

Guide on Prevention of Sexual Harassment in the Workplace

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Preface

A working woman is likely to have such incident at work - a man is treating her not as an employee or a co-worker but as a possible lover. He may often praise how nice she looks, massage her shoulder, put his arm around her waist, invite her to lunch or dinner to discuss her future at the company..... It may feel good for a little while, but eventually it will probably make the woman feel uncomfortable. Some people may choose to tolerate in order to survive, but they feel more and more depressed and may eventually collapse. Some others may fight but without success, and may be subject to retaliation and forced to resign or be fired. In fact, what these women have experienced is called "sexual harassment".

This is a guide intended for trade union leaders, HR directors and ordinary workers in China, informing them of how to prevent sexual harassment in the workplace. It answers a series of questions, including what it is sexual harassment in the workplace, how enterprises put in place a prevention mechanism, what roles trade unions should play and how the victims can deal with it. Hopefully, readers may have better answers to the questions.

I. Definition of sexual harassment in the workplace

1. What is sexual harassment in the workplace

Sexual harassment in the workplace refers to an verbal or physical act with a sexual nature, performed in recruitment or in the workplace by a boss, manager, employee, client or customer of a working unit, that is unwelcomed by the person receiving it and has caused the person to feel violated, insulted, and being in an unbearable hostile environment.

The verbal or physical acts with a sexual nature include: (i) joking or teasing with a sexual nature; (ii) continuous invitation to dinner or date despite rejection; (iii) intentional dissemination of hearsay with a sexual nature; (iv) enquiring for or sharing sexual experience; (v) spreading and displaying a nude or image with apparent sexual contents; (vi) request for sexual intercourse; (vii) unnecessary physical contact; (viii) forced sexual intercourse, etc.

Workplace covers any place under the direct or indirect control of the employer that an employee needs to be present or go to in order to carry out work. It includes office and other locations where the job responsibilities are undertaken, such as offices of clients, destinations of business trips, venues of business lunch/dinner, business branches, homes of clients, etc. and also the appropriate extension of the workplace, such as excursion, social activities, staff gathering after work that are organized by the company.

The ILO Committee of Experts on the Application of Conventions and Recommendations, in the general observations on the application of the Discrimination Convention (1958, No. 111) in 2003, expressed the view that sexual harassment is a form of sex discrimination and should be addressed within the requirements of the Convention. Thus, in accordance with the Convention's requirements to prohibit sex discrimination and adopt a policy to promote equality of opportunity and treatment, measures should be taken to address sexual harassment¹.

2. What are the forms of sexual harassment in the workplace

(1) Verbal, physical, visual and psychological harassment

Sexual harassment manifests itself in different forms – verbal, physical, visual and psychological. Some examples are:

[Verbal] Two male co-workers are constantly teasing with dirty jokes, even when women are within hearing distance. Their jokes range from being mildly crude to downright vulgar. A female co-worker has tried to tell them to stop but they tell her, "It's just a joke."

¹ ILO: General observation on Convention No. 111: Discrimination (Employment and Occupation), 1958, Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A), International Labour Conference, 91st Session, Geneva, 2003, pp.463-464.

Can't you take a joke?" It is not "just a joke". Since she has clearly stated that she wanted them to stop, they should at least have the courtesy to sharing their jokes in private. This is **verbal harassment**.

[Physical] A male co-worker or boss sometimes gives lady clerk a pat on the shoulder as a way of saying she has done a good job. Lately however, the action has become more physical – resting his hand on hers, putting his arms around her shoulder, occasionally brushing against her "accidentally". This is **physical harassment**.

[Visual] A male co-worker or superior has calendars and pictures of scantily clad women in suggestive poses placed prominently in his work area. Women workers are embarrassed whenever they have to speak with him in his office and have mentioned their discomfort to him. He sees nothing wrong with these pictures however, arguing that "It is a free country". Not when the pictures are indecent and obscene. This is **visual harassment**.

[Psychological] A male co-worker or superior has shown an interest in female co-worker, but she is not keen on accepting his dates and have openly and clearly made known her disinterest and disapproval. Yet he persists, showering her with signs of his affection by leaving flowers on her table, dropping hints and finding ways to be alone with her, even making hidden threats. This is **psychological harassment**.

(2) Quid pro quo sexual harassment and hostile environment sexual harassment

By nature, sexual harassment falls into two categories: quid pro quo sexual harassment and hostile environment sexual harassment.

a. Quid pro quo sexual harassment

One party forces the other party to offer sex in return for recruitment, promotion or salary raise within the first party's powers, and threatens to demote, cut the salary or even fire the second party if rejected

Case 1: Quid pro quo sexual harassment during recruitment

Xiao Lu, a graduate of graphic design, went to a job interview for graphic designer at an advertising company. At the President's room, the male interviewer showed her an AV, saying that it was intended to test whether she was open-minded enough. Later on, the interviewer pawed her, alleging that it was to test whether she was able to adapt herself to work pressure. For her part, Xiao Lu felt quite angry and shamed. This is a case of quid pro quo sexual harassment.

Case 2: Quid pro quo sexual harassment in the workplace

Quid pro quo sexual harassment most happens in the workplace. For example, Shen worked at a foreign company in Beijing. Pak, her direct superior, often sent her emails and SMS, saying he liked her, and repeatedly asking her to go out with him and to be her lover. He also forcedly touched her in the office while discussing about the work, saying

her obedience could get her a raise and promotion. Shen repeatedly hinted that she was married and it was inappropriate to do so. However, Pak kept harassing Shen. Consequently, Shen had to explicitly express her refusal and disobedience – she again and again turned down the invitation to dinner; she intentionally had her hair cut short, because Pak liked women with long hair. Pak liked to watch the lower legs of women, so she only wore long trousers and never wore shirts. In spite of this, Shen was cheated into the meeting room with the excuse of business several times where she was forcedly touched and hugged by Pak while the door was closed.

When his proposal for further intercourse was sternly rebuffed by Shen, Pak became angry and resentful, and started to retaliate. Firstly, when he learned that Shen was the only child in her family and her mother needed her care because of cancer, he purposely dispatched her to work in Tianjin. Secondly, he spread insulting rumors and slanders about Shen among other company employees, and even instigated his mistress to find fault and abuse Shen in the face, and forced her to resign. In addition, Pak also falsified evidence for illegal and irregular practice with which to fire Shen. As a result of the heavy mental stress, Shen suffered severe depression. After leaving her husband a letter, she tried to kill herself in the meeting room by taking sleeping potion. Luckily, her husband came to the company in time, and sent her to hospital, where she regained consciousness after the emergency medical treatment.

b. Hostile environment sexual harassment

When one party interferes with the work performance of the victim in an unreasonable manner, or intentionally leaves the victim in an intimidated or hostile work environment, or exposes the victim to a rude, lewd and uncomfortable work environment, it constitutes a hostile environment sexual harassment.

