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[Home](#) > Sexual harassment

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## **Sexual harassment** <sup>[1]</sup>

Dear Alice,

When is contact or verbal communication with people cross over to become sexual harassment?

### **Answer**

Dear Reader,

At times, it can be difficult to distinguish contact or verbal communication from sexual harassment so it's good that you're asking for some clarity. The term "sexual harassment" — unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature — can be misleading, as this behavior may not necessarily be overtly sexual in nature (although it certainly can be). Instead, sexual harassment is perhaps better conceptualized as the way in which a person behaves toward someone else because of that person's sex assigned at birth or gender identity. While legal definitions of sexual harassment tend to focus on instances in which it occurs in the workplace, it's worth noting that sexual harassment can happen anywhere at any time between anyone. Read on for more information on how definitions of sexual harassment differ by setting, how to recognize it, and what to do about it.

While sexual harassment can occur in nearly any setting, definitions and interpretations do vary. Sexual harassment is considered a violation of anti-discrimination law when it takes the form of prohibited sex-based discrimination, meaning that it interferes with a person's performance by threatening job security or poses an obstacle to completing effective work. In academia, sexual harassment falls under the category of sex discrimination by way of Title IX. It's also good to note that a person of any sex can sexually harass another person of any sex. Sexual harassment in academia may involve any combination of student, staff, and faculty. While it may include student-to-student or staff-to-student interactions, it can also include permutations such as faculty-to-faculty or staff-to-faculty. It may also include people who work outside of the school or place of work as well. For example, a customer harassing an employee at work can also fall under sexual harassment. Keep in mind that sexual harassment doesn't necessarily involve sexual behavior or have to be directed at a specific person — for example, negative comments about women as a group may be a form of sexual harassment. To meet legal definitions of sexual harassment, the behavior must be:

- Unwelcome (i.e., what's happening isn't consensual)
- Verbal, visual, or physical conduct of a sexual nature (e.g., written or spoken communication, gestures, photos, posters, or unwanted contact)
- Severe or pervasive (i.e., generally has to have occurred more than once)
- Affecting working, living, or learning conditions (i.e., makes the workplace, residential, or educational environment unpleasant, threatening, or intimidating)

What can you do if you're on the receiving end of sexual harassment? First, you may consider informing the harasser directly that the conduct is unwelcome and must stop. You could also consider filing a grievance, using any complaint mechanism or grievance system available to you, such as with a Title IX official on campus or with the human resources department, depending on who is involved or where it occurred. It can also be helpful to keep a log of:

- What has occurred (including who, what, where, and when, in as much details as you can recall)
- Your response (e.g., communication to the harasser that what occurred was unwelcome or reports you've already filed)
- Any direct evidence you may have of the harassment (e.g., emails, recordings, or witnesses)

Sexual harassment is most commonly discussed in workplace and school contexts due to the power differences that are often at play. And while sexual harassment between peers is less frequently discussed, it can be incredibly threatening as well. At the individual level, what seems like an acceptable comment or sexual advance and what feels threatening may vary widely depending on the person and the context. The following are some — and certainly not all — examples of behaviors that constitute sexual harassment:

- Unwanted deliberate touching, leaning over, cornering, or pinching
- Unwanted sexual teasing, looks, gestures, jokes, remarks, or questions
- Referring to an adult as a "girl," "hunk," "doll," "babe," or "honey"
- Turning work discussions into sexual topics
- Sexual innuendos or stories

- Asking about sexual fantasies, preferences, or history
- Personal questions about social or sexual life
- Standing close or brushing up against a person
- Looking a person up and down (elevator eyes)
- Staring at someone
- Blocking a person's path

*List adapted from the [United Nations](#) [2].*

While there's no standard way to distinguish between communication of interest and harassment, it may be helpful to consider consent when making sense of the behavior. If not giving or getting an enthusiastic “yes” from someone, consider it a “no” and stop the advance. This is true regardless of the relationship and of how many previous sexual encounters that have occurred in the past. Everyone has a right to set their own boundaries and to have those boundaries respected by others. Even so, many still have to work through thoughts and reactions to sexual harassment, as well as decide whether or not to make an advance that may be considered sexual harassment by others. For those who wish to speak with someone who's trained to help, the National Sexual Assault Hotline at 800-656-4673 (HOPE) or the [online](#) [3] chat are a few helpful resources.

Take care,

Alice!

Category:

[Relationships](#) [4]

[Nonconsensual Relationships](#) [5]

[Miscellaneous](#) [6]

## Related questions

[Healthy versus unhealthy relationships](#) [7]

[Forgiving myself after being sexually abused](#) [8]

[Setting boundaries for work relationships](#) [9]

[It's Greek \(yogurt\) to me!](#) [10]

## Resources

[Sexual Violence Response & Rape Crisis/Anti-Violence Support Center](#) [11]

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## Footer menu

▼ [Contact Alice!](#)

- [Content Use](#)
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#### **Links**

- [1] <https://goaskalice.columbia.edu/answered-questions/sexual-harassment-0>
- [2] <http://www.un.org/womenwatch/osagi/pdf/whatish.pdf>
- [3] <https://hotline.rainn.org/online/>
- [4] <https://goaskalice.columbia.edu/category/relationships>
- [5] <https://goaskalice.columbia.edu/category/nonconsensual-relationships>
- [6] <https://goaskalice.columbia.edu/category/miscellaneous-3>
- [7] <https://goaskalice.columbia.edu/answered-questions/healthy-versus-unhealthy-relationships-0>
- [8] <https://goaskalice.columbia.edu/answered-questions/forgiving-myself-after-being-sexually-abused-0>
- [9] <https://goaskalice.columbia.edu/answered-questions/setting-boundaries-work-relationships>
- [10] <https://goaskalice.columbia.edu/answered-questions/its-greek-yogurt-me-0>
- [11] <https://goaskalice.columbia.edu/resource/sexual-violence-response-rape-crisisanti-violence-support-center>