betrekking tot die voorkoms van seksuele teistering te bestudeer. 'n Dwarssnee-opnameontwerp is gebruik met 162 akademiese personeellede verbonde aan hoër opvoedkundige instellings in Suid-Afrika. Die Sexual Harassment Questionnaire is afgeneem. Die resultate het aangetoon dat daar 'n relatiewe lae voorkoms van seksuele teistering bestaan. Geslagsteistering kom meer voor as onwelkome seksuele aandag of *quid pro quo* teistering. Geslag, ouderdom, bevolkingsgroep of jare diens het nie 'n statisties beduidende effek op die persepsies van die voorkoms van seksuele teistering gehad nie. Die resultate suggereer dat diskriminasie gebaseer op geslag is 'n groter probleem vir akademiese personeel in Suid-Afrika as ander vorme van seksuele teistering soos ontoepaslike fisiese kontak, aankyk of belonings/straf gekoppel aan seksuele gunste.

Whilst it may seem as if sexual harassment is a relatively new phenomenon in South Africa (Basson, 2007; Rycroft, Le Roux, & Orleyn, 2005; Snyman-Van Deventer & De Bruin, 2002), it has been a problem since men and women have had to interact in the work environment. As long as the power relationship between men and women in the workplace is unequal, the potential for sexual harassment exists (Schulz, 1998). The perceived increase in the reporting of sexual harassment by the media may be ascribed to the increase of women entering the workplace as well as an increase in the assertiveness of women who are now more aware of their rights. Male-dominated occupations and organisations are transforming to a state of equity, and the consequent challenge of this new organisational culture may contribute to an increase in reported cases. Higher education institutions in South Africa are no exception in this regard.

While relatively few court cases are reported in South Africa, Nel (1993) indicates that 76 percent of all females are exposed to sexual harassment at one or other stage of their careers or professional lives. In the first reported case of sexual harassment in South African courts (*J v M* 1998 10 ILJ 755 (IC) 757E-J), it was stated that 63 percent of all females in Johannesburg are subjected to sexual harassment. It should be noted that the absence or low rate of reporting is not necessarily an indication of no cases of sexual harassment.

Attempts at achieving employment equity results in increased diversification of the workplace, and increased levels of sexual harassment may occur due to the increased interaction of genders and races. While this is conjecture at present, it does warrant further scientific investigation. When considering the significantly high penalties imposed by the courts on employers who are found guilty of vicarious liability related to sexual harassment (*J v M* 1998 10 ILJ 755 (IC) 757E-J), it becomes clear that employers cannot afford to disregard the negative consequences for themselves, their organisations and the individual employee. Any attempt to address the problems caused by sexual harassment in the workplace should commence with an audit of the present situation in order to determine the extent of the problem. This entails a measurement of the level of the incidence of harassing behaviours. The case of *Orr & Another versus Unisa* [2004] 9 BLLR 954 (LC) took place at the largest university in South Africa, which begs the question of whether this was an isolated incident or an example of widespread sexual harassment in South African universities. In the absence of previous research on the incidence of sexual harassment among academic staff in South Africa, the effective planning and managing of the phenomenon becomes problematic.

Higher education institutions should set an example for other organisations by being free of any form of discrimination and harassment, including sexual harassment. This study aims to shed some light on the status quo of sexual harassment in higher education in South Africa.

No study of sexual harassment would be complete without a thorough description of the concept, its causes, examples of sexual harassment, its effect on the workplace and the need to study this phenomenon. In order to remain neutral and not to imply that only females are harassed by males, the gender-neutral terms harasser and harassed will be used throughout this study.

The aim of this study was to determine the perceived incidence of sexual harassment among academic staff at higher education institutions in South Africa.

Sexual harassment

The diversity of the parties involved in sexual harassment, their backgrounds, cultures and perceptions makes defining exactly what constitutes sexual harassment an almost impossible task. This uncertainty is highlighted by Glick (1997:32) who states, "What is harassment to one woman may not be to another. While a shrinking violet may complain about anything, others wouldn't bat an eyelid". She further explains this by indicating that women workers are not homogenous and the atmosphere may differ between different types of working environments. Therefore, one definition may not be able to satisfy every complainant, harasser, employer and lawyer. Despite these limitations, a comprehensive definition is provided by the Equal Employment Opportunity Commission of the United States of America, which defines sexual harassment as:

"Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or admission to an academic programme, 2) submission to or rejection of such conduct is used as a basis for decisions affecting an individual's employment status or academic standing, or such conduct has the purpose or effect of substantially interfering with an individual's performance on the job or in the classroom, or creating an intimidating, hostile or offensive work or study environment" (Kastl & Kleiner, 2001, p. 156).

This definition is of particular importance to this study as it makes provision for the workplace (employment relationship) as well as the academic environment (student-student and student-lecturer relationship). In order to remove any uncertainty regarding what constitutes sexual harassment, any employer and academic institution will have to accept a definition that forms the basis for the sexual harassment policy and, thus, any action that has to be taken in the case of complaints of sexual harassment. As such, it is suggested that the definition provided by the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases (GN 27865 GG 482), which was issued in terms of the Labour Relations Act (no 66 of 1995) (South Africa, 1995), be used as a universally accepted definition of sexual harassment. In all probability, this definition will be used by courts and councils when a case of sexual harassment is arbitrated, and will aid employers in providing an objective and “legal” definition of sexual harassment. According to this Code, sexual harassment is defined as follows:

“Sexual harassment is unwanted conduct of a sexual nature that violates the rights of an employee and constitutes a barrier to equity in the workplace, taking into account all of the following factors: a) whether the harassment is on the prohibited grounds of sex and/or gender and/or sexual orientation; b) whether the sexual conduct was unwelcome; c) the nature and extent of the sexual conduct, and d) the impact of the sexual conduct on the employee.”

Legislation

Legislation can be regarded as the motivation for the creation of organisational policies and procedures on sexual harassment, and for the creation of programmes to prevent and eliminate sexual harassment in the workplace (Luthar & Pastille, 2000). Cognisance needs to be taken of the different pieces of legislation that impact directly or indirectly on the way in which sexual harassment is defined and managed in the workplace. Before legislation on sexual harassment was passed, employers had to act according to the principles of common law (Finnemore & Van Rensburg, 2000). This entailed the development of a safe workplace, free of hostility and conducive to work, as well the undertaking of active steps to eliminate sexual harassment through the implementation of disciplinary action against those found guilty of harassment. This will ensure that the employee’s right to privacy, dignity and equal

treatment is protected. Sexual harassment is regarded as an infringement upon a person's right to privacy and dignity in terms of Sections 10 and 14 of the Constitution of the Republic of South Africa (South Africa, 1996). Sexual orientation, thoughts and actions are regarded as very personal and intimate, and should be respected as such. Therefore, sexual harassment is disrespectful and un-constitutional.

Schedule 7(2)(1)(a) of the Labour Relations Act (no 66 of 1995) (South Africa, 1995) proclaims sexual harassment as a form of unfair discrimination based on sex and makes provision for employers to be accused of an unfair labour practice if an employee was sexually harassed. This matter can be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA) for conciliation, and the Labour Court for final adjudication if necessary. In an effort to assist employers and to ensure consistency, a code of good practice on the handling of sexual harassment cases was issued in terms of Section 203 (2) of the Labour Relations Act, (no 66 of 1995) (South Africa, 1995). This code provides a definition of sexual harassment, which is supported by examples of the different forms of sexual harassment. Employers are encouraged to create and maintain a working environment that is free from sexual harassment and the code provides guiding principles to enable employers to formulate policies and procedures to deal with cases of sexual harassment. Section 6 (3) of Chapter 2 of the Employment Equity Act (no 55 of 1998) (South Africa, 1998) lists sexual harassment as a form of harassment that is classified as unfair discrimination and, therefore, expressly forbidden. It makes provision for disputes regarding harassment to be conciliated and eventual referral to the Labour Court should conciliation fail.

Lawmakers regard sexual harassment as a serious offence. This should act as an incentive for employers to eradicate this phenomenon from their workplaces by enforcing effective policies and procedures. It also serves as the basis for this study, which aims to evaluate the existence and effectiveness of these policies and procedures. The legal obligation on employers to protect their employees against harassment raises the issue of vicarious liability of employers.

Classification

Sexual harassment is broadly categorised into two categories, namely *quid pro quo* and hostile work environment (Altman & Lavelle, 1998). The grounds for this distinction are the existence of employment actions that are linked to the sexual behaviour. *Quid pro quo* harassment exists when sexual favours are demanded in exchange for work-related benefits such as promotion and salary increase. The use or abuse of power is tantamount to this type of harassment as the harasser usually has the ability to reward or withhold benefits from the employee. A hostile work environment is created when an employer, supervisor or colleague engages in behaviour regarded as sexually offensive by the harassed and refers to actions such as sexual jokes, posters, e-mails and touching (Grobler, Erasmus, & Kölkenbeck-Ruh, 2003).

These broad categories can be further divided into three dimensions, namely sexual coercion, unwanted sexual attention and gender harassment (Fitzgerald, Magley, Drasgow, & Waldo, 1999). Gender harassment refers to behaviour, verbal or non-verbal, that is insulting or degrading towards a specific gender, while unwanted sexual attention includes verbal or non-verbal behaviour that is offensive and unwanted. Sexual coercion involves reciprocal favours and is therefore similar to the *quid pro quo* harassment described above. Finnemore et al. (2000) refer to the classification of the American Psychological Association that divides sexual harassment into five different types. Gender harassment refers to generalised statements about gender that are insulting and degrading. Seductive behaviour is any sexual advances that are unwanted, inappropriate or offensive. Sexual bribery involves promises or rewards for sexual activity. Sexual coercion means that sexual activity is coerced through threats of punishment, and sexual imposition is the most severe form of harassment and includes forceful touching, feeling or sexual assault.

The 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482) in terms of Section 203(2) of the Labour Relations Act (no. 66 of 1995) (South Africa, 1995) makes a distinction between sexual harassment and sexual favouritism. Harassment may be physical, verbal or non-verbal, and includes *quid pro quo* harassment. Favouritism involves the rewarding of those who respond to the sexual advances of a person in authority. These different classifications overlap to some extent and a summary is provided in Table 1.

The classification of behaviours into a specific category is not always possible, as some behaviour can be verbal, non-verbal, physical and threatening in the extreme. For example, when a supervisor shows a subordinate pornographic material (non-verbal) and then makes comments about it (verbal). This person then touches the subordinate inappropriately (physical) and threatens to withhold the performance appraisal if the subordinate tells anybody about the incident (*quid pro quo*). Any form of sexual harassment remains a very serious offence and employers should not concentrate too much on the classification but should rather focus on the prevention, training and proper handling of complaints by collecting evidence and following a fair procedure. The classification of the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482) in terms of Section 203(2) of the Labour Relations Act (no. 66 of 1995) (South Africa, 1995) will be used as a guideline in the empirical part of this study as it facilitates the structuring of the questionnaire according to a legal and universally acceptable format.

A brief overview of the theoretical models that have been proposed to explain sexual harassment is provided by O'Hare *et al* (1998) in their study of the risk factors associated with sexually harassing behaviour. They developed the Four-Factor Model based on the following models:

- Natural/Biological Model: Sexual harassment is a result of the natural attraction between the genders. Because of men's stronger sex drives than women, they behave in a sexually aggressive manner, also in the workplace. Men have no intention to harass individuals who regard their behaviour as unwanted. This model is limited in its application as it is based on the assumption that sexual and gender discrimination does not exist in the workplace. The model also does not consider the effects of harassment on an individual or his/her organisation and ultimately does not recognise the need for procedures to deal with it.
- Organisational Model: Hierarchical structures create power differentials that facilitate sexual harassment. Power is abused for sexual gratification. Organisational characteristics such as the availability of grievance procedures contribute to the incidence of sexual harassment. Although more women than men are sexually harassed, it is due to the gender profile of an organisation, especially in organisations where men traditionally occupy higher positions. This model ultimately does not

exclude the possibility that men can be harassed by women or that same-sex harassment is possible in the workplace..

- Sociocultural Model: Harassment is a result of general male dominance over women. Males limit the growth of women or intimidate them to leave. This is caused by the socialization of men and women (males: aggressive and assertive; women: passive, avoid conflict, be sexually attractive). This model does not explain the harassment of males by females or the harassment of workers from the same gender who is supposed to similar products of socialization.
- Sex-Role Spillover Model: Harassment most likely in environments where the sex ratio is skewed in either direction. Women in male –dominated workplaces are perceived in their sex roles in stead of their work roles. This model is more comprehensive than the other three models as it combines aspects of the organisational and sociocultural models. It excludes organisational variables other than sex ratio as well as personal characteristics of the harasser and the victim, which might be important contributing factors.

According to the Four-Factor Model, four groups of factors must be met for harassment to occur as illustrated in Figure 1.

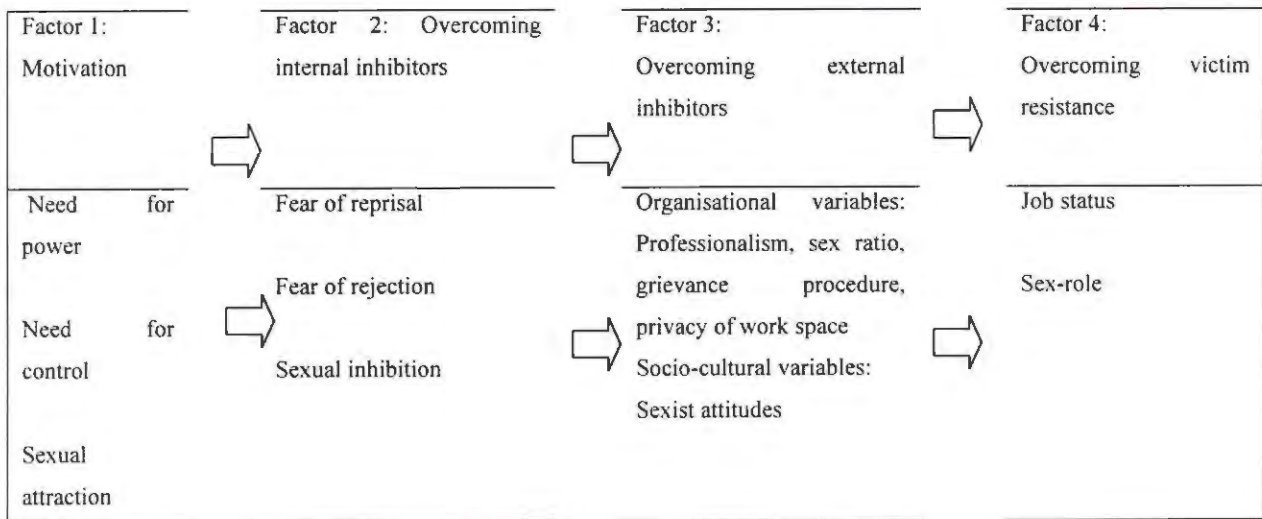


Figure 1: The four-factor model of sexual harassment
(Source: O’Hare *et al*, 1998)

The four-factor model is regarded as effective as it combines all the relevant factors of the existing models into one comprehensive model that can be used to explain a wide variety of sexually harassing behaviours. This model also recognises the role of the victim by placing most of the responsibility on the harasser who first has to be motivated and has to overcome certain inhibitors before the characteristics of the victim plays a role in harassing behaviour.

When the multitude of examples of sexual harassment, as described in the literature, is considered, it becomes clear that a variety of actions can be considered as sexually offensive. Notice should be taken at this stage of the subjective nature of this phenomenon and the difference in perceptions of different genders, races and cultures as to what constitutes sexual harassment and what does not (Corr & Jackson, 2001; Rotunda, Nguyen, & Sackett, 2001). This study does not endeavour to explain these differences. Rather, the study measures the correlation between certain of these factors. Table 1 represents a summary of examples of the different forms of sexual harassment, as reported in the literature.

Table 1

Forms of Sexual Harassment

Physical harassment	Verbal harassment	Non-verbal harassment	<i>Quid pro quo</i> harassment
Touching	Unwelcome suggestions or hints	Unwelcome gestures	Attempts to influence process of employment
Sexual assault	Sexual advances	Indecent exposure	Person in position of authority rewards only those who respond to sexual advances
Actual/attempted rape	Comments with sexual overtones	Display of sexually explicit pictures and objects	Insinuation that lack of sexual submission will affect employment
Strip search by opposite sex	Sex-related jokes or insults	Sexually suggestive looks, staring or ogling	Punishment for refusing to comply with propositions
Kissing and hugging	Comments about a person's body	Suggestive body language	Rewards for sexual co-operation
Fondling	Enquiries about a person's sex life Unwelcome whistling directed at a person/group	Sexually oriented letters, faxes or e-mails	

Sources: Green and Retief (2001); Grobler et al. (2003)

Effects of sexual harassment on the workplace

Sexual harassment is an intra-personal phenomenon and a discussion of its effects should focus first on the effects experienced by the harassed. These effects are classified in terms of psychological, physiological and career-related reactions. Psychological reactions include denial, avoidance, depression, shock, anger, fear, frustration, irritability, insecurity, embarrassment, confusion, feelings of powerlessness, shame, self-consciousness, low self-esteem, guilt, self-blame and isolation (O'Hare & O'Donohue, 1998; Schell, 2003). These psychological reactions may also manifest in different physiological reactions, such as headaches, lethargy, gastrointestinal distress, dermatological reactions weight fluctuations, sleep disturbances, nightmares, phobias, panic reactions and even sexual problems. Employees who have been sexually harassed may suffer career-related effects, which may include decreased job satisfaction, loss of job or promotion, drop in work performance and a

resultant impact on productivity. Furthermore, sexual harassment may lead to increased absenteeism and use of sick leave, a drop in morale of employees and a negative impact on the image of an organisation if the harassment becomes known publicly (Ramsaroop & Brijball Parumasur, 2007).

These are the reactions reported by Finnemore et al. (2000) and by Green et al. (2001), and refer to the reactions exhibited by women who were sexually harassed by men in the workplace. In the absence of research into the reactions of men who were sexually harassed by women or by other men, it is not possible at this stage to determine whether these reactions are generic or gender-specific. These reactions do not include those that were experienced by victims who reported incidents of harassment and will be discussed as part of the reasons why sexual harassment is sometimes not reported.

Many variables exist within organisations that may have an impact on the incidence and management of sexual harassment. These variables have been researched extensively by legal scholars and socio-psychologists who have made valuable contributions to identifying and understanding the variables that are correlated to the occurrence of sexual harassment in the workplace (Luthar et al., 2000). The aim of this study is not to explain the relationship between these variables and the incidence of sexual harassment but rather to determine the extent of sexual harassment between staff at higher education institutions and their awareness of the policies and procedures to deal with complaints of sexual harassment. The study by Timmerman and Bajema (2000) indicates that both female and male employees experienced less sexual harassment in organisations whose culture can be described as a positive social climate. This type of climate is characterised by employee-orientation, concern for people, respect for workers and an interest in the personal problems of employees. These characteristics should be part of the philosophy that underlies the sexual harassment policy of an organisation, as they create a working environment in which people are less tolerant of sexual harassment. Timmerman et al. (2000) also found that unwanted sexual conduct (harassment) is less of a problem in organisational cultures that are perceived by employees as creating equal opportunities for women and men. This finding relates to the role of power in sexual harassment.

The work of Luthar et al. (2000) on the perceptions of sexual harassment in superior-subordinate interaction has important implications for this study. Regarding the education of

subordinates, they suggest that highly educated individuals may be more sensitive to sexual harassment behaviour and protective of their rights. This means that sexual harassment is less likely to occur to those with university degrees, as this normally translates into higher levels of sensitivity as well as higher levels of personal power for the subordinate. This should lessen the tendency of superiors to become sexual harassers. Since this study is conducted among institutions of higher learning only, which consist to a large degree of relatively highly qualified employees (academics), this statement will be re-evaluated.