For instance, at a company's annual meeting in December 2008, Hiroaki Yokoyama, an expatriate supervisor of the company, went on stage to sing a song, where he loudly called the name of Xiao Lu. Frightened, Xiao Lu went under the table. However, he still found her and after singing, forcefully hugged her, clutched her at the throat and touched her breasts. Her hands became blue because of the dragging. As a result, Xiao Lu had to tightly grasp the chair. After that night, Xiao Lu wept for two days. Although more than a year has passed, Xiao Lu still often wakes up from nightmare at night. This is a case of hostile environment sexual harassment.

In the second case of quid pro quo sexual harassment, Pak raised the salary of his mistress to 15,000yuan, while Shen and other people at the same post could only get 6,000yuan. Everybody felt unfair. In such cases, a director offers a preferential post or salary raise to an unqualified person who repays sexual favors or accepts sexual harassment, making other employees feel unfair. This will create a work environment hostile to other employees.

(3) Sexual harassment from superiors, co-workers or customers

Sexual harassment normally comes from superiors, co-workers or customers.

Case 1: Sexual harassment from superior

In April of 2002, parents of a Wang-surnamed female contract worker of a power supply bureau at Guiyang City, as custodians of the worker, filed a lawsuit against the 58-year-old director of the bureau. In October of 2002, Nanming District People's Court of Guiyang City ruled that the director's behavior constituted "Unwelcome Conduct", and such conduct triggered Wang's mental illness. Therefore, the defendant should pay over 29,000yuan to Wang to cover the salary and medical expenses, and 10,000yuan as compensation for psychological suffering. Both the plaintiff and the defendant refused to accept the ruling and filed an appeal. The court of second instance not only maintained the indemnifications, but also ordered the defendant to pay 3,600yuan to the plaintiff to cover the nursing expenses. This was the first case in China where the plaintiff won a law case involving sexual harassment.

Case 2: Sexual harassment from co-worker

In December of 2006, 34-year-old Mr. Xiao was recruited Shanghai Branch of Dell (China) Co., Ltd. as a senior analyst. Later, he found that Ms. Mao (alias) who worked in the same office often came up to him, deliberately touched him with her body, and often made some dubious remarks. At a lunch of the team, she even publicly said that she would marry Mr. Xiao. Ms. Mao's words and acts aroused much repugnance from Mr. Xiao, and constituted "sexual harassment" to Mr. Xiao.

Case 3: Sexual harassment from customer

On the night of December 18, 2005, Mr. Zheng who was quite drunk came to a foot massage shop, and pawed Ms. Li, owner of the shop, threatening to smash the shop and kill her. He also repeatedly grasped Ms. Li's breast, waist and private parts. Unable to bear the pain and desperate, Ms. Li wrangled Zheng's neck with a towel in bed. Two minutes later, when Zheng stopped moving, Ms. Li left her grip. At this time, Mr. Zheng's face became pale and his tongue was stuck out of his mouth. Frightened, Ms. Li rushed out of her shop and called the police.

When the police asked her what happened, Ms. Li felt unable to tell the details of the indecent assault and only said that Mr. Zheng abused her. As a result, she let go the opportunity for examination of her wound. During court trial, Li was still unwilling to tell the story of her being sexually harassed at the private part. Despite her lawyer's vindication for her innocence, because Li's personal statement couldn't be used as the evidence for illegal harassment, the court sentenced her to life imprisonment in view that she surrendered herself to the police. This is a tragedy triggered by sexual harassment from a customer.

3. Myths about sexual harassment

MYTH 1: Sexual harassment is rare.

FACT: Sexual harassment is extremely widespread. It touches the lives of 40 to 60 percent of working women². In 2009, Women Watch China conducted a questionnaire survey in four enterprises in Beijing, Guangdong, Jiangsu and Hebei provinces. The results show that 23.9% of the respondents have seen or heard about sexual harassment cases in the company, 19.8% of the respondents have experienced sexual harassment and 5.3% of the respondents have harassed others. Most victims chose to forbear or resign. The survey also shows that after the occurrence of harassment, 45.6% of the harassed explicitly warned the harasser, and only 34.4% filed complaint with the company's human resource department or trade union, the rate rose to near 50% in cases of serious harassment. Less than one fifth of the cases led to litigation or was reported to police and as high as 54.4% of the harassed chose to yield or forbear. Statistics of General Electronics (GE) in 1990 indicated that there were not many complaints about sexual harassment. However, management of the company did not feel complacent. Instead, they were quite worried, because the small number of complaints did not prove that there was not sexual harassment, but instead very few people chose to report the sexual harassment.

MYTH 2: The seriousness of sexual harassment has been exaggerated; most so-called harassment is really trivial and harmless flirtation.

FACT: Sexual harassment can be devastating. Studies indicate that most harassment has nothing to do with "flirtation" or sincere sexual or social interest³. Rather, it is offensive, often frightening, and insulting to women. Victims of sexual harassment suffer from psychological symptoms such as feeling weak, self-blaming, insomnia, anger, tension and depression, as well as biological syndromes such as headache, backache, vomiting, high blood pressure, change in weight and fatigue. What's even worse is that they are often forced to resign. When labor supply is in surplus, most of them can not be reemployed. Hence sexual harassment in the workplace jeopardizes the victims' right to living.

MYTH 3: If the harasser does not do it intentionally, then it does not constitute sexual harassment.

FACT: As long as it goes against the will of the victim, makes her/him feel offended, humiliated or intimidated, the victim has the reason to believe that her/his rejection or

² TANG, Can: *Existence of Sexual Harassment in China – Case Study of 169 Females*, Collection of Women's Studies, Issue No. 2, 1995, pp. 31-34; Jingque News Investigation Center of Shenzhen Weekly, Department of Sociology, Law School of Shenzhen University: *Investigation Report on Sexual Harassment*, Shenzhen Weekly, 22 April 2000; Shaohai Market Investigation Co., Ltd., *Investigation of Sexual Harassment*, China Youth Daily, 10 April 2002.

³ HASPELS, Nelien et al.: *Action against Sexual Harassment at Work in Asia and the Pacific*, Chinese edition, Hunan University Press, 2003, p. 12.

resistance will lead to unfavorable consequences in recruitment or promotion, or create a hostile work environment, now matter what the motive is, and regardless the conduct of the victim and whether there used to be “intimacy” between the two parties involved, it can be deemed as sexual harassment.

To core to determine quid pro quo sexual harassment is “whether the behavior is unwelcome” rather than “whether the victim accepts it voluntarily”, because sometimes the victim has to forbear to keep the job and can hardly prove sexual harassment afterwards. In case of hostile environment sexual harassment, attention should be paid to the difference between individual cases. For instance, an employee often told lewd jokes in front of co-workers, a Wen-surnamed female employee, feeling embarrassed and even disgusted, told the joke teller what she felt but the joke teller kept telling the jokes and said that the victim only pretended to be a saint. Other employees didn’t think it a big deal and even felt that the jokes were quite relieving. Some of them laughed heartily. This constituted a hostile environment sexual harassment, while it didn’t sexually harass other employees.

