



**Sexual Harassment in Portuguese Workplaces:
Preventive policies and practices**


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Abstract

Sexual harassment is a very severe crime that leaves different marks and traumas in each and every victim. It can happen within the workplace regardless of gender, age, sexuality, or job position. Hence, the purpose of this study is to represent one of the first attempts to examine the perspectives of Human Resource Professionals on their role of preventing workplace sexual harassment, including the main policies and practices used. Additionally, this study illustrates some of the major difficulties when spreading awareness regarding this topic. For that, a qualitative methodology was employed, and data was collected through semi-structured interviews with 23 organization representatives from 19 organizations operating in Portugal. Interviews were open-ended and sought to gain insights about the experiences of preventing sexual harassment in the workplace. The findings show that less than half of the target organizations have a corporate policies against harassment, and two were developing them at the moment of data collection. Concerning practices, they vary: five organizations do not have anything to prevent this issue, and the rest had various kinds of practices, some directly related with sexual harassment and others not explicitly related to it. Besides, there are some major difficulties pertaining to the interest of employees and the fear of reporting that need to be addressed to prevent workplace sexual harassment. Furthermore, local Human Resource Professionals think they contribute enough to prevent workplace sexual harassment, however conclusions suggest that multinational organizations are more willing to address this phenomenon than national organizations. The same can be concluded regarding the size of organizations: larger companies are better prepared than small and medium organizations. Finally, sexual harassment is more of a taboo in the private than the public sector. Overall, these findings have implications for theory and practice, which are also examined in this document.

Keywords: Sexual Harassment, Workplace Sexual Harassment, Prevention, Policies, Practices, Training, Awareness, Portugal

Resumo

O assédio sexual é um crime grave que deixa marcas e traumas em cada vítima. Pode acontecer no local de trabalho independentemente do género, idade, sexualidade, ou nível hierárquico da pessoa. O objetivo deste estudo é perceber as perspetivas dos profissionais de Recursos Humanos, o seu papel em prevenir o assédio sexual e quais as políticas e práticas que usam para o fazer. Adicionalmente, aponta algumas dificuldades em divulgar o tema com os colaboradores. Foi utilizada uma metodologia qualitativa, através de entrevistas semiestruturadas a 23 representantes de 19 organizações que operam em Portugal. Estas foram de questão aberta e procuraram obter as diferentes perceções das experiências de cada entrevistado. Os resultados mostram que menos de metade das organizações têm políticas específicas contra o assédio e que duas delas se encontravam, de momento, a construir políticas neste sentido. Relativamente às práticas, estas variam: cinco das empresas não têm quaisquer práticas para prevenir este problema e o resto tinha diferentes tipos de práticas, algumas diretamente relacionadas com o assédio sexual e outras indiretamente relacionadas. Paralelamente, o medo de reportar e o interesse dos trabalhadores, foram algumas das maiores dificuldades identificadas e que têm de ser abordadas para conseguir prevenir o assédio sexual nas organizações. Os resultados mostram ainda que os profissionais de Recursos Humanos locais acham que contribuem o suficiente para prevenir o assédio sexual, no entanto, concluiu-se que as organizações multinacionais estão mais bem preparadas para abordar esta temática do que as nacionais. O mesmo foi concluído relativamente ao tamanho das organizações, isto é, grandes empresas estão mais aptas a combater o assédio sexual do que as pequenas e médias empresas. Por fim, determinou-se que no setor privado este tema é mais tabu do que no setor público. No geral, os resultados incluem implicações teóricas e práticas que serão discutidas posteriormente.

Palavras-chave: Assédio Sexual, Assédio Sexual nas Organizações; Prevenção, Políticas, Práticas, Formação, Divulgação, Portugal

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1. Introduction

Sexual harassment (SH) is a widely known phenomenon that has gained world media coverage following the #MeToo movement (Keplinger et al., 2019). This movement promotes empowerment through empathy by demonstrating how frequent SH is, and by reassuring survivors that they are not alone and that they are supported (Murphy, 2019). SH can occur in several ways, not just physically, and has been defined as “unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature”, according to the Equal Employment Opportunity Commission (2015). This is the approach followed in this study, which aims to study the policies and practices that take place in different types of organizations to address the sexual harassment in the workplace.

According to a survey from the European Union (EU) Agency for Fundamental Rights, more than one in four Europeans were victims of harassment in 2020, and 22 million were physically attacked just in one year (European Union Agency for Fundamental Rights, 2021). Latcheva (2017) estimated that between 83 and 102 million women in the 28 EU Member States have experienced at least one form of SH since the age of 15. According to the Eurofound (2012) there is a significant gender difference: women are almost three times more likely to suffer from SH than men. For men, these numbers are lower but worthy of attention as well. In addition, there are other individuals suffering from harassment, such as the Lesbian, Gay, Bisexual, and Transgender (LGBT) community. Brassel and colleagues (2019) found that more than 50% of LGBT employees are harassed at work. Although these numbers are all high, most people never really get to the part of reporting the situations (Keplinger et al., 2019) due to shame, fear, and threats (Foster & Fullagar, 2018).

Given this is a widespread phenomenon, which is affecting – directly and indirectly - so many people around the world, it is of key relevance for organizations and managers, specifically because of its negative impact on careers’ success and satisfaction (Heartland Alliance International, 2016). Besides, it decreases job and life satisfaction, lowers commitment, raises mental health problems, and increases post-traumatic stress disorders (Willness et al., 2007), including financial stress (Covert, 2017).

Research to date (e.g., Becton et al., 2017; Gruber, 1998; McDonald et al., 2015), documents several policies and mechanisms to reduce workplace sexual harassment (WSH), such as establishing a zero-tolerance policy, training, having secure mechanisms to report complaints, and regular monitorization and evaluation. However, two main limitations

persist. Firstly, most studies emphasize the victims' perspective and overlook the organizations' approach. Secondly, the studies that consider the company's interests and do post-training assessments do so immediately after the training, which makes it difficult to understand the longer-term efficacy of training. So far, it is hard to know which approaches are more effective to prevent sexual harassment, specifically in different workplaces, and what is the effectiveness of training (Cortina & Berdahl, 2008).

This study aims to address these research gaps by focusing on the organizations' understanding and implementation of policies and practices aimed to prevent and manage sexual harassment in the workplace. In particular, one aims to answer two research questions:

(i) Which are the existing policies and practices used by diverse organizations located in Portugal to address workplace sexual harassment?

(ii) What are the major difficulties experienced when spreading awareness about workplace sexual harassment?

This study targets different organizations operating in Portugal, which includes public and private organizations, local subsidiaries of multinational companies (MNCs) and small and medium Portuguese organizations (SMEs). The reasons for this sampling are twofold. Firstly, the researcher is currently living and working in Portugal, which makes this context simultaneously convenient and interesting. It is of management interest to understand how companies located in Portugal relate to this matter, since research in the Portuguese setting is generally lacking (for an exception see Torres et al. (2016) which compares data related to bullying and sexual harassment of 1989 to 2015 in Portugal). Secondly, it is of theoretical interest to understand how different types of organizations deal with these matters, so one looked for diversification. A qualitative and exploratory methodology was followed, and data was collected through a series of semi-structured interviews with organizational representatives, mainly human resource professionals. These interviews tackled the actions taken to address workplace sexual harassment, varying from policy definition to practices implementation.

