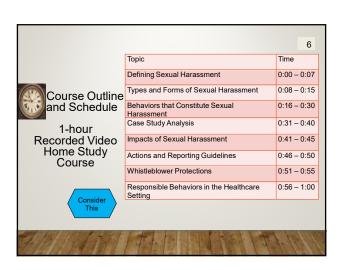


Course Rationale

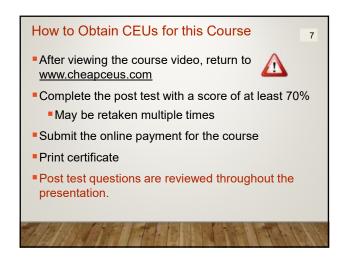
This course is designed to educate, promote and facilitate behavior by healthcare providers to prevent sexual harassment. It is intended to fulfill the requirements of Illinois Public Act 100-0762 and 101-0221, Department of Professional Regulation Law of the Civil Administrative Code of Illinois Section 2105-15.5 and Illinois Joint Committee on Administrative Rules, Administrative Code Title 68, Chapter VII Subchapter a, Part 1130 Section 1130.400. Sexual Harassment Prevention Training.

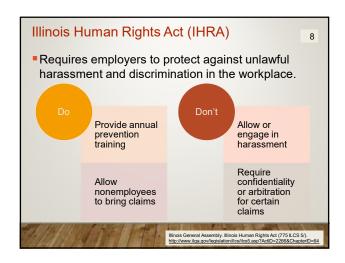
Goals and Objectives Define sexual harassment. Define the types of sexual harassment, quid pro quo and hostile work environment. Identify the various forms of sexual harassment. Recognize behaviors that constitute sexual harassment in the workplace. Identify the impact of sexual harassment on the individual and workplace environment. Detail actions to take if one experiences or witnesses unwelcome sexual conduct Detail reporting guidelines within organizations and to outside entities, such as the Illinois Department of Human Rights. Identify Federal and State of Illinois regulations related to legal liability in workplace sexual harassment cases. Summarize whistleblower protections. 10. Identify responsible behaviors to prevent sexual harassment in the healthcare environment

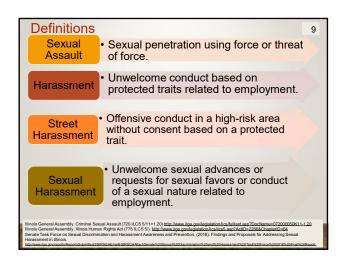
Application of concepts presented in this webinar is at the discretion of the individual participant in accordance with federal, state, and professional regulations.

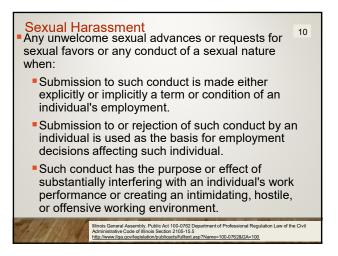


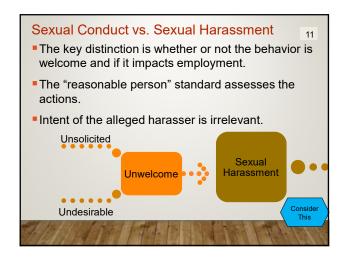
Sexual Harassment Prevention – Illinois Copyright Jodi Gootkin

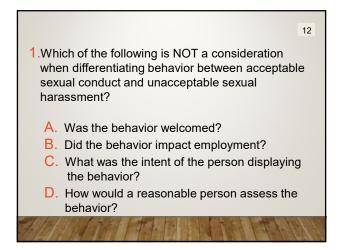




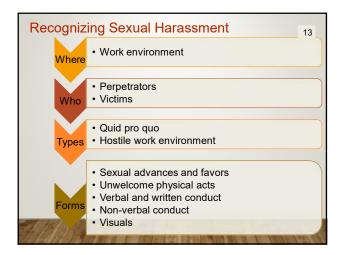


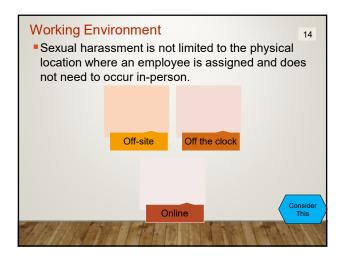






Sexual Harassment Prevention – Illinois Copyright Jodi Gootkin





2. Sexual harassment occurring in which of the following environments could potentially be classified as "work related"?

A. Patient residences where the employee executes their job duties

B. Public spaces such as the facility parking lot during non-working hours

C. Non-physical spaces such as electronic media and digital communication

D. All of the above



Quid Pro Quo Sexual Harassment

This type of sexual harassment results in a tangible employment decision based upon the employee's acceptance or rejection of unwelcome sexual advances or requests for sexual favors.