MYTH 4: Many women make up and report stories of sexual harassment to get back at their employers or others who have angered them.

FACT: Research shows that less than one percent of complaints are false⁴. The fact is that women rarely file complaints even when they are justified in doing so, out of various concerns.

MYTH 5: Women who are sexually harassed generally provoke harassment by the way they look, dress and behave. There's no smoke without fire.

FACT: This is partly out of the stereotyped traditional view of ‘women are trouble’, and partly an excuse the harassers find for themselves. Studies have found that victims of sexual harassment vary in physical appearance, type of dress, age, and behavior. The only thing they have in common is that over 99% of them are female.

MYTH 6: If you ignore harassment, it will go away.

FACT: It will not. Harassers generally will not stop on their own. Ignoring such behavior may even be seen as agreement or encouragement.

MYTH 7: Victims of sexual harassment are all females.

FACT: Males may also be objects of sexual harassment.

Mr. Zhu who worked at a foreign company came to Beijing from China’s south several years ago. Thanks to his ability, he soon secured his post in the company, and brought his family to Beijing. His boss was a woman in her thirties, who had lived abroad for a long time. From the time when Mr. Zhu entered the company, she had been appreciating his ability. At meetings, she often listened to Mr. Zhu’s opinions and soon Mr. Zhu was

⁴ BASSHAM, David: *False Complaints of Sexual Harassment: A Practical Approach*, <http://dbassham.wordpress.com/2009/07/31/false-complaints-of-sexual-harassment-a-practical-approach>.

promoted to be a manager. However, from last year, she often called him to her office when it was almost the time to knock off, where she flirted him verbally and physically. Sometimes she only wore a semi-transparent lace vest inside the coat. As soon as he stepped into her office, she would take off the coat, saying it was too hot. This made Mr. Zhu felt quite embarrassed.

Mr. Zhu had to suggest several times that “they could only discuss their work” in office, but she refused to listen, saying that she remained single because she had been waiting for an outstanding man like him. Mr. Zhu told her that he was married. She told him that he was an old-fogey and nobody would be loyal to their marriage nowadays. Not long ago, she asked him to go on a business trip to the U.S. with her and even booked only a room in hotel. Mr. Zhu had to book another room to escape the harassment. The job is hard earned, and Mr. Zhu is reluctant to quit it. However, he is afraid of being harassed by her. So every day, he is up a gum tree.

MYTH 8: Sexual harassment only happens between people of opposite genders.

FACT: Sexual harassment also happens between people of the same gender.

25-year-old Mr. Yu is the private driver of Mr. Huang, chief designer of a company. Mr. Huang, who is 66 years old, often forcefully contacted the private part of Mr. Yu, hugged and kissed him. He also often called Mr. Yu, saying “I love you”, “I like you”, etc. As a result, Mr. Yu had to resign. Before leaving the company, Mr. Huang issued a letter of apology in his office, which read “I am sorry for my improper behavior which hurt you. I promise that I will never hug and kiss you in the elevator or home.” Later on, Mr. Yu filed a lawsuit at Qingyang Court of Chengdu City, demanding that Mr. Huang apologize in public and pay 10,000yuan as compensation. On September 13 of 2004, the court made the ruling that Mr. Huang should publicly apologize to Mr. Yu and pay 3,000yuan within 10 days after the ruling became effective.

II. What to do about sexual harassment in daily working life

1. Well adjust the mentality

(1) Don't blame yourself

Many sexual harassment victims blame themselves for encouraging the harasser's behavior. It is necessary to understand the harasser is completely to blame for his/her actions. By blaming yourself or ignoring the situation, you send out the message that the harasser has the right to continue such action. Harassers are usually aware that others are offended by their action, but will continue if they feel they can get away with it.

(2) Say "No" clearly and firmly

If you feel uncomfortable or violated, address these concerns immediately. Don't ignore it hoping that it will go away. This will just give the problem the time to get out of control. Say no clearly and firmly to make the harasser stop. If a verbal "No" proves inadequate, provide a written "No" to refuse. An example is "It makes me uncomfortable when you talk to me/ touch me/look at me that way. I am not questioning your intentions but I'd prefer that you didn't do it again. I hope we can have a professional relationship." Statements such as this prevent harasser from denying that he was aware that you felt uncomfortable by his behavior. Note that 'objection by the victim' is an important condition to constitute sexual harassment and that your statement will be important evidence in litigation.

(3) Be reasonable about how others will react

Don't be surprised or disappointed if the people you usually count on for support are of little help, or blame you instead of providing help. As said before, there are still some myths among people about sexual harassment. Don't be mad when you hear statements like "Nothing Happened," "It was a joke," "It was no big deal", "The boss thinks highly of you" and so on. Do not let these statements make you feel that you should accept such treatment. People just have not fully realized how serious harassment can be or the effect it may have.

(4) Give yourself credit

Women should give themselves credit, and learn to tell themselves "As long as I am not afraid, I make some progress. Harassers count on you being afraid so you can't move forward. Many women who do come forward to report sexual harassment agree that for all the difficulties, they're glad they spoke out. Bravely exercise your rights endowed by law. Normally, when you stand up for your own interest, you bring benefit for other employees.

2. Take appropriate actions

(1) Find a way to speak out

Never underestimate the value of your own story, told in your own words. Tell your story to someone who will understand - a friend, your sister, your mother, or call a hotline. Let others help you. Such a story will bring both psychological comfort and support. This can be evidence if you decide to file a complaint or lawsuit later on.

(2) Document every incident in detail and keep all evidence

The evidence is in the details. Keep a log that includes the date, time, location, and description of each incident of harassment with accurate detail about what was said or done. More importantly, you should learn to delicately use audio and video recording devices in you contact with the harasser and keep an electronic file of text messages and emails that contain harassment information. But pay attention not to infringe the right and business secrets of other people and enterprises. Only by doing so, you can effectively prove that sexual harassment did happen. Do not delete electronic messages, it is advisable to get 'postings' on the Internet notarized, in case they are deleted by the harasser. The maintenance of evidence is crucial to future complaint or litigation.

In addition, do not choose to expose it to the media. Otherwise, you may cause trouble for yourself, as you may be sued for infringement on reputation, or even suspected frame-up.

(3) Document your job performance and carefully avoid violation of law or regulation

This looks irrelevant to sexual harassment but some harassers may find excuses from your job performance. They may forge evidence of your incompetency for work, then resort to retaliation, such as denying your promotion or reward, even finding excuse to fire you. It is therefore necessary to keep copies of your evaluations and any memos that attest to the quality of your work. This includes evaluations, certificates, verbal praise, etc.

(4) Make full use of the internal grievance system to file a complaint

You should complain to the organization and individuals within your work unit. If there is no such organization or individual, you should complain to the trade union.