Numerous studies focus on the correlation between the characteristics of subordinates and superiors such as gender, age, marital status and personality characteristics, as well as the perceptions of sexual harassment (Corr et al., 2001; Luthar, 2000; Stockdale, 1996). These correlations will be largely ignored as this study is based on the foundation of legislation that forbids sexual harassment and uses only one definition of sexual harassment, irrespective of the race, age or gender of those implied in complaints of sexual harassment. However, special attention will be paid to the impact of organisational characteristics, as described by the above authors, as it forms part of the study field of industrial sociology and will prevent unintended references to a psychological approach to sexual harassment. Owing to legal action against organisations for sexual harassment, numerous training programmes have been instituted to sensitise workers and managers to the implications of sexual harassment. This training, if supported by top management via a policy, can change the culture of an organisation regarding how its members perceive social-sexual interaction in the workplace (Luthar, 2000).

While the contribution of organisational factors to the incidence of sexual harassment is noted, cognisance needs to be taken of the fact that the relationship is reciprocal and that sexual harassment has a negative effect on the organisation. According to Herbert (1994), people are generally not performing to capacity in the workplace where sexual harassment occurs; they are distracted and made anxious by potential incidents. This statement is corroborated by the research of Green et al. (2000) who found that employees who were sexually harassed became less friendly in the workplace, lost interest in their work and found it difficult to concentrate after the incident had taken place. These reactions have a definite impact on productivity and are, as such, detrimental to the organisation.

Role of power

A number of authors contend that power, and not sex, is the root cause of sexual harassment. To be more precise, power sharing between men and women, the unequal distribution of power between the genders, and the skewed representation of genders in different occupations, industries and job levels, seem to contribute to complaints of sexual harassment by workers (Caudron, 1995). This situation is not unique to the workplace, as society is characterised by examples of gender differences, especially the insensitive treatment of these differences by either gender. A study conducted by Pryor, Giedd, and Willeams (1995) found that the men who are most likely to harass sexually, associate sex with social dominance. These men transfer their elevated positions of power in society to the workplace and seem unable to differentiate between circumstances where sexual behaviour is appropriate and inappropriate. A study by Caudron (1995) reports cases of sex discrimination and sexual harassment of men in a female-dominated culture. Although these types of reports are rare in the literature, it serves to underline the notion that power, and not specifically gender leads people to oppress other people.

The issue of power versus sex is summarised by Schultz (1998). The author stresses that once it is realised that the problem is not sex but sexism, then the concept of harassment can be fully understood to be a form of discrimination because it involves men exercising their power to punish women, as workers, who have the temerity to say no (to sex). It should be emphasised at this point that this situation can be equally applicable to women in positions of power who punish men for the same reason. This approach to sexual harassment is in line with the Employment Equity Act (no 55 of 1998) (South Africa, 1998), which lists sexual harassment as a form of unfair discrimination that is prohibited in the workplace.

METHOD

Research design

The research objectives were met by utilising a cross-sectional survey design. This design is useful in assessing the opinions of a random sample of members of staff at higher education institutions in South Africa, and is regarded as ideal when the aim of the study is predictive and descriptive by nature (Burns & Grové, 1993). A cross-sectional survey design was used

as it provides data from a sample of academic staff representing different occupation levels in the institution as well as data from different genders, population groups, age categories and members with varying years of service.

Participants

All 23 higher education institutions in South Africa were invited to participate in the study. Based on their responses, a purposive sample (Maree, 2007) of 10 institutions was used. Academic staff of the following South African higher education institutions participated in the study: Central University of Technology, Fort Hare University, Free State University, Nelson Mandela Metropolitan University, North-West University, Rhodes University, University of Johannesburg, University of KwaZulu-Natal, Vaal University of Technology and Walter Sisulu University of Technology. The sample represents 10 of the 23 higher education institutions in South Africa. In their analysis of sexual harassment policies at selected higher education institutions in South Africa, Wilken and Badenhorst (2003) regarded eight universities as being “sufficiently representative of the current higher education sector in South Africa”. This sample contains five traditional and two comprehensive universities, as well as three universities of technology. As such, it is regarded as representative of the changed landscape of higher education in South Africa. The names of the academic staff members were obtained from the official Internet websites of the institutions and a random systematic sample of 10 percent of all participating institutions was drawn. The length of the interval was calculated by the ratio $k=N/n$, where k =the length, N =size of the population and n =size of the sample (Bless & Higson-Smith, 2004). Questionnaires were sent to 710 participants.

A response rate of 22, 8 percent ($n=162$) was achieved. The participants that took part in this study represent academic staff on different post levels, and range from junior lecturers to professors and deans of faculties. Owing to the confidentiality and the sensitivity of the research topic, no individual responses for the participating institutions will be reported. The participants are representative of the population because they are in academic positions and are in interaction with the various role players at their respective institutions. This places them in a position to provide information on the perceived incidence of sexual harassment as well as on the awareness and effectiveness of policies and procedures.

The biographical characteristics of the study population are presented in Table 2.

Table 2

Characteristics of the Participants

Item	Category	Frequency	Percentage (%)
Gender	Male (1)	58	36
	Female (2)	103	64
	Total	161	100
Population group	African	24	15,3
	Asian	8	5,1
	Coloured	6	3,8
	White	119	75,8
	Total	157	100
Home Language	Afrikaans	76	47,2
	English	66	41,0
	African Language	19	11,7
	Total	161	99,8
Age	30 years and younger (1)	16	9,9
	31 – 39 years (2)	54	33,5
	40 - 49 years (3)	46	28,6
	50 – 59 years (4)	43	26,7
	60 – and older (6)	2	1,2
	Total	161	99,9
Qualification	Doctorate (1)	39	24,2
	Master's (2)	85	52,8
	Hons/BTech (3)	32	19,9
	Degree/Diploma (4)	5	3,1
	Total	161	100
Tenure	Less than 2 years (1)	20	12,4
	2 – 4 years (2)	23	14,3
	5 – 7 years (3)	33	20,5
	8 – 10 years (4)	25	15,5
	11 – 13 years	25	15,5
	14 – 16 years	9	5,6
	17 – 19 years	11	6,8
	Longer than 20 years (5)	15	9,3
	Total	161	100

Table 2 indicates that 64 percent females and 36 percent males participated in this study. The majority of participants (33,5%) fell in the 31 to 39 age groups and 52,8 percent had a master's degree. The majority of the study population (20,5%) had been employed by their institutions for periods of between five and seven years.

Measuring instrument

The Sexual Harassment Questionnaire (SHQ) was developed to meet the research objectives and consists of four sections. Section A was designed to obtain biographical information from the respondents. Owing to the sensitive nature of the topic, the questionnaire was completed anonymously and institutions are not identified. Section B consists of 22 items designed to collect information about the opinions of staff on the incidence of sexual harassment at their institutions. The experience of the respondent was assessed using a 4-point scale, which allowed respondents to indicate whether they have personally experienced (1) or observed (2) incidents of sexual harassment or whether they are aware (3) or not aware (4) of these incidents.

The items correlate to some extent with the examples provided in the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482), in terms of Section 203(2) of the Labour Relations Act (no. 66 of 1995) (South Africa, 1995). These items are grouped into five dimensions, namely sexual favouritism, non-verbal harassment, verbal harassment, physical conduct and *quid pro quo* harassment. This section also contains the direct question (criterion item): "Have you ever been sexually harassed on campus?" This is followed by options to indicate gender, job level and relationship of the alleged harasser with the victim. Questionnaires were mailed during July 2008 to the selected sample after their addresses were obtained from the websites of their respective institutions. Participation in the study was voluntary and they were requested to return the completed questionnaires via mail. For ethical reasons, neither the participants nor their respective institutions were identified.

Statistical analysis

The analysis was carried out using the SPSS 15.0 program (SPSS, 2007). Descriptive statistics (frequencies, means, standard deviations, skewness and kurtosis) were determined to describe the data.

The internal consistency of the items that form the scale of the SHQ was assessed with Cronbach's alpha, which is a useful coefficient for assessing internal consistency. It assesses reliability with regard to the consistency of scores obtained when the same people are re-examined with the same test on various occasions, or when equivalent items have been tested under other variable conditions (Anastasi & Rhodes, 2000).

The relationship between variables is specified by means of Pearson's product moment correlation coefficients. The level of statistical significance ($p < 0,05$) and effect sizes was computed to assess the practical significance of relationships in this study. According to Cohen (1988), a cut-off point of 0,30 represents a medium effect and a cut-off point of 0,50 represents a large effect, with regard to the practical significance of correlation coefficients. One of the most powerful and most common tests used in the social sciences is the analysis of variance (ANOVA). ANOVA was used to analyse the differences between independent (qualitative) and dependent (quantitative) variables/factors (Sarantakos, 2006).

RESULTS

Table 3 provides an indication of the frequency of responses (%) in terms of the incidence of sexual harassment at higher education institutions.

Table 3

Frequencies of Responses (%)

Incidence	Personally experienced	Observed	Aware of	Not aware of
Sexual favouritism (reward)	0,6	6,8	19,1	73,5
Sexual favouritism (punish)	0,6	3,1	13,6	82,1
Different treatment	13,0	19,8	23,5	43,8
Indecent exposure	0,6	1,9	3,1	94,4
Sexually explicit pictures	2,5	2,5	13,0	82,1
E-mails etc with sexual content	11,2	6,8	17,4	64,6
Inappropriate staring/ogling	6,2	6,8	22,0	64,0
Unwelcome suggestions/hints	2,5	4,3	16,8	76,4
Comments(sexual undertones)	7,4	10,5	27,2	54,9
Sex related jokes/insults	10,0	17,5	30,6	41,9
Comments over person's body	3,7	9,3	14,2	72,8
Enquiries about sex life	5,0	4,3	13,7	77,0
Unwelcome whistling	3,1	9,9	17,4	69,6
Unwanted physical conduct	4,9	4,3	17,3	73,5
Sexual assault or rape	0,0	0,0	17,3	82,7
Strip search by opposite sex	0,0	0,0	1,2	98,8
Threats of punishment	0,0	0,6	4,9	94,4
Rewards/promises	0,0	0,6	11,1	88,3
Sexist remarks (gender roles)	13,0	18,0	26,1	42,9
Disciplinary action	0,0	2,5	21,0	76,5
Sexually harassed at institution	YES	8,0	NO	92,0
Characteristics of harasser	Male	6,8	Lower level	1,2
	Female	1,2	Higher level	3,7
	Colleague	3,7	Student	0,6
	Same level	2,5	Third party	0,6

Figure 2 depicts the frequencies of the different forms of sexual harassment and gives an indication of the forms that were most personally experienced, that staff members have observed most and are aware of the most. This figure clearly shows that gender harassment is the most prevalent form of sexual harassment that was personally experienced, observed and that academic staff are aware of, followed by verbal and non-verbal harassment. *Quid pro quo* harassment was the least experienced, observed and aware of type of sexual harassment.

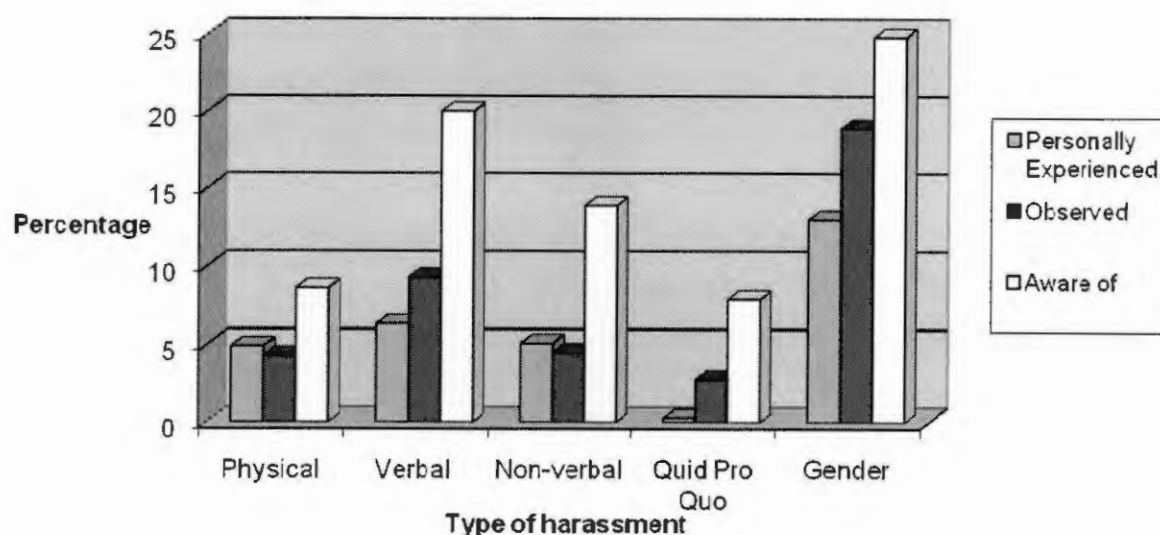


Figure 2: Frequencies of types of harassment

Descriptive statistics of physical, verbal, non-verbal, *quid pro quo* and gender harassment of academic staff at higher education institutions in South Africa are reported on in Table 4.

Table 4

Descriptive Statistics of Physical, Verbal, Non-verbal, Quid Pro Quo Harassment and Sexism

	Mean	SD	Skewness	Kurtosis
Physical harassment	3,80	0,34	-1,99	3,67
Verbal harassment	3,46	0,64	-1,29	1,12
Non-verbal harassment	3,62	0,53	-1,64	2,43
<i>Quid pro quo</i> harassment	3,81	0,35	-2,17	4,89
Gender harassment	2,99	1,07	-0,63	-0,91

The Cronbach alpha value obtained for all the items intended to measure the incidence of sexual harassment is 0,89, which is higher than the guideline $\alpha > 0,70$. Therefore, it appears that all the measuring instruments in this study have acceptable levels of internal consistency.

The information reflected in Table 4 indicates that the scores on all the variables have a normal distribution, with a negative skewness (skewed left) and a leptokurtic shape (Doane & Seward, 2007). The z-values for skewness are > 1.96 ($p < 0,01$), except for gender harassment.

In the following table, the correlation coefficients between physical harassment, verbal harassment, non-verbal harassment, *quid pro quo* harassment, sexism and sexual harassment are presented.

Table 5
Pearson Correlation Coefficients

	1	2	3	4	5	6
Physical harassment	-					
Verbal harassment	0,65**	-				
Non-verbal harassment	0,54**	0,73**	-			
<i>Quid pro quo</i> harassment	0,53**	0,45**	0,31**	-		
Gender harassment	0,47**	0,62**	0,49**	0,27**	-	
Sexual harassment	0,36**	0,44**	0,41**	0,30**	0,27**	-

** Correlation is significant at the 0,01 level (2-tailed)

Table 5 indicates a practically significant correlation coefficient ($p < 0,01$) with a large effect ($r > 0,70$) between verbal and non-verbal harassment. A practically significant correlation of a medium effect ($r > 0,30$) exists between physical, verbal, non-verbal and *quid pro quo* harassment and sexism, as well as between the control item of sexual harassment and physical, verbal, non-verbal and *quid pro quo* harassment. According to Cohen (1988), an effect size of 0,00-0,30 is a small effect, 0,40-0,60 a medium effect and 0,70-1,00 a large effect.

Analyses of variance were performed on various variables with the different demographic groups and the ANOVA results are given below, together with their interpretations.

Table 6

Analysis of Variance between Forms of Sexual Harassment and Gender

		Sum of Squares	df	Mean Square	F	P
Physical harassment	Between Groups	0,01	1	0,01	0,06	0,81
	Within Groups	17,91	159	0,11		
	Total	17,92	160			
Verbal harassment	Between Groups	1,17	1	1,17	2,94	0,09
	Within Groups	63,16	159	0,40		
	Total	64,33	160			
Non-verbal harassment	Between Groups	2,46	1	0,000	0,00	0,97
	Within Groups	73,67	159	0,26		
	Total	76,13	160			
<i>Quid pro quo</i> harassment	Between Groups	2,46	1	0,01	0,05	0,81
	Within Groups	73,67	159	0,12		
	Total	76,13	160			
Gender harassment	Between Groups	2,456	1	0,24	0,22	0,64
	Within Groups	73,67	159	1,12		
	Total	76,13	160			

Table 6 shows that gender had no practically significant effect on the different forms of sexual harassment ($p > 0,05$).

Table 7

Analysis of Variance between Forms of Sexual Harassment and Population Group

		Sum of Squares	df	Mean Square	F	P
Physical harassment	Between Groups	0,26	3	0,08	0,75	0,52
	Within Groups	17,33	153	0,11		
	Total	17,58	156			
Verbal harassment	Between Groups	0,18	3	0,06	0,15	0,93
	Within Groups	63,34	153	0,41		
	Total	63,52	156			
Non-verbal harassment	Between Groups	0,12	3	0,04	0,15	0,93
	Within Groups	41,46	153	0,27		
	Total	41,58	156			
<i>Quid pro quo</i> harassment	Between Groups	0,05	3	0,02	0,13	0,94
	Within Groups	19,47	153	0,13		
	Total	76,13	156			
Gender harassment	Between Groups	2,22	3	0,74	0,65	0,58
	Within Groups	173,75	152	1,14		
	Total	175,97	155			

Table 7 shows that population group had no practically significant effect on the different forms of sexual harassment ($p > 0,05$).

Table 8

Analysis of Variance between Forms of Sexual Harassment and Age

		Sum of Squares	df	Mean Square	F	P
Physical harassment	Between Groups	0,14	4	0,03	0,30	0,87
	Within Groups	17,78	156	0,11		
	Total	17,92	160			
Verbal harassment	Between Groups	1,06	4	0,26	0,65	0,63
	Within Groups	63,27	156	0,41		
	Total	64,33	160			
Non-verbal harassment	Between Groups	0,84	4	0,21	0,80	0,53
	Within Groups	41,05	156	0,26		
	Total	41,89	160			
<i>Quid pro quo</i> harassment	Between Groups	0,99	4	0,25	2,07	0,09
	Within Groups	18,637	156	0,12		
	Total	19,62	160			
Gender harassment	Between Groups	2,85	4	0,71	0,63	0,64
	Within Groups	175,15	155	1,13		
	Total	178,00	159			

Table 8 shows that age had no practically significant effect on the different forms of sexual harassment ($p > 0,05$).

Table 9

Analysis of Variance between Forms of Sexual Harassment and Years of Service

		Sum of Squares	df	Mean Square	F	P
Physical harassment	Between Groups	0,18	2	0,09	0,80	0,45
	Within Groups	17,74	158	0,11		
	Total	17,92	160			
Verbal harassment	Between Groups	0,23	2	0,11	0,28	0,76
	Within Groups	64,10	158	0,41		
	Total	64,33	160			
Non-verbal harassment	Between Groups	0,18	2	0,09	0,35	0,71
	Within Groups	41,71	158	0,26		
	Total	41,89	160			
<i>Quid pro quo</i> harassment	Between Groups	0,13	2	0,06	0,53	0,59
	Within Groups	19,49	158	0,12		
	Total	19,62	160			
Gender harassment	Between Groups	2,72	2	1,36	1,22	0,30
	Within Groups	175,28	157	1,12		
	Total	178,00	159			

Table 9 shows that years of service had no practically significant effect on the different forms of sexual harassment ($p > 0,05$).

Given the evidence in the above tables, the conclusion is made that no significant relationship exists between the individual characteristics of academic staff (gender, population group, age and years of service) and the perceived incidence of sexual harassment at higher education institutions in South Africa.