"You do something for me, and I'll do something for you."

May be implicit or explicit in nature.

Still harassment even if individual submits to demand.

Consider This

3. Which statement is TRUE regarding sexual harassment?

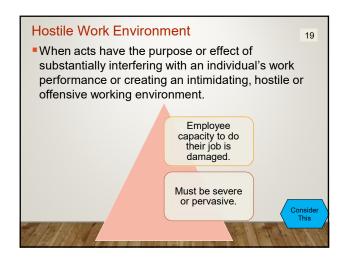
A. Sexual harassment in the workplace is a woman's issue not effecting men.

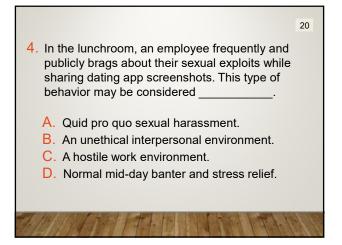
B. Quid pro quo may involve a request for sexual favors in exchange for employment benefits.

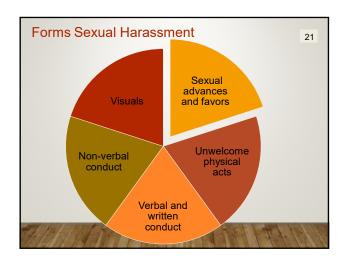
C. If the individual submits to the demand for the sexual favors, it is not considered harassment.

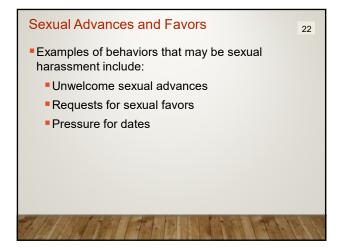
D. Individuals who overhear sexually offensive verbal comments cannot be considered victims of the harassment.

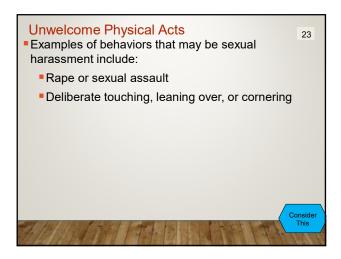
Sexual Harassment Prevention – Illinois Copyright Jodi Gootkin

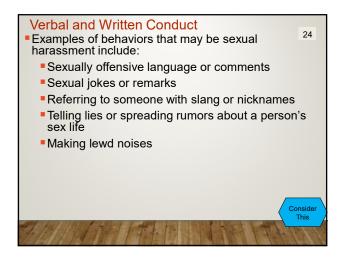












Sexual Harassment Prevention – Illinois Copyright Jodi Gootkin

- 5. Which of the following behaviors may be considered workplace sexual harassment?

  A. Unsolicited hugs during work hours from a colleague who the individual has dated.

  B. Married co-workers who walk from the parking lot into the building while holding each other's hand.

  C. Elderly patients who refer to their spouse as "honey" in the homecare setting while receiving healthcare services.

  D. Friendly flirting between mutually consenting individuals who are equal in power and authority.
- Non-Verbal Conduct

  Examples of behaviors that may be sexual harassment include:

  Making sexual gestures

  Staring at someone

  Playing music with offensive language

  Consider This
- 6. Which of the following is TRUE regarding sexual harassment?

  A. If most people present find a joke funny, then the one person who is offended should leave the area because it is freedom of speech.

  B. It cannot be considered as sexual harassment if an employee offers well-intentioned compliments to co-workers about their appearance.

  C. Employers cannot control how vendors, visitors, and clients behave, so employees should not report inappropriate behaviors from these individuals.

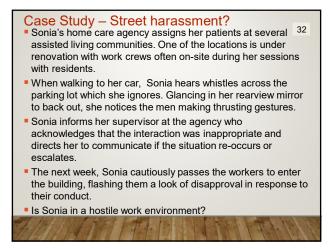
  D. Employees need to consider their gestures and music choices in the workplace as these could contribute to a hostile work environment.