(5) Complain to social organization

You can complain to the children and women's committee, women's association or women workers committee of the trade union at the district or city level. You can also turn to non-governmental organizations for their support, help and legal assistance.

(6) Report to the police

If sexual harassment violates the public security administration law, the victim can apply to the police for administrative penalties to the violator, including fine and detention. If sexual harassment constitutes a crime such as compulsory indecency of women, rape or willful and malicious injury, you should report to the local police in a timely manner so as to investigate the criminal responsibility in accordance with law.

(7) File a lawsuit

If the company's top management cover up or even connive at the retaliation by the harasser, you can file a lawsuit to court, taking the harasser and the company as co-defendants, and demanding that the plaintiff stop the harassment, compensate your economic loss and indemnify your mental suffering.

Note that you should file the litigation within a year. If this term expires and there is no statutory condition for "suspension" or "termination" of limitation, the right to win the lawsuit will be lost. You should also well keep the evidence, and when necessary, ask for notarization by the notary office to prevent the electronic information evidence from being deleted.

(8) Address the issue through mediation

Mediation hosted by judge, internal or social organization will produce a better effect, as it will bring less pressure to the parties involved and their families. Consequently, the victim can walk out of the shadow within a shorter time.

III. Enterprises should put in place a mechanism to prevent sexual harassment in the workplace

1. Necessity

(1) Prevention and control of sexual harassment in the workplace is the statutory obligation of enterprises

In pursuance of Law on the Protection of Women's Rights and Interests, other local regulations, labor law of China, Occupational Safety and Health Convention (No. 155) adopted by the International Labour Organization in 1981 and Discrimination (Employment and Occupation) Convention (No. 111) in 1958, an employer has the responsibility to provide a work environment free of sexual harassment.

The regulations of Sichuan Province not only stipulate that "The employer should take appropriate measures to check sexual harassment in the workplace" but also prescribe that "In case of sexual harassment to women in the workplace, which hurts women physically, mentally or defames women, if the employer has the fault, it shall bear relevant civil compensation responsibility in accordance with law."

If a harasser is authorized by a company to employ, supervise and manage employees, he/she is not only an employee of the company, but also an agent of the company. In accordance with the legal principle that the party represented shall bear the responsibility for the behavior of the agent, the company shall assume strict liability for quid pro quo sexual harassment, and faulty responsibility for hostile environment sexual harassment.

In 1998, the payout for the biggest sexual-harassment settlement happened. Over 300 female workers of Mitsubishi's plant at Illinois filed a sexual harassment suit against the company, alleging that they were often subjected to obscene jokes and pornographic pictures, indecent behavior and forceful touch by male workers, and that the problem was not solved despite their repeated report to the management. Eventually, as a result of the interference of the US Equal Employment Opportunity Commission (EEOC), a settlement was reached.

Mitsubishi paid US\$34 million (approximately 4.3 billion Japanese yen) to the victims represented by EEOC as compensation. In addition, it paid several million US dollars to those individuals who had made the same complaint. After the suit, Mitsubishi took the following measures:

(1) To hire Lynn Martin, the former Secretary of Labor, to prevent the occurrence of what are banned by EEOC rules;

(2) To adopt and implement a zero-tolerance policy, according to which the company set up the Opportunity Project Department (OPD), a completely independent department

responsible for the implementation;

(3) To train the employees on zero-tolerance policy and provide the employees with a anti-sexual harassment training session once every two years;

(4) To investigate all complaints of sexual harassment and give disciplinary punishment to harassers.

(2) Prevention of sexual harassment in the workplace constitutes an important part of corporate culture

The cohesion of a company is largely dependent on the corporate culture. The core of an advanced corporate culture is to respect the dignity of all employees, and on top of that, to inspire the work enthusiasm and potential of all employees. Harmonious inter-personal relations, safe and sound work environment are fundamentals to retain top-notch employees.

Sexual harassment not only creates suspicion and hostility between employees, but also leads to lower morale and work efficiency, higher absence and turnover of employees. The distraction and hostility resulting from sexual harassment compromises the legal pursuit of economic growth rate and business objectives, and severely undermines the corporate image. Sexual harassment goes against business activities, and is not accepted by ethics. As part of corporate culture, anti-sexual harassment in the workplace can improve the image and enhance the cohesion of a company.

(3) Align with international best practices and improve corporate management processes

In view of the huge punitive compensation system adopted by some countries, some multinationals maintain an internal mechanism to prevent sexual harassment in the workplace. For instance, management of GE think that if encountered a sexual harassment lawsuit, it will pay a bigger cost of time and money, because in the U.S. a sexual harassment lawsuit will cost an enterprise tens of millions of dollars. More importantly, if a company loses a sexual harassment lawsuit, its corporate image and reputation will be severely damaged, which in turn, will pose an even bigger impact on the company. In addition, GE also takes it a due responsibility to prevent sexual harassment in the workplace, and provide the employees with a safe and harmonious work environment. Based on these management concepts, GE put in place a well-established mechanism to prevent sexual harassment in the workplace, which yielded sound effects. The company prints brochures of relevant processes and distributes them to every employee, provides employees with relevant training and encourages its employees to file complaints. Training of its management has become a routine practice. Through training, the management and employees learn how to prevent sexual harassment, and consolidate the mindset that the prevention of sexual harassment is essential to ensure equal access to employment for males and females.

To facilitate the employee complaints, the company stipulates that supervisors, superiors or other management staff of the head office or the business groups, HR directors and legal counselors should accept any complaint. When receiving a sexual harassment complaint, relevant staff shall conduct investigation in a timely manner and inform the complainer of the final conclusion. If the harassment is confirmed through investigation, the company will check it without delay and pose some punishment to the harasser, including warning, salary cut, transfer, demotion, suspension of duty and dismissal. In addition, the company will keep confidential the complaint, and take measures to prevent the informer from being retaliated.

(4) Enterprises are in the best position to prevent sexual harassment in the workplace

Prevention overweighs punishment. Employers are best positioned to prevent the occurrence of sexual harassment, rapidly find an appropriate solution after the occurrence, and compensate the victims. Therefore, it is a common practice in many countries that employers should assume the responsibility for sexual harassment by people related to its employment to some extent and only when they have fulfilled their statutory duties can they be exempted. It has been proved that such practice is quite effective in preventing sexual harassment in the workplace.

2. Content of mechanisms to prevent sexual harassment in the workplace

(1) Establish specific bylaws on the prevention of sexual harassment in the workplace

Such bylaws should at least cover the following aspects:

- What is sexual harassment in the workplace;
- Detailed punishments to employees who exercise sexual harassment;
- Establishment of an organization to deal with complaints and settle disputes arising from sexual harassment;
- Prohibition of retaliation against complainers, witnesses and people who deal with the sexual harassment case;
- Obligations of managers and supervisors to implement the bylaws.