Following this Introduction, Chapter 2 presents a literature review on workplace sexual harassment and relevant studies, while Chapter 3 explains the methodology used. Chapter 4 describes and discuss the main findings and Chapter 5 concludes the dissertation with the main theoretical and practical contributions, including the study limitations and recommendations for future research.

2. Literature Review

2.1. Defining ‘Sexual Harassment’

Sexual harassment can be approached from different angles: legal, social-psychological, public/lay (Cortina & Berdahl, 2008), and can include a sex-based perspective and a behavioural one (O’Leary-Kelly et al., 2009). The legal definition varies with the countries. Despite the efforts of both national and international authorities to come up with a single definition for Sexual Harassment, there is not a consensus (Stevenson, 2019). Some authors even argue that the problem of defining the term has been more important than studying the phenomena itself (McDonald, 2012). Therefore, one of the main obstacles when studying SH is its unclear definition (Fitzgerald et al., 1988).

In this study the definition followed is from the Equal Employment Opportunity Commission (EEOC) in that sexual harassment are “*unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature*” (EEOC, 1980). This definition emphasizes the complexity of the phenomenon in which the harasser and the victim might be either male, female or non-binary, a supervisor, a co-worker or even a non-employee (Eaton, 2004). Besides, SH has a clear sexual component, which distinguishes it from other forms of harassment based on race or disability in that the conduct may be justified by attention seeking (Samuels, 2003).

2.1.1. Workplace sexual harassment

According to Barreiro (2016), there are two types of workplace sexual harassment: (i) ‘*quid pro quo*’ sexual harassment and (ii) ‘*hostile work environment*’ sexual harassment. The first type – *quid pro quo* – involves an implicit transaction: “this for that” or “something for something”. Occurs when a supervisor or other power figure requests and/or demands sexual favours or other sexual conduct from an employee in return for employment benefits or some form of persecution, for example: “*I will get you fired unless you sleep with me/go out with me.*” The second one – *hostile work environment* – arises when an employee is subject to unwelcome physical or verbal conduct of a sexual nature that is so severe or pervasive that creates an intimidating environment or situation (for example using sexually provocative photographs). This type of behaviour can come from everyone within the organization, unlike the *quid pro quo* type of harassment, which is caused by a power figure. Barreiro (2016)

also highlighted another difference between these two, in that the hostile work environment is somewhat more difficult to detect than the *quid pro quo*, which is relatively straightforward. In addition, such environment negatively affects the employee's job performance.

WSH is subjective (in both types), since some people experience the sex-related conduct negatively (which in turn has a negative impact on their job performance), while others do not (Madera et al., 2018). However, labelling a series of actions as SH represents the belief that SH has taken place, regardless of the degree of severity (Munson et al., 2001). As a result, managers are obliged and legally responsible to address the matter. Given that employees' complaints can be very prejudicial for the reputation of the organization, owners, and founders, managers can become too protective, frequently refusing to believe that the occurrences claimed are actually 'sexual harassment'. Organizations' representatives typically claim that what was referred as sexual harassment was, actually, consensual between the persons involved, and they frequently protect the accused's reputation (Peirce et al., 1998).

A range of antecedents, such as the observer's sex, have been demonstrated to impact whether a series of actions are categorized as SH (McDonald, 2012). For instance, women are more likely to report and perceive WSH than men. Furthermore, women are more prone than men to assign organizational responsibility and offer victims higher compensation (Cass et al., 2009; O'Leary-Kelly et al., 2009). Men are also less likely than women to interpret sexualized actions from customers or co-workers as sexual harassment (Hughes & Tadic, 1998). Unsurprisingly, the vast majority of SH charges come from women, although the data shows that men experience workplace sexual harassment as well (Stewart, 2017).

Sexual harassment usually occurs between co-workers, although it can also happen from customers, when employees closely interact with them (Rodriguez et al., 2014). In this case, employees may feel they have less power, since managers reinforce the famous sentence "*customer is always right*". Therefore, harassed employees cannot argue with the harasser client and must be nice either way (Rodriguez et al., 2014). In all cases the situation can be equally negative for the victim, although existing research generally disregards how managers react to SH by customers (Madera et al., 2018).

There are several major consequences of WSH for organizations, observers and employees (O'Leary-Kelly et al., 2009). People who have been harassed are more likely to be unhappy, nervous, depressed, and anxious, to be dissatisfied with their jobs, to have poor regard for their managers and senior managers, and to wish to leave the company (CIPD, 2021). Therefore, their commitment will decrease, and consequently, their productivity

(McDonald, 2012). For organizations, there are some indirect costs associated with turnover and the following costs of recruitment, training, and development, as well as the expenses of investigating the complaint and the legal cost incurred as a consequence (McDonald, 2012). Concerning the other organizational members who have witnessed or who are aware of WSH, they can suffer unfavourable repercussions as a result of their awareness (O’Leary-Kelly et al., 2009). For instance, these bystanders may wonder if they will be next, which might result in fearfulness, isolation, and turnover (Schneider, 1996).

2.1.2. Workplace sexual harassment and some of the existing laws

Sexual harassment has been a concern for paid female workers since colonial times. For decades, and for numerous reasons including the fear of WSH, women were convinced to stay away from the labour market. As if it were innate, most women lived with restrictions, limiting their goals and expectations of a waged job (Kessler-Harris, 2018).

In the USA, the Civil Rights Act of 1964 prohibited (for the first time) employers, labour unions, and employment agencies from discriminating against employees or applicants *“with respect to compensation, terms, conditions or privileges of employment because of race, colour, religion, sex or national origin”* (Civil Rights Act, 1964). However, the problem is that some judges often think WSH is something natural and unavoidable, and there is little that the law can do to prevent it (e.g., Miller vs. Bank of America, 1976). In the beginning, both the civil authorities in charge of implementing this legislation and the general public had difficulties realizing that women were treated differently than men. Culturally, it seemed obvious that men should earn more from their jobs than women (Kessler-Harris, 2018). Therefore, the term ‘Sexual Harassment’ was first coined in the 1970s, as part of a radical feminist movement (McLaughlin et al., 2012). Working women urged that behaviours including SH or harassment based on the victim’s sex should be labelled as ‘sexual harassment’ and should be recognised as sex discrimination under federal antidiscrimination laws (MacKinnon, 1979). Since then, the expression ‘sexual harassment’ has been used to characterize unwelcomed sexual experiences, and to guarantee these types of conduct are widely recognized and prevented. SH is thus regarded as one among a number of abusive or counterproductive workplace behaviours that are deeply rooted in hierarchical power relations (Thornton, 2002; Zippel, 2006). Emily Martin, general counsel, and vice president for workplace justice at the National Women’s Law Center, affirmed that people knew WSH occurred, but they dismissed it as a workplace regular event that women had to deal once

they become employed (Crockett, 2016). In the late 1970s, federal appeal courts concluded that there should be a rule prohibiting WSH, and the EEOC released guidelines defining SH to be a type of unlawful sex discrimination in 1980 (Lee & Greenlaw, 1995).