## Visuals Examples of behaviors that may be sexual harassment include: Displaying sexual images Wearing clothing with offensive or vulgar language or images.

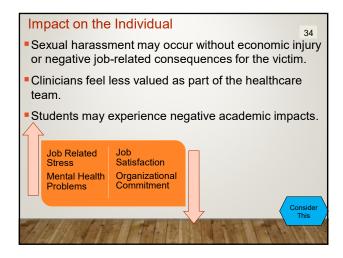
### Case Study – Off the Clock Riley and Morgan are coworkers at a skilled nursing facility. Riley posted vacation pictures on their public social media account in swim attire on a Caribbean beach. Morgan, who follows Riley, posted sexually explicit comments about Riley's body in the pictures. Riley told Morgan that the comments are awkward and to stop. Morgan responded with even more offensive posts on the social media page. Morgan also commented on Riley's body to Riley and others during the following workday. Riley tries to avoid Morgan at work now. Is Morgan sexually harassing Riley?

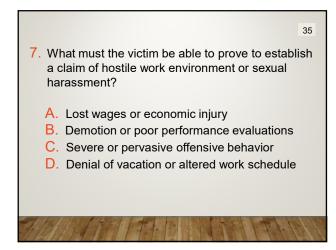
# Case Study – Social Media Victor is an orthopedic surgeon with patients on the hospital unit where Allison is a physical therapist. Occasionally when his rounds coordinate with her schedule, they dine together in the cafeteria. Victor has a social media account that is not private and posted images of their favorite actress topless. Victor and Allison have never had any discussions about the posts. Allison, who follows Victor, saw the posts and finds the images offensive. Is Victor sexually harassing Allison?

### Case Study – Just being friendly? James is being treated for a rotator cuff tear at the only outpatient therapy clinic in the area that accepts his insurance. During a posture assessment the clinician comments "Perfect abs, we don't need more exercises for those." The following session, the therapist engages James regarding the mechanism of injury joking "I should have guessed you are a hockey player with your body." Over the next several weeks, physical compliments continue. James also notices he is the only patient who consistently has his shirt off during shoulder stretching and is never provided draping. One Friday when James is the last patient of the day, the clinician invites him to happy hour. James feels uncomfortable but does not want to upset the therapist, so he reluctantly attends Is the clinician sexually harassing James?