(2) Set up a dedicated organization and specify its duties

In practice, the special organization can be set up at the HR department or trade union, whose functions should be specified in the bylaws. For instance, in its bylaw, GE specifies that the obligations of managers and directors include the following:

- Inform the employees of the corporate policy: zero tolerance for sexual harassment.
- Make sure that employees of their components are aware of obligations as per the corporate policies:
 - a. Take timely actions to prevent/check aggressive or unwelcome behavior because nonfeasance can only make things worse; and refrain from exercising sexual harassment;
 - b. Report any sexual harassment behavior.
- Be willing and able to listen to sexual harassment complaints, and to explain to employees corporate policies and procedures to prevent sexual harassment.
- Be aware of sexual harassment behavior models, keenly detect sexual harassment, and take timely actions (even if there is no formal complaint).
- Give timely and adequate feedback to any complainer, and report any complaint about intimidation, forceful request, attack or rape without delay.
- Maintain a just and fair stance - refrain from taking sides on the suspect or giving overdue sympathy to the victim.
- Pay attention to the protection of privacy and reputation – Refrain from disclosing any information, unless necessary.
- Act as examples for the prevention of sexual harassment.

(3) Launch regular education and training campaigns on the prevention of sexual harassment

All employees should attend regular training programs on the prevention of sexual harassment in the workplace, including training for new employees, credit examination meetings, credit communication correspondence and management training. Such training programs are organized by the legal and HR functions, which are available in online and on site. The trainees discuss circumstances which may be deemed as sexual harassment so as to achieve the following objectives:

- Understand what behavior constitutes sexual harassment;
- Learn the impact of sexual harassment on the company and employees;
- Consider and understand how to prevent sexual harassment;
- Understand how to deal with sexual harassment.

The training for managers not only covers the policies, but also includes how to deal with and investigate reports.

The training emphasizes that before the first sexual harassment, even if the motive is friendly, the other party will feel uncomfortable, because different people have different feelings for the same behavior. Don't assume that your behavior is acceptable to the other party, nor take for granted that you have established a good relation with the other party. Before exercising sexual harassment for the second time, you should know that due to subordination and other relations that may bear an impact, the other party normally would not reject explicitly. Therefore, once you know that your behavior is unwelcome to the other party, stop it immediately.

(4) Deal with irregularities in a timely and appropriate manner

When discovering an irregular behavior, the company should eliminate it without delay and take appropriate rectifications including warning, transfer or demotion, salary cut, suspension of duties and dismissal, depending on the following factors:

- Level of sexual harassment (such as inappropriate jokes or repeated contact);
- Necessity of deterrence;
- Whether the harasser has a criminal record;
- Conformance with precedent;
- Performance record of the employee, etc.

Even if the harasser is not dismissed, he/she would normally be asked retake the training on the prevention of sexual harassment in the workplace. All means should be taken to ensure that the informer will not be harassed by the same person, including permanent isolation of the two parties involved to prevent them from contacting again. In addition, measures should be taken to make sure that the informer will not be retaliated.

(5) Measures to prevent sexual harassment by customers

- Specify corporate policies on preventing sexual harassment in the service contracts/agreements with customers, or notices, instructions and other documents.
- Post warnings which say "Respect the dignity of others" alike at conspicuous positions in service premises to remind customers and create an advanced corporate culture and harmonious work environment.
- Incorporate contents on how to deal with sexual harassment from customers in orientation training and routine training.
- Integrate specific procedural rules in bylaws. For instance, the bylaws shall prescribe circumstances where hotline staff who are exposed to verbal sexual

harassment can record, hang up and take other self-defense measures.

- In terms of personnel management, if an employee can't bear sexual harassment and demands to be transferred or refuses to serve the customer, the company shall not cut the salary, demote or dismiss the employee.
- Encourage employees to make complaints. People who deal with complaints shall take appropriate measures to prevent employees from sexual harassment. Businesses shall not connive at sexual harassment for the sake of commercial interest.

(6) Other measures

The prohibition of sexual harassment behavior may become a part of labor contracts to get every signatory to undertake not to harass others in the workplace and change ethics into contractual obligations. The prohibition of sexual harassment behavior can also be included in the collective agreement.

In recent years, Chinese state-owned enterprises have successively established mechanisms on preventing sexual harassment in the workplace. For instance, after Hebei Hengshui Laobaigan Liquor Co., Ltd. first set up the mechanism for the prevention of sexual harassment in the workplace, Beijing Cuiwei Department Store and Xijiao Hotel followed suit. They established specific bylaws which include the definition of sexual harassment in the workplace, education, reward and punishment measures, regulations on confidentiality and the prevention of retaliation. In addition, they set up organizations to take complaints and solve disputes arising from sexual harassment, and specified their functions and procedures. As a result, significant achievements have been made.

3. Obligations of trade unions

As a representative of all the employees, the trade union shall work together with the corporate leadership to build an internal mechanism to prevent sexual harassment.

Specific measures that the trade union shall take include:

- (1) Openly discuss with male and female employees on sexual harassment;
- (2) Help employees understand that sexual harassment has become a problem in the workplace, and learn about the nature and scope of sexual harassment;
- (3) Set up a committee to investigate and deal with sexual harassment in the workplace with the corporate management;
- (4) Formulate policies against sexual harassment in the workplace, including the definition of sexual harassment in the workplace and procedures to address the

problem;

