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FOUNDATION FOR EUROPEAN  
PROGRESSIVE STUDIES



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Jean Jaurès



# Sexist and sexual violence in the workplace: lessons for public policies

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# Sexist and sexual violence in the workplace: lessons for public policies



**O**n the occasion of the international day for the elimination of violence against women, the Foundation for European Progressive Studies (FEPS) and the Fondation Jean Jaurès join forces to publish a series of publications on the fight for the elimination of sexist and sexual violence. Each publication looks into a different angle regarding gender-based violence.

Hostile behaviour, discriminations and violence at work are not isolated, marginal or accidental phenomena, but they are a true systemic risk in a company, whether public or private. The 2015 quantitative Virage survey conducted by Ined, the French national institute of demographic studies, confirmed it, following the 2016 'Work conditions' surveys conducted by the French Ministry of Labour and the *Direction de l'animation de la recherche, des études et de statistiques* (Board of research, studies and statistics activities, DARES). In the Virage survey, 20.1% of women declare having endured at least one act of violence at work over the last twelve months. These forms of violence create a continuum: from insults and psychological pressure, which are the most often declared, to physical assaults (the least frequent) through preventing work, and sexual and sexist violence.<sup>1</sup>

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<sup>1</sup> We use the word 'victim' instead of 'women declaring violence' for more convenience.



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### Sexual violence, the core of violence in the workplace

The survey most particularly unveils the key place held by sexist and sexual violence in the professional lives of employees (Textbox 2). Unsurprisingly, especially since the 2017 worldwide #MeToo wave, which arrived in France driven by forty years of Women's movements to name, penalise and prevent gender-related violence, sexist and sexual violence are gender-related, at work and elsewhere: most of the victims are women, and most perpetrators are men, whether colleagues or managers, both in public and private companies. The above-mentioned forms of violence do not fade away and are not refuted anymore: they come in third over the course of the last twelve months but are the first forms of violence declared over the course of the whole professional life. More than one in two women declaring violence<sup>2</sup> during her professional life remembers sexual violence (Table 1 and Textbox 1).

**Table 1**

Percentage (%) of female victims broke down by type of violence over the last twelve months and over the course of their whole professional life.

Declared facts	Over the last twelve months	Over the course of their whole professional life
Psychological pressure	74,2*	43,6*
Preventing from working	35,4	-
Sexual violence	20,3*	57,4*
Physical violence	8,1*	12,1*
<i>Observed headcount</i>	1962	753

*Field:* Women between the age of 20 and 69, living in mainland France and having worked

*Source:* Virage survey, Ined, 2015

*Reading:* over the last twelve months, 74.2% of women who have reported violence have declared having endured psychological pressure.

N.B.: Several types of facts can be declared, leading the sum of percentages by column to be over 100.

\*: There is a statistically significant difference between the 'last twelve months' and 'whole professional life' percentages (p-value test and  $P < .000$ ).

#### TEXTBOX 1

##### ***The Virage survey, violence and gender relations: contexts and consequences of the violence endured by women and men<sup>3</sup>***

Following on from the national quantitative study on violence against women in France (ENVEFF), the first French study dedicated to interpersonal violence (Jaspard et al., 2003), the Virage survey, conducted by the *Institut national des études démographiques* (French national institute of demographic studies, Ined), takes into account the different aspects of life (studies, work, public areas, relationships, former partner, family and close friends) and violence (psychological, physical, sexual) continuums (Kelly, 1987, 2019) to investigate violence endured during the last twelve months and over the course of a lifetime (Debauche et al., 2017). The multi-channel survey (by phone and internet) was conducted in 2015 with a representative sample of 15,556 women and 11,712 men from 20 to 69 years old, living in mainland France and in households.

The part on 'work' over the last twelve months was addressed to people who had worked professionally for at least four months over the last twelve months, that is 7,903 men and 9,430 women. The 14 questions asked describe acts as factually as possible, without ever using the terms violence or aggression, and explore four types of violence: preventing one from working, psychological pressure, physical aggression and sexual violence (for detailed results, refer to Cromer, Raymond, 2020).

At the end of the questionnaire, after responding to several themed modules (public spaces, studies, work, relationship, former partner, family), the whole life of the respondent is screened, naming violent acts instead of life situations, asking the respondent

2 For a full history, refer to : Cromer, S. (2015). Représentations et réalités du harcèlement sexuel en France, in La loi pénale et le sexe (dir. A. Darsonville et J. Leonhard) p.83 to 99. Presses universitaires de Nancy.