According to the Equal Employment Opportunity Commission, “simple teasing” and “offhand comments” will generally not be illegal (EEOC, 1980). Instead, harassment becomes illegal when the behaviours are so frequent or severe that creates a hostile work environment or results in an adverse employment decision such as firing or demotion (Crockett, 2016; National Association of Elevator Contractors, 2014). According to Crockett (2016) during the 1960s, and even the 1980s, a working woman had limited legal safeguards and little societal knowledge that legal action was possible. On September of 1981, the Convention on the Elimination of all Forms of Discrimination Against Women, adopted by the United Nations (UN) General Assembly of 1979, entered into force as an international treaty. It requires State Parties to adopt adequate steps to eliminate discrimination against women in all sectors including equality in the workplace (UN General Assembly, 1979). Furthermore, the Declaration on the Elimination of Violence Against Women of 1993, included SH in the definition of violence against women, which is illegal at work. This step promoted the development of criminal, civil, and administrative sanctions, including preventative measures to eliminate this violence (UN General Assembly, 1993). However, it took longer for the US Supreme Court to recognize, by 1998, that harassment by someone of the same sex also constitutes gender-based discrimination (Crockett, 2016).

In 2006, the #MeToo movement was created by Tarana Burke. This movement promotes empowerment through empathy by demonstrating how frequent SH is around the world and by reassuring survivors that they are not alone and that they are supported (Nutbeam & Mereish, 2021). Many survivors of harassment have been encouraged by the campaign to speak out, often for the first time in their lives. It has been a great deal in the history of sexual harassment (Murphy, 2019).

The European Union (EU), which has adopted legislative systems that impact both commercial exchange and social protection inside and among member states, is the most prominent example of an international organization that has recognized the importance of WSH (Ngwane, 2013). In 2002, a European Parliament committee study recommended the establishment of anti-harassment laws (European Commission, 2002). A study of workplace violence and harassment made by the European Foundation for the improvement of Living and Working Conditions acknowledged that employers and policymakers were/are still

underestimating the problem of bullying and harassment (Ngwane, 2013). Many of these efforts culminated in 2007, when the European social partners, which included coalitions of employers and unions operating under the auspices of the EU, signed a "Framework Agreement on Harassment and Violence at Work" to prevent and manage WSH, bullying, and violence (Framework Agreement, 2007). Under the provisions of this agreement, European businesses should implement zero-tolerance policies for violating behaviour and develop internal processes for dealing with a variety of scenarios. The agreement also specifies characteristics that must be included in these policies, such as confidentiality and due process clauses (Ngwane, 2013). Later in 2018, a motion for a European Parliament resolution on “measures to prevent and combat mobbing and sexual harassment at workplace, in public spaces, and political life in the EU” came into action. It emphasizes the urgency for Member States, local and regional governments, employers’ organizations, and trade unions to comprehend the barriers employers face in reporting cases of SH. Besides, it states that all these mentioned should provide full support and encouragement to victims when reporting their cases, without fear of retaliation (European Parliament, 2018).

In Portugal, the “*Código do Trabalho*”, which is composed by several laws, forbids the harassment in general, including sexual harassment (*Artigo 29º, Lei nº 7/2009 de 12 de fevereiro*, 2009). According to this code, someone who uses the position in the organization in return for favours of a sexual nature might be punished with prison up to two years. Besides, *Lei nº 73/2017 de 16 de Agosto do Diário da República* implemented new ways to prevent SH, some of which prescribe the adoption of codes of conduct that prevent and act against harassment when the company has seven or more employees. Besides, it also states that when a situation is brought up to knowledge, the companies must initiate disciplinary proceedings. The violation of these rules might lead to financial sanctions to the organization itself. Legislation also prohibits the imposition of disciplinary sanctions against complainants, victims and witnesses, except if they engage in deliberate misconduct (Moreira & Martins, 2019).

Despite the fact that new and updated laws have been effective in many countries, WSH continues to be ignored and disregarded in many places (Cobb, 2020). According to the World Policy Analysis Center (2017) more than one-third of the world's countries have no legislation preventing SH at work. From the countries that do have this legislation, 5% of them only cover women, not men. Therefore, and for millions of people “*the lack of protection from SH undermines any other protections from discrimination*” (World Policy Analysis Center, 2017, p. 10).

Taken together, sexual harassment laws were once very important and led to major organizational changes in the workplace. However, resistance to the effective implementation of these laws persists in many contexts and workplaces (Tinkler, 2013).

2.2. Human Resources Policies on Sexual Harassment

Human resource (HR) policies are ongoing guidance on how an organization plans to manage its workers. HR policies establish the organization's beliefs and ideals on how people behave and should behave and be handled (Ngwane, 2013).

The role of preventing and handling sexual harassment in the workplace when these situations occur ultimately falls into the responsibility of the human resource professionals (HRPs). This department can prevent and manage SH by providing, among other initiatives, proper training on what constitutes SH (Sarpotdar, 2013). This training can be combined with training on other types of workplace harassment and should be provided around the clock to offer a clear guideline for dealing with employees' questions and complaints, so they can comply with current laws, organizational policies, and standards (Peachy Essay, 2021).

In addition to training, HRPs should ensure: (i) the provision of employees' awareness and training programs to keep the communication regarding this topic going; (ii) the development of a zero-tolerance policy on WSH; (iii) the implementation of secure mechanisms to report complaints; (iv) the establishment of a strategy to investigate complaints, protecting the interests of both parties; and (v) the monitorization of the results and adjustment if or when necessary (Becton et al., 2017). All these steps are detailed below.

2.2.1. Training on workplace (sexual) harassment

Sexual harassment training can be defined as systematic education aimed to improve knowledge, skills, perspectives, and behaviours with the goal of preventing SH (Roehling et al., 2021). A training approach is critical by reducing its occurrence and establishing a respectful workplace. Training also raises employees' awareness, which eliminates prospective victims' ignorance (McDonald et al., 2015). Furthermore, it has been demonstrated that training improves the likelihood that employees (particularly men), will recognize unwanted sexual actions like touching as SH (Antecol & Cobb-Clark, 2003). Workers who have a better understanding of what constitutes SH are probably keener to avoid it as well as to uphold that norm in the workplace (Hersch, 2015). Ignorance and lack of knowledge may frequently lead to silent pain and suffering in silence (Peachy Essay, 2021).

Training in the workplace can take many forms, depending on the stage at which it is introduced and the groups to whom it is intended. Nonetheless, it is frequently carried out by giving examples of harassment in the form of role-playing, allowing participants to evaluate whether the behaviour they have observed constitute SH and the most suitable ways of dealing with the situation (McCann, 2005). For managers, several studies suggest that their training should incorporate conflict management, including emotional management (Cloke, 2002; Masters & Albright, 2002). Harlos (2001) argues that managers should actively develop these skills in order to listen the complaints and express empathy towards employees.

However, if an organization is to write a policy and launch it without providing enough training to all managers and employees, the results can turn out to be counterproductive. This means that before releasing the policy, training must first be implemented to ensure that provisions for the people who would use it are in place (Ngwane, 2013). Dyer and Hurd (2021) also concluded that although training is very useful, beneficial, and essential as a starting point, in order to eliminate WSH, a broader strategy is also required. Thus, training in WSH is a necessary but insufficient condition.

2.2.2. Zero-Tolerance policy

In addition to training, organizations should hold a clear policy of ‘zero-tolerance’ towards any form of harassment, including SH. A zero-tolerance policy was firstly used in 1980 in the United States as part of the failed ‘War on Drugs campaign’ to denote a wide variety of rigorous, fairly rigid governmental and private institutional rules forbidding societal problems (Stahl, 2016; Stockdale et al., 2004). It states exactly what it means: *No sexual harassment will be allowed, and all offenses will have consequences, being them dismissal and termination.* However, as Kelly (2018) noted, handling SH accusations properly is a key part of a manager’s job and some might be tempted to turn a blind eye just because the harasser is critical to the organization, and therefore, might be hesitant to fire the employee.