DISCUSSION

The objective of this study was to determine the incidence of sexual harassment among academic staff at higher education institutions in South Africa. The majority of existing research on sexual harassment in academia has examined sexual relations between academics and students and /or among students (Barak, Fisher, & Houston, 2006; Gouws & Kritzing, 2006).

2007; Larocca & Kromrey, 1999; O'Hare et al., 1998; Ramsaroop et al., 2007; Richman Rospenda, Nawyn, Flaherty, Fendrich, Drum, & Johnson, 1999). Very few studies have focused on sexual harassment among academics and no study could be found that examined this phenomenon in South Africa in this context. Academics are regarded as role models for future professionals and they should always strive to maintain ethically sound relationships with colleagues and with students. Research results of the incidence of sexual harassment will increase awareness and understanding of this phenomenon, and will assist higher education institutions in evaluating their current approaches of dealing with and minimising incidents of sexual harassment on their campuses.

A frequency analysis of the responses indicates only four items with relatively high reported levels of the perceived incidence of the forms of sexual harassment. Two of the items (comments with sexual undertones and sex-related jokes/insults) are forms of verbal harassment, while the other two (different treatment because of gender and sexist remarks about gender role) are considered to be examples of sexism/gender discrimination. These two items also represent the highest frequency of incidents that were personally experienced (13%) and observed (19.8% & 18%) by respondents. Therefore, it appears that academic staff personally experience gender harassment more frequently than the traditional forms of sexual harassment. This may be an indication of prevalent gender discrimination on South African higher education campuses and may be explained by the transformation that has taken place since 1994. Higher education institutions were traditionally male dominated and the increasing number of female academics may contribute to a perception of gender harassment/discrimination. Further research would be required to substantiate this observation. This finding is supported by the study of O'Hare et al. (1998), conducted at a large Midwestern university in the United States of America, which found that the most prevalent types of sexual harassment reported by academic staff and by students were gender harassment, followed by certain forms of unwanted sexual attention.

Prevalence rates of cases of gender harassment, unwanted sexual attention and sexual coercion have been estimated by Fitzgerald and Omerond (as cited in Schell, 2003) to be 50 percent and more, 20-25 percent and more and 5-10 percent respectively. The ratio of these different forms of harassment corresponds with those found in this study. The second most frequent form of harassment is verbal/non-verbal while very low levels of physical harassment have been reported. An interesting observation is made regarding the consistently

higher frequencies of incidents that respondents were aware of in comparison to those that they experienced or observed. It would therefore seem that more incidents of sexual harassment exist than are reported by academic staff. Very few (8%) of the respondents indicated that they have been sexually harassed at their institution. This finding may be explained by previous research that suggests that sexual harassment in general is underreported (Bagilhole & Woodward, 1995; Gutek, 1985). It is difficult to interpret this figure as no other study has attempted to determine the level of sexual harassment among academic staff at higher education institutions in South Africa. Another way of interpreting this figure is to apply it to the study population and to infer that 8 percent of all academic staff members at higher education institutions in South Africa have experienced some form of sexual harassment.

An analysis of the characteristics of the alleged harassers, as indicated by those who feel that they have been sexually harassed at their institution, shows that the majority of harassers were male colleagues at a higher job level than that of the harassed. This finding is consistent with previous research concerning the role of power in workplace relations (Luthar & Pastille, 2000; Pryor et al., 1995; Rudman, Borgida, & Robertson, 1995; Schulz, 1998; Stockdale, 1996). Gender differences in perceptions of sexual harassment are highlighted by this finding and the possibility that males are more likely to regard physical and verbal sexual attention as a compliment. This is contrary to women who are more likely to regard this type of attention as threatening and offensive.

The overall internal consistency coefficient (Cronbach alpha) of 0,89 for all the items of this section of the SHQ is consistent with other similar studies that have reported reliability coefficients ranging from 0,78 to 0,88 (Paludi & Barickman, 1991; Whatley & Wasieleski, 2001). These measurements are an indication that the items are indeed measuring the constructs that they are intended to measure and that they correlate with one another.

The analysis of Pearson's correlations has shown that a practically significant correlation coefficient ($p < 0,01$) of a medium effect ($r > 0,30$) exists between verbal, non-verbal, physical, *quid pro quo* and gender harassment. This is indicative that respondents view all forms of the sexual harassment measured as incidents of sexual harassment.

One-way analyses of variance (ANOVAs) conducted on the participants' responses to the items measuring the incidence of sexual harassment did not show any significant differences. No significant effect of gender, age, population group or years of service was found on verbal, non-verbal, physical, *quid pro quo* or gender harassment. Contrary to common belief, no significant differences were found between male and female experiences of sexual harassment. Females reported only slightly more incidences of sexual harassment than males. This finding is supported by Timmerman et al. (2000) who did not find significant gender differences when personal experiences of sexual harassment were reported in their study of the impact of organisational culture on perceptions and experiences of sexual harassment. This study therefore indicates that males and females, whether they are black, white, coloured or Indian, have similar experiences regarding sexual harassment among academic staff. In contrast with the studies of Fain and Anderton (1987), and Balogun and Olapegba (1999), no significant effect of age on the perception of sexual harassment was found. These studies reported that older people have a higher perception of harassment than those held by younger people. The reason for this difference needs to be investigated through further research.

The results of this study may be limited by the low response rate of 22,8 percent. The sensitive and personal nature of the information that respondents were required to provide may explain their reluctance to participate in the study. It is also possible that the questionnaire reminded certain potential participants of specific incidents of sexual harassment, and the negative experience may have prevented them from completing it. The possibility that those employees who are really threatened by sexual harassment did not complete the questionnaires, can not be excluded. Their contributions could have influenced the findings of this study. Other studies of a similar nature also report relatively low response rates. For example, Pryor et al. (1995) report a response rate of 32 percent, Retief (2000) n=104, Timmerman (2000) 40 percent, O'Hare and O'Donohue (1998) 34 percent, Whatley and Wasieleski (2001) 24 percent, Peirce, Rosen and Hiller (1997) 21 percent, and Ramsaroop and Brijball Parumasur (2007) n=74. The study is also limited in its comparability, as no other study that the researcher is aware of has attempted to determine the incidence of sexual harassment among academic staff at higher education institutions in South Africa. Existing research focused on the public service (Brand & Silberman, 2002; Du Plessis, 2001; Van der Berg, 2002) and the South African Police Service (Retief, 2000). Numerous studies have investigated the incidence of sexual harassment on campuses, including harassment of students by students and by academic and other staff. In order to be

true to the field of industrial sociology, students were excluded from this study, as they are not involved in an employment relationship. However, higher education institutions cannot be successfully studied without reference to the largest section of a university population, namely the students. Consequently, it was not possible to compare the Cronbach alpha coefficients with those of other South African studies on the incidence of sexual harassment. Cronbach alpha coefficients were compared with international studies based on the Sexual Experience Questionnaire.

A further limitation of the study is the isolation within which the results were interpreted. Limited data is available from higher education institutions regarding the number of complaints of sexual harassment received from academic staff. This makes it difficult to place the data on the incidence of sexual harassment in perspective. Notwithstanding this limitation, it should be noted that the objective of the study was to determine the perceptions of academic staff regarding the incidence of sexual harassment. With this in mind, the study clearly indicates that harassment is experienced and observed by academic staff, and, as such, the management of higher education institutions should take cognisance thereof.

The possibility that respondents applied different, subjective definitions of sexual harassment when they completed the questionnaire cannot be ignored. The failure to provide a definition was a deliberate action undertaken so as not to guide or lead respondents. In their study on sexual harassment risk factors, O'Hare et al. (1998) define sexual harassment explicitly and comprehensively, and regard this as a contributing factor to the higher prevalence rates that they found. Interviews with respondents might have provided the researcher with insight into the definition and frame of reference that influence their perceptions of sexual harassment. The very personal and threatening nature of sexual harassment lead to the use of an anonymous questionnaire rather than an interview to obtain data. The fact that the majority of victims of sexual harassment at higher education institutions are women (Dey, Korn & Sax, 1996; Kelley & Parsons, 2000; Robertson, Dyer & Campbell, 1988; Williams, Lam & Shively, 1992) was a contributing factor in the exclusion of interviews as a data collection method. The researcher is male and would have experienced difficulty in obtaining personal, sex-related data from female respondents. The study also did not accommodate cultural variables. In a multi-cultural society like South Africa, this may be regarded as a limitation and it is recommended that research be conducted into the effect of different cultural backgrounds on the perception of sexual harassment.

RECOMMENDATIONS

In a young democracy such as South Africa, with its emphasis on human rights and equality, there should be no form of harassment and academic staff especially should be free of sexual harassment from their colleagues or from anyone else. Even though this study reports relatively low levels of sexual harassment, these levels may still be regarded as unacceptable and any research that contributes to reducing or eliminating this form of discrimination is encouraged. While legislation in South Africa may be regarded as sufficient to protect and compensate victims of sexual harassment, it can only be applied as a remedy after damage has been done to individuals and organisations. It is recommended that employers undertake concerted efforts to create harassment-free workplaces through continuously monitoring the incidence levels of sexual harassment. Interventions by the management of organisations such as higher education institutions can only be successful if they are based on studies relating to the prevalence and prediction of sexual harassment. It is recommended that research be done with the objective of developing a model to predict sexual harassment, similar to the model of Pryor et al. (1995).

No definition of sexual harassment was provided in this study, as the purpose was to measure perceptions of incidents of sexual harassment without guiding participants in what they perceived to be sexually harassing behaviour. Therefore, it is recommended that research be conducted into the subjective nature of sexual harassment in order to determine whether all academics in higher education apply the same definition in recognising cases of sexual harassment. Homosexuality is becoming more and more acceptable and known in South African society. This might increase the incidence of same-sex harassment and employers should ensure that their policies address all types of sexual harassment, including harassment of males by females. The influence of personality types on perceptions of sexual harassment needs to be studied in order to enrich the body of knowledge on sexual harassment. The same holds true regarding the influence of characteristics such as marital status and religion.

This study involved only academics but it is recommended that all members of the higher education community, including management, students, administrative and service workers be included in studies of this nature in an effort to rid such institutions of this infringement on human rights. Higher education institutions should not only be centres of academic freedom, but also of personal freedom and safety.

The indication that gender harassment/sexism is perceived as more prevalent than other forms of sexual harassment leads to questions regarding other forms of discrimination on campuses, especially that of racism. It is recommended that research be conducted on the possible link between sexual harassment and race discrimination. This need becomes evident when South Africa's history of discrimination and the resultant transformation of its society are considered. The effect of gender differences on sexual harassment perceptions and reactions also require more research.

The participants in this study represent a variety of institutions and it is possible that the organisational culture of these institutions differ, resulting in different perceptions and experiences of sexual harassment. Future research is needed to determine the relationship between organisational structure and organisational culture, especially research on changing this culture. The rate of transformation may also vary from institution to institution and the management structures of some institutions may still be dominated by a particular gender. This leads to questions about the relationship between the gender and racial equity profile of institutions, and the perception of the prevalence of sexual harassment. The possibility that sexual harassment is underreported in higher education institutions cannot be ignored and the reasons for this underreporting must be investigated and reported.

A once-off study of this nature cannot be regarded as sufficient to understand the complex phenomenon of sexual harassment and it is recommended that longitudinal studies be conducted over a number of years to monitor the incidence and awareness rates of aspects related to sexual harassment.

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RESEARCH ARTICLE 2

CHAPTER 3:

THE AWARENESS OF SEXUAL HARASSMENT POLICIES AND PROCEDURES OF ACADEMIC STAFF AT HIGHER EDUCATION INSTITUTIONS IN SOUTH AFRICA

ABSTRACT

The primary purpose of this research is to investigate academic staff members' awareness levels of the sexual harassment policies and procedures in place at higher education institutions in South Africa. A cross-sectional survey design was conducted among 162 academic staff members, representing 10 higher education institutions in South Africa. The measuring instrument that was used is the Sexual Harassment Questionnaire (SHQ) that was developed specifically for this study. The results show that despite indications that sexual harassment policies do exist and that they are regarded as effective tools in addressing sexual harassment, the implementation of such policies is not effective and few academic staff members receive training/guidance on the utilisation of the policy. Significant correlation coefficients were found between the elements of an effective policy and between population group and some of the elements.

OPSOMMING

Die hoofdoelstelling van hierdie navorsing is om die persepsies van akademiese personeel met betrekking tot hulle bewustheid van seksuele teistering beleide en prosedures om klagtes van seksuele teistering te hanteer en te bestudeer. 'n Dwarsneeopnameontwerp is gebruik met 162 akademiese personeellede verbonde aan 10 hoër opvoedkundige instellings in Suid-Afrika. Die meetinstrument wat gebruik is, is die Sexual Harassment Questionnaire (SHQ) wat deur die navorser ontwikkel is. Resultate dui aan dat ten spyte van die aanduiding dat seksuele teistering beleide wel bestaan en beskou word as doeltreffende instrumente om seksuele teistering aan te spreek, die implementering van die beleide nie na wense is nie en dat weinig akademiese personeel opleiding/leiding ontvang om die beleid te benut. Beduidende korrelasie koëffisiente bestaan tussen die elemente van 'n doeltreffende beleid en tussen populasie groep en sommige van die elemente.

Employers have much to lose if they fail to create and maintain a work environment that is free of sexual harassment (Pearce, 2001). Failure to guarantee such an environment will have adverse consequences for organisations and will manifest in personal harm to victims and productivity, as well as cost and possible legal implications for employers (Bennet, 2002; Grobler, Erasmus, & Kölkenbeck-Ruh, 2003). The statement by Pearce (2001) holds a serious warning for employers and refers to the issue of vicarious liability. This liability is rooted in the generally accepted principle that an employer has a duty of care to ensure that the workplace is an environment free from sexual harassment. To achieve this, an employer is expected to appropriately communicate to employees that sexual harassment is not tolerated, to educate and counsel employees regarding workplace policies on sexual harassment, and to take decisive steps when incidents of sexual harassment are brought to his/her attention (Rycroft, Le Roux, & Orleyn, 2005).

Failure on the part of an employer to meet these expectations may result in the employer being found vicariously liable for the sexual harassment of an employee. The case of *Media 24 Limited and Samuels v Grobler* (2005) 16(4) *SALLR* (SCA) is a case in point and the employer had to pay substantial damages to its former employee as a result of his failure to adequately address her complaints of sexual harassment. The Employment Equity Act (no 55 of 1998) (South Africa, 1998) states that an employer is not liable for the conduct of an employee if the employer is able to prove that everything reasonably practicable was done to ensure that its employees do not contravene the Act by committing sexual harassment. What is regarded as reasonable steps by an employer to prevent an employee from being sexually harassed is provided in the guiding principles of the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (Labour Relations Act no 66 of 1995) (South Africa, 1995).

An important aspect of vicarious liability is the reasoning that an employer can be held responsible for failing to prevent one of its employees from creating an intolerable situation for another employee. Employers are thus held liable not for what they did but rather for what they did not do in terms of prevention (pro-active) and investigation (reactive) of sexual harassment. This emphasises the need for an effective sexual harassment policy. In order to balance the relationship between employer and employee, a duty rests in the first instance on the employee to inform the employer immediately after the harassment occurs as an employer cannot be held liable under the Employment Equity Act (no 55 of 1998) (South Africa, 1998)

for incidents of which it was ignorant. While cognisance needs to be taken of the reasons why employees do not report all incidents of sexual harassment, it is most unfair to expect from an employer to take action against a harasser if the incident of harassment is not reported to the employer. It seems as if the best strategy to prevent claims of vicarious liability against an employer is to discourage employees from indulging in sexual harassment and to put procedures in place for the resolution of incidents that may yet occur (Employment Law, 2004; Grogan, 2004). An employer may also be relieved of liability if it can prove that it took reasonable steps to prohibit and remedy sexual harassment, and if it can show that the employee unreasonably failed to use the corrective opportunities made available by the employer (Laabs, 1998). Consensus exists in the literature that the best form of defence for an employer is the implementation and maintenance of an effective policy on sexual harassment (Aalberts & Seidman, 1996; Bennet, 2002; Caudron, 1995; Hayter, 1996; Owens, Gomes, & Morgan, 2004; Pierce, Rosen, & Hiller, 1997). According to Gouws and Kritzinger (2007) and Wilken and Badenhorst (2003), most higher education institutions in South Africa have introduced sexual harassment policies. However, little evidence exists on the effectiveness of these policies in terms of the requirements for an effective policy.

The aim of this study was to investigate the level of awareness and perception of the effectiveness of sexual harassment policies among academic staff at higher education institutions in South Africa

Sexual harassment

For the purpose of this study, the definition provided by the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases, which was issued in terms of the Labour Relations Act (no 66 of 1995) (South Africa, 1995) is used as the definition of sexual harassment. In all probability, this definition will be used by courts and councils when a case of sexual harassment is arbitrated and this will aid employers in providing an objective and “legal” definition of sexual harassment. According to this Code, sexual harassment is defined as follows:

“Sexual harassment is unwanted conduct of a sexual nature that violates the rights of an employee and constitutes a barrier to equity in the workplace, taking into account all of the following factors: a) whether the harassment is on the prohibited grounds of sex and/or

gender and/or sexual orientation; b) whether the sexual conduct was unwelcome; c) the nature and extent of the sexual conduct, and d) the impact of the sexual conduct on the employee.”

Dealing with sexual harassment

The Equal Employment Opportunity Commission (EEOC) is a federal agency in the United States of America (USA) responsible for enforcing the provisions of the Civil Rights Act that prohibits employer discrimination. This Commission has published guidelines for employers that encourage the use of clearly communicated policies, effective enforcement procedures, and training for all employees as the minimum contents of an effective prevention programme (Owens et al., 2004). These guidelines are consistent with the directives of the European Union and especially the Union’s Code of Practice that offers sound advice in line with human resource best practice. According to this Code, the prevention of sexual harassment rests on the development and effective communication of policy statements, the assigning of responsibility at each level of the organisation and providing training for all employees (Owens et al., 2004). In South Africa, the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (Labour Relations Act no 66 of 1995) (South Africa, 1995) encourages employers to issue a policy as a first step in expressing concern and commitment in dealing with the problem of sexual harassment. Employers are further advised to develop clear procedures that will resolve problems in a sensitive, efficient and effective way.

The sexual harassment policy

There appears to be consensus internationally on the importance of policies and procedures as the first line of defence against sexual harassment (Kastl & Kleiner, 2001; Laabs, 1998; Moore, Gatlin-Watts, & Cangelosi, 1998; Owens et al., 2004). However, it should be noted that having nice strongly worded policies and procedures serves a very limited purpose unless they are effectively implemented.

Apart from these two instruments, the following measures will contribute to protecting an organisation against sexual harassment problems: a) enforce zero tolerance for any form of sexual harassment in the workplace and ensure that top management sets an example through their behaviour and actions. b) Investigate complaints promptly and thoroughly, and conduct investigations confidentially. c) Protect employees against victimisation and retaliation. d) Follow up on complaints and take swift and appropriate action against employees who have violated the policy. e) Train employees, supervisors and managers to sensitise them to appropriate behaviour. f) Make sure employees understand the concept and policy. g) Provide periodic refresher sessions and disseminate the policy regularly. h) Assign responsibility to supervisors and managers for communicating the policy and for dealing with any misconduct. In addition, provide more than one reporting venue for employees who prefer not to approach their supervisors directly (Laabs, 1998; Moore et al., 1998).

Several aspects of a sexual harassment policy warrant discussion, namely effectiveness, problems, development, stakeholders, guidelines, effects and implementation.