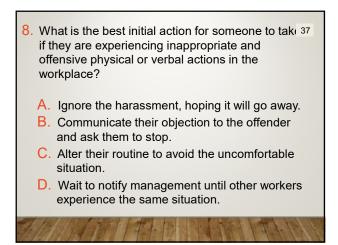


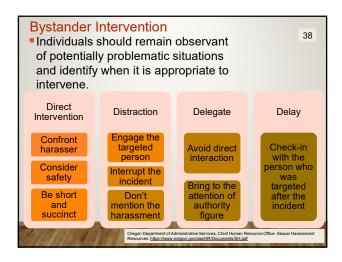




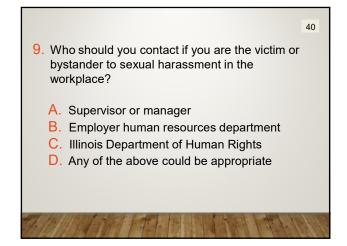




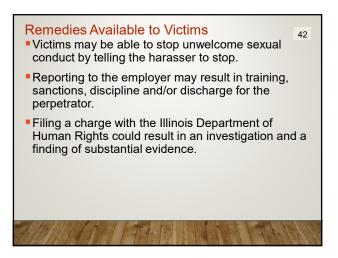


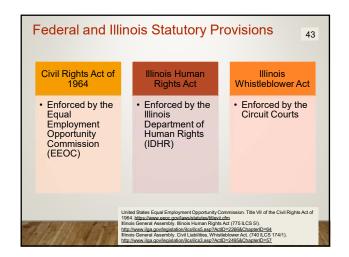


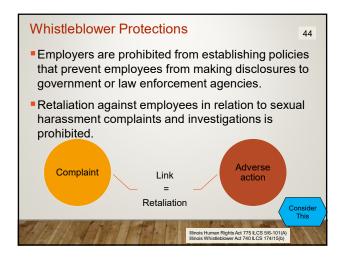


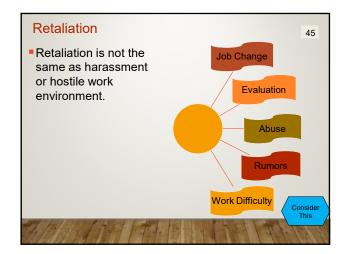












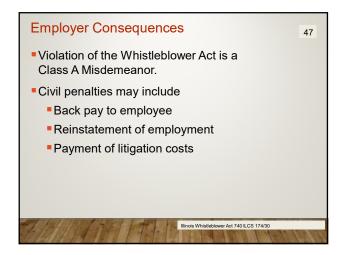
10.Which of the following statements related to whistleblower protection is TRUE?

A. Altering the employment situation of a whistleblower following a harassment claim may be considered retaliation.

B. Employees cannot discuss sexual harassment claims with law enforcement officials if an employer non-disclosure agreement exists.

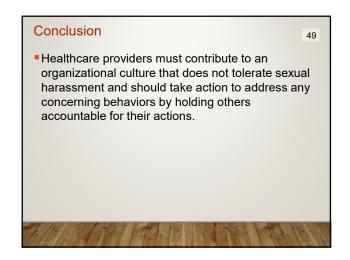
C. Adverse employment consequences to the reporting individual are not retaliation if they are only temporary.

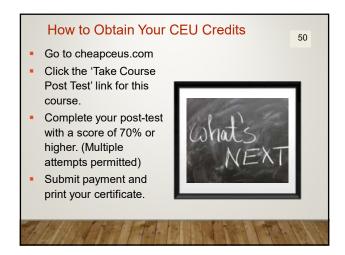
D. There are no specific laws to protect individuals reporting misconduct, so one must be confident that harassment has occurred.





Sexual Harassment Prevention – Illinois Copyright Jodi Gootkin





### Sexual Harassment Prevention – Illinois References

Aggarwal, R., & Brenner, A. M. (2019). # MeToo: The Role and Power of Bystanders (aka Us). Academic Psychiatry, 1-6.

Alfandre, D., & Geppert, C. (2019). Discriminatory and Sexually Inappropriate Remarks from Patients and Their Challenge to Professionalism. *The American Journal of Medicine*.

American Physical Therapy Association. Sexual Harassment HOD P06-18-24-48. <a href="https://www.apta.org/uploadedFiles/APTAorg/About\_Us/Policies/Health\_Social\_Environment/SexualHarassment.pdf">https://www.apta.org/uploadedFiles/APTAorg/About\_Us/Policies/Health\_Social\_Environment/SexualHarassment.pdf</a> Accessed January 11, 2024

American Physical Therapy Association. Study: Ignoring Inappropriate Patient Sexual Behavior Doesn't Work, but Other Strategies Might. PT in Motion News July 2, 2018. http://www.apta.org/PTinMotion/News/2018/07/02/IPSBResponsesPTJ/

Barbier, J. M., Carrard, V., Schwarz, J., Berney, S., Clair, C., & Berney, A. (2023). Exposure of medical students to sexism and sexual harassment and their association with mental health: a cross-sectional study at a Swiss medical school. BMJ open, 13(4), e069001.

Binder, R., Garcia, P., Johnson, B., & Fuentes-Afflick, E. (2018). Sexual Harassment in Medical Schools: The Challenge of Covert Retaliation as a Barrier to Reporting. *Academic Medicine*, *93*(12), 1770-1773.

Binmadi, N. O., & Alblowi, J. A. (2019). Prevalence and Policy of Occupational Violence Against Oral Healthcare Workers: Systematic Review and Meta-Analysis. *BMC Oral Health*, *19*(1), 279.

Boissonnault, J. S., Cambier, Z., Hetzel, S. J., & Plack, M. M. (2017). Prevalence and risk of inappropriate sexual behavior of patients toward physical therapist clinicians and students in the United States. *Physical therapy*, *97*(11), 1084-1093.

Cambier, Z., Boissonnault, J. S., Hetzel, S. J., & Plack, M. M. (2018). Physical Therapist, Physical Therapist Assistant, and Student Response to Inappropriate Patient Sexual Behavior: Results of a National Survey. *Physical Therapy*, *98*(9), 804-814.