3 See Cromer, S., Raymond, A. (2020). Chapitre 7, Violences dans la sphère professionnelle. [https://virage.site.ined.fr/fichier/s\\_rubrique/29712/virage\\_chapitre\\_travail.fr.pdf](https://virage.site.ined.fr/fichier/s_rubrique/29712/virage_chapitre_travail.fr.pdf)



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to specify who had perpetrated those acts in order to identify the life context in which the violence happened. After subtraction of the people who had not declared any professional activity, we found that 15,132 women and 11,644 men were exposed to violence in the workplace for a certain period of time. Because of the way the 'whole life' part of the survey was constructed, the questions on violence were lessened and rewritten to adapt to other life contexts. Only ten questions relate to work: preventing one from working was deleted; the titles on psychological pressure were modified; among the types of sexual violence, sexual harassment was reduced to a single dimension, that is unsolicited sexual proposals, the other dimension being an atmosphere of bullying in the workplace. In both cases, the frequency, perceived severeness, the author (one or more, their gender and function), the place of the act, professional, personal and social consequences are surveyed.

### Lifelong sexual violence that cannot be forgotten

4.1% of women report at least one act of sexist or sexual violence endured at least once over the course of the twelve months preceding the survey, accounting for nearly half a million women among the dozen of millions of working women. Among the 3.6% of employees mentioning sexual violence without physical contact, 3.2% of them denounce an atmosphere of bullying in the workplace, making it first on the list. Yet, this dimension was only recently comprised within the scope of the legal definition of sexual harassment (law of 6 August 2012), in spite of well established sociological concepts, European authorities' instruments and claims from associations such as the European Association against workplace violence against women (AVFT)<sup>4</sup>. 1.1% of employees declare having endured sexual blackmail. An equal proportion reports sexual assaults (groping, forced kisses... see questions titles in textbox 2) while forced sexual intercourses and rape remain rare. All of the sexual violence involving physical contact relates to

1.1% of wage-earning females. It is worth mentioning that most acts are endured more than once (Table 2).

2.2% of women declare having endured sexual violence over the course of their whole professional life. It is worth recalling that this interrogation comes at the end of the questionnaire, with a reduced set of questions, while violence endured in a relationship or within the family sphere might be remembered better. The survey is directed towards a large population, of which the youngest and the oldest members have a more limited, restricted or fragmented work experience. This leads to fewer reports of violence in the workplace. However, let us note that the rates of sexual violence with and without physical contact are close: 1.4% (knowing that only blackmail was investigated) and 1% for acts legally referred to as sexual assaults.

**Table 2 :**

Percentage (%) of women having declared sexual violence in the workplace, broke down by type and frequency over the course of the last twelve months and the course of their whole professional life.

	Over the course of the last 12 months		Over the course of their whole professional life	
	At least once	More than once	At least once	More than once
Sexual violence without physical contact	3,6	3,1	1,4	1,1
Sexual violence with physical contact	1,1	1,0	1,1	0,8
All forms of sexual violence acts	4,1	3,4	2,2	0,9
<i>Observed head-count</i>	9430		15132	

*Field:* Women between the age of 20 and 69, living in mainland France and having worked.

*Source:* Virage survey, Ined, 2015

4 Kelly, L. (1987). The continuum of sexual violence. In *Women, violence and social control* (pp. 46-60). Palgrave Macmillan, London. Traduit de l'anglais par Tillous, M., L'Harmattan, Cahiers du Genre, 2019/1 n° 66, pp. 17 to 36. Refer to p.23 in particular.



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### TEXTBOX 2

**questions on sexist and sexual violence in the professional environment (six items for the 'last twelve months' period, four for the 'course of a lifetime' period).**

**Sexual violence without physical contact** (criminally prosecuted as sexual harassment, exhibitionism or voyeurism)

- Were you ever targeted by attitudes or remarks of a sexual nature that embarrassed you, such as questions on your private life, salacious remarks, mimes of sexual gestures, showing of pornographic images?\*
- Did you ever encounter an exhibitionist or a voyeur, in the bathroom or the changing room for example?\*
- Has anyone ever persistently offered proposals of a sexual nature in spite of your refusal?

**Sexual violence involving physical contact** (criminally prosecuted as rape or other sexual assault)

- Has anyone ever touched your breasts, behind, thighs or hips against your will, cornered you to kiss you or to rub themselves against you against your will?
- Were you ever forced to perform or endure sexual touching? Has anyone ever tried or succeeded to have sexual intercourse with you against your will?
- Were you ever forced to do other types of sexual practices?

\* These two questions were not asked in the 'course of a lifetime' part.

Whatever the time frame analysed, wage-earning women are a target for all types of male actors, both internal (colleagues or managers) and external to (general public or suppliers) the workplace. Over the course of the last twelve months, the outside actors is most often responsible (over four out of ten times), more often than colleagues (three out of ten times) and managers. However, when the course of the lifetime is considered, colleagues are pointed at one out of two times. Management then comes in more than three out of ten cases. Acts from the outside actors are less significant. Designated violence perpetrators therefore gravitate around the victim in their workplace.

### Sexual violence remains taboo because of social pressure

People's perceptions evolve with time while their tolerance threshold for violence decreases. Interrogated about the last twelve months period, between more than a third of women and less than one in two consider sexual violence as serious or highly serious. On the other hand, sexual violence remembered over the course of a lifetime is mostly deemed very or rather serious, with instances involving physical contact remaining more serious than violence without physical contact (Table 3).