Contents of an effective sexual harassment policy

A comprehensive study of the contents of an effective sexual harassment policy, as reported in the literature, has revealed various important principles (Aalberts et al., 1996; Fang & Kleiner, 1999; Grobler et al., 2003; Hartmus & Niblock, 2000; Licata & Popovich, 1987; Pearce et al., 2001; Wilken et al., 2003). Any policy should commence with a clear and strongly worded “zero tolerance” statement. There should be no doubt among employees that no form of inappropriate sexual behaviour will be tolerated. Apart from acting as a serious warning to would-be harassers, such a statement will ensure employees that they will be treated with dignity and respect, irrespective of their position in the organisation. This statement should be short and direct, and should inform employees that sexual harassment is against the law (see for example Fang et al., 1999; Orlov & Roumell, 1999).

The type of behaviour that constitutes sexual harassment must be clearly defined and this definition must cover two types of sexual harassment, namely a hostile work environment and *quid pro quo* harassment. Organisations must keep in mind that not all employees will understand the definition provided in legal codes and, consequently, should spend some time and effort on simplifying the language. The definition must be supported by examples of

prohibited conduct in order to remove any uncertainty regarding the nature of offensive behaviour. The examples will add an element of objectivity to the policy given the subjective nature of sexual harassment. The policy must make it clear that the employer has a duty to protect the employee against sexual harassment as well as a responsibility to act immediately when complaints are lodged. It should also stress the employee has a duty not to engage in inappropriate sexual behaviour at the workplace and to report such behaviour should it occur. A guarantee must be provided to employees that no retaliation will take place when they report cases of sexual harassment and that all complaints will be dealt with confidentially. An effective method to ensure confidentiality is to provide a neutral party to deal with complaints in the case of supervisors being implicated in the complaint. Whether employees have full confidence in such a guarantee is not clear and the empirical part of this study should shed some light on this.

An effective, well-drafted and enforced complaint procedure must spell out the route to be taken when experiencing/witnessing sexual harassment. The complaint procedure must be followed-up by a procedure to investigate complaints and should indicate the time frame, method and responsible persons for conducting the investigation. This procedure should form part of the workplace procedures such as the grievance and disciplinary procedures of the organisation, and should be worded and implemented similarly. A sexual harassment policy will not have credibility if it is not linked to the disciplinary procedure of an organisation. Appropriate sanctions should be imposed against offenders and this should be supported by counselling for both the harasser and the victim. A training programme to educate employees, supervisors and managers on how to prevent sexual harassment and how to deal with it if it occurs is crucial to the success of this policy. Various training techniques can be used to equip employees with the necessary skills to identify and modify inappropriate sexual behaviour, such as interpersonal behaviour training and role negotiation techniques.

The mere existence of such a comprehensive policy will not necessarily succeed in managing sexual harassment successfully. A policy needs to be effective and effectiveness is determined by a number of factors. Wilken et al. (2003) recommend that the policy should be clearly worded, readily displayed at strategic points and regularly evaluated to ensure that it remains effective. They are supported by Aalberts et al. (1996) who stress that the workplace is a changing environment, and because the expectations of employees and the nature of their work may change, the policy must be monitored by management. To ensure the effectiveness

of sexual harassment policies and training programmes, Licata et al. (1987) recommend that an organisation initiate programmes as a preventative measure and not just as a means of crisis management. The dimensions of realism and appropriateness are added to by Fang et al. (1999), based on the presumption that the nature of work and relations between employees may differ between different industries and organisations. The sexual harassment policy statement should be clear, emphatic and easily understood. It should be free of confusing legal terminology that may seem impressive but does not inform employees of their expected behaviour (Pearce et al., 2001).

Development of a sexual harassment policy

Wilken et al. (2003) combined the views of numerous authors on policy development and categorised the comprehensive process of policy development into seven steps. The first step is to create open debates (Wilken et al., 2003) and to conduct a company-specific audit (Grobler et al., 2003). According to Aalberts et al. (1996), it is necessary to know the workplace as the first step in policy development. This means that management must talk to employees to determine their concerns and specific conduct that needs to be addressed. By talking openly about sexual harassment in the workplace, different perceptions, cultures and social backgrounds are considered in determining exactly what constitutes harassment. Since all employees are consulted, they will accept ownership of the policy, which will contribute towards the effectiveness of the policy.

The second step aims to create an all-inclusive definition on sexual harassment, which will ensure that all employees know what sexual harassment is and how to express what type of conduct they perceive as offensive. The definition must be supported by examples to aid employees in identifying harassing behaviour in the workplace.

The third step, policy development, should involve all the different structures and levels of an organisation. This will ensure the objectivity and political-correctness of the policy making it more acceptable to the community who the policy is developed to serve. While the debate about formal versus informal complaint procedures does not seem to be settled, a compromise will be to provide for both.

The fourth step must focus on the development of an effective grievance procedure that encourages the reporting of incidents of sexual harassment in a safe manner.

The fifth step involves the development of a well-established training programme that will educate employees about the prevention of sexual harassment. This knowledge, as well as knowledge about how to deal with such situations, will add value to the successful implementation of the policy.

The appointment of a person responsible for implementing the policy is step six of the development process. This person should have the necessary skills and authority and be acceptable to the majority of employees.

The last step is to create an evaluation system that will review the effectiveness of the policy on a regular basis. Statistics should be compiled when reviewing the effectiveness of the policy to ensure that scientifically interpreted data is used to improve the overall efficiency of the policy.

By following these steps, a comprehensive, inclusive policy can be developed. Employers should not be naïve in assuming that the policy alone will eradicate sexual harassment from their workplaces and safeguard them from liability claims. Developing a sexual harassment policy is only part of the total strategy to managing sexual harassment and may be regarded as the easier part given that numerous guidelines, codes and examples of effective policies exist. The implementation of this policy by means of an enforcement mechanism may prove to be more difficult. Before the implementation of the policy is discussed, some general remarks regarding sexual harassment policies are made.

Caudron (1995) reports on some of the negative effects of programmes designed to prevent sexual harassment. For example, in some companies the workforce were polarised, making men feel defensive and women victimised by the programmes that were supposed to raise awareness of sexual behaviour that is inappropriate in the workplace. In addition, these programmes raised fear and anxiety, inhibiting spontaneity and communication, and increased the distance between men and women. After analysing these problems, it was possible to conclude that the way in which these programmes were implemented may have caused these problems, especially when the approach to sexual harassment was only one of

men who harass women. A unilateral single-gender biased approach will lead to conflict, which stresses the importance of having an objective policy applied with sensitivity by sufficiently qualified and trained people.

According to Stockdale (1996), there is no perfect policy or procedure for dealing with sexual harassment. Three reasons are provided for this statement. First, it is nearly impossible to design a system that will satisfy all its users. Some complainants may feel more injured or unfairly treated, especially if the only evidence is one person's word against another. Second, the differences between organisations in terms of their missions, rules, traditions and location make it very difficult to have a perfect policy. The third reason refers to the differences between people regarding what constitutes a good policy. Stockdale (1996) distinguishes between two groups, namely those who believe in an interest-based approach and those who prefer a rights-based approach. The first group will accept a direct approach, mediation or avoidance as a means of handling the incident while the second group will only accept an investigation, adjudication and severe disciplinary action. A similar argument can be raised regarding the specific or general nature of sexual harassment policies and procedures. Arguments for a policy solely about sexual harassment are based on the differences in the origin, manifestation and effect of each kind of harassment, the sense of urgency that it conveys about one particular kind of harassment and the improvement in understanding if it (type of harassment) is narrowly defined. General policies may also be described as too vague. On the other hand, general policies may be preferred because they:

- are used by more complainants and are more widely understood
- may be seen as fairer as they protect everybody and not just a specific group
- provide for more choices for individuals
- may avoid certain semantic disagreements (sexual/racial harassment).

These arguments are provided by Rowe (1996) who also summarises the argument by stressing that whatever type of policy is used all policies should define harassment, provide examples of discrimination, describe management responsibilities and list the options available for dealing with harassment.

Implementation of a sexual harassment policy

A number of authors concur that the mere presence of a policy does not ensure its effectiveness (Laabs, 1998; Owens et al., 2004; Orlov et al., 1999; Paludi, 1996). A policy has to be effectively implemented in order to have value and to avoid becoming another well-formulated, impressive sounding document compiled by consultants and filed by the human resource department. The following guidelines are suggested for the effective implementation of a sexual harassment policy (Finnemore & Van Rensburg, 2000; Laabs, 1998; Owens et al., 2004; Orlov et al., 1999; Paludi, 1996; Retief, 2000):

- Create awareness by including the policy in as many programmes as possible, such as in orientation, education, training and diversity awareness programmes. This will contribute to the creation of a culture where sexual harassment is not tolerated. Trade unions should be involved in every step of the implementation process.
- Communicate the policy to all employees at every level of the organisation by providing each one with a copy of the policy and keep signatures on file that employees received the policy. This signature may prove vital in an organisation's defence against claims of vicarious liability.
- Conduct regular training sessions or workshops where the content of the policy and the complaints procedure are explained. "These training sessions should continuously reinforce the conditions that contribute to a harassment-free working environment, and should familiarise or reacquaint each employee with their rights and responsibilities" (Owens et al., 2004).
- Ensure that managers and supervisors are aware of their responsibility for implementing the policy and ensuring compliance.
- Provide specialised training for individuals who were assigned an official role in administering the organisation's complaint procedure.

It is accepted that most organisations and especially most institutions of higher education in South Africa have sexual harassment policies in place. The study done by Wilken et al. (2003) confirms this but also points out serious deficiencies in the content and especially the implementation of these policies. No research has been done in South Africa regarding the factors inherent in higher education institutions which might contribute to sexual harassment that the researcher is aware of. The traditional structure of these institutions can however be

described as male-dominated with a strict pyramidical hierarchy. These factors shape the organisational climate and create a conducive environment for sexual harassment. Female professors, deans and vice-chancellors are in the minority and their efforts in achieving these positions might be exploited by male academics in positions of power. This is illustrated by the case of *Orr & Another versus Unisa* [2004] 9 BLLR 954 (LC) where the chairperson of the University Council was found guilty of sexually harassing a female professor. The skewed gender ratio of management structures of higher education institutions The hope is expressed that this study will contribute to the body of knowledge regarding the effectiveness of sexual harassment policies and the success of their implementation.

METHOD

Research design

The research objectives were met by utilising a cross-sectional survey design. This design is useful in assessing the opinions of members of staff at higher education institutions in South Africa. This method was decided upon because it has relevance to the purpose of the study (Bailey, 1987); that is, (1) relevance of the study's goals, (2) relevance of questions to the goals of the study and (3) relevance of the questions to the individual respondent. A cross-sectional survey design was used as it provides data from a sample of academic staff representing different occupation levels in the institution as well as data from different genders, population groups, age categories and members with varying years of service.

Participants

All 23 higher education institutions in South Africa were invited to participate in the study. Based on their responses, a purposive sample (Maree, 2007) of 10 institutions was used. Academic staff at the following South African higher education institutions participated in the study: Central University of Technology, Fort Hare University, Free State University, Nelson Mandela Metropolitan University, North-West University, Rhodes University, University of Johannesburg, University of KwaZulu-Natal, Vaal University of Technology and Walter Sisulu University of Technology. The sample represents 10 of the 23 higher education institutions in South Africa. In their analysis of sexual harassment policies at

selected higher education institutions in South Africa, Wilken et al. (2003) regarded eight universities as sufficiently representative of the current higher education sector in South Africa. This sample contains five traditional universities, two comprehensive universities and three universities of technology. As such, the sample is regarded as representative of the changed landscape of higher education in South Africa.

The names of the academic staff members were obtained from the official Internet websites of the institutions and a random systematic sample of 10 percent of all participating institutions was drawn. The length of the interval was calculated by the ratio $k=N/n$, where k =the length, N =size of the population and n =size of the sample (Bless & Higson-Smith, 2004). Questionnaires were sent to 710 participants. A response rate of 22,8 percent ($n=162$) was achieved.

The participants represent academic staff on different job levels and range from junior lecturers to professors and deans of faculties. Owing to confidentiality and the sensitivity of the research topic, no individual responses for the participating institutions are reported. The participants are representative of the population because they are in academic positions and are in interaction with the various role players at their respective institutions. This places them in a position to provide information on the perceived incidence of sexual harassment as well as on the awareness and effectiveness of policies and procedures.

The biographical characteristics of the study population are presented in Table 1.

Table 1

The Characteristics of the Participants

Item	Category	Frequency	Percentage (%)
Gender	Male (1)	58	36
	Female (2)	103	64
	Total	161	100
Population group	African	24	15,3
	Asian	8	5,1
	Coloured	6	3,8
	White	119	75,8
	Total	157	100
Home Language	Afrikaans	76	47,2
	English	66	41,0
	African Language	19	11,7
	Total	161	99,8
Age	30 years and younger (1)	16	9,9
	31 – 39 years (2)	54	33,5
	40 - 49 years (3)	46	28,6
	50 – 59 years (4)	43	26,7
	60 – and older (6)	2	1,2
	Total	161	99,9
Qualification	Doctorate (1)	39	24,2
	Master's (2)	85	52,8
	Hons/BTech (3)	32	19,9
	Degree/Diploma (4)	5	3,1
	Total	161	100
Tenure	Less than 2 years (1)	20	12,4
	2 – 4 years (2)	23	14,3
	5 – 7 years (3)	33	20,5
	8 – 10 years (4)	25	15,5
	11 – 13 years	25	15,5
	14 – 16 years	9	5,6
	17 – 19 years	11	6,8
	Longer than 20 years (5)	15	9,3
	Total	161	100

Table 1 indicates that 64 percent females and 36 percent males participated in this study. The majority of participants (33,5%) fell in the 31 to 39 age groups and 52,8 percent had a master's degree level of education. The majority of the study population (20,5%) had been employed by their institutions for periods of between five and seven years.

Measuring instrument

The *Sexual Harassment Questionnaire* (SHQ) was developed following the literature review, which was conducted in order to ensure the correct identification of the dimensions of the study and to ensure that the items in the questionnaire were relevant. The questionnaire was circulated among colleagues in the field of expertise to obtain feedback on its suitability. This ensured face and content validity. A pilot test was conducted on 22 subjects. A few minor changes were made to the original questionnaire, based on feedback from the respondents. The reliability of the measuring instrument was indicated by Cronbach's alpha coefficient of 0,84, which is deemed as an acceptable index of reliability/internal consistency. The questionnaire consists of four sections. Section A was designed to obtain biographical information from the respondents. Owing to the sensitive nature of the topic, the questionnaire was completed anonymously and institutions are not identified.

Section C is made up of 15 items designed to determine the level of awareness respondents have regarding the existence and effectiveness of sexual harassment policies, as well as their knowledge of these policies in their respective institutions. These items are part of the constructs of awareness, existence and effectiveness that were identified from the literature study. This section also asks respondents to indicate whether the incidence of sexual harassment at their institution is high or low. This control item on the incidence of sexual harassment was included to determine any correlation between the requirements for effectiveness and the incidence of sexual harassment. A 5-point Likert scale was used to assess the level of awareness. Respondents had to indicate if they strongly agree with (1), agree with (2), disagree with (3), strongly disagree with (4) or are not sure of (5) the statements relating to the status of the sexual harassment policy at their institutions.

Statistical analysis

The statistical analysis was carried out with the help of the SPSS-program, Version 15 (SPSS, 2007). Cronbach alpha coefficients were used to assess the validity and reliability of the constructs that were measured in this study (Anatasi & Rhodes, 2000). Coefficient alpha contains important information regarding the proportion of variance of the items of a scale in terms of the total variance explained by the particular scale.

Descriptive statistics (for example, means and standard deviations) were used. Pearson's product moment correlation coefficients were used to specify the relationship between the variables. In terms of statistical significance, the value was set at a 95 percent confidence interval level ($p \leq 0,05$). Effect sizes (Steyn, 1999) were used to decide on the practical significance of the findings. A cut-off point of 0,30 (medium effect) (Cohen, 1988) was set for the practical significance of correlation coefficients. One-way analysis of variance (ANOVA) was used to analyse the variance between independent (qualitative) and dependent (quantitative) variables/factors (Sarantakos, 2006).

RESULTS

A summary of the frequencies reported by respondents is provided in Table 2.

Table 2

Summary of Frequencies (%)

Item	Factor	Strongly agree	Agree	Disagree	Strongly disagree	Total %
C1	Policy exists	37,4	60,0	1,7	0,9	100
C2	Possession of policy	13,8	17,2	46,2	22,8	100
C3	Policy explained	2,0	5,9	51,6	40,5	100
C4	High incidence of harassment	3,7	3,7	46,9	45,7	100
C5	Aware of contents	7,9	24,3	42,1	25,7	100
C6	Recognise behaviour	23,2	51,4	20,4	4,9	100
C7	Training/guidance received	3,2	21,1	42,1	33,7	100
C8	Steps to report	10,7	24,8	45,5	19,0	100
C9	Complaints investigated	20,3	42,4	16,9	20,3	100
C10	Aware of rights	20,0	37,4	30,4	12,2	100
C11	Applies to females only	7,4	5,6	43,5	43,5	100
C12	Effective tool to reduce	27,8	53,4	15,8	3,0	100
C13	Transgressors punished	15,2	34,8	30,4	19,6	100
C14	Protects against retaliation	12,9	58,6	18,6	10,0	100
C15	Low incidence of harassment	26,9	58,2	13,4	1,5	100

A frequency analysis of the responses indicates that the overall majority (97,4%) of respondents agree that a sexual harassment policy exists in their institution. The implementation of the policy however seems to be problematic as very few (31%) academic staff members are in possession of a copy of the policy, only 24,3 percent received training/guidance in the use of the policy and the policy has been explained to an even smaller number of respondents (7,9%). This explains the low frequency of respondents who are aware of the contents of the policy (32,2%) and who are familiar with the steps to follow when reporting complaints of sexual harassment (35,5%). Notwithstanding these indications of ineffective implementation, 81,2 percent of respondents believe that a sexual harassment policy is an effective tool to reduce the incidence of sexual harassment. This is supported by the 62,7 percent who believe that complaints of sexual harassment are investigated and the 57,4 percent who are aware of their rights when lodging a complaint. The effectiveness of a sexual harassment policy is illustrated by the 71,5 percent of respondents who agreed that the policy protects them against retaliation.

Descriptive statistics of the existence, knowledge and effectiveness of an SHP, as well as the incidence of sexual harassment at higher education institutions in South Africa are reported in Table 3.

Table 3
Descriptive Statistics of the Measuring Instruments

Scale	Mean	SD	Skewness	Kurtosis
Existence of policy	2,41	0,86	0,11	-0,46
Knowledge of policy	2,62	0,62	-0,17	0,11
Effectiveness of policy	2,85	0,56	-0,24	0,66
Incidence of sexual harassment	2,75	0,55	0,28	1,77

The Cronbach alpha value obtained for the items in this section is 0,88, which is higher than the guideline of $\alpha > 0,70$. This is an indication of internal consistency and it reflects that the dimensions reliably determine the existence, awareness and effectiveness of sexual harassment policies. The information reflected in Table 4 also indicates that the scores on all of the variables have a normal distribution, with a normal (mesokurtic) peak (Doane & Seward, 2007).

Correlation coefficients between the biographical characteristics and the elements of an effective policy appear below in Table 4.

Table 4

Correlation Coefficients between Gender, Population Group, Age, Years of Service, Existence, Knowledge and Effectiveness of the Policy

	Gender	Population group	Age	Years of service	Existence of policy	Knowledge of policy	Effectiveness of policy
Gender	-	-	-	-	-	-	-
Population group	0,06	-	-	-	-	-	-
Age	-0,22**	0,10	-	-	-	-	-
Years of service	-0,06	0,28**	0,49**	-	-	-	-
Existence of policy	-0,04	0,08	-0,01	-0,12	-	-	-
Knowledge of policy	0,00	0,34**	0,11	0,10	0,60**	-	-
Effectiveness of policy	0,09	0,17*	0,04	0,07	0,40**	0,64**	-

** Correlation is significant at the 0,01 level (2-tailed)

* Correlation is significant at the 0,05 level (2-tailed)

Practically significant correlation coefficients ($p < 0,01$) of medium effect ($r > 0,30$) exist between population group and knowledge of the policy, and existence and effectiveness of sexual harassment policies.