In Portugal, organizations can be monetarily fined if they ignore a WSH complaint, and the amount of the fine depends on the turnover of the company (Machado, 2019). There is still a bit of fear when it comes to confess to have been a victim of WSH by a co-worker, although some rules were introduced to fight this constant fear. For instance, if the person who admits having been sexually harassed is the target of a disciplinary sanction, that sanction becomes abusive. Or if the same person gets fired, even if a year after it happened, s/he is

also protected by law. As of 2019, a victim of WSH also has the possibility to end an employment contract and has the right to receive a financial compensation (Machado, 2019).

With the emergence of the #MeToo movement many companies are changing their policies and coming forward with zero-tolerance sexual harassment policies (Sparkman, 2018). A problem that emerges when an organization defines which behaviours constitute SH is that they cannot define it broadly, otherwise work relationships might be negatively affected, with employees being afraid of being accused of sexually harass a co-worker for an action that was intended to be friendly or nice. This can negatively affect productivity as well, by creating a culture of distrust and uncertainty between employees (Hersch, 2015). A clear and explicit policy is key because it is the main source of information to everybody. Actually, it is a communication tool with the workforce (Woodrow & Guest, 2014).

A survey made in the United States by the US Merit Systems Protection Board (1995) showed that almost half the males were concerned that when complimenting a colleague, it might be perceived the wrong way (as sexual harassment). With a well-defined zero-tolerance policy this problem diminishes and workers are more prone to report situations of a sexual nature (American Nurses Associations, 2019). Furthermore, a Portuguese survey showed that between 1989 and 2015 women grew in the awareness of their rights, and so, instead of not reacting to the sexual advance from others, they started to take action to document offenses and displeasure at work (Torres et al., 2016).

2.2.3. Secure mechanisms to report complaints

Companies are legally bound to secure mechanisms for reporting complaints about WSH, with safeguards against retaliation. Through training programs and secure complaints mechanisms, organizations are more shielded against legal liabilities (McCann, 2005).

In the past decades, it was a usual practice to handle sexual harassment allegations through standard workplace complaint channels (McCann, 2005). This is still the case in many workplaces. However, prior experience shows that dealing with WSH charges through unaltered standard complaints systems is not the best approach to handle them (Equal Opportunity Commission, 2016). These processes should be tailor-made, considering what the company and its employees need. For example, a small company probably cannot organize a committee to deal with the complaints (Equal Opportunity Commission, 2016), as a large company can. Therefore, a number of companies have implemented processes designed expressly to address the concerns of victims of WSH (McCann, 2005).

Establishing a fair, accessible, and open complaint process that assures anonymity and security when reporting an occurrence is very important. Besides, offering more than one way to make a complaint is also a good practice. For example, instead of having to do it in person, people can make a report online or to an external body for a formal and informal complaint handling (Rubiano-Matulevich, 2020).

Adikaram and Kailasapathy (2020) proposed a six-stage process to fairly handle sexual harassment complaints that includes: (i) complaint stage, (ii) assessment of the first stage, (iii) investigation stage, (iv) action stage, (v) appeal stage, and (vi) post-settlement stage. Table 1 summarizes each stage.

Stage	Findings
Complaint stage	A “best practice” is that organizations provide most or all the following options in order to report complaints: <ul style="list-style-type: none"> - “<i>Hotlines</i>” – phone or email whereas victims can choose to report anonymously or not. - “<i>Committees</i>” – have specific committees to which complaints may be sent. - “<i>Multiple individuals</i>” – have designated trained individuals in different levels and positions, along with different genders to receive complaints.
Assessment of the 1st stage	A “best practice” at this point, means that it is necessary to understand if the complainant wants to take formal action against the accused offender, or to address the matter informally, and the company must accept the decision. Regardless of the chosen option, the company must take action to make sure that the perpetrator’s behaviour stops.
Investigation stage	The 3 rd step is to decide if the claimed behaviour happened, its nature and severity. It is important that both the victim and the accused are able to express their points of view and that the person chosen to investigate is decided carefully. The chosen person can be an outsider or insider; however, when the accused is in a high position in the company, usually an outsider is preferable, to be unbiased and fair during the process.
Action stage	After investigating, an action needs to be taken. <ol style="list-style-type: none"> If the accusation is proved – actions can be punitive or non-punitive concerning the nature, severity, and frequency of the behaviour, the victims’ desires and past actions taken, for example. If the accusation was not proved – the grounds for the complaint need to be considered and addressed through “<i>discussion, counselling or mediation</i>”. However, if the accusation could not be proven due to lack of evidence, the company should consider splitting the two factions and preventative measures should be put in place. If the complaint was proven to be false – punitive/non-punitive action against the complainant can also take place.
Appeal stage	If any of the involved parties is dissatisfied with the verdict, they should be able to appeal it. This process needs to be well defined in the sexual harassment policy and properly enforced. A “best practice” is that the complainant should always be free to hold his or her complaint to a higher-level or regional individual.
Post-settlement stage	The last step of the process means having a careful supervision of both the victim (understand other consequences that he or she might be facing) and the accused (if they keep working in the company). A “best practice” is to identify issues that need to be addressed, altered, or corrected by analysing the complaint and the methods followed.

Table 1 – Summary of the six-stage process to fairly handle WSH complaints

Source: Adapted from Adikaram and Kailasapathy (2020)

2.2.4. *Monitoring and evaluation*

The final component of developing a successful enterprise-level policy against WSH is to guarantee that it is monitored and that the outcomes are reviewed and assessed (McCann, 2005). McCann (2005) also makes clear that simply establishing a SH policy and ensuring that all workers are aware of its existence is insufficient to prevent SH. Policies must be implemented on a regular basis, and complaints must be handled quickly and effectively.

After the legal requirements have been followed and a decision has been reached on who was at fault, companies must be on the look out to ensure that harassment is not to be continued and that no retaliation takes place. Organizations should ensure that their employees are given the option to have an expert counselling them, in case of need, or any other form of support (Rubiano-Matulevich, 2020). In fact, according to McCann (2005) several workplaces already provide victims with counselling and assistance.

Also, keeping the details of the complaints might be important for the organization, so that the human resources' team can identify if the policies might need to be changed or revised (Adikaram & Kailasapathy, 2020).

2.2.5. *Efficacy of sexual harassment policies*

Table 2 summarizes some empirical studies which have been conducted to assess the impact of such policy-making. These studies are presented by ascendent chronological order.

Study	Main Findings
Gruber (1998)	Discovered that workers reported the lowest levels of SH when they worked for businesses that proactively designed, communicated, and implemented SH policies (e.g., by training all employees and creating official complaint procedures). Employees whose companies simply utilized informational techniques to policy communication (e.g., displaying it at the workplace or in the employee handbook) reported far more WSH, followed by the individuals in workplaces without a policy, which scored the highest in WSH complaints.
Blakely et al. (1998)	Studied the impact of sexual harassment training on views of what constitutes sexual harassment. Results showed that training appeared to have an influence on the number of severe forms of sexualized workplace conduct were deemed sexual harassment, with participants who received training rating severe types of behaviour as sexual harassment much higher than those who did not.
Directorate-General for Employment, Social Affairs and Inclusion, European Commission (1998)	Found that employees in organizations with specific policies suffer less SH . Employees at firms with a minor policy reported SH 37% of the times, compared to 21% in companies with a specific and detailed policy. Moreover, in a United Kingdom research on SH and discrimination among the LGBT community, respondents whose workplaces had adopted an equal opportunities policy that included sexual orientation were less prone to have to hide their sexuality at work.
Williams et al. (1999)	Because men and women are not evenly targeted by social sexual behaviour, the importance of training might differ with genders .
Antecol and Cobb-Clark (2003); Bingham and Scherer (2001)	Researchers discovered that men who received sexual harassment training had a better understanding of sexual harassment concepts, legal legislation, and organizational policies.