Several facts can explain this varying appreciation of seriousness between recent and older situations. First, sexual violence is multifaceted. They are built over time by the attacker and most often can only be figured out by the victim much later. Sexual harassment in particular is built up through an ensemble of insidious and fragmented facts that do not always have a criminal or sexual connotation: seemingly trivial comments, or non-sexual gestures such as light touches. Additionally, refusal and resistance from victims can lead to other acts such as preventing the victim from working or even physical violence. Sexual violence therefore takes on its full meaning *a posteriori* while personal, social and professional consequences can be felt or assessed more easily. This is the reason why temporality, repetition and



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accumulation are key notions for the victim and for investigations, and why the notion of gender violence continuum appears sociologically relevant to comprehend these types of violence as they are: the foundation and expression of male-female power relationships.

However long ago the facts may have happened, minimisation remains significant. This rather high tolerance level reveals a number of social and economic constraints. For working women, employment, career and work relationships are at stake and contribute, maybe not to the silence, but at least to a new interpretation of these acts, in order to cope and ‘hold up’ in their work position. The prevailing discourse of social pressure also encourages to ‘put things into perspective’ and to ‘normalise’ the most common acts such as sexual harassment, ‘likely to be defined by men as acceptable behaviour.’<sup>5</sup>

**Table 3:**

Declaration of seriousness rate (%) broke down by type of sexual violence, among the women having declared at least one type of sexual violence at work over the last twelve months and over the course of their whole life.

At least one serious or rather serious fact declared	Over the last twelve months	Over the course of their lifetime
Contactless sexual violence	37,8	62,2
Sexual violence involving touching	47,5	78,2

*Field:* Women between the age of 20 and 69, living in mainland France and having worked

*Source:* Virage survey, Ined, 2015

### Multiple and lasting consequences

Sexist and sexual violence apparently do not question professional skills and mission. Yet, by attacking intimate aspects of life such as one’s sexuality, integrity or self-esteem, supposed to be protected by labour law, sexual and sexist violence actually denies the victims their wage-earners status. They are not protected from sexual violence within their workplace. This is the reason why anger is a prevailing feeling, and six women out of ten say they want something to change, no matter how long ago the act of violence happened. All the more so that the multidimensional consequences on emotions, health, social relations, work conditions and work itself, persist, even though some fade with time. Damaged health is the consequence most mentioned, by one in two women having endured sexual violence over the last twelve months, and one in ten women still suffers from this consequence in the long term. Job damage or job loss is the second major effect: more than one in four women lost her job through dismissal or resignation, or got punished following sexual violence endured over the course of the last twelve months; it also happened to a third of women reporting older sexual violence. Is it worth specifying that compensations are insignificant?

### Conclusion: an urgent ongoing matter for public policies

One of the interests of surveys is to allow a reflexive look on personal history and therefore enable unveiling it. Allowing the analysis of violence endured over the last twelve months and over the course of a lifetime, Virage reveals the burden of sexist and sexual violence in the professional experience as well as the dual victimisation of women in the workplace. Not only do they endure sexual violence and their conflicting consequences, but they have trouble seeing justice done. They may speak out but are not always heard.

5 Kelly, L. (1987). The continuum of sexual violence. In *Women, violence and social control* (pp. 46-60). Palgrave Macmillan, London. translated into French by Tillous, M., L’Harmattan, Cahiers du Genre, 2019/1 n° 66, pp. 17 to 36. Refer to p.23. in particular.



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Society namely keeps sending conflicting messages. Politics consider combatting gender-related violence a priority, and legislation develops in this sense, as we can see from the 1 August 2018 French law on sexist and sexual violence. But reality remains well short of the displayed ambitions. The plan lacks money for financing; public and private companies lack preventive measures and efficient training that might lead to operational recourse; legal texts and appropriate sanctions are not enforced and applied properly to make good for the damage done.

This is an emergency. Otherwise, sexual and sexist violence will remain a reality for thousands of women and a threat to all, including in the workplace where inequalities existing between men and women because of the vertical and horizontal separations of professions remain significant. The Covid-19 pandemic brought them to light. Professions where women are highly represented such as care, cleaning, education and shops, all of a sudden appeared to be essential, but with a low income and hard working conditions. Two months after lockdown began in France, the Coconel study<sup>6</sup> revealed that women are most affected by job loss and that their work conditions are harsher than those of men. The results are clear: 'Employment rate, workplace and exposure to sanitary risks, home office conditions: indicators are deteriorating and gaps are worsening between social classes and genders.' (p.4). Be it because of employment insecurity or an intensifying workload, an increased use of digital technology or worsening life and/or working conditions, we can only dread the risk of all types of violence increasing, including sexual violence, in this context of crises leading to major work transformations.

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<sup>6</sup> Le travail et ses aménagements : ce que la pandémie de covid-19 a changé pour les Français. Anne Lambert, Joanie Cayouette-Remblière, Elie Guéraud, Guillaume Le Roux, Catherine Bonvalet, Violaine Girard, Laetitia Langlois. *Population et Sociétés*, n° 579, July 2020



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