The correlation coefficient between population group and the effectiveness of policies is practically significant ($p < 0,05$), with a medium effect ($r > 0,30$) while practically significant correlation coefficients ($p < 0,05$) of a large effect ($r > 0,50$) exist between knowledge and existence of the policy, and knowledge and effectiveness of the policy. These correlations are indicative of the construct validity of the measuring instrument.

Table 5 indicates the correlation between the items that relate to the existence and knowledge of sexual harassment policies.

Table 5

Correlation Coefficients between Possession, Explanation, Awareness, Training and Steps to Report

	Possession	Explanation	Aware of contents	Training/ Guidance
Possession	-	-	-	-
Explanation	0,49**	-	-	-
Aware of contents	0,76**	0,52**	-	-
Training/guidance	0,43**	0,55**	0,53**	-
Steps to report	0,63**	0,49**	0,75**	0,55**

** Correlation is significant at the 0,01 level (2-tailed)

Table 5 shows a practically significant correlation coefficient ($p < 0.01$) of a medium to large effect ($r > 0,50$) between the possession and explanation of a SHP, and the awareness of the contents, the provision of training/guidance and knowledge of the steps to report an incident of sexual harassment.

In Table 6, the correlation between the items that determine the effectiveness of a sexual harassment policy is shown.

Table 6

Correlation Coefficients between Investigation, Awareness of Rights, Effective Tool and Protection

	Investigation	Aware of rights	Effective tool
Investigation	-	-	-
Aware of rights	0,65**	-	-
Effective tool	0,20	0,05	-
Protection	0,20	0,32*	0,52**

** Correlation is significant at the 0,01 level (2-tailed)

* Correlation is significant at the 0,05 level (2-tailed)

The coefficients in Table 6 show a practically significant correlation ($p < 0,01$) of a large effect ($r > 0,50$) between the awareness of rights and the perception that complaints of sexual harassment are investigated. This correlation also exists between the perception that a SHP is an effective tool to reduce the incidence of sexual harassment and that it protects complainants from retaliation by alleged harassers.

The perceived incidence level of sexual harassment at higher education institutions was also measured in this section by asking respondents to indicate whether the incidence was high/low at their institutions. A practically significant correlation coefficient of -0,61, which is significant at the 0,01 level (2-tailed), was established.

Analyses of variance were performed on various variables with the different demographic groups and the ANOVAs are given below with their interpretations. Table 7 illustrates the effect of gender on the requirements for an effective sexual harassment policy.

Table 7

Analysis of Variance between the Existence, Knowledge of and Effectiveness of a SHP and Gender

		Sum of Squares	df	Mean Square	F	P
Existence of SHP	Between Groups	0,21	1	0,21	0,28	0,60
	Within Groups	113,68	153	0,74		
	Total	113,89	154			
Knowledge of SHP	Between Groups	0,00	1	0,00	0,00	0,97
	Within Groups	60,77	155	0,39		
	Total	60,77	156			
Effectiveness of SHP	Between Groups	0,41	1	0,41	1,30	0,26
	Within Groups	49,96	157	0,32		
	Total	50,37	158			

Table 7 shows that there is no practically significant effect of gender on the existence, knowledge of and effectiveness of a SHP ($p > 0,05$). Table 8 reflects the effect of population group on the requirements for an effective sexual harassment policy.

Table 8

Analysis of Variance between the Existence, Knowledge of and Effectiveness of a SHP and Population Group

		Sum of Squares	df	Mean Square	F	P
Existence of SHP	Between Groups	0,69	3	0,23	0,30	0,82
	Within Groups	112,01	147	0,76		
	Total	112,70	150			
Knowledge of SHP	Between Groups	7,49	3	2,49	7,10	0,00
	Within Groups	52,39	149	0,35		
	Total	59,87	152			
Effectiveness of SHP	Between Groups	2,12	3	0,71	2,24	0,09
	Within Groups	47,81	151	0,32		
	Total	49,93	154			

Table 8 shows that there is no practically significant effect of population group on the existence and effectiveness of a SHP ($p > 0,05$). However, it does show a practically significant effect ($F= 7,10$ $p > 0,05$) on knowledge of the SHP. Neither age nor years of service were found to have any significant effect on the existence, knowledge of and the effectiveness of a SHP.

DISCUSSION

The objective of this study was to determine the awareness level academic staff members working at higher education institutions in South Africa have regarding the sexual harassment policies at their institutions. An evaluation of the perceived effectiveness of the policies was also done. Results indicate that despite the indication that sexual harassment policies do exist and are regarded as effective tools to address sexual harassment, the implementation of these policies is not effective and few academic staff receives training/guidance on the utilisation of these policies. Significant correlation coefficients were found between the elements of an effective policy and between population group and some of the elements.

The Cronbach alpha value obtained for the items intended to measure the existence, knowledge of and effectiveness of SHP's was 0.88, which is higher than the guideline of $\alpha > 0.70$. Owing to the lack of similar research on this topic or the non-reporting of alpha values (Peirce et al., 1997), it is not possible to benchmark the Cronbach alpha.

This study indicates that the implementation of a sexual harassment policy at higher education institutions in South Africa is problematic. Only 32 percent of the respondents in this study indicated that they are aware of the contents of their institution's sexual harassment policy. A relatively small number of respondents have received training/guidance on the policy and this contributed to the low levels of knowledge of the policy. This raises serious questions about the ability of staff to recognise and report harassing behaviour and of line management to effectively deal with complaints of sexual harassment. Since a clear definition of sexual harassment is regarded as a prerequisite for an effective SHP, it is important for the management of higher education institutions to understand what types of behaviour may be perceived by employees as offensive. This study adds to the body of knowledge on perceived sexual harassment and should contribute to the formulation and implementation of effective SHPs. This finding is concomitant with those of Gouws et al. (2007) who found that only 56 percent of heads of academic departments and even less members of the Women's Forum (36%) at the University of Stellenbosch were informed about the sexual harassment policy.

Peirce et al. (1997) found that more than 40 percent of the respondents in their study indicated that they were not aware of the sexual harassment policies or the procedures for reporting complaints of sexual harassment in their organisations. Wilken et al. (2003) also rated the policies of eight universities in South Africa as failing in terms of education, training and implementation. Although their study did not include any comprehensive university or university of technology (previously referred to as technikons), it is doubtful whether the results would have been different. Consensus seems to exist on the ineffective implementation of sexual harassment policies in higher education institutions and this severely affects the effectiveness of the policies and the protection that the policy is supposed to give to harassers and the harassed.

A comment need to be made about the 74,6 percent of respondents who indicated that they know exactly which behaviour constitutes sexual harassment. This is in contrast to the low number of respondents who are informed about the policy and is an indication that despite the lack of information and training, academic staff members feel that they will be able to recognise offensive behaviour. Questions need to be raised about the basis of this recognition, as respondents represent different cultures, value systems and levels of experience. Their definitions of sexual harassment will therefore be different and subjective, and this will

complicate the implementation of a uniform policy applicable to all academic staff members. The need for the effective implementation of a generally acceptable policy is once again stressed.

On a positive note, 87 percent of respondents disagreed with the statement “The sexual harassment policy only applies to female workers who are harassed by male workers.” This item was included to determine if any large-scale misconception about the recipients of unwelcome sexual attention exists. The rejection of this statement is an indication of the maturity of the population and the development of a non-sexist society in general. Respondents were also requested to indicate the perceived level of incidence of harassment on their campuses. Of the respondents, 92,6 percent rejected the statement that there is a high incidence of harassment by members of staff on their campuses. This correlates significantly with the 85,1 percent who indicated that the incidence is low. The apparent absence of sexual harassment among academic staff on South African higher education campuses may be ascribed to the low reporting rate of incidents and the confidential nature of complaints. If a staff member is not directly involved in an incident, it will be difficult to have knowledge thereof and to express an opinion on the incidence rate. This study attempted to measure the **perceived** incidence and the conclusion can be made that it is low.

A significant correlation and effect ($F= 7, 10, p > 0.05$) was found between population group and knowledge of the SHP, with respondents from the white population group having a higher level of knowledge of the policy. This may be explained by the fact that academic staff members of higher education institutions in South Africa were predominantly white and have longer years of service, which would have enabled them to gain knowledge of the policy. The difference in knowledge may also be ascribed to cultural differences and the slow rate of transformation at some institutions of higher learning.

The significant correlation between the possession, explanation, awareness of the contents, training/guidance of a SHP and knowledge of the steps to follow when reporting incidents of sexual harassment is an indication of the importance of providing all staff members with a copy of the SHP. The correlation also suggests that staff members who are in possession of the policy have studied the policy and are, therefore, familiar with the contents and its application. Concerted efforts by management and/or the parties responsible for the implementation of the SHP to increase the possession rate and training interventions

drastically contributes to the overall effectiveness of the policy. This contributes to the reduction of the incidence of harassment among staff/students/clients on campuses. Regular evaluation of the effectiveness of the policy is required to ensure that complacency does not erode its value. In this regard it is crucial that higher education institutions collect and maintain statistics on the prevalence of sexual harassment on their campuses. Gouws et al. (2007) found a lack of serious involvement with the SHP and its implementation by line managers who had also never received training and, subsequently, did not have the necessary skills to deal with complaints of sexual harassment. The low frequency of respondents who were in possession of and who had received training on the SHP suggests that their findings are valid.

Academic staff members who are aware of their rights when reporting an incident of sexual harassment also feel that the policy protects them against retaliation from alleged harassers and, therefore, regard the policy as an effective tool for reducing the incidence of sexual harassment at their workplaces, as indicated by the significant correlations between these criteria for effectiveness. The relatively high number of staff members who are aware of their rights in relation to the absence of training suggests that academic staff members are generally well informed of their human and labour rights. This is understandable in the light of the characteristics of this group and their high level of academic qualifications.

The results of this study may be limited by the low response rate of 22.8 percent. Other studies also reported relatively low rates of 32-39 percent (Pryor, Giedd, & Willeams, 1995; Retief, 2000; Timmerman & Bajema, 2000). The sensitive and personal nature of the information that respondents were required to provide may explain their reluctance to participate in the study. It is also possible that the questionnaire reminded certain potential participants of specific incidents of sexual harassment and the negative experience may have prevented them from completing it. The possibility that those employees who are really threatened by sexual harassment did not complete the questionnaires, can not be excluded. Their contributions could have influenced the findings of this study. The study is also limited in its comparability, as no other study that the researcher is aware of has attempted to determine the awareness of sexual harassment policies among academic staff at higher education institutions in South Africa. Existing research focused on the public service (Brand & Silberman, 2002; Du Plessis, 2001; Van der Berg, 2002) and the South African Police Service (Retief, 2000).

Numerous studies have investigated the incidence of sexual harassment on campuses, including harassment of students by students and by academic and other staff (Barak, Fisher, & Houston, 2006; Gouws et al., 2007; Larocca & Kromrey, 1999; O'Hare & O'Donohue, 1998; Ramsaroop & Brijball Parumasur, 2007; Richman, Rospenda, Nawyn, Flaherty, Fendrich, Drum, & Johnson, 1999). In order to be true to the field of industrial sociology, students were excluded from this study, as they are not involved in an employment relationship. However, it was felt that higher education institutions cannot be successfully studied without reference to the largest section of a university population, namely the students. As a result, it was not possible to compare the Cronbach alpha coefficients of this study with those of other South African studies on the awareness of sexual harassment policies.

A further limitation of the study is the isolation within which the results were interpreted. Limited research exists on academic staff members' awareness of sexual harassment policies and their perceptions of the effectiveness of these policies. This makes it difficult to place the data on the awareness of sexual harassment policies in perspective. Notwithstanding this limitation, it should be noted that the objective of the study was to determine the perception of academic staff regarding the effectiveness of sexual harassment policies.

The possibility that respondents applied different subjective definitions of sexual harassment when they completed the questionnaire cannot be ignored. Providing no definition was a deliberately action undertaken in an effort not to guide or lead respondents. Interviews with respondents might have provided the researcher with insight into the definition and frame of reference that influence their perceptions of sexual harassment. Interviews with role-players at higher education institutions responsible for the implementation of policies such as women's forums, human resource practitioners and deans of faculties could have supplemented the quantitative study. This would have increased the validity of this study. The study also did not accommodate cultural variables. In a multi-cultural society like South Africa, this may be regarded as a limitation and it is recommended that research be conducted into the effect of different cultural backgrounds on the perception of sexual harassment.

RECOMMENDATIONS

The results of this study indicate that policies do exist but that the implementation thereof is not effective. It is recommended that management of higher education institutions take cognisance of this and implement measures to correct the situation. More specifically, it is recommended that higher education institutions:

- Conduct an organisational audit/climate survey to determine the prevalence of sexual harassment in their institutions.
- Actively disseminate and promote their policy on sexual harassment in order to increase its visibility and the awareness levels among academic staff. An awareness campaign, similar to campaigns that aim to educate about the spreading and prevention of HIV/Aids, should be launched on campuses to act as a deterrent to cases of sexual harassment.
- Appoint senior managers, representing both sexes, to take responsibility for the implementation of sexual harassment policies.
- Provide regular training sessions for staff on the contents of the policy, examples of sexual harassment, procedures for lodging complaints and the rights of both harassers and the harassed.
- Issue a clear “no tolerance” statement and stress the protection of complainants against retaliation and victimisation.
- Regularly update their policies through consultation with employees, their representatives and consultants. Benchmarking of policies with other higher education institutions is also recommended.
- Preventing sexual harassment is the most effective way of dealing with the problem. Assertiveness and diversity training, together with an effective employment equity programme and a positive corporate culture in which management leads by example will add to the efforts to prevent and successfully manage the prevalence of sexual harassment. Training should also focus on the promotion of professional conduct in the workplace, especially by supervisors. This can be achieved by clearly stating what is regarded as acceptable and unacceptable social behaviour. Sexist attitudes and beliefs are difficult to change as they are formed by an individual’s belief and value system. These beliefs should be respected but management should make it clear that acting on these beliefs is not acceptable and contrary to the laws of the country and

the policies of the institution. A similar policy statement need to be made about different cultural roles of males and females which might lead to harassing behaviour.

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RESEARCH ARTICLE 3

CHAPTER 4:

GRIEVANCE PROCEDURES TO DEAL WITH COMPLAINTS OF SEXUAL HARASSMENT AT HIGHER EDUCATION INSTITUTIONS IN SOUTH AFRICA

ABSTRACT

The aim of this study was to investigate the perceptions of academic staff relating to the sufficiency of grievance procedures in dealing with complaints of sexual harassment at higher education institutions in South Africa. A cross-sectional survey was conducted among 162 academic staff members at different higher education institutions. The Sexual Harassment Questionnaire was administered. The results show a positive correlation between confidence in the grievance procedure, the amount of attention that supervisors pay to grievances, regular feedback to employees regarding the progress of grievances, willingness of supervisors to take decisions, the amount of confidence in supervisors and the effectiveness of the procedure. The reluctance of management to deal with grievances unless they are reported via the grievance procedure was related to the perceived effectiveness of the procedure.

OPSOMMING

Die hoofdoelstelling van hierdie navorsing is om die persepsies van akademiese personeel met betrekking tot die geskiktheid van grieweprosedures om klagtes van seksuele teistering te hanteer, te bestudeer. Die meetinstrument wat gebruik is, is die Sexual Harassment Questionnaire (SHQ). 'n Dwarssneeopname is onder 162 akademiese personeel van verskillende hoër onderwys instellings in Suid Afrika in. Resultate dui op 'n positiewe korrelasie tussen die vertroue in die grieweprosedure, die hoeveelheid aandag wat toesighouers aan griewe gee, of werknemers gereelde terugvoer oor die vordering met hulle griewe kry, die bereidheid van toesighouers om besluite te neem, die hoeveelheid vertroue in toesighouers en die doeltreffendheid van die prosedure. Die traagheid van bestuur om griewe te hanteer tensy dit via die grieweprosedure rapporteer word hou verband met die persepsie van die doeltreffendheid van die prosedure.

Sexual harassment is offensive, traumatic for the victims and has serious consequences for organisations. Apart from the effect on employee well-being as manifested by absenteeism, low morale, low productivity and high staff turnover, it raises questions about the liability of employers to create harassment-free work environments by preventing and addressing complaints of sexual harassment (Peirce, Rosen, & Hiller, 1997). There are various international and local examples of organisations that the courts have penalised financially for not having adequate reporting and investigation mechanisms in place to ensure the timely and effective management of sexual harassment complaints (*Media 24 Ltd and Samuels V Grobler* [2005] 16 (4) SALLR (SCA); *J v M* 1998 10 ILJ 755 (IC) 757E-J; *Orr & Another v Unisa* [2004] 9 BLLR 954 (LC).

One of the most common forms of a complaint procedure is a general grievance procedure, which is also used for other employee complaints on issues such as salaries, promotions, safety and poor treatment (Venter, 2003). The value of an effective grievance procedure is well documented in the literature (Bendix, 2005; Hoover, Sanders, & Colin, 1990). Nel and Van Rooyen (1991) regard the existence of a clearly defined and freely accessible procedure for workers to air their grievances and to have these grievances settled as one of an organisation's most important assets. The value of a grievance procedure is that it serves as a safety valve that releases the tension and dissipates the latent aggression inherent in all organisations. It allows the raising and settlement of grievances for a worker without fear of retribution or victimisation and, therefore, contributes to a more open and honest relationship between manager and worker. A grievance procedure allows managers to identify and remove legitimate causes of dissatisfaction or conflict, which might escalate into major unrest. Furthermore, it facilitates the development of positive worker morale and assists in promoting goal achievement within an organisation.

When discussing the need for a grievance procedure, the possible consequences of the absence of a proper procedure must be considered. Management who fail to establish mechanisms for dealing with employee dissatisfaction can be accused of neglecting the welfare of their employees and, ultimately, be accused of being unfair. This may lead to accusations of an unfair labour practice or of vicarious liability (Rycroft, Le Roux, & Orleyn, 2005). Should this accusation be arbitrated, management will have to prove that they have provided reasonable and fair methods to deal with the dissatisfaction; in other words, they will have to prove the existence of a grievance procedure. In the case of *Orr & Another v*

Unisa [2004] 9 BLLR 954 (LC), the Labour Court ordered the University of South Africa (Unisa) to implement its policy on sexual harassment, commit itself to the application of a code of conduct for its council members and maintain an approved grievance procedure for employees and students. The fact that Unisa is South Africa's largest higher education institution raises questions about the state of the grievance procedures designed to deal with sexual harassment cases at other higher education institutions in the country. Higher education institutions are by nature of their activities labour intensive and consist of individuals with different personalities, attitudes, values and prejudices (Bennet, 2002; Eyre, 2000; Gouws & Kritzinger, 2007; Kastl & Kleiner, 2001). These differences, combined with unequal gender and racial representation and power bases, will inevitably result in conflicting behaviour, as is evident from the case of Unisa. It is accepted that most higher education institutions have general grievance procedures in place, but these procedures may not be effective and may not be adequate to address a complex issue such as sexual harassment. Ineffective reporting mechanisms for sexual harassment lead to the under-reporting and underestimation of its incidence (Bagilhole & Woodward, 1995). It thus becomes necessary to investigate the effectiveness of grievance procedures before any conclusions regarding the prevalence levels of sexual harassment can be made.

The objective of this study was to assess the perceptions of academic staff with relation to the grievance procedures of the participating institutions in terms of their sufficiency to deal with complaints of sexual harassment.

