

Sexual Assault and the Workplace

This factsheet series explores how domestic violence, sexual assault, stalking, and harassment (DVSASH) impacts employees and the workplace. This factsheet defines sexual assault, describes how to recognize it, and importantly, lists steps workplaces can take to better respond to the impacts sexual assault among employees.

Sexual Assault

Sexual Assault is any type of sexual contact or behavior that occurs without consent of the recipient. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Prevalence

Nationally 1 in 4 women (26.8% or 33.5 million) and 1 in 26 men (3.8% or 4.5 million) report completed or attempted rape victimizationⁱ at some point in their lifetime. While frequently occurring outside of the workplace, data from the National Intimate and Sexual Violence Survey data found that 3.5% of women and 1.2% of men reported unwanted sexual contact from a workplace-related perpetrator.ⁱⁱ A 2019 study found that 23% of women and 9% of men reported experiencing workplace sexual assault and that almost all of them (97%) reported that they had experienced sexual harassment prior to experiencing sexual assault.ⁱⁱⁱ

Approximately 1 million women and 184,000 men have experienced rape at the hands of a workplace-related perpetrator.

Recognizing Sexual Assault in the Workplace

As with other forms of violence, sexual assault, whether occurring in or outside the workplace, has significant impacts on the survivor, their

coworkers, the perpetrator, and the workplace overall. The most significant impacts on the workplace are turnover, productivity, and safety. A 2019

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study found that, for individuals experiencing sexual harassment or assault, 1 in 7 women and 1 in 17 men sought a new job assignment, changed jobs, or quit a job due to the abuse they were experiencing in the workplace.^{iv}

Another study showed that 19.4% of female and 9.7% of male rape victims lost time from work due to their victimization.^v Absenteeism and tardiness can be in response to necessary appointments (doctor, legal, mental health, etc.) or because the significant mental health impacts

of sexual assault.

Multiple studies have shown that decreased job performance, job withdrawal, and work withdrawal are common impacts of sexual assault.^{vi} Fear, depression, and anxiety – incredibly common responses to sexual assault – can cause survivors to lose focus and become unable to perform their job to the same standard as prior to their victimization.^{vii} As supervisors and coworkers, it is important to recognize that this sort of withdrawal could potentially be due to sexual assault within or outside the workplace. To increase employee retention, providing resources and empathy to the person exhibiting these behaviors is crucial.

A person causing harm is also likely to be significantly distracted, inappropriately use workplace resources (time, equipment, etc.), and cause safety concerns in addition to increased tardiness and absenteeism.^{viii} Safety concerns can be in the form of the violence toward the survivor or coworkers, fewer staff on a shift, or accidents caused by a distracted employee.

Ultimately, the person causing harm can end up creating an unsafe and unproductive work environment in their own or the survivor's workplace. Coworkers might be impacted by the request to perform additional duties on behalf of the survivor, concern or fear for the survivor, potentially

experiencing retraumatization upon hearing about the survivor's experience, and safety concerns, among others.

Responding to and Preventing the Impacts of Sexual Assault on Employees

Employers have a crucial role in preventing and responding to the impacts sexual assault, and all forms of DVSASH, have on employees and the workplace. Here are five steps every employer should take:

1. Create or update workplace policies

Address DVSASH in your workplace policies. Consider your codes of conduct, anti-bullying policies, leave policies,^{ix} workplace violence policies, investigation and disciplinary processes, and other relevant policies affecting people experiencing DVSASH.

For policy guidance, visit: <http://workplacesrespond.org>

2. Provide supports and accommodations

To mitigate the impacts DVSASH has on employees, be sure to provide reasonable accommodations, such as having a different work location or schedule and Employee Assistance Programs, to help support their safety and ability to work.