Study	Main Findings
Bingham and Scherer (2001); Lonsway et al. (2008); Reese and Lindenberg (1997)	Other effects of training include more awareness that sexual behaviour is improper in the workplace, decreased victim blaming or harassment trivializing mindsets, and also greater satisfaction with the organization's harassment policy or complaint procedures.
Rayner and Lewis (2020); Woodrow and Guest (2014); Latham et al. (2010)	Having human resource practices on its own is not the only thing that matters: these practices have to be effectively implemented , otherwise the superior levels of harassment will cause a negative effect on employees' performance and productivity. In large organizations this might equal to high costs, for example with hiring a specialist to deal with the training of the management teams.
Torres et al. (2016)	With the exceptions of a few multinational companies operating in Portugal, policies to combat SH have not been widely spread between employers. These multinational companies use their own internal policies and ethics standards. Additionally, shows that actions are needed to prevent WSH and bullying.
McCormack et al. (2021)	Concluded that organizational culture is a very important factor to diminish the bullying and harassment. This means to: (i) educate the employees on topics related to bullying and harassment, (ii) have a clear and open communication, and (iii) have the superiors give the example to others. Additionally, (iv) employees need to be engaged in order for the policies to work. Furthermore, the authors found that the size of the organization might also influence the extent of involvement of human resource practitioner.
Roehling et al. (2021)	Sexual harassment training improves " <i>declarative knowledge, procedural knowledge-skills, attitudes, and transfer outcomes</i> ", indicating that WSH training is more successful than other studies suggested.

Table 2 - Previous studies on the efficacy of sexual harassment policies

Source: Author's own elaboration

Overall, prevention is the best tool to address WSH. Employers are encouraged to take steps necessary to prevent WSH from occurring. They should clearly communicate that WSH will not be tolerated, by providing SH training to their employees, by establishing an effective complaint or grievance process and by taking immediate and appropriate action when an employee complains (National Association of Elevator Contractors, 2014).

2.3. Research questions and main research objectives

Taken together, one can conclude from earlier research that adequate sexual harassment training aims to ensure that all members of the organization, including both staff and managers, are completely aware of the business's activities, laws, and policies regarding SH (Peachy Essay, 2021) and are capable of preventing it. A common limitation that requires researchers' attention refers to the focus of previous research pertaining the impact of training (Cortina & Berdahl, 2008): the majority of post-training assessments were made right after the training occurred, which makes it very difficult to understand if the anti-harassment training was effective (or not), at least, in the long-term. Despite this limitation, organizations and employees gain from the formulation of a WSH policy to combat the prevalence of the

phenomenon in the workplace (Lopez et al., 2020; Mkono, 2010; Morgan & Porter, 1999; Quinones, 2020). However, this requires managers' active engagement, a careful implementation and continuous assessment (Van Iddekinge et al., 2009).

Consistently, either the public opinion or the organizations located in Portugal are giving increasing attention to this problem. However, and up to our knowledge, management research has largely neglected the implementation of such organizational policies in the national context and has disregarded managers' views on sexual harassment in the workplace. Furthermore, less is known about the practices in place in Portuguese firms. For an exception, Torres et al. (2016) targets a representative sample of Portuguese's working population and men/women who had suffered from bullying or SH and documented two important themes, (i) what SH and bullying stand for in the workplace context, and (ii) why it happens. Besides, it also discovered how society perceives SH and compares the opinions of 2015 with the ones found in 1989. Lastly, it revealed how victims react to harassment and the reasons of their reactions (look out for support or not seek any kind of help).

The reasons why this issue is relevant are fivefold. Firstly, younger generations (specially Millennials and Generation Z – researcher's generation), are progressively aware of this phenomenon and are engaged in making the difference in the workplace. Secondly, although the subject of SH has been researched for decades, information on how organizations can effectively prevent it from happening is limited and still very under-researched in Portugal. As the researcher's nationality is Portuguese, it is appealing to find more about it and understand how companies that operate in Portugal are addressing these legal requirements. Thirdly, the researcher wants to understand and further examine how different organizations (for instance, MNCs and local SMEs) deal with these matters. In fourth, it will contribute to comprehend how Portuguese HR professionals perceive this phenomenon in their organizations, as it is such an important thematic in our society. And lastly, this study is also expected to provide an overview of best practices and policies related to WSH prevention to be implemented in organizations that wish to improve their practices and policies or to organizations without any.

Hence, the research questions addressed in this study are:

- (i) Which are the existing policies and practices used by diverse organizations located in Portugal to address workplace sexual harassment?
- (ii) What are the major difficulties experienced when spreading awareness about workplace sexual harassment?

3. Methodology

This study builds upon the literature on WSH, including previous empirical studies addressing how employees experience organizational policies and practices pertaining WSH, to understand the existing policies and practices used by organizations located in Portugal, including the major difficulties experienced when spreading awareness about WSH. An exploratory and qualitative approach was deemed appropriate to answer the aforementioned research questions, being in line with previous research in this domain.

3.1. Methodological approach of earlier studies

Annex 1 presents a synthesis of the methodological aspects of similar studies conducted in different industries and countries. Qualitative methods are frequently thought of as an interactive process in which individuals or groups' experiences, views, and personal information are studied (Aires, 2015). From Annex 1 one can conclude that most of the studies followed a qualitative approach and collected data through interviews or semi-structured interviews with organization's representatives. Only two of the studies used questionnaires/surveys and those were the older ones, therefore, to develop this study, one will use qualitative methods. The reasons justifying using the same approach as the one used in similar studies lies with the research shortage of the topic in the Portuguese context and the pertaining stigma regarding it. Consequently, the study focused on the personal experiences of the organization's representatives.

3.2. Methodological approach used in the present study

Terence and Filho (2006) state that qualitative methods allow the researcher to get deep in the comprehension of the phenomenon being studied, such as the individual's actions, and to interpret them according to the participants' point of view, without having to worry about numerical representation and linear cause-effect relationships. Qualitative methods can be implemented through different ways. In this case, the data was collected by semi-structured interviews, which allows the interviewers to not only talk about the "what", but it also gives them the opportunity to explain the "why". It also allows the researcher to find out what people know, do and feel, by observing and listening (Patton, 2014). Besides, it is characterized as an informal conversation where the interviewer is able to conduct the conversation (Longhurst, 2003). All things considered, the adopted methodology will undoubtedly enhance the research and assist in reaching some conclusions regarding WSH.

3.3. Procedure of data collection

To answer the research questions, one deemed adequate to target company's representatives from the public and private sector, including national and multinational-based companies. Given that the HR department is often involved in the prevention and management of WSH (Ngwane, 2013), by providing, among other initiatives, proper training on what constitutes SH (Sarpotdar, 2013), these professionals were the primary informants.