Remedial measures for complaints of sexual harassment

In order for an employee to exercise his/her right to complain when experiencing an incident of sexual harassment, employers have to develop and implement procedures to deal with the complaint. Such a procedure should specify the steps to take to initiate a complaint, provide for an alternative receiver in the case of an offending supervisor, encourage the victim to confront the alleged harasser, prohibit retaliation against any complainant, encourage employees to report all occurrences of harassment and promote confidentiality (Pearce & DiLullo, 2001).

Apart from these general principles, it is recommended that the procedure makes explicit the seriousness and consequences of false accusations. More specifically, the 2005 Amended

Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482) in terms of Section 203(2) of the Labour Relations Act (no. 66 of 1995) (South Africa, 1995) provides guidelines for employers to develop procedures that will resolve problems in a sensitive, efficient and effective way.

The existing grievance and disciplinary procedures of an organisation may not be sufficient to effectively deal with complaints of sexual harassment and separate procedures may need to be developed. The guidelines referred to above would be valuable in such an instance. Snyman-Van Deventer and De Bruin (2002) stress the importance of victims using the internal procedures provided to lodge such complaints before referring it to the Commission for Conciliation, Mediation and Arbitration (CCMA) or the Labour Court. This ensures that employers are given a reasonable and fair opportunity to investigate the complaint and take the necessary action before claims of vicarious liability are brought against the employer.

An overview of alternative measures for reporting and investigating complaints of sexual harassment is provided before the sufficiency of grievance procedures is investigated. Past research suggests that an integrated multiple-approach seems most effective when complaints of sexual harassment are investigated (Hartmus & Niblock, 2000; Hayter, 1996; Kastl et al., 2001; Owens, Gomes, & Morgan, 2004; Pearce et al., 2001; Rudman, Borgida, & Robertson, 1995; Whatley & Wasieleski, 2001; Wilken & Badenhorst, 2003). Owens et al. (2004) advise that remedial measures should include an informal enquiry and complaint process, a formal complaint process, advice and assistance for employees, an investigatory process and a system of disciplinary sanctions. Multiple levels for preventing or dealing with sexual harassment, for accessing procedures and for managing the resultant conflict are proposed by Hayter (1996). This approach of making numerous options available for reporting sexual harassment will result in more employees reporting offences, which they otherwise might have declined to report (Rowe, 1996). This is likely to be especially true if the offender is also the supervisor or if the gender of the receiver of the complaint prevents the complainant from coming forward (Aalberts & Seideman, 1996; Laabs, 1995; Moore, Gatlin-Watts, & Cangelosi, 1998). The most common option available for reporting incidents of sexual harassment is the company grievance procedure (Ramsaroop & Parumasur, 2007). However, this procedure needs to be effective if it is to be successful in addressing sexual harassment complaints.

An effective grievance procedure

Definition and value

A grievance can be defined as an individual complaint, which is related to an employee's treatment or position within his/her daily working routine, and which requires the formal attention of management in order to avoid a dispute (Bendix, 2005). This definition is supplemented by Nel, Kirsten, Swanepoel, Erasmus, and Poisat (2008, p. 265) who define a grievance as "an occurrence, situation or condition, either real or perceived, that justifies an employee to formally lodge the matter as warranting action to address it". The definition by Nel et al. (2008) makes provision for a perceived breach of the terms of an employment contract, and is broad enough to include the employment relationship and psychological contract between an employee and his employer. For the purpose of this study, a grievance procedure is defined as the steps followed by the parties in the employment relationship to negate the effects of a perceived injustice in the workplace.

The specific benefits of an effective grievance procedure, according to Swanepoel, Erasmus, Van Wyk, and Schenk (1998), are that it serves as a medium for bringing employee problems to the attention of higher management, and serves as an outlet for employee frustration and discontent. It reduces the likelihood of arbitrary action by supervision because supervisors know that employees can protest against such behaviour and voice their protests to higher management. If a grievance procedure is based on a collective agreement, both parties will be willing to discuss and negotiate any differences between them regarding the interpretation and application of the procedure. Effective grievance procedures can promote positive attitudes, higher worker morale, efficiency and productivity, and provide a constitutional forum within which each party may argue its case and seek to persuade the other party on an approximately equal footing.

These benefits will only apply to an effective grievance procedure. A procedure that fails to address employee grievances sufficiently will only frustrate employees and ultimately leads to a decline in worker morale and productivity. The value of a grievance procedure as a mechanism for reporting and investigating complaints of sexual harassment is stressed by O'Hare and O'Donohue (1998) who identify the lack of knowledge about the formal grievance procedure of an organisation as a risk factor for sexual harassment.

Requirements

A grievance procedure should be visible, meaning that the procedure should be in writing and accessible to all staff by displaying it in the workplace where it is accessible to all employees. This can be achieved by including it in the personnel policy manual, posting it on bulletin boards and attaching it to employee pay cheques (Kinard, McLaurin, & Little, 1995; Roos, 1996; Tinarelli, 2000).

An intelligible procedure is one that is understood by those who are required to use it. Nel et al. (1991) list a simple and easy-to-use procedure as a prerequisite for a good grievance procedure. They are supported by Piron (1990) who requires that the same general rules in respect of clarity of language, economy of words, and so on that apply to the disciplinary procedure, be adhered to when considering the mechanisms of the grievance procedure. In addition, the procedure should be uncomplicated, readily understood and described in simple language.

It is essential that a grievance should be settled as quickly as possible and as close to its point of origin as possible. What is even more important is that the grievance procedure must facilitate this by providing the structure for grievances to be reported and addressed speedily and at the lowest possible level (Angus & Humphrey, 1990; Hoover et al., 1990). To ensure this, a number of time-specified and progressive procedural steps should be spelled out and followed, from the lowest to the highest level of management, in order to arrive at the point where a grievance is solved to the optimum satisfaction of all parties concerned (Swanepoel, Slabbert, Erasmus, Brink, Prinsloo, & Backer, 1998).

A grievance procedure must have credibility, which means that employees must believe in and trust the procedure. They must also be willing to use it. In this regard, it is important that staff, through their employee organisations, be involved in the formulation of procedures (Feuille & Delaney, 1992; Kinard et al., 1995; Roos, 1996). It should be noted however that these guarantees to employees must be balanced by a serious warning from management that the procedure should not be abused with frivolous and unnecessary grievances. A grievance procedure cannot function in isolation and needs the support of a formal, written, just and rational set of personnel policies. By itself, a grievance procedure tends to be weak – it needs a firm policy and a fair disciplinary procedure in support (Nel et al., 1991). Various policy

decisions need to be taken regarding the grievance procedure. First, the definition of a grievance, as contained in the procedure, must make provision for both types of grievances, namely a grievance of right and a grievance of interest. Secondly, a policy decision must be taken as to whether the procedure will accommodate every single enquiry or whether informal enquiries will be raised outside the procedure, making the procedure available only for complaints that are more serious. This involves a policy decision on the structure of the procedure, namely whether it is to be formal or informal (Piron, 1990; Rollinson, 1993).

It is accepted that most organisations have a labour relations policy and workplace procedures to implement this policy. Numerous examples of grievance procedures also exist that can be adopted relatively easily by individual organisations. This procedure will remain merely a document if there is no commitment to make it work. This commitment should be displayed by all the parties involved in the functioning of the procedure, but especially by the management of an organisation. Demonstrated support from top management was indicated by 93 percent of the respondents in a study by Peirce et al. (1997) as a factor that encourages them to report sexual harassment.

All policies and procedures dealing with employees must be fair. The grievance procedure is no exception and must meet all the requirements regarding substantive and procedural fairness, which are usually applied to disciplinary procedures. When a grievance is dealt with by management, it is advisable to keep in mind that unresolved grievances become disputes. These disputes are referred to the appropriate dispute-settling mechanism such as a bargaining council or the Commission for Conciliation, Mediation and Arbitration (CCMA). This implies a more formal, technical and legalistic approach to the grievance and it is accepted that the fairness applied to the grievance procedure as well as the handling of the grievance will be scrutinised by these bodies. Should the procedure or the handling be found to be unfair, the likelihood of a ruling in favour of the employee is increased (Grogan, 2004).

Therefore, an effective grievance procedure can be described as one that is clearly displayed and accessible to all employees in the workplace. The procedure must be understood by those (employees, shop stewards, supervisors and managers) who will use it and it consists of specific steps that need to be followed from the origin of the grievance to its conclusion. These steps must be linked to a time scale that will facilitate the shortest possible resolution of the grievance. Employees must trust the procedure and be willing to use it. Management

determines the effectiveness of the procedure by supporting it with policies and their commitment. Most importantly, a grievance procedure can only be effective if it is fair towards those who need to be protected by it. These identified seven requirements do not influence the effectiveness of a grievance procedure in isolation. It is of the utmost importance that all these requirements be met at all times before a procedure can be described as being effective.

Formality

The debate on whether a sexual harassment complaint and investigation procedure should be formal or informal will be briefly addressed by explaining the mechanisms, comparing the advantages and disadvantages of both approaches, and making a recommendation. An informal approach usually consists of counselling or mediation, and may be preferred by employees who do not want to disrupt the employment relationship (Hayter, 1996). This is sometimes referred to as an “off-the-record” investigation. This approach is used when the objective is to stop the harassment and not to punish the harasser since the harasser may not know that his/her behaviour is perceived as offensive. This is according to the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace (GN 27865 GG 482), issued in terms of Section 203(2) of the Labour Relations Act (no. 66 of 1995) (South Africa, 1995).

A formal approach requires the complainant to follow the existing procedures that are available in terms of company policies. The grievance procedure is regarded as a suitable procedure for this purpose. In the absence of a grievance procedure, an organisation should establish a procedure that allows the harassed individual to lodge a formal complaint to be investigated. The investigation must determine when, where and how the harassment took place by obtaining statements from the victim, any witnesses and the alleged harasser. A decision must then be taken as to whether or not the incident actually occurred and what the consequences were. An appropriate form of discipline should be used to punish the perpetrator (Grobler, Erasmus, & Kölkenbeck-Ruh, 2003).

Table 1

Formal versus Informal Procedures

Advantages	
FORMAL PROCEDURE	INFORMAL PROCEDURE
Shows organisation's commitment to eradicate sexual harassment	It is immediate
Forces managers to take their responsibility seriously	Encourages victims to report due to the quicker route
Provides better protection to complainant against victimisation	Shares responsibility for action with complainant
Allows organisation to take action against harasser	Complainant is not further embarrassed
Repeated offenders can be tracked	
Disadvantages	
More stressful for all	No message to rest of staff that sexual harassment is addressed
More difficult to maintain confidentiality	Leaves complainant open to victimisation
Possible hostility from other members of staff	Complainants may feel that they are the only one complaining
Can be more difficult to collect evidence	

Source: Finnemore and Van Rensburg (2000); Grobler et al. (2003); Hayter (1996); Paludi (1996)

When comparing the advantages and disadvantages of both approaches, it is clear that both have merit and can be effective under specific circumstances. For this reason, as well as to respect the wishes of the victim, both approaches should exist and the victim should have a choice, based on individual circumstances. This choice is not exclusive and a victim still has recourse to the formal procedure should the informal procedure not provide a satisfactory outcome. Severe cases of sexual harassment such as sexual assault, rape, a strip search and *quid pro quo* harassment will immediately invoke a formal procedure. This is according to the 2005 Amended Code of Good Practice on the Handling of Sexual Harassment Cases (GN 27865 GG 482), which was issued in terms of the Labour Relations Act (no 66 of 1995)

(South Africa, 1995) and is used as a universally accepted definition of sexual harassment. (Finnemore et al., 2000)

METHOD

Research design

The research objectives were met by utilising a cross-sectional survey design. This design is useful in assessing the perceptions of staff members at higher education institutions in South Africa regarding the effectiveness of grievance procedures. The survey design was ideal for meeting the research objectives since questionnaires were used as the data collection method. This method was decided upon because it has 'relevance' to the purpose of the research (Bailey, 1987); that is, (1) relevance of the study's goals, (2) relevance of questions to the goals of the study and (3) relevance of the questions to the individual respondent. A cross-sectional survey design was used as it provides data from a sample of academic staff representing different occupation levels in the institution as well as data from different genders, population groups, age categories and members with varying years of service.

Participants

All 23 higher education institutions in South Africa were invited to participate in the study. Based on their responses, a purposive sample (Maree, 2007) of 10 institutions was used. Academic staff members at the Central University of Technology, Fort Hare University, Free State University, Nelson Mandela Metropolitan University, North-West University, Rhodes University, University of Johannesburg, University of KwaZulu-Natal, Vaal University of Technology and Walter Sisulu University of Technology in South Africa participated in the study. The names of the academic staff members were obtained from the official Internet websites of the institutions and a random systematic sample of 10 percent of all participating institutions was drawn. The length of the interval was calculated by the ratio $k=N/n$, where k =the length, N =size of the population and n =size of the sample (Bless & Higson-Smith, 2004). A response rate of 22,8 percent ($n=162$) was achieved. The participants that took part in this study represent academic staff on different post levels and range from junior lecturers

to professors and deans of faculties. Owing to confidentiality and the sensitivity of the research topic, no individual responses for the participating institutions will be reported.

The biographical characteristics of the participants are presented in Table 2.

Table 2

Characteristics of the Participants

Item	Category	Frequency	Percentage (%)
Gender	Male (1)	58	36
	Female (2)	103	64
	Total	161	100
Population group	African	24	15.3
	Asian	8	5.1
	Coloured	6	3.8
	White	119	75.8
	Total	157	100
Home Language	Afrikaans	76	47.2
	English	66	41.0
	African Language	19	11.7
	Total	161	99.8
Age	30 years and younger (1)	16	9.9
	31 – 39 years (2)	54	33.5
	40 - 49 years (3)	46	28.6
	50 – 59 years (4)	43	26.7
	60 – and older (6)	2	1.2
	Total	161	99.9
Qualification	Doctorate (1)	39	24.2
	Master's (2)	85	52.8
	Hons/BTech (3)	32	19.9
	Degree/Diploma (4)	5	3.1
	Total	161	100
Tenure	Less than 2 years (1)	20	12.4
	2 – 4 years (2)	23	14.3
	5 – 7 years (3)	33	20.5
	8 – 10 years (4)	25	15.5
	11 – 13 years	25	15.5
	14 – 16 years	9	5.6
	17 – 19 years	11	6.8
	Longer than 20 years (5)	15	9.3
Total	161	100	

Table 2 indicates that 64 percent females and 36 percent males participated in this study. The majority of participants (33,5%) fell in the 31 to 39 age groups and 52,8 percent had a master's degree. The majority of the study population (20,5%) had been employed by their institutions for periods of between five and seven years.

Measuring instrument

The Sexual Harassment Questionnaire (SHQ) was developed to meet the research objectives and consists of four sections. Section A was designed to obtain biographical information from the respondents. Owing to the sensitive nature of the topic, the questionnaire was completed anonymously and institutions are not identified.

The requirements for effective grievance procedures, as identified in the literature and described in this article, form the basis of the items that evaluate the sufficiency of grievance procedures in dealing with complaints of sexual harassment in Section D. This section consists of 19 items, which correlates with the requirements for an effective grievance procedure. These requirements are visibility, intelligibility, steps and time scales, credibility, support, commitment and fairness. A 5-point Likert scale was used to assess the responses and varied from 1 (strongly agree) to 4 (strongly disagree). An option of "not sure" was also included.

Statistical analysis

The statistical analysis was carried out with the help of the SPSS-program, Version 15 (SPSS, 2007). Cronbach alpha coefficients were used to assess the validity and reliability of the constructs measured in this study (Anatasi & Rhodes, 2000). Coefficient alpha contains important information regarding the proportion of variance of the items of a scale in terms of the total variance explained by the particular scale.

Descriptive statistics (for example, means and standard deviations) were used. Pearson's product moment correlation coefficients were used to specify the relationship between the variables. In terms of statistical significance, the value was set at a 95 percent confidence interval level ($p \leq 0,05$). Effect sizes (Steyn, 1999) were used to decide on the practical significance of the findings. A cut-off point of 0,30 (medium effect) (Cohen, 1988) was set

for the practical significance of correlation coefficients. One-way analysis of variance (ANOVA) was used to analyse the variance between independent (qualitative) and dependent (quantitative) variables/factors (Sarantakos, 2006).

RESULTS

Table 3

Frequencies (%) of Responses Relating to the Effectiveness of Grievance Procedures

Item	Strongly agree	Agree	Disagree	Strongly disagree	Not sure
Effective method	10,1	36,5	9,4	3,8	40,3
Fully aware of rights	7,6	21,5	20,3	8,9	41,8
Attention from management	11,9	48,4	5,0	3,1	31,4
Prefer other ways	3,1	19,5	4,4	2,5	70,4
Written grievances	39,0	48,4	2,5	0,6	9,4
Confidence in supervisor	20,8	45,9	6,9	9,4	17,0
Informal procedure	7,5	16,4	30,2	34,0	11,9
Independent third party	31,0	48,1	8,2	2,5	10,1
Low rate of grievances	6,3	22,0	0,6	0,0	71,1
Reluctance if not grievance	5,7	13,2	5,7	2,5	73,0
Trade unions well informed	9,5	24,7	1,9	2,5	61,4
Receive attention from supervisors	2,5	16,4	10,1	7,5	63,5
Regular feedback	0,6	5,0	10,1	8,2	76,1
Human Resources objective and professional	3,2	18,5	10,2	4,5	63,7
Supervisor willing to decide	5,7	32,1	8,2	6,3	47,8
Use GP as last resort	7,0	25,9	26,6	12,7	27,8
Employees fear reprisal	7,0	22,2	10,8	4,4	55,7
Trust and commitment crucial	50,9	37,7	1,3	0,0	10,1
All employees should be trained	45,6	43,7	1,9	0,6	8,2

A frequency analysis of the responses shows that the grievance procedure is not regarded as an effective method to deal with complaints of sexual harassment. In addition, it shows that respondents have confidence in their supervisors to investigate their complaints objectively, that complaints of sexual harassment should not be dealt with informally to avoid embarrassment of the parties involved and that respondents prefer to report incidents of sexual harassment to an independent third party.

Table 4

Descriptive Statistics of the Measuring Instruments

	Mean	SD	Skewness	Kurtosis
Effective method	2,26	0,58	0,38	1,25
Alternative method	2,41	0,60	0,25	0,75
Conditions for effectiveness	1,94	0,50	-0,05	0,17
Confidence in procedure	1,92	0,53	0,37	0,43

The Cronbach alpha value obtained for all the items intended to measure the perceptions of the sufficiency of grievance procedures in dealing with complaints of sexual harassment is 0,84, which is higher than the guideline of $\alpha > 0,70$. Therefore, it appears that all the measuring instruments in this study have acceptable levels of internal consistency. The information reflected in Table 4 indicates that the scores on all the variables have a normal distribution, with a negative skewness (skewed left) and a leptokurtic shape (Doane & Seward, 2007).

The correlation between variables was measured using Pearson's r product moment correlation. This is reported on in Tables 5, 6 and 7.

Table 5

Correlation Coefficients between Gender, Population Group, Age, Years of Service, Effectiveness, Alternative Method, Conditions and Confidence

	1	2	3	4	5
1. Population group	1				
2. Years of service	0,28**	1			
3. Effectiveness	0,19*	0,01	1		
4. Alternative method	0,01	0,03	0,16	1	
5. Conditions	0,10	0,10	0,25**	0,06	1
6. Confidence	0,14	0,16*	0,13	0,04	0,36**

** Correlation is significant at the 0,01 level (2-tailed)

* Correlation is significant at the 0,05 level (2-tailed)

Table 5 shows a practically significant correlation coefficient ($p < 0,05$) with a small effect ($r < 0,30$) between years of service and confidence in the grievance procedure, as well as between population group and the effectiveness of a grievance procedure. A practically

significant correlation ($p < 0,01$) of a small effect ($r < 0,30$) exists between the conditions for an effective procedure and the confidence in the procedure and its effectiveness. According to Cohen (1988), an effect size of 0,00-0,30 is a small effect, 0,40-0,60 a medium effect and 0,70-1,00 a large effect.