Cares, A. C., Banyard, V. L., Moynihan, M. M., Williams, L. M., Potter, S. J., & Stapleton, J. G. (2015). Changing Attitudes About Being a Bystander to Violence: Translating an In-Person Sexual Violence Prevention Program to a New Campus. *Violence Against Women*, *21*(2), 165-187.

Choo, E. K., Byington, C. L., Johnson, N. L., & Jagsi, R. (2019). From# MeToo to# TimesUp in Health Care: Can a Culture of Accountability End Inequity and Harassment? *The Lancet*, 393(10171), 499-502.

Colmore, N., Culver, R., Lee, W., & Kidd, A. D. (2019). Sexual Harassment in the Military: Implications for Civilian Nursing Policy. *Online Journal of Issues in Nursing*, *24*(1).

Dabekaussen, K. F., Scheepers, R. A., Heineman, E., Haber, A. L., Lombarts, K. M., Jaarsma, D. A., & Shapiro, J. (2023). Health care professionals' perceptions of unprofessional behaviour in the clinical workplace. PloS one, 18(1), e0280444.

d'Ettorre, G., Pellicani, V., & Vullo, A. (2019). Workplace Violence Against Healthcare Workers in Emergency Departments. A Case-Control Study. *Acta Bio Medica Atenei Parmensis*, *90*(4).

Durana A, Lenhart A, Miller R, et al. #NowWhat: The Sexual Harassment Solutions
Toolkit. <a href="https://www.newamerica.org/better-life-lab/reports/nowwhat-sexual-harassment-solutions-toolkit/">https://www.newamerica.org/better-life-lab/reports/nowwhat-sexual-harassment-solutions-toolkit/</a>
Accessed January 115, 2024

Figueira, J., & Alves, M. J. (2023). Sexual harassment and burnout in health care context. Scientific Letters, 1(Sup 1).

Fnais N, Soobiah C, Chen M, Lillie E, Perrier L, Tashkhandi M, et al.(2014). Harassment and Discrimination in Medical Training: A Systematic Review and Meta-Analysis. Academic Medicine 2014;89:817–27.

Gorman-Badar, D. and Edgeworth Ditwiler, R. (2023). Ethics in Practice: Is It Ever OK to Date a Former Patient? American Physical Therapy Association Magazine, May 2023.

Gorman-Badar, D. and Edgeworth Ditwiler, R. (2023). Ethics in Practice: #Boundaries: When Is the Line Being Crossed? American Physical Therapy Association Magazine, August 2023.

Headley, M. (2019). Creating a Culture That Puts an End to Sexual Harassment in Healthcare. Patient Safety and Quality in Healthcare. <a href="https://www.psqh.com/analysis/creating-a-culture-that-puts-an-end-to-sexual-harassment-in-healthcare/">https://www.psqh.com/analysis/creating-a-culture-that-puts-an-end-to-sexual-harassment-in-healthcare/</a> Accessed January 11, 2024

Illinois Department of Human Rights Institute for Training and Development. Sexual Harassment Prevention. <a href="https://dhr.illinois.gov/training/state-of-illinois-sexual-harassment-prevention-training-model.html">https://dhr.illinois.gov/training/state-of-illinois-sexual-harassment-prevention-training-model.html</a> Accessed January 11, 2024

Illinois Department of Human Rights. Sexual Harassment Filing a Charge Information. https://dhr.illinois.gov/filing-a-charge/education.html Accessed January 11, 2024

Illinois General Assembly. Civil Liabilities, Whistleblower Act. (740 ILCS 174/1).

http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2495&ChapterID=57 Accessed January 11, 2024

Illinois General Assembly. Criminal Sexual Assault (720 ILCS 5/11=1.20)

http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=072000050K11-1.20 Accessed January 11, 2024

Illinois General Assembly. Illinois Human Rights Act (775 ILCS 5/).

http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=2266&ChapterID=64 Accessed January 11, 2024

Illinois General Assembly. Illinois Human Rights Act, Sexual Harassment (775 ILCS 5/2-109).

http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=077500050K2-109 Accessed January 11, 2024

Illinois General Assembly. Public Act 100-0762 Department of Professional Regulation Law of the Civil Administrative Code of Illinois Section 2105-15.5

http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=100-0762&GA=100 Accessed January 11, 2024

Illinois General Assembly. Public Act 101-0221 Workplace Transparency Act.

https://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=082000960HArt%2E+1&ActID=4008&Chapterl D=68&SeqStart=50000&SeqEnd=299902 Accessed January 11, 2024

Illinois Joint Committee on Administrative Rules. Administrative Cod Title 68, Chapter VII Subchapter a, Part 1130 Section 1130.400. Sexual Harassment Prevention Training.

http://www.ilga.gov/commission/jcar/admincode/068/068011300E04000R.html Accessed January 11, 2024

Jagsi, R. (2018). Sexual Harassment in Medicine—# MeToo. *New England Journal of Medicine*, *378*(3), 209-211.