3. Understand the risk and protective factors

Certain industries and occupations have higher risk factors for sexual harassment; meaning that there are more opportunities for a coworker, supervisor, or other party to harass an individual. Some of these risk factors include working for tips where one's job and income rely on customer satisfaction where customers may feel they can exhibit unwanted advances or sexual conduct; working in an isolated context such as hotel housekeepers, domestic workers, janitors, and agricultural workers where the work is expected to be done alone; workplaces that are male-dominated, have a "high-value" employee,^x or have significant power differences between employees and supervisors; and working with a temporary visa or lacking legal immigration status as these situations may cause fear that the worker's immigration status might be at risk.^{xi}

4. Raise awareness

Shame and stigma often prevent individuals from seeking support. By raising awareness and challenging myths around DV/SASH, employers can demonstrate their commitment to supporting survivors, deter others from using employer resources (such as laptops, phones, or company vehicles), as a means to harm others, and create an environment where coworkers and supervisors feel comfortable holding people causing harm accountable.

5. Train employees

Employees need to be aware of relevant workplace policies that address all forms of DV/SASH, what resources are available to support survivors, what their responsibilities are if they witness harassment, and how they can best support coworkers experiencing DV/SASH.

For training guidance, visit: <https://workplacesrespond.org>

6. Create a culture of care

Above all, employees need to feel safe and supported in the workplace. By creating an environment in which all employees are treated with dignity and respect, employers can help to ensure that employees experiencing DV/SASH don't have to suffer in silence and have access to the support and resources necessary to be safe at work.

To learn more about how to create a comprehensive workplace violence prevention and response program visit www.workplacesrespond.org.

Workplaces Respond provides technical assistance to workplace stakeholders seeking to better prevent and respond to domestic violence, sexual assault, stalking, and harassment impacting the workplace. Scan this QR code to access the Resource Center.



This project is supported by Grant No. 15JOVW-22-GK-04852-NRCW awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed herein or in any materials herein, are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

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ⁱ Basile, K.C., Smith, S.G., Kresnow, M., Khatiwada S., & Leemis, R.W. (2022). *The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Sexual Violence*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

ⁱⁱ Basile, K.C., D’Inverno, A.S. and Wang, J.W. (2020). “National Prevalence of Sexual Violence by a Workplace-Related Perpetrator,” *AM J Prev Med*. 58(2): 216-223. doi: 10.1016/j.amepre.2019.09.011.

ⁱⁱⁱ Kearl, H., Johns, N. E., & Raj, A. (2019). *Measuring #metoo: A national study on sexual harassment and assault*. Retrieved from <http://www.stopstreetharassment.org/wp-content/uploads/2012/08/2019-MeToo-National-Sexual-Harassment-and-Assault-Report.pdf>

^{iv} Ibid.

^v Tjaden, P. and Thoennes, N. (2006). Extent, Nature, and Consequences of Rape Victimization: Findings from the National Violence Against Women Survey. Retrieved from <https://www.ojp.gov/pdffiles1/nij/210346.pdf>.

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^{vii} Garrett LH. Sexual assault in the workplace. *AAOHN J*. 2011 Jan;59(1):15-22. doi: 10.3928/08910162-20101216-02. Epub 2010 Dec 23. PMID: 21175106.

^{viii} National Center for Injury Prevention and Control. (2003). *Costs of Intimate Partner Violence Against Women in the United States*. Atlanta (GA): Centers for Disease Control and Prevention.

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^{ix} In many states and jurisdictions, employers are required to provide job-protect leave to survivors of domestic and dating violence. To learn more visit: <https://www.workplacesrespond.org/resource-library/state-guide/>

^x A “high-value” employee is someone who does not feel they need to comply with workplace policies because they have a name that is used to raise money, gain notoriety, or otherwise bring positive external reinforcement for the workplace.

^{xi} Shaw, E., Hegewisch, A, and Hess, C. (2018). *Sexual Harassment and Assault at Work: Understanding the Costs*. Retrieved from https://iwpr.org/wp-content/uploads/2020/09/IWPR-sexual-harassment-brief_FINAL.pdf