Table 6

Correlation Coefficients between Effectiveness, Attention and Reluctance

	Effectiveness	Attention
Effectiveness	-	=
Attention	0,54**	=
Reluctance	-0,43**	-0,28

** Correlation is significant at the 0,01 level (2-tailed)

Table 6 shows a practically significant correlation coefficient ($p < 0,01$) with a medium effect ($r > 0,30$) between the amount of attention that supervisors pay to grievances and the effectiveness of procedures. A practically significant negative correlation of a medium effect ($r > 0,30$) exists between the reluctance of management to deal with grievances unless they are reported via the grievance procedure and the assessment of the effectiveness of the procedure.

The correlation coefficients between the levels of confidence in supervisors to investigate complaints objectively, the attention that complaints receive from supervisors, regular feedback regarding the progress with grievances and the willingness of supervisors to take decisions speedily to settle a grievance is shown in Table 7.

Table 7

Correlation Coefficients between Confidence, Attention, Feedback and Decision-making

	Confidence	Attention	Feedback
Confidence	-	-	-
Attention	0,82**	-	-
Feedback	0,46**	0,59**	-
Decision-making	0,63**	0,55**	0,36**

** Correlation is significant at the 0.01 level (2-tailed)

The coefficients in Table 7 show a practically significant correlation ($p < 0,01$) with a medium effect ($r > 0,30$) between receiving regular feedback regarding the progress of grievances, willingness of supervisors to take decisions and the amount of confidence in supervisors. A practically significant correlation coefficient ($p < 0,01$) with a large effect exists between the perception that grievances receive the attention they deserve and the amount of confidence in the procedure.

Analyses of variance were performed on various variables with the different demographic groups and the ANOVAs are given below with their interpretations. Table 8 illustrates the effect of gender on the requirements for an effective grievance procedure.

Table 8
Analysis of Variance between Requirements for an Effective Grievance Procedure and Gender

		Sum of Squares	df	Mean Square	F	P
Effectiveness	Between Groups	0,22	1	0,22	0,67	0,41
	Within Groups	43,51	135	0,32		
	Total	43,72	136			
Alternatives	Between Groups	0,21	1	0,21	0,56	0,45
	Within Groups	55,89	152	0,37		
	Total	55,10	153			
Conditions	Between Groups	0,18	1	0,18	0,71	0,40
	Within Groups	38,22	155	0,25		
	Total	38,39	156			
Confidence	Between Groups	0,02	1	0,02	0,07	0,79
	Within Groups	43,76	151	0,29		
	Total	43,78	152			

Table 8 shows that gender had no practically significant effect on the requirements for an effective grievance procedure ($p > 0,05$). Table 9 reflects the effect of population group on the requirements for an effective grievance procedure.

Table 9

Analysis of Variance between Requirements for an Effective Grievance Procedure and Population Group

		Sum of Squares	df	Mean Square	F	P
Effectiveness	Between Groups	2,79	3	0,93	3,01	0,03
	Within Groups	40,13	130	0,31		
	Total	42,92	133			
Alternatives	Between Groups	0,29	3	0,10	0,26	0,85
	Within Groups	54,92	147	0,37		
	Total	55,22	150			
Conditions	Between Groups	0,91	3	0,30	1,30	0,28
	Within Groups	35,20	150	0,23		
	Total	36,11	153			
Confidence	Between Groups	1,91	3	0,64	2,23	0,09
	Within Groups	41,75	146	0,29		
	Total	43,66	149			

Table 9 shows that gender had no practically significant effect on the requirements for an effective grievance procedure ($p > 0,05$).

Table 10 illustrates the effect of age on the requirements for an effective grievance procedure.

Table 10

Analysis of Variance between Requirements for an Effective Grievance Procedure and Age

		Sum of Squares	df	Mean Square	F	P
Effectiveness	Between Groups	0,96	4	0,24	0,74	0,57
	Within Groups	42,76	132	0,32		
	Total	43,72	136			
Alternatives	Between Groups	1,98	4	0,49	1,36	0,25
	Within Groups	54,12	149	0,36		
	Total	56,10	153			
Conditions	Between Groups	0,35	4	0,09	0,35	0,84
	Within Groups	38,04	152	0,25		
	Total	38,39	156			
Confidence	Between Groups	0,55	4	0,14	0,47	0,76
	Within Groups	43,23	148	0,29		
	Total	43,78	152			

Table 10 shows that age had no practically significant effect on the requirements for an effective grievance procedure ($p > 0,05$). Table 11 reflects the effect of years of service on the requirements for an effective grievance procedure.

Table 11

Analysis of Variance between Requirements for an Effective Grievance Procedure and Years of Service

		Sum of Squares	df	Mean Square	F	P
Effectiveness	Between Groups	0,00	2	0,00	0,00	1,00
	Within Groups	43,72	134	0,33		
	Total	43,72	136			
Alternatives	Between Groups	0,28	2	0,14	0,37	0,69
	Within Groups	55,82	151	0,37		
	Total	56,10	153			
Conditions	Between Groups	0,43	2	0,21	0,87	0,42
	Within Groups	37,96	154	0,25		
	Total	38,39	156			
Confidence	Between Groups	1,30	2	0,65	2,30	0,10
	Within Groups	42,48	150	0,28		
	Total	43,78	152			

No practically significant effect of years of service on the requirements for an effective grievance procedure ($p > 0,05$) was found, as shown by Table 11.

After performing an analysis of variance (ANOVA) on the biographic (independent) variables and the criteria for effectiveness (dependent variable), no significant effect of population group, age, gender or years of service was found on any of the requirements for an effective grievance procedure.

DISCUSSION

The positive correlation between the conditions/requirements for an effective grievance procedure and the evaluation of the procedure by the respondents is an indication of the reliability of the scale, as shown by the Cronbach alpha coefficient of 0,84. Eaton, Gordon, and Keefe (1992) developed a scale that measures attitudes toward a grievance system and reported a coefficient of 0,87. These requirements should also apply to any procedure that is

utilised to investigate complaints of sexual harassment. The indication by 29,2 percent of respondents that the grievance procedure is not used effectively because employees fear reprisal from management is a cause for concern. Sexual harassment is an embarrassment to an organisation, especially if it is reported in the media. However, this should not lead to intimidation of complainants or ignoring complaints. Organisations that are serious about eliminating and dealing with sexual harassment should have a flexible complaint procedure that offers complainants more than one alternative to complain. They should also ensure that complaints are expeditiously resolved, that the confidentiality of complainants is protected and that harassers are appropriately sanctioned (Kölkenbeck-Ruh, 2003).

The need to report a complaint to an independent third party was expressed by 79 percent of respondents. This alludes to the need for confidentiality and privacy when reporting complaints of sexual harassment. This is confirmed by Peirce et al. (1997) who found that 84 percent of respondents preferred to complain to an external counsellor and with complete anonymity, once again stressing the sensitive and embarrassing nature of sexual harassment for victims. The possibility that a complaint can be made against a supervisor necessitates the inclusion of a provision in the grievance procedure that employees can complain to someone other than the alleged harasser (supervisor) (Aalberts et al., 1996; Moore et al., 1998). This is similar to the finding of Peirce et al. (1997) that women would be encouraged to report incidents to a third party who is skilled in resolving sexual harassment complaints. The results of this study suggest that academics at higher education institutions in South Africa would rather approach an independent third party to complain about sexual harassment. When considering the situation where the majority of academic managers in South Africa are male, this finding is not surprising. More research is required to determine the effect of the gender of the receiver and investigator of the complaint on the willingness of the victim to initiate a complaint.

In their investigation of the problems with sexual harassment reporting policies and procedures, Peirce et al. (1997) found that respondents reported scepticism that their complaints would be taken seriously by management and that the harassers would be punished. The fairness and duration of the resultant investigation was also questioned. The importance of trust is evident from the 60.3 percent of respondents in this study who agreed with the statement "The grievance procedure is a structure that helps to ensure that complaints receive attention from management". The commitment of management is a

prerequisite for an effective grievance procedure and seems to be present, according to the respondents.

The perception of the effectiveness of grievance procedures was found to contribute to the underreporting of harassment in a study by Whatley et al. (2001). This underlines the finding of this study that 88,6 percent of the respondents indicated that trust and commitment are crucial factors for effectively dealing with grievances. The availability and competence of employee representatives might also influence the decision of victims to report incidents of sexual harassment via a formal grievance procedure. If employees (potential complainants) do not trust the grievance procedure, it is unlikely that they will use it to file complaints of sexual harassment. This results in incidents being ignored, with dire consequences for the victim and the organisation (Wilken et al., 2003).

Of the respondents, 64,2 percent disagreed with the statement that complaints of sexual harassment should be dealt with informally to avoid the embarrassment of the parties involved. An interpretation of this finding points to a strong desire of potential victims to focus management's attention on sexual misconduct and to ensure that harassers are adequately punished in terms of the disciplinary code of the institution. Research need to be conducted on the satisfaction levels of victims of sexual harassment with the outcome of their grievances as this will influence their evaluation of the sufficiency of grievance procedures to deal with complaints of sexual harassment. Only 22,6 percent of respondents indicated that they prefer other ways rather than the formal grievance procedure to report sexual harassment. The level of trust in formal grievance procedures is illustrated by the 66,7 percent of respondents who indicated that they have sufficient confidence in their supervisors to investigate their complaint objectively. There is thus a clear indication that grievance procedures are the preferred method of reporting complaints of sexual harassment in South African higher education institutions.

A possible explanation for this is that staff may believe that a formal procedure ensures that complaints are adequately investigated and that offenders are properly sanctioned. They may also believe that informal complaints are largely ignored by management in order to reduce the amount of embarrassment for all parties involved. Previous experience with the use of a grievance procedure and the result obtained can determine the willingness of victims of sexual harassment to trust the procedure sufficiently for complaints of sexual harassment.

These reasons need to be investigated through further research. This is in contrast with the 79,9 percent of respondents in the study by Peirce et al. (1997) who indicated that access to confidential counselling would encourage the reporting of harassment incidents. McKinney (1990) found that incidents of sexual harassment were usually not reported via formal procedures. A similar notion is reported by Marshall (2005) who found formal grievance procedures to be an obstacle for women who had complaints about sexual conduct in the workplace. The use of an informal strategy such as talking to the harasser instead of using an aggressive/formal procedure increased the likelihood of a satisfactory outcome for the complainant (Bingham & Scherer, 1993). Adams-Roy and Barling (1999) support the use of informal procedures and found that “women who had reported sexual harassment through formal channels manifested lower perceptions of justice”. A case for both a formal and informal complaint procedure can be made, stressing the need for alternative measures for reporting and investigating complaints of sexual harassment (Roberts & Mann, 2005).

The absence of any significant effect of the respondents’ biographical characteristics on the criteria for effective grievance procedures is an indication that all academics, irrespective of their gender, race, age or tenure, regard the stated criteria as crucial for the effective management of grievances. Furthermore, they regard the grievance procedure as the preferred method for dealing with complaints of sexual harassment. Other studies (for example, Marshall, 2005) have indicated that grievance procedures provide limited protection for women’s rights when used to report harassment. This may be due to the possibility that grievances are received and investigated by male supervisors who may not regard them as serious. All employees should have trust and confidence in the procedure, and that they feel adequately protected against retaliation and breach of confidentiality in order to reduce the incidence of harassment in academic institutions.

The results of this study may be limited by the low response rate of 22,8 percent (n=162). Other studies also reported relatively low rates. For example, Pryor and McKinney (1995) reported a response rate of 32 percent, Retief (2000) n=104, Timmerman and Bajema (2000) 40 percent, O’Hare et al. (1998) 34 percent, Whatley et al. (2001) 24 percent, Peirce et al. (1997) 21 percent and Ramsaroop et al. (2007) n=74. The sensitive and personal nature of the information that respondents were required to provide may explain their reluctance to participate in the study. It is also possible that the questionnaire reminded certain potential participants of specific incidents of sexual harassment and the negative experience may have

prevented them from completing it. The possibility that those employees who are really threatened by sexual harassment did not complete the questionnaires, can not be excluded. Their contributions could have influenced the findings of this study. The study is also limited in its comparability, as no other study that the researcher is aware of has attempted to determine the effectiveness of grievance procedures in dealing with complaints of sexual harassment by academic staff at higher education institutions in South Africa. Existing research focused on the public service (Du Plessis, 2001 & Van der Berg, 2003), the South African Police Service (Retief, 2000) and the manufacturing industry (Kölkenbeck-Ruh, 2003). Numerous studies have investigated the management of sexual harassment complaints on campuses, including harassment of students by students and by academic and other staff (Gouws et al., 2007; Jardim, 2004). In order to be true to the field of industrial sociology, students were excluded from this study, as they are not involved in an employment relationship. However, it was felt that higher education institutions cannot be successfully studied without reference to the largest section of a university population, namely the students. Consequently, it was not possible to compare the Cronbach alpha coefficients with those of other South African studies on the sufficiency of grievance procedures in dealing with complaints of sexual harassment. Cronbach alpha coefficients were compared with international studies based on the Sexual Experience Questionnaire.

A further limitation of the study is the isolation within which the results were interpreted. Limited data is available from higher education institutions regarding the number of complaints of sexual harassment received from academic staff and the effectiveness of the remedial measures that were utilised to resolve these complaints. This makes it difficult to place the data on the sufficiency of grievance procedures in perspective. Notwithstanding this limitation, it should be noted that the objective of the study was to determine the perceptions of academic staff regarding the sufficiency of grievance procedures in dealing with incidents of harassment. With this in mind, the study clearly indicates that academic staff members regard the grievance procedure as an effective method to address their complaints, although they would prefer other methods and an independent third party to report incidents to and, as such, the management of higher education institutions should take cognisance of this.

A possible limitation of this study is that not all respondents were previously harassed and could not complete the questionnaire based on their experience of filing a sexual harassment complaint. They had to speculate about the grievance procedure that they would use in such a

case and their responses can be regarded as hypothetical. The study of Peirce et al. (1997) however found that the responses of potential and actual harassment victims were strikingly familiar. Both groups indicated the same four major reasons for not reporting harassment.

The possibility that respondents applied different, subjective definitions of sexual harassment when they completed the questionnaire cannot be ignored. The failure to provide a definition was a deliberately action undertaken so as not to guide or lead respondents. In their study of sexual harassment risk factors, O'Hare et al. (1998) define sexual harassment explicitly and comprehensively, and regard this as a contributing factor for the higher prevalence rates that they found. Interviews with respondents might have provided the researcher with insight into the definition and frame of reference that influence their perceptions of sexual harassment. Interviews with role-players at higher education institutions responsible for the implementation of grievance procedures such as women's forums, human resource practitioners and deans of faculties could have supplemented the quantitative study. This would have increased the validity of this study. The study also did not accommodate cultural variables. In a multi-cultural society like South Africa, this may be regarded as a limitation and it is recommended that research be conducted into the effect of different cultural backgrounds on the perception of sexual harassment.

RECOMMENDATIONS

It is recommended that higher education institutions in South Africa conduct a critical evaluation of their present grievance procedures in order to ensure that it conforms to the requirements for an effective procedure. Alternative measures to report, investigate and manage cases of sexual harassment should also be considered. Any attempt at dealing with complaints of sexual harassment through a grievance procedure should be transparent, confidential and linked to a specific disciplinary procedure. Without the appropriate and visible disciplining of sexual harassers, victims may feel that they have not received justice and may seek redress in a court of law. Higher education institutions should also ensure that their disciplinary code contain serious enough sanctions to deter potential harassers. The possibility of false accusations and the protection of the rights of both victims and perpetrators should also be addressed by the disciplinary procedure.

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CHAPTER 5: CONCLUSIONS, LIMITATIONS AND RECOMMENDATIONS

5.1 INTRODUCTION

Conclusions regarding the literature and the empirical study are made in this chapter. Limitations of the research are discussed and recommendations are made to the management of higher education institutions. In addition, recommendations for future research on this phenomenon are made.

5.2 CONCLUSIONS

The general objective of this study was to determine the perceived incidence and management of sexual harassment at higher education institutions in South Africa. More specifically, the objectives were to determine the perceived incidence level of sexual harassment among academic staff at higher education institutions in South Africa, to determine their level of awareness and their evaluation of sexual harassment policies and to determine the sufficiency of grievance procedures to deal with complaints of sexual harassment.

This research indicated that although relatively low levels of harassment exist among academic staff, the implementation of policies to prevent and address complaints of sexual harassment is problematic. In addition, a correlation exists between some forms of sexual harassment and the effectiveness of policies, and although the grievance procedure is regarded as a sufficient method of dealing with complaints of harassment, academic staff would prefer other methods, including complaining to an objective third party.

These findings should be interpreted with due consideration to the consequences of not having effective policies and procedures in place to prevent and deal with complaints of sexual harassment. Apart from the negative psychological, personal, social, health, relationship, work performance and career problems (Peirce, Rosen, & Hiller, 1997), organisations may suffer damage to their reputation and image. In addition, organisations may have a high staff turnover and they may suffer financially if vicarious liability is proved by the complainant (Basson, 2007; Rycroft, Le Roux, & Orleyn, 2005; Snyman-Van Deventer & De Bruin, 2002).

The summarised findings in relation to the objectives set for this research, are as follows:

The first objective was to determine the perceived incidence of sexual harassment among academic staff at higher education institutions in South Africa. This was achieved by requesting participants to indicate whether they had personally experienced, observed or were aware/unaware of incidents of the different forms of harassment on their campus. The Cronbach alpha value obtained for all the items intended to measure the incidence of sexual harassment is 0.89, which is higher than the guideline of $\alpha > 0.70$. Therefore, it appears that all the measuring instruments used in this study have acceptable levels of internal consistency and that these are consistent with the values reported in similar studies (Gelfand, Fitzgerald, & Drasgow, 1995; Ramsaroop & Parumasur, 2007; Stockdale, 1996).

From the results, it can be concluded that the overall incidence of sexual harassment is low and that gender harassment is the most prevalent form of sexual harassment personally experienced, observed and that academic staff are aware of, followed by verbal and non-verbal harassment. Increased recruitment levels of women and their acceleration into higher levels of the management structures of higher education institutions will ultimately influence the incidence of gender harassment. For this reason it is crucial that studies of this nature are conducted regularly and results compared. The absence of previous studies on the prevalence of sexual harassment among academic staff in South Africa makes this impossible at this stage. *Quid pro quo* harassment was the least experienced, observed and type of sexual harassment that employees were aware of in this study. As this form of sexual harassment is closely related to the use of power to obtain sexual favours, power does not seem to be a major contributing factor to the incidence of sexual harassment in academia. It is suggested that continued research be conducted in the actual causes of harassment, based on theoretical models of sexual harassment as explained in chapter one. Practically significant correlation coefficient levels were found between verbal and non-verbal harassment, between physical, verbal, non-verbal and *quid pro quo* harassment and sexism, as well as between the control item of sexual harassment and physical, verbal, non-verbal and *quid pro quo* harassment. No significant relationship was found between the individual characteristics of academic staff (gender, population group, age, and years of service) and the perceived incidence of sexual harassment at higher education institutions in South Africa. The conclusion that can be drawn from this is that all academic staff can identify the different forms of sexual harassment and that the incidence is not gender specific.