Initially, a total of approximately 150 organizations operating in Portugal were identified and approached to participate in this research by sending emails and messages through LinkedIn and Facebook to HR professionals (Annex 2) but only 23 company representatives were willing to participate (see details in Table 3). A total of 23 semi-structured interviews were then conducted concerning 19 different organizations.

The preparation of the semi-structured interviews included several phases, following Kallio et al. (2016) insights. The questions were open-ended, and their formulation followed a pre-defined logic. Firstly, one wanted to understand how the company defined WSH and if the interviewer knew its meaning. Next questions focused on the policies and practices of WSH, including the description of former stories or cases that had happened. To end, the interviewers' opinions on difficulties and suggestions on what could be improved were addressed. In the beginning of the interview some demographic questions were asked to characterize the sample, and the general objective of the study was explained aside from the assurance of data confidentiality. The final interview guide is in Annex 3.

The interviews were conducted mostly via Microsoft Teams between the months of April and May of 2022. Only three were conducted face-to-face. The interviews lasted from 30 minutes to 1 hour and were recorded, upon interviewee's consent, and then transcribed to facilitate the analysis. All interviews were conducted in Portuguese, and subject to content analysis in this language, except for the quotes appearing in this document which were translated from Portuguese by the researcher.

3.4. Participants

Table 3 presents the profile of the research participants. As shown, most informants (20) were women, which lead to the realization that men were more reluctant to participate in interviews regarding this subject. Furthermore, Human Resources is said to be a "*profession of women*", which might explain the number of women participating in contrast to men (Flanagan, 2019). The average age was 41,4 years old and all of them had at least a bachelor's

degree. Most participants had been working in the company for more than one year, which indicates they can adequately report the company's policies and practices pertaining WSH.

Concerning the nature of the represented organizations, 16 are private companies and 3 are public organizations, 12 are local organizations and 7 represent local subsidiaries of a MNC. Finally, the number of employees varies greatly, between small and large organizations (12 large organizations and 7 SMEs).

To ascertain companies and representatives' anonymity they are herein identified by the code presented in Table 3, respectively C1 to C19 for organizations, and I1 to I23 for interviewees. Although this sample is not meant to be representative it adequately portrays a diverse set of organizations located in Portugal.

3.5. Data Analysis

All interview transcripts were subject to content analysis, with the support of NVivo 12 software. Firstly, one started by transcribing the interviews, and while that was done, some annotations of first impressions and ideas to remember later on were noted, which is essential in this type of research (Sampieri et al., 2006). Afterwards one proceeded to the content analysis using NVivo software, which facilitated the analysis through the coding and categorization of information, which transformed interviews into more succinct information, enabling one to identify the main findings and make comparisons. The first step included ensuring that all transcripts were included in the analysis. Next, the categorization was done manually with the research aims in mind. According to Bardin (2016) categorization are thus classes that cluster information under a generic title. In the present study the criteria used for categorize was semantic, meaning it is organized according to thematic (Bardin, 2016). Categorization followed a hierarchical coding scheme, which contained thematic categories obtained from the interview guide. An initial set of hierarchical thematic categories were considered, and the material coded. However, new sub-categories were later added due to new and unexpected contents mentioned in the transcripts, for example when talking about policies, the MNCs mentioned that they need to oblige to their international laws as well, therefore in the "Policies" category two sub-categories were created: (i) "Local law" and (ii) "Multinational law". Moreover, the choice of categories was done considering the following aspects: (i) mutual exclusion; (ii) homogeneity; (iii) pertinence; (iv) objectivity and fidelity; and (v) productivity (Bardin, 2016). Lastly, the data was interpreted, and the final categorization structure is presented in Annex 4.

Company	Nº of employees	Sector	Headquarters' location	Interviewee	Sex	Age	Residency	Education Level	Occupation	Position	Professional Experience
C1	1-99	Private	National	I1	F	36-45	Northern Portugal	Masters	HR Team	Staff	[1-5] years
C1	1-99	Private	National	I2	F	26-35	Northern Portugal	Bachelor	Administrative	Staff	[0-1] years
C2	1000+	Public	National	I3	F	36-45	Central Portugal	Bachelor	HR Team	Director	[1-5] years
C3	1000+	Private	Multinational	I4	F	36-45	Lisbon metropolitan area	Postgraduate	HR Team	Manager	[15-20] years
C4	1-99	Private	National	I5	F	26-35	Northern Portugal	Masters	HR Team	Staff	[1-5] years
C5	100-249	Private	National	I6	M	36-45	Lisbon metropolitan area	Bachelor	HR Team	Director	[1-5] years
C6	500-999	Private	Multinational	I7	F	26-35	Northern Portugal	Masters	HR Team	Staff	[0-1] years
C7	1-99	Private	Multinational	I8	M	26-35	Northern Portugal	Masters	HR Team	Staff	[1-5] years
C8	100-249	Private	National	I9	F	26-35	Northern Portugal	Masters	HR Team	Director	[5-10] years
C9	500-999	Private	National	I10	M	56-65	Lisbon metropolitan area	Postgraduate	HR Team	Director	[10-15] years
C10	1000+	Private	Multinational	I11	F	46-55	Lisbon metropolitan area	Bachelor	Ethic's Team	Staff	[10-15] years
C11	500-999	Private	National	I12	F	46-55	Central Portugal	Bachelor	Medical Team	Manager	[1-5] years
C12	1000+	Public	National	I13	F	36-45	Madeira	Bachelor	HR Team	Director	[5-10] years
C13	250-499	Public	National	I14	F	56-65	Central Portugal	Bachelor	HR Team	Manager	[10-15] years
C13	250-499	Public	National	I15	F	46-55	Central Portugal	Masters	Other Staff	Manager	[15-20] years
C14	250-499	Private	Multinational	I16	F	26-35	Northern Portugal	Masters	HR Team	Manager	[1-5] years
C15	1000+	Private	Multinational	I17	F	46-55	Lisbon metropolitan area	Masters	HR Team	Director	[20-25] years
C16	250-499	Private	Multinational	I18	F	46-55	Northern Portugal	Bachelor	HR Team	Director	[1-5] years
C17	1-99	Private	National	I19	F	36-45	Northern Portugal	Bachelor	HR Team	Director	[10-15] years
C17	1-99	Private	National	I20	F	26-35	Northern Portugal	Masters	Other Staff	Staff	[0-1] years
C18	500-999	Private	National	I21	F	46-55	Angola	Bachelor	HR Team	Director	[1-5] years
C18	500-999	Private	National	I22	F	46-55	Northern Portugal	Bachelor	Legal Team	Staff	[20-25] years
C19	1-99	Private	National	I23	F	36-45	Northern Portugal	Bachelor	HR Team	Manager	[1-5] years

Table 3 - Participants' Characterization

Source: Author's own elaboration

4. Findings and discussion

This study addresses (i) which are the existing policies and practices used by diverse organizations located in Portugal to address WSH, and (ii) what are the major difficulties experienced when spreading awareness about WSH. This chapter presents and discusses the key findings related to each research question, following the key themes that emerged from the content analysis.

By drawing upon the WSH literature, specifically Becton et al. (2017) framework, which established five main requirements to address WSH, such as (i) awareness programs (to keep the communication regarding this topic going), (ii) zero-tolerance policy, (iii) report complaints, (iv) investigate the complaints (v), monitor the results and adjust if necessary.