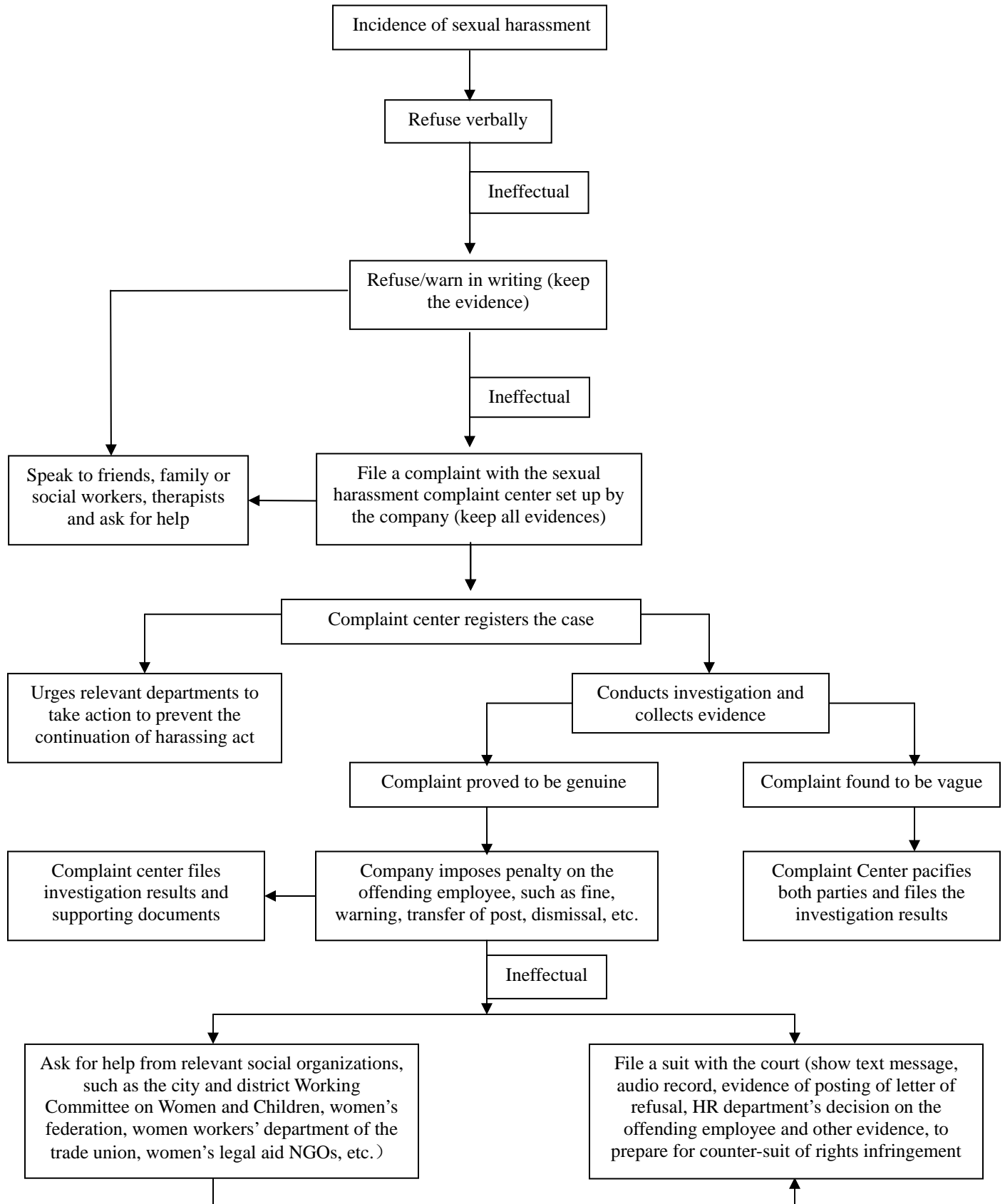
- (5) And get the women's committee to advocate and supervise the implementation of anti sexual harassment programs.

The trade union of Hengshui Laobaigan Liquor Co., Ltd. in Hebei Province assisted the company in setting up the Regulation of Hebei Hengshui Laobaigan Liquor Co., Ltd. on the Prevention of Sexual Harassment. The company set up a report center comprised of five people at the women's committee of the trade union. Director of the committee concurrently acts as director of the center. The center assumes the following functions:

- (1) Investigate any sexual harassment report;
- (2) Take appropriate measures to deal with sexual harassment behavior in a timely manner, including warning, suspension of salary payment, transfer, demotion, suspension of duties and dismissal;
- (3) Prevent the informer from being harassed by the same person;
- (4) Endeavor to keep confidential the secrets of parties involved;
- (5) Make sure that the informer and witnesses will not be retaliated.

The women's committee of the trade union is responsible for organizing regular training programs on sexual harassment for all the employees. It trains newly-recruited employees in a timely manner. Moreover, it regularly communicates policies on sexual harassment, complaint-taking organizations, rights and responsibilities of employees in corporate newspaper and bulletins. To sum up, the trade union plays an important role.

**IV. What to do to prevent and stop sexual harassment in the workplace?
– A flow chart**



V. Self-test questions

Question 1

You, a female worker approach your supervisor for guidance on the project that you are working on and are told that if you stay later and put in a little effort of your own, he will give you the guidance you are looking for. He says this without looking at your eyes but all over your body.

- 1) How do you feel in this circumstance?
- 2) What is the best reaction to take?
- 3) Who can you complain to?

Question 2

A new female employee has just been hired to a firm and is doing her best to make a good impression. Her boss has been complimenting her on her work and style. One day when she is working later than the other employees, he comes to her, rubs her shoulders and reiterates how much he appreciates her efforts, but says that she could be doing more, after which he makes a hand gesture for her to follow him into her office.

- 1) Should she follow her boss into his office?
- 2) Should she tell her boss not to touch her in such a manner?
- 3) Should she request all the compliments be stopped?
- 4) Should she not stay late hours anymore?

Question 3

A secretary at a firm feels that her job expectations may be exceeding her job requirements. Her boss asks her to pick up his laundry, bring his lunch from home, of which he has given her a key out of what he calls trust. He has recently asked her to accompany him to a networking event with other companies. When she expresses resistance, he insists that she has to do so for the company. He tells her that since his wife left he's been very lonely, so she should consider anything she can do to help him be a happier boss as part of her job and will be rewarded accordingly.

- 1) Should the lady refuse to do any of these tasks? If so, which ones and how?
- 2) Should she have accepted the key to his house?
- 3) Is it her job to make her boss happy? How should she respond to his request?
- 4) What kind of rewards do you think the boss is referring to? Is he at liberty to do so?

Question 4

A woman has expressed her need for a promotion. She tells her boss that she is willing to put in extra hours if necessary. She is told that her request will be reviewed and taken into consideration, after which her boss starts criticizing her work and letting her know she can put in more effort all around. He calls her into her office and informs her that after reviewing her input in the company, he cannot grant her request. He concludes, however, that if she would like to further discuss the matter, he would be willing to take her for dinner, after which he would also be willing to take her to see a performance.

- 1) How could the female employee have immediately responded to his criticism?
- 2) Do you think the lady should refuse to have dinner with her boss when she suspects it is due to her request for a promotion?

Question 5

Miss. Zhang is a high ranking female in the company. She has been feeling ostracized/isolated from her fellow male counterparts. She expresses these concerns to her boss and requests to be invited to the same events as her male co-workers. Her boss lets her know that they are not company events, but more of male bonding activities which she doesn't need to be concerned with. At her insistence, he invites her and other staff members, some of whom are other women to a company dinner. At the dinner, lewd jokes are made about men. The other women do not seem to have a problem with the jokes and laugh. When Miss. Zhang expresses her distaste of the jokes, she is made to feel ridiculed by the other men at the table for overreacting. Her boss takes her to the side and tells her that this is what he thought she wanted but if she feels uncomfortable, she is free to leave.

- 1) Does the boss have a legitimate reason to ask her to leave?
- 2) Does Miss. Zhang have a legitimate reason to feel offended?
- 3) Is it appropriate to have activities that exclude any gender group from participating?