The second objective was to determine quantitatively the level of awareness of sexual harassment policies among academic staff at higher education institutions in South Africa. An evaluation of the perceived effectiveness of the policies was also done. The Cronbach alpha value obtained for the items intended to measure the existence, knowledge and effectiveness of SHPs was 0.88, which is higher than the guideline of $\alpha > 0.70$. Owing to the lack of similar research on this topic or the non-reporting of alpha values (Peirce et al., 1997), it was not possible to benchmark the Cronbach alpha. This study indicates that the implementation of a SHP is problematic at higher education institutions in South Africa. Only 32 percent of the respondents in this study indicated that they are aware of the contents of the sexual harassment policy. A relatively small number of respondents indicated having received training/guidance on the policy and this contributed to the low levels of knowledge of the policy. This raises serious questions about the ability of staff to recognise and report harassing behaviour and of line management to deal effectively with complaints of sexual harassment. This finding is concomitant with those of Gouws and Kritzinger (2007), Peirce et al. (1997), and Wilken and Badenhorst (2003). As indicated in chapter three, consensus exists in the literature that sexual harassment can not be effectively addressed without an effective policy. This policy will increase awareness and limit uncertainty regarding the definition, reporting mechanisms and remedial measures available to victims of sexual harassment. Increased awareness levels of SHP's might initially result in higher incidence levels as more victims will be able to recognise and report harassing behaviour. Awareness of and the effective implementation of policies might also reduce the incidence of sexual harassment. Literature described in chapter three indicates the importance of training and counselling as preventative measures and disciplinary action against harassers as effective ways of reducing incidents of sexual harassment. Although it was not stated as an objective of this study, reports from the management of higher education institutions on the existence and implementation of SHP's at their respective institutions will have placed the findings of this study in context. The possibility that academic staff are sexually harassed despite the existence of an effective SHP which is known to harassers, can not be discounted and requires further investigation.

A significant correlation and effect was found between population group and knowledge of the SHP, with respondents from the white population group having a higher level of knowledge of the policy. This may be explained by the fact that academic staff members of

higher education institutions in South Africa are predominantly white and have longer years of service, which would have enabled them to gain knowledge of the policy. The difference in knowledge may also be ascribed to cultural differences and the slow rate of transformation at some institutions of higher learning.

The significant correlation between the possession, explanation, awareness of the contents, training/guidance of a SHP and knowledge of the steps to follow when reporting incidents of sexual harassment is an indication of the importance of providing all staff members with a copy of the SHP. The correlation also suggests that staff members who are in possession of the policy have studied the policy and are, therefore, familiar with the contents and its application. Concerted efforts by management and/or the responsible parties for the implementation of the SHP to increase the possession rate and training interventions contributes to the overall effectiveness of the policy and the reduction of the incidence of harassment among staff/students/clients on campuses. Gouws et al. (2007) found a lack of serious involvement with the SHP and its implementation by line managers who have also never received training and, consequently, do not have the necessary skills to deal with complaints of sexual harassment. The low frequency of respondents who were in possession of and who had received training on the SHP, suggests that their finding is valid.

The final objective was to evaluate the perceptions of academic staff with relation to the grievance procedures of the participating institutions in terms of their sufficiency in dealing with complaints of sexual harassment. Results show that the grievance procedure is not regarded as an effective method for dealing with complaints of sexual harassment. Furthermore, the results indicate that respondents have confidence in their supervisors to investigate their complaints objectively, that complaints of sexual harassment should not be dealt with informally to avoid embarrassment of the parties involved and that respondents prefer to report incidents of sexual harassment to an independent third party. This preference for reporting to an independent third party should not be regarded as a softening of the seriousness of sexual harassment as it relates to the self-protection of victims against embarrassment and enforces the results of previous studies that indicate that the initial reaction of victims are for the harassment to stop. An informal procedure must be supplemented by a formal procedure and supported by a strong policy statement. The Cronbach alpha value obtained for all the items intended to measure the perceptions of the sufficiency of grievance procedures in dealing with complaints of sexual harassment is 0.84,

which is higher than the guideline of $\alpha > 0.70$ and is consistent with similar studies (Eaton, Gordon, & Keefe, 1992).

According to the results, a practically significant correlation exists between years of service and confidence in the grievance procedure, between population group and the effectiveness of a grievance procedure, as well as between the conditions for an effective procedure and the confidence in the procedure and its effectiveness. Significant correlations were also found between:

- the amount of attention that supervisors pay to grievances and the effectiveness of procedures
- the reluctance of management to deal with grievances unless they are reported via the grievance procedure and the assessment of the effectiveness of the procedure
- receiving regular feedback regarding the progress of grievances, willingness of supervisors to take decisions and the amount of confidence in supervisors
- the perception that grievances receive the attention they deserve and the amount of confidence in the procedure.

No significant effect of population group, age, gender or years of service was found on any of the requirements for an effective grievance procedure.

5.3 LIMITATIONS OF THE RESEARCH

The results of this study may be limited by the low response rate of 22,8 percent. The sensitive and personal nature of the information that respondents were required to provide may explain their reluctance to participate in the study. It is also possible that the questionnaire reminded certain potential participants of specific incidents of sexual harassment and the negative experience may have prevented them from completing it. The study is also limited in its comparability, as no other study that the researcher is aware of has attempted to determine the incidence of sexual harassment among academic staff at higher education institutions in South Africa. Consequently, it was not possible to compare the Cronbach alpha coefficients with those of other South African studies on the incidence of sexual harassment. Cronbach alpha coefficients were compared with international studies based on the Sexual Experience Questionnaire.

A further limitation of the study is the isolation within which the results were interpreted. Limited data is available from higher education institutions regarding the number of complaints of sexual harassment received from academic staff. This makes it difficult to place the data on the incidence of sexual harassment in perspective. Notwithstanding this limitation, it should be noted that the objective of the study was to determine the perceptions of academic staff regarding the incidence of harassment. With this in mind, the study clearly indicated that harassment is experienced and observed by academic staff and that the management of higher education institutions should take cognisance thereof.

The possibility that respondents applied different subjective definitions of sexual harassment when they completed the questionnaire cannot be ignored. The provision of no definition was a deliberate action undertaken in an effort not to guide or lead respondents. The study also did not accommodate cultural variables. In a multi-cultural society like South Africa, this may be regarded as a limitation and it is recommended that research be conducted into the effect of different cultural backgrounds on the perception of sexual harassment.

A possible limitation of this study is that not all respondents were previously harassed and could not complete the questionnaire based on their experience of filing a sexual harassment complaint. They had to speculate about the grievance procedure that they would use in such a case and their responses can be regarded as hypothetical. However, a study by Peirce et al. (1997) found that the responses of potential and actual harassment victims were strikingly familiar. Both groups indicated the same four major reasons for not reporting harassment.

While it is emphasised that an effective SHP and grievance procedure is crucial for the successful management of this phenomenon, it is important to note that policies and procedures can not be the only interventions. Without a change of climate to one that is non-discriminatory, none of these interventions will succeed in eliminating sexual harassment. This study did not consider organisational climate, as the institutions were not identified. This limits the interpretation of the results and should be addressed in future studies.

5.4 RECOMMENDATIONS

In a young democracy such as South Africa, with its emphasis on human rights and equality, there should be no form of harassment and academic staff especially should be free of sexual harassment from their colleagues or from any one else. Even though this study reports relatively low levels of sexual harassment, this can still be regarded as unacceptable and any research to reduce or eliminate this form of discrimination is encouraged. While legislation in South Africa can be regarded as sufficient to protect and compensate victims of sexual harassment, it can only be applied as a remedy after damage has been done to individuals and organisations. It is strongly recommended that employers make a concerted effort to create harassment-free workplaces by continuously monitoring the incidence levels of sexual harassment. Interventions by the management of organisations such as higher education institutions can only be successful if these interventions are based on studies relating to the prevalence and prediction of sexual harassment. It is recommended that research be conducted with the objective of developing a model for predicting sexual harassment at higher education institutions in South Africa, similar to the model of Pryor and McKinney (1995).

No definition of sexual harassment was provided in this study, as the purpose was to measure perceptions of incidents of sexual harassment without guiding participants in what they perceived to be harassing behaviour. Therefore, it is recommended that research be conducted into the subjective nature of sexual harassment in order to determine whether all academics in higher education apply the same definition in recognising cases of this nature. The influence of personality types and characteristics such as marital status and religion on the perceptions of sexual harassment should be studied.

This study only involved academics but it is recommended that all members of the higher education community, including management, students, administrative and service workers be included in studies of this nature in an effort to rid these institutions of this infringement on human rights. Higher education institutions should not only be centres of academic freedom, but also of personal freedom and safety.

The indication that gender harassment/sexism is perceived as being more prevalent than other forms of sexual harassment, leads to questions regarding other forms of discrimination on

campuses, especially that of racism. It is recommended that research be conducted on the possible link between sexual harassment and race discrimination. The report by the ministerial committee on transformation and social cohesion and the elimination of discrimination in public higher education institutions can be valuable in this regard (Department of Education, 2008). This need becomes evident when South Africa's history of discrimination and the resultant transformation of its society is considered. The effect of gender differences on sexual harassment perceptions and reactions also require more research.

The participants in this study represent a variety of institutions and it is possible that the organisational culture of these institutions differ, resulting in different perceptions and experiences of sexual harassment. Future research is needed to determine the relationship between organisational structure and organisational culture, especially research on changing this culture. The rate of transformation may also vary between institutions and the management structures of some institutions may still be dominated by a particular gender. This leads to questions about the relationship between the gender and racial equity profile of institutions and perceptions of the prevalence of sexual harassment. The possibility that sexual harassment is underreported in higher education institutions (Bagilhole & Woodward, 1995) cannot be ignored and the reasons for this underreporting must be investigated and reported.

A once-off study of this nature cannot be regarded as sufficient to understand the complex phenomenon of sexual harassment and it is recommended that longitudinal studies be conducted over a number of years to monitor the incidence and awareness rates of aspects related to sexual harassment.

The results of this study indicate that sexual harassment policies do exist at higher education institutions but that the implementation thereof is not effective. It is recommended that the management of higher education institutions take cognisance thereof and implement measures to correct it. More specifically, it is recommended that higher education institutions:

- Conduct an organisational audit/climate survey to determine the prevalence of sexual harassment in their respective institutions.

-
- Actively disseminate and promote their policy on sexual harassment in order to increase its visibility and the awareness levels among academic staff. An awareness campaign, similar to campaigns that aim to educate about the spreading and prevention of HIV/Aids, should be launched on campuses in order to act as a deterrent to cases of sexual harassment.
 - Appoint senior managers, representing both sexes, to take responsibility for the implementation of sexual harassment policies.
 - Provide regular training sessions for staff on the contents of the policy, examples of sexual harassment, procedures for lodging complaints and the rights of both the harassers and the harassed.
 - Issue a clear “no tolerance” statement and stress the protection of complainants against retaliation and victimisation.
 - Regularly update their policies through consultation with employees, their representatives and consultants. Benchmarking of policies with other higher education institutions is also recommended.
 - Preventing sexual harassment is the most effective way of dealing with the problem. Assertiveness and diversity training, together with an effective employment equity programme and a positive corporate culture in which management leads by example adds to the efforts to prevent and successfully manage the prevalence of sexual harassment.

It is recommended that higher education institutions in South Africa conduct a critical evaluation of their present grievance procedures in order to ensure that it conforms to the requirements for an effective procedure. Alternative measures for reporting, investigating and managing cases of sexual harassment should also be considered. Any attempt at dealing with complaints of sexual harassment through a grievance procedure should be transparent, confidential and linked to a specific disciplinary procedure. Without the appropriate and visible disciplining of sexual harassers, victims may feel that they have not received justice and may seek redress in a court of law.

This chapter provided a conclusion on this research study, as well as a discussion on the limitations of the study. Recommendations were made for higher education institutions in South Africa, as well as for possible future research in this field.

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QUESTIONNAIRE

Annexure A

SEXUAL HARASSMENT OF ACADEMIC STAFF AT HIGHER EDUCATION INSTITUTIONS

Dear respondent

You are kindly requested to complete and return the attached questionnaire that intends to measure the following:

1. The perceived incidence of sexual harassment
2. Awareness of the sexual harassment policy and procedures
3. Sufficiency/suitability of the grievance procedure to deal with complaints of sexual harassment

The objective of the study is to obtain data that will enable institutions to review their policies and procedures in order to effectively address the problem of sexual harassment. All information provided by you will be treated with the strictest confidentiality and is for research purposes only. Questionnaires are completed anonymously and neither you nor your institution can be identified. This project is part of a PhD study at the North West University.

Please make use of the addressed envelope that is included to return the completed questionnaires before 30 August 2008.

Your participation is highly appreciated.

PIERRE JOUBERT

Senior Lecturer

Labour Relations Management

Vaal University of Technology

SECTION A : BIOGRAPHICAL INFORMATION

1. Gender: Male Female
2. Population Group: African Asian Coloured White
3. Category: Academic Administration Service
4. Home Language: Afrikaans English Ndebele Northern Sotho
 Southern Sotho Swati Tsonga Tswana
 Venda Xhosa Zulu
 Other (specify): _____
5. Age: 30 years and younger 31 – 39 years 40 – 49 years
 50 - 59 years 60 years and older
6. Years of service at current employer : Less than 2 years 2 – 4 years 5 – 7 years
 8 – 10 years 11 – 13 years 14 – 16 years
 17 – 19 years 20 years or more
7. Highest level of education (Only indicate your highest qualification)
 Doctorate Masters Honours / B Tech Degree / National Diploma

SECTION B : INCIDENCE OF SEXUAL HARASSMENT

Instructions: For each item, please encircle the number in the column that best describes your experience of the incidence of sexual harassment among academic staff at your institution.

		Personally experienced	Observed	Aware of	Not aware of
1.	Sexual favouritism (person in position of authority rewards only those who respond to his/her sexual advances)	1	2	3	4
2.	Sexual favouritism (deserving employees who do not submit themselves to the sexual advances of a person in authority are denied promotions, merit rating or salary increases)	1	2	3	4
3.	People are treated differently because of their gender	1	2	3	4
4.	Indecent exposure (displaying of private parts)	1	2	3	4
5.	Display of sexually explicit pictures or objects	1	2	3	4
6.	Sending/ receiving e-mails, sms or mms with a sexual content	1	2	3	4
7.	Inappropriate or uncomfortable staring or ogling	1	2	3	4

		Personally experienced	Observed	Aware of	Not aware of
8.	Unwelcome suggestions or hints to engage in sexual behaviour	1	2	3	4
9.	Comments with sexual undertones	1	2	3	4
10.	Sex-related jokes or insults	1	2	3	4
11.	Unwelcome graphic comments about a person's body made in their presence or directed toward them	1	2	3	4
12.	Unwelcome and inappropriate enquiries about a person's sex life	1	2	3	4
13.	Unwelcome whistling directed at a person or group of persons	1	2	3	4
14.	Unwanted physical conduct (touching, pinching, fondling or kissing)	1	2	3	4
15.	Sexual assault or rape	1	2	3	4
16.	Strip search by or in the presence of the opposite sex	1	2	3	4
17.	Threats of punishment or retaliation for refusing to engage in sexual behaviour	1	2	3	4
18.	Rewards or promises for being sexually cooperative	1	2	3	4
19.	Sexist remarks about gender roles (e.g. engineering is for men and nursing for women)	1	2	3	4
20.	Disciplinary action taken against a member of staff for sexually harassing a colleague	1	2	3	4
21.	Have you ever been sexually harassed at your institution?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
22.	If yes, please indicate the characteristics of the harasser			Male <input type="checkbox"/>	
				Female <input type="checkbox"/>	
				Colleague <input type="checkbox"/>	
				Same Job Level <input type="checkbox"/>	
				Lower Job Level <input type="checkbox"/>	
				Higher Job Level <input type="checkbox"/>	
				Student <input type="checkbox"/>	
				Third Party <input type="checkbox"/>	
				(Supplier, Contractor, Client, etc)	

SECTION C: AWARENESS OF SEXUAL HARRASSMENT POLICY (SHP)

Instructions: Please read the following statements and indicate your choice by encircling the number in the applicable box

		Strongly Agree	Agree	Disagree	Strongly Disagree	Not Sure
1.	This institution has a policy on sexual harassment	1	2	3	4	5
2.	I am in possession of a copy of the sexual harassment policy	1	2	3	4	5
3.	The sexual harassment policy was explained to me	1	2	3	4	5
4.	The incidence of sexual harassment by members of staff at my institution is high	1	2	3	4	5
5.	I am fully aware of the contents of the sexual harassment policy	1	2	3	4	5
6.	I know exactly which behaviour constitutes sexual harassment	1	2	3	4	5
7.	My institution provides training/guidance regarding the sexual harassment policy.	1	2	3	4	5
8.	I am fully aware of the steps to take when reporting an incident of sexual harassment	1	2	3	4	5
9.	All complaints of sexual harassment are fully investigated in my institution	1	2	3	4	5
10.	I am fully aware of my rights when reporting an incident of sexual harassment	1	2	3	4	5
11.	The sexual harassment policy only applies to female workers who are harassed by male workers.	1	2	3	4	5

		Strongly Agree	Agree	Disagree	Strongly Disagree	Not Sure
12.	A sexual harassment policy is an effective tool to reduce the incidence of sexual harassment at the workplace.	1	2	3	4	5
13.	Sexual transgressors are severely punished at my institution	1	2	3	4	5
14.	The sexual harassment policy protects me against retaliation from the alleged harasser	1	2	3	4	5
15.	The incidence of sexual harassment by members of staff at my institution is low	1	2	3	4	5

SECTION D: EVALUATION OF THE GRIEVANCE PROCEDURE

Instructions: Please read the following statements and indicate your choice by encircling the number in the applicable box

		Strongly Agree	Agree	Disagree	Strongly Disagree	Not sure
1.	The Grievance Procedure is an effective method of dealing with complaints of sexual harassment.	1	2	3	4	5
2.	I am fully aware of my rights and obligations in terms of the procedure.	1	2	3	4	5
3.	The Grievance Procedure is a structure that helps to ensure that complaints receive attention from management.	1	2	3	4	5
4.	Employees prefer to use other ways than the formal grievance procedure to report sexual harassment.	1	2	3	4	5
5.	It is important that all grievances are written down to avoid any misunderstanding.	1	2	3	4	5
6.	I have sufficient confidence in my supervisor to investigate my complaint objectively.	1	2	3	4	5
7.	Complaints of sexual harassment should be dealt with informally to avoid embarrassment of the parties involved.	1	2	3	4	5
8.	Sexual harassment incidents should be reported to an independent third party (e.g. Human Resources officer)	1	2	3	4	5
9.	The rate of reported grievances at my institution is low.	1	2	3	4	5
10.	Management is reluctant to deal with complaints of sexual harassment unless they are reported via the Grievance Procedure.	1	2	3	4	5
11.	Trade unions on campus are well-informed on the use of the Grievance Procedure.	1	2	3	4	5
12.	Grievances receive the attention they deserve by supervisors.	1	2	3	4	5
13.	Employees receive regular feedback regarding the progress of their grievances.	1	2	3	4	5
14.	The Human Resources Department is objective and professional in their approach to grievances.	1	2	3	4	5
15.	My supervisor is willing to take a decision in order to settle a grievance speedily.	1	2	3	4	5
16.	The Grievance Procedure should only be used once all other means of addressing complaints have been followed.	1	2	3	4	5
17.	The Grievance Procedure is not used effectively because employees fear reprisal from management.	1	2	3	4	5

		Strongly Agree	Agree	Disagree	Strongly Disagree	Not sure
18.	Trust and commitment are crucial factors for the effective dealing with grievances.	1	2	3	4	5
19.	All employees should be trained in the use of the grievance procedure.	1	2	3	4	5

Comments:



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