In addition, other thematic categories emerged from the data. One obtained a total of 44 categories, more specifically 13 free nodes and 31 tree nodes. The tree nodes include two level one categories, five level two categories, five level three categories, ten level four categories, and nine level five categories. The associated definition of each category can also be found in Annex 4.

4.1. Defining ‘Sexual harassment’

When asked about how the organization defined “sexual harassment” most of the interviewees did not know how to answer, although six later shared their definitions, after looking it up on the company’s documents. The most frequent answers were:

“Yes, that is a really hard question to answer.” C1-I2

“If you give me two minutes, I will tell you.” C8-I9

“We can send it to you later, but it only states what the law requires.” C17-I19

Only two firm’s representatives knew by heart the meaning of the term for the company. Those were C10 and C15, which defined it as:

“Any physical, verbal or not, conduct that is not welcomed, and that has a sexual nature, including unwanted sexual advances, sexual contact requests, and any verbal, written or physical conducts of a sexual nature.” C10-I11

“Sexual harassment is any kind of behaviour, verbal or physical, of a sexual nature that intends or wishes to affect one’s dignity, in an intimidating, degradant, or offensive environment.” C15-I17

These findings suggest that companies, including their representatives, vary at the level of detail and importance attributed to WSH. During the interviews, respondents were

also questioned about the meaning of SH for them and, while some were a bit confused on how to answer, others were more certain of their perceptions on the matter, as one could understand:

“I am going to speak for myself, as I don’t want to give a politically correct answer. Harassment is not just physical like laying a hand, it can also be done by body expressions or words of a sexual nature. Sometimes it happens in the small and innocent gestures that might seem normal, but not for me. There are limits in every relationship.” C2-I3

“Deep down, I consider it to be exercising power against someone else, I don’t know, maybe making (the person) have unwanted sexual behaviours. Or maybe provoking situations through gestures and touches. (...) For me personally, it has to be with touches.” C18-I22

“Honestly, I don’t really know the definition of SH, but I think that there are many behaviours that are a question of perception for each and every one of us.” C4-I5

To sum up, most interviewees did not know what “sexual harassment” means and stands for. The company representatives have a general and wide idea but not a clear one.

4.2. Organizations’ policies and practices to address WSH

4.2.1. Which policies?

When conducting the interviews, several policies and practices were discussed with the interviewees. The first one regarded the code of conduct required by the Portuguese law “*Lei nº 73/2017 de 16 de Agosto do Diário da República*”, because none of the companies had less than seven employees. Of the 19 companies, 47% were available to share the code of conduct for the purpose of this study, while the other 53% stated it was confidential for non-employees, and therefore could not be shared. However, when asked about it, one could find that 10 companies only stated what the law dictates (C1, C3, C4, C5, C8, C11, C12, C17, C18, C19), but seven went further and provided more details regarding this topic (C2, C6, C7, C9, C10, C14, and C15):

“If you check, our code of conduct goes way beyond what the law requires. And it will be even more after it’s finished being reviewed because we listen to our employees and our community and take this subject very seriously. We want to have a code of conduct not just because it is required by law, but because it is something important for us.” C2-I3

C19 stated that their policies and information were confidential and could not disclosure any information regarding this subject. Consequently, from here on now, in our statistics C19 will not be considered. The other two companies were actually in the process

of building their policies, C16 because the company was bought by an international investment fund who requested it, and C13 because of the media, and the growing importance of the topic.

It follows from the literature on WSH that having a clear and widely understanding of the phenomenon, including examples of what constitutes, or not, SH is a key initial step (Zelin et al., 2021). As of the interviewees, all the companies provided the definition in their code of conduct, but only 8 of them provided examples of what is considered WSH. Although some interviewees understand the usefulness of a clear definition and examples, others do not agree. These opposing views were further explained:

“We do not present examples because we believe it is a very sensitive matter and that we cannot restrict the definition. So, we leave it more general.” C3-I4

“We provide examples of what is considered SH and what is not because, each person has their perception of sexual harassment, and it is important to educate them in regard to this matter since we have realized that many of them are not aware of what it is.” C8-I9

The literature (Hardy, 2016) also highlights the importance of clearly establishing a report process stated in the code of conduct, including the enumeration of the possible consequences. However, not every company did so, and some only mentioned that a disciplinary process would be open, without adding examples of actual consequences.

Finally, codes of conduct can pursue a preventative or a punitive role (Hardy, 2016) and both are appropriate in some situations. Adding to the code of conduct, eight companies had a specific policy regarding the harassment in the workplace (C2, C6, C7, C10, C13, C14, C15, C16), as one interviewee explained:

“The fact that a specific policy concerning sexual harassment exists, it is for itself discouraging the prevalence of cases, because employees realize that the company pays great care about the matter and that there will be consequences if proven. Consequently, it has two effects, preventative, and remediation.” C10-I11

However, only five of these companies had a formal policy prohibiting retaliation actions against the victims. These organizations were the ones who made more references to the category “Policies” during the interviews.

“A non-retaliation policy is essential because sometimes employees are afraid of reporting because the aggressor is an important person, but they shouldn’t.” C6-I7

The interviewees were also asked if the company has a zero-tolerance policy in place, but less than half (8) answered “Yes”. Among the remaining, 2 said they did not know, and 8 reported they did not have. The reason why some of them answered “No” is because they

represent a public organization and: *“No, in the public sector there isn’t that possibility. There are very specific and concrete reasons to fire an employee and, unfortunately, there is not much we can do.”* **C13-I15**

Others justified their answers by saying that they raise employees’ awareness first, before any kind of disciplinary action takes place:

“No, we are not going to suspend someone from their jobs because of less correct attitudes. First, we will educate them, and explain them the victim’s point of view, so that they realize that if they keep those behaviours, the firm will not allow it.” **C11-I12**

Another important aspect to consider is if organizations have any regulation against harassment between client-employee (Madera et al., 2018). From all organizations, only 7 representatives acknowledged that it could happen and considered it in the WSH policies. Others had not even realized that could happen: *“In our case we don’t have anything foreseen and your question is making me rethink it, because actually it can happen and now, I am aware of it.”* **C9-I10**

C8 pointed out that they had attended a session on WSH from one of their international clients, which was mandatory: *“I see this type of concerns coming more from the outside than from national companies. For instance, one of our international partners made every client of theirs attended a training session on this topic to explain that a zero-tolerance policy was in place, not only for employees but for clients as well, and to reinforce that all situations should be reported.”* **C8-I9**

4.2.2. What about employees’ knowledge of the company’s policies?

Just because the policies exist does it mean that the employees know them? Probably not, as was recalled by one of the interviewees: *“We have it written in the code of conduct but do employees read it? Probably not...”* **C3-I4**

However, policy disclosure is very important and needed to support victims and indicate fear in the perpetrator (Jenner et al., 2020). Drawing upon the WSH literature (Ngwane, 2013; Rubiano-Matulevich, 2020) this can be achieved through training, by talking openly about the topic, sending out emails and questionnaires, providing conflict management sessions, and so on. The same was brought to the attention of the interviewees who were asked about how the company policy was internally communicated. I8 and I11 were the ones that mentioned practices the most during the interviews (with 13 and 9 references, respectively). The following table summarizes the practices each company applies in their work environment, as experienced by the interviewees.