VI. Answers to self-test questions

Answer 1:

- 1) People respond to sexual harassment in different ways. The responses can range from shame to confusion to anger. What's important is to speak out instead of hiding or depressing your real feelings.
- 2) Sexual harassment is against the law and you do not have to be subjected to it. The best way to stop such conduct is to be direct. Have a talk with your supervisor or send him a letter which should be brief and clear. Your supervisor should be aware that his actions are making you feel uncomfortable and you would appreciate if he stops right away.
- 3) You can first file a complaint with the relevant department of your own organization, if no proper action is taken, you can file a complaint with the supervising organization or women's organization and the trade union. If all of these are ineffectual, file a case with the court.

Answer 2:

- 1) She should not give the opportunity, being in public may be a weapon against the harasser. It can provide the victim an opportunity to say "No" to sexual harassment with witnesses around. This can be useful if the employee does decide to take her case to court.
- 2) Yes, if she feels uncomfortable by any action toward her, she should express it right away. Otherwise her boss may feel justified and even encouraged by her silence.
- 3) Some compliments are appropriate in a work setting and some are not. Compliments and appreciation toward her work may be called for in the proper context. If she is not comfortable with all the compliments of her boss, she can politely request that all compliments be stopped.
- 4) Employees should not allow harassers' action to limit their freedom. Doing so gives the harasser more power than he/she deserves. As hard as it may be, employees should not allow the harasser to affect their work as this may give the boss a reason to fire you. If you feel the need to put in late hours and you have done so before, go ahead and do it. The goal of actions against sexual harassment is to change the harasser's actions not your own.

Answer 3:

- 1) Some tasks may be considered ordinary for a secretary. This may include getting the boss coffee, ordering his lunch, and making personal phone calls to friends, family, and business acquaintances. While a secretary's task may get a little more personal than the other employees, there is a limit. Where the line is drawn depends on the secretary. If the boss crosses the line, for instance, asking the secretary to

accompany him to a personal event, the secretary should be clear with her boss that that is not a possibility. A secretary does not need to do things that are not included in her labor contract.

- 2) Accepting the key to the boss' house oversteps the employer-employee boundaries. Although it may be a little difficult to refuse the boss' request, not refusing them immediately will make them harder and harder to refuse as time goes on. This will only create a more difficult work environment and increase the risk of sexual harassment.
- 3) All employees work for the success of the company. That can happen whether or not the boss is happy. Therefore, the secretary is not responsible for keeping her boss happy. The secretary has the right to turn down the boss' requests that make her feel uncomfortable and let the boss know why. Communication is the key, lack of which only causes more problems.
- 4) It does not matter what exactly the rewards are. But the implication is important. If the boss is implying that if the secretary takes up the responsibility of making him happy, she will receive employment benefits- no matter what that may be, otherwise, he will not give her the recognition of her work, it is wrong. A boss is not at liberty to assign employment benefits to any employee for his personal benefit.

Answer 4:

- 1) The lady could have asked specifically what problems her boss had with her work so she could make sure not to repeat the same mistake. If the criticism continued afterwards, the lady can ask if this newly found criticism has anything to do with her request for a promotion and force the boss to confront the topic directly.
- 2) She can request that they discuss it during work hours in order to maintain a professional environment. If the lady does refuse to discuss the matter over dinner, the boss may claim to be too busy to discuss it otherwise or may make some other excuse to meet with the women alone. This should be recognized for what it is - a ploy.

Answer 5:

- 1) The boss' request for an employee to leave an employee dinner is rude and has no legitimate reason, especially after she expressed her concerns of isolation in the work setting.
- 2) Any one who is reasonable would be offended under such circumstances. Therefore Miss. Zhang should not have to question whether her feelings are legitimate. She should continue to communicate and share her concerns with her boss again and not be intimidated by his position.
- 3) Excluding any gender group from company activities is inappropriate, which in itself is gender discrimination in the workplace.

VII. Relevant Chinese laws and regulations

1. National law

(1) Law on the Protection of Women's Rights and Interests (amended on August 28, 2005)

Article 40 Sexual harassment of women is prohibited. Women victims can make a complaint with the employer and relevant authorities.

Article 58 Any violation of a stipulation prescribed in this law that results in sexual harassment or domestic violence against women will constitute a violation of the administration of public order, and the victim can ask the public security organs to impose administrative punishment, and also bring civil litigation to the People's Court.

(2) Law of the People's Republic of China on Administrative Penalties for Public Security

The law was adopted at the 17th session of the Standing Committee of the 10th National People's Congress on August 28 of 2005.

Article 42 In any of the following cases, a detention longer than five days or a fine less than 500yuan may apply. If the case is severe, a detention longer than 5 days and a fine less than 500yuan may apply.

- (1) Write a threatening letter or threaten the personal safety of others by other means;
- (2) Publicly humiliate others or make up facts to slander others;
- (3) Make up facts to bring a false charge against others or frame others in an attempt to subject others to criminal investigation or administrative punishment for public security;
- (4) Threaten, humiliate, beat or retaliate witnesses and their families and close relatives;
- (5) Repeatedly send obscene, humiliating, threatening or other information to disturb the normal life of others;
- (6) Peep, secretly video, eavesdrop and spread the privacy of others.

2. Local regulations

Some provinces/municipalities have adopted Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (amendment).

(1) Jiangxi Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (amendment), which were adopted on November 23, 2006.

Article 36 Sexual harassment of women in the form of spoken and written language, pictures, digital information and bodily gestures against the will of women is prohibited.

Employers shall take effective measures to prevent and stop sexual harassment.

Article 55 Any violation of a stipulation prescribed herein which results in sexual harassment or domestic violence against women, if it constitutes a violation of the administration of public order, public security organs shall deal with in pursuance of law; if it is minor, the employer, village (community) committee of the violator shall criticize and educate the violator, and ask for rectification.

(2) Sha'anxi Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on December 3, 2006.

Article 32 Sexual harassment of women is prohibited. The woman victim has the right to make a complaint with her own working unit, working unit of the harasser, women's federation or relevant authorities.

Sexual harassment herein refers to harassment of women in the form of spoken and written language, pictures, text messaging, and physical contact and other forms, which is against the woman's will.

Women's organizations and other social organizations shall enhance publicity and education on the prevention of sexual harassment. Employers shall take appropriate measures to prevent and stop sexual harassment in the workplace.

Article 47 In case of violation of stipulation prescribed in Item 1 of Article 33 herein which results in sexual harassment of women, the working unit or supervising department and relevant organization of the harasser shall criticize and educate the violator, and the victim may bring civil litigation to the People's Court according to law. For any such act that constitutes violation of the law on public security administration, the public security organs may impose administrative punishment.

(3) Shanghai

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on April 26, 2007.

Article 32 Sexual harassment of women in the form of spoken and written language, pictures, text messaging and physical contact is prohibited. Women victims have the right to make a complaint with the working unit and relevant authorities.

Relevant departments and employers shall take necessary measures to prevent and stop sexual harassment of women.

Article 46 Women subject to sexual harassment or domestic violence can ask the public security organs to impose punishment, and also bring civil litigation to the People's Court.