Kabat-Farr, D., & Crumley, E. T. (2019). Sexual Harassment in Healthcare: A Psychological Perspective. *Online Journal of Issues in Nursing*, *24*(1).

Kane, L. (2018). Medscape Sexual Harassment of Physicians: Report 2018.

https://www.medscape.com/slideshow/patients-sexually-harassing-physicians-6010036 Accessed January 9, 2020

Kearl, H. The Facts Behind the #MeToo Movement: A National Study on Sexual Harassment and Assault. Stop Street Harassment, Reston, VA; 2018 (Available:)<a href="http://www.stopstreetharassment.org/wp-content/uploads/2018/01/Full-Report-2018-National-Study-on-Sexual-Harassment-and-Assault.pdf">http://www.stopstreetharassment.org/wp-content/uploads/2018/01/Full-Report-2018-National-Study-on-Sexual-Harassment-and-Assault.pdf</a>.

Kirsch, N. (2019). What the CI Doesn't See: When Little Things Are Big Deals. American Physical Therapy Association PT in Motion. <a href="http://www.apta.org/PTinMotion/2019/8/EthicsinPractice/">http://www.apta.org/PTinMotion/2019/8/EthicsinPractice/</a>

Klap, R., Darling, J. E., Hamilton, A. B., Rose, D. E., Dyer, K., Canelo, I., ... & Yano, E. M. (2019). Prevalence of Stranger Harassment of Women Veterans at Veterans Affairs Medical Centers and Impacts on Delayed and Missed Care. *Women's Health Issues*, *29*(2), 107-115.

Lehmann, C. (2019). Combatting Sexual Harassment and Inappropriate Patient Sexual Behavior. American Physical Therapy Association PT in Motion. http://www.apta.org/PTinMotion/2019/2/Feature/SexualHarassment/

Madera, J. M., Lee, L., & Dawson, M. (2019). Sexual Harassment and Sexual Assault Training: Consider the Industry. *Industrial and Organizational Psychology*, *12*(1), 96-99.

Mirhosseini, Z., Pakdel, P., & Ebrahimi, M. (2023). Women, Sexual Harassment, and Coping Strategies: A Descriptive Analysis. Iranian Rehabilitation Journal, 21(1), 117-126.

National Academies of Sciences, Engineering, and Medicine; Policy and Global Affairs, Committee on Women in Science, Engineering, and Medicine; Committee on the Impacts of Sexual Harassment in Academia; Benya FF, Widnall SE, Johnson PA, editors. Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine. Washington (DC): National Academies Press (US); 2018 Jun 12. Available from: <a href="https://www.ncbi.nlm.nih.gov/books/NBK519454/">https://www.ncbi.nlm.nih.gov/books/NBK519454/</a>

New York State Department of Labor. (2019) Sexual Harassment Prevention Training Case Studies. <a href="https://vimeo.com/331783153">https://vimeo.com/331783153</a> Accessed January 10, 2020

Oregon Department of Administrative Services, Chief Human Resource Office. Sexual Harassment Resources. https://www.oregon.gov/das/HR/Documents/SH.pdf Accessed January 11, 2024

Peterson, K., Sharps, P., Banyard, V., Powers, R. A., Kaukinen, C., Gross, D., ... & Campbell, J. (2018). An Evaluation of Two Dating Violence Prevention Programs on a College Campus. *Journal of Interpersonal Violence*, *33*(23), 3630-3655.

Potter, S. J., & Moynihan, M. M. (2011). Bringing in the Bystander In-Person Prevention Program to a US Military Installation: Results from a Pilot Study. *Military Medicine*, *176*(8), 870-875.