Public security, judicial administration, civil affairs and other departments and their staff who fail to stop domestic violence against women or to provide necessary assistance to women victims according to law, which has resulted in serious consequences, shall be subject to administrative penalty by the supervising organs.

(4) Anhui Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on April 27, 2007.

Article 34 Sexual harassment of women through physical contact, verbal abuse, written text, pictures, text messaging and other forms that contain sexual contents or are sexually related and are against the woman's will is prohibited.

Women victims have the right to make a complaint with the working unit and relevant authorities. The women's federation, legal aid organizations, public security and other relevant departments shall provide support for women victims according to their own scope of responsibilities.

Employers and administrators of public places shall take measures to prevent and stop sexual harassment of women.

Without consent of women victims, mass media shall not disclose their names and other information that will lead to disclosure of their identities.

Article 42 In case of act which results in sexual harassment of women and constitutes a violation of the administration of public order, the victim can ask the public security organs to impose administrative punishment, and also bring civil litigation to the People's Court.

(5) Ningxia Hui Autonomous Region

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on May 12, 2007.

Article 32 Sexual harassment of women in any form is prohibited. Women victims can report such cases to the working unit and relevant departments.

Employers shall take measure to prevent and stop sexual harassment in the workplace.

Article 45 In case of violation of stipulation prescribed in Item 1 of Article 32 herein that

results in sexual harassment of women, the working unit or supervising department and relevant organization of the harasser shall criticize and educate the violator. In case of act which violate the administration of public order, the victim can ask the public security organs to impose administrative punishment.

(6) Guangdong Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on May 31, 2007.

Article 29 Sexual harassment of women in the form of physical contact, spoken and written language, pictures, images, digital information and other forms which contains sexual contents or is sexually related and against the woman's will is prohibited.

Employers and administrators of public places shall prevent and stop sexual harassment of women through measures such as establishing appropriate environment and putting in place necessary complaint and investigation processes.

Women victims have the right to report such cases to relevant authorities.

Article 44 For any violation of stipulations prescribed in Articles 27, 28, 29, 30, 31, 32 and 33 herein that constitutes violation of the law on public security administration, the public security organs can impose administrative punishment. For any violation that constitutes crime, criminal responsibility shall be investigated and dealt with in accordance with the law.

(7) Zhejiang Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on July 26, 2007.

Article 33 Sexual harassment of women in the form of physical contact, spoken and written language, pictures, digital information and other forms is prohibited.

Women victims can report such cases to public security organs, women's federation and the employer.

Relevant departments and units shall take effective measure to prevent and stop sexual harassment of women.

Article 43 Any violation of stipulations prescribed in Articles 33 and 34 herein that results in sexual harassment or domestic violence against women, if it constitutes a violation of the administration of public order, public security organs shall deal with it according to law; if it constitutes a crime, criminal responsibility shall be investigated and dealt with in accordance with the law; if it is minor, the employer, village (community) committee of the violator shall criticize and educate the violator, and ask for rectification.

(8) Sichuan Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on September 27, 2007.

Article 33 Sexual harassment of women in the form of spoken and written language, pictures, text messaging, physical contact and other forms is prohibited.

Employers shall take measure to prevent and stop sexual harassment in the workplace.

Article 47 For any violation of stipulations herein that results in sexual harassment or domestic violence against women, if it constitutes violation of the administration of public order, the victim can ask the public security organs to impose administrative punishment, and also bring civil litigation to the people's court. If it constitutes a crime, criminal responsibility shall be investigated and dealt with in accordance with the law.

For sexual harassment of women that occurs in the workplace and causes physical, psychological and reputational damages to the woman, the employer shall take up the corresponding civil compensation obligation according to law if it is blamable.

(9) Jiangsu Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on January 19, 2008.

Article 32 Sexual harassment of women in the form of spoken and written language, pictures, digital information and bodily gestures is prohibited.

Employers and administrators of public places shall prevent and stop sexual harassment of women through measures such as establishing appropriate environment and putting in place necessary complaint and investigation processes.

Women victims have the right to report such cases to the employer and relevant authorities, or bring civil litigation to the People's Court.

(10) Hebei Province

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests, which were amended on September 25 of 2008.

Article 35 Sexual harassment of women in the form of body gesture, language, words, pictures, digital information of sexual nature or in connection with nature, which is against the will of women, is prohibited.

Employers and administrators of public places shall take necessary measures and establish appropriate complaint investigation processes to prevent and stop sexual harassment of women.

Article 46 For any violation of Article 35 hereof that results in sexual harassment of women, the employer, superior administrator or relevant organization of the harasser shall criticize and educate the violator. The victim may complain to the employer and relevant department, or file a lawsuit to the People's Court. If the Law of the People's Republic of China on Administrative Penalties for Public Security is violated, the public security organ shall investigate the case in pursuance of law.

(11) Beijing

Measures for the Implementation of the Law on the Protection of Women's Rights and Interests (Amendment), which were adopted on September 25, 2009.

Article 33 Sexual harassment of women in the form of body gesture, language, words, pictures, digital information of sexual nature or in connection with nature, which is against the will of women, is prohibited.

The woman who is sexually harassed can complain to her own employer, employer of the harasser, local women's federations at all levels and relevant departments, or directly file a lawsuit to the People's Court. After receiving the complaint, employer of the woman, women's federations at all levels and relevant departments shall criticize and educate the harasser, act as a mediator between the two parties or support the complainer to file a lawsuit.

Employers and administrators of public places shall take necessary measures and establish appropriate complaint investigation processes to prevent and stop sexual harassment of women.

End notes

This manual conveys some knowledge on how to prevent sexual harassment in the workplace, obligations and experiences of enterprises and trade unions, laws and regulations, and also legal aid organizations. Hopefully, readers can, after carefully reading it, doing the self test and contemplation, distinguish sexual harassment in the workplace from intimacy and jokes in normal relations, learn how to establish a mechanism to prevent sexual harassment in the workplace and how to keep the mechanism working effectively. Managements of enterprises and trade union leaders can play a bigger role in preventing sexual harassment in the workplace, and getting the enterprises to do a better job in fulfilling their social responsibilities. Employees, women employees in particular, should know how to safeguard their dignity, and jointly create a harmonious labor relation and a corporate culture of mutual respect.

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Appendix: Introduction to Women Watch China

Women Watch China was officially founded in 2005. It is a collaborative network established by organizations and individuals devoted to the protection of women's rights and interests. Since the date of its establishment, Women Watch China has endeavored in protecting women's rights and interests, promoting gender equality, collecting information on gender equality and women's rights and interests, reporting situations of safeguarding women's rights, providing a platform for communication, exploiting counter measures, and improving gender mainstreaming and safeguarding women's rights and interests.

As an action-oriented non-governmental organization, Women Watch China focuses on discovering problems and exploring countermeasures through practical actions, speaking on behalf of the masses, protecting women's rights and interests, and promoting social development.

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