Proffitt, R., Kraus, B., Jozkowski, A. C., Shea Lemoins, S., Kersey, J., Brick, R., ... & Hoyt, C. R. (2024). MeTooOT: Sexual Harassment Experiences of Occupational Therapy Academics and Recommendations for Systemic Change. OTJR: Occupational Therapy Journal of Research, 44(1), 128-138.

Senate Task Force on Sexual Discrimination and Harassment Awareness and Prevention. (2018). Findings and Proposals for Addressing Sexual Harassment in Illinois. <a href="http://www.ilga.gov/reports/ReportsSubmitted/290RSGAEmail638RSGAAttachSenate%20Sexual%20Discrimination%20and%20Harassment%20Task%20Force%202018%20Final%20Report.pdf">http://www.ilga.gov/reports/ReportsSubmitted/290RSGAEmail638RSGAAttachSenate%20Sexual%20Discrimination%20and%20Harassment%20Task%20Force%202018%20Final%20Report.pdf</a> Accessed January 10, 2020

Spector, P. E., Zhou, Z. E., & Che, X. X. (2014). Nurse Exposure to Physical and Nonphysical Violence, Bullying, and Sexual Harassment: A Quantitative Review. *International Journal of Nursing Studies*, *51*(1), 72-84.

State of Illinois. Illinois Sexual Harassment and Discrimination Helpline. https://www2.illinois.gov/sites/sexualharassment/Pages/default.aspx Accessed January 11, 2024

State of Illinois. Illinois Sexual Harassment and Discrimination Helpline: Legal Protections. <a href="https://shdh.illinois.gov/legal-protections.html">https://shdh.illinois.gov/legal-protections.html</a> Accessed January 11, 2024

State of Illinois. Illinois Sexual Harassment and Discrimination Helpline: Reporting. https://shdh.illinois.gov/reporting.html Accessed January 11, 2024

State of Illinois. Illinois Sexual Harassment and Discrimination Helpline: Resources. <a href="https://shdh.illinois.gov/resources.html">https://shdh.illinois.gov/resources.html</a> Accessed January 11, 2024

Sexual Harassament Prevention – Illinois Copyright Jodi Gootkin

Stop Street Harassment. Street Harassment and the Law. http://www.stopstreetharassment.org/strategies/sshlaw/ Accessed January 11, 2024

United States Department of Justice. Prevention of Harassment in the Workplace. <a href="https://www.justice.gov/jmd/eeos/sexual-harassment">https://www.justice.gov/jmd/eeos/sexual-harassment</a> Accessed January 11, 2024

United States Department of Labor. DOL Policy & Procedures for Preventing & Eliminating Harassing Conduct in the Workplace. <a href="https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/dlms6-0300">https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/dlms6-0300</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission. (2018). EEOC Sues Amada Senior Care for Sexual Harassment, Retaliation. <a href="https://www.eeoc.gov/eeoc/newsroom/release/8-9-18f.cfm">https://www.eeoc.gov/eeoc/newsroom/release/8-9-18f.cfm</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission. (2018). EEOC Sues Anna's Care for Sexual Harassment and Retaliation. <a href="https://www.eeoc.gov/eeoc/newsroom/release/9-26-18l.cfm">https://www.eeoc.gov/eeoc/newsroom/release/9-26-18l.cfm</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission. (2018). Happy Valley Nursing and Rehabilitation Sued by EEOC for Sexual Harassment and Retaliation <a href="https://www.eeoc.gov/eeoc/newsroom/release/9-14-18c.cfm">https://www.eeoc.gov/eeoc/newsroom/release/9-14-18c.cfm</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission. Sexual Harassment. <a href="https://www.eeoc.gov/laws/types/sexual-harassment.cfm">https://www.eeoc.gov/laws/types/sexual-harassment.cfm</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission. Title VII of the Civil Rights Act of 1964. <a href="https://www.eeoc.gov/laws/statutes/titlevii.cfm">https://www.eeoc.gov/laws/statutes/titlevii.cfm</a> Accessed January 11, 2024

United States Equal Employment Opportunity Commission.(2022) Sexual Harassment in Our Nation's Workplaces. EEOC Data Highlight, April 2022. <a href="https://www.eeoc.gov/data/sexual-harassment-our-nations-workplaces">https://www.eeoc.gov/data/sexual-harassment-our-nations-workplaces</a> Accessed January 11, 2024