Practices:	C1	C2	C6	C7	C8	C9	C10	C12	C13	C14	C15	C16	C18
Sexual harassment sessions		x	x	x	x	x	x		x	x	x	x	x
Conflict management training	x							x					
E-learning			x	x			x			x			
Quizzes			x	x			x			x			
Ethics' surveys							x						
Posters/Brochures		x		x						x	x		
Emails				x			x			x			
Personal development and emotional training	x												

Table 4 - Summary of organization's practices

Source: Author's own elaboration

As shown, there are five companies that do not appear on the table above, meaning that neither of them takes action to prevent WSH, apart from having it stated in the code of conduct, as the law dictates. Furthermore, these interviewees noted that no SH cases have ever been reported since they work there, and that is one of the reasons why they do not act to prevent it from happening. However, other types of harassment had happened.

Representatives of smaller companies with small HR teams, such as C4, C5, and C17, believed that harassment is unlikely to occur and if SH took place, they would know:

“Despite the usual areas of HR, as recruitment, training, performance evaluation, and so on, our department which is composed by only two employees, is very connected with our employees’ needs. We have an annual individual meeting with each of them to understand what they think we should improve. Ever since I joined the company, fortunately, I’ve never heard of a SH offense in these meetings (...)” C4-I5

“Employees have more than enough openness to criticize any rule that they don’t agree with. Therefore, straightforwardness exists (...)” C17-I20

The companies C3 and C11 have around 1000 workers and so, this justification no longer applies. However, C3 representative even mentioned that ‘not talking about WSH’ is beneficial, both financially and educationally.

“(...) I wouldn’t change anything since there hasn’t been reported any case. Actually, it is such a sensible topic that we shouldn’t awake or trigger conversations about it or give ideas. By being clear in the code of conduct, I don’t see the need in investing on it.” C3-I4

On another hand, the spokesperson of company C11 realized that prevention against WSH had never crossed their minds, further justifying this absence by noting that the company employs people who take their jobs seriously:

“I think that the fact that we are everyday in the field with employees gives them a sense of being monitored and guarded. It is not our intention (...) but eventually helps in that way.” C11-I12

Furthermore, the company appeals to good practices and behaviours in the workplace, which is generally recognized as the company was recently granted a regional award: *“We even won an award concerning our good activities, such as a gym in our facilities, medical appointments, organization of cultural activities for our employees, and others (...)” C11-I12*

4.2.3. Training and related practices

Regarding the organizations that indeed have practices and measures to prevent harassment from happening, only two (C2 and C9) had heard about Becton et al. (2017) model. Although they did not followed its practices, they knew it because they enjoy reading. The other interviewees claimed to not know about it. Despite this generalized lack of knowledge about Becton et al. (2017) guidelines for employers, 11 companies (61%) had training sessions on WSH to educate their employees on the subject. Usually, training is not specific for SH, but addresses all types of harassment and bullying.

Training might also include an explanation of organization’s definition of “sexual harassment”, including: (i) examples of what is considered SH and what is not, (ii) ways of reporting an incident, (iii) explanation of the investigation process; and (iv) the possible consequences to the perpetrator. Although these sessions and information differ from company to company, several examples were provided. For example, C6 explained:

“First of all, they talk about the definition and what is included within sexual harassment. After clarifying the terms, they highlight that it is not just if it happens to me, but that we also need to watch out for other colleagues and report if we see any situation. They also show some interactive videos of examples of situations.” C6-I7

C7 further added that training sessions for the human resources’ team differed from the rest of the employees:

“The training for the HR team is broader than the one for other employees because we have to know how to handle complaints and how to deal with victims and aggressors, while the rest of employees don’t. Theirs includes the definition, what kind of attitudes are included in this definition, and how they can file a report.” C7-I8

E-learning is also used by some companies (C6, C7, C10, and C14) which is coupled with a final test to make sure the employees understood the information. This is mandatory,

and employees are unable to move forward without reading/listening to every information. If they do not pass the test, they will need to re-do it.

“We have e-learning sessions (...) that show several situations of sexual harassment, and then ask if, in their opinion, it was considered harassment or not, and they would explain why it is/isn’t. Afterwards they would be given several steps of what to do if they want to report any situation of this type.” C14-I16

Finally, other companies included videos and group discussions to interactively address WSH. In general, these sessions occur every year and every new hire has to be aware of this information, which suggest that the surveyed companies are actively trying to fight this problem through information awareness and training.

Additionally, there are other ways to prevent SH from happening. Several studies suggest that managers should incorporate conflict management training, including emotional management (Cloke, 2002; Masters & Albright, 2002). From the interviewees, these kind of training only existed in two companies: C12 mentioned doing many conflict management sessions and C1 invested a lot of money in emotional training and conflict training.

“All of us have at least one training on personal development per year and a team one. The goal is to understand how the other thinks, their personality, how they would react in certain situations, and learn how to put ourselves in the other person shoes. Basically, it helps to avoid conflicts in the future.” C1-I1

“We also have a session concerning how to identify and manage our emotions. (...) it benefits us in a sense we learn more about ourselves, and how we would react in certain situations. It also teaches us to avoid some conflicts and possibly harassments. In that sense the company invests a lot in these types of training.” C1-I2

Other practices in place include sending emails appealing to ‘good behaviours’, as practiced in companies C7 and C14. Moreover, four companies have posters or brochures spread around the facilities or in the intranet that appeal to the report of situations through several ways and reinforce the need of not being afraid of doing so:

“We have posters regarding harassment, sexual and moral, that are available in our intranet and that show examples of situations and also how we should report.” C7-I8

Lastly, organization C10 also runs anonymous surveys concerning ethics in the workplace; for example, by asking if employees are aware that a policy regarding harassment exists, if they feel comfortable reporting unethical conducts without fearing retaliation, if they reported unethical conducts when experienced or observed (and if the answer is No, why not) and so on. After analysing the answers, the findings are commonly shared.

Depending on the company, training and related practices can be mandatory or optional for employees. In short, only three organizations (C2, C12, and C13) have optional sessions: *“It is not mandatory; our organizational culture doesn’t react well to obligations.”* **C13-I15**

4.2.4. Mechanisms to report complaints

Having secure and different mechanisms to report complaints of WSH, adapted to the size of the company, is essential to prevent harassment (Adikaram & Kailasapathy, 2020; Rubiano-Matulevich, 2020). This theme was addressed during the interviews, and ten different reporting methods were discussed.

Table 5 summarizes the ten reporting options that companies offer their employees, so they feel more comfortable in doing so, at least in one way possible.

Report:	C 1	C 2	C 3	C 4	C 5	C 6	C 7	C 8	C 9	C 10	C 11	C 12	C 13	C 14	C 15	C 16	C 17	C 18
Immediate superior		x	x		x	x				x	x	x		x				x
Ethics Director										x								
HR team	x		x	x	x		x	x	x	x	x		x	x	x			x
Specific email		x				x				x			x	x	x			
Letter								x	x	x			x					
Medical team						x					x							
Questionnaires					x	x					x							
Specific platform					x		x			x				x		x		x
Specific person									x									x
Telephone						x				x								x

Table 5 - Summary of the main mechanisms to report complaints

Source: Author’s own elaboration

The most common way to report a WSH complaint, which is in place by 13 organizations (72%) is reporting to the human resources director or to any person in the HR team, followed by reporting to the immediate superior (50%). The least used mechanism, mentioned by one company representative, is reporting to the Ethics director, probably because not every company has such team.

The company with the most channels to report a complaint is C10 which offers seven different ways to do so. Organization C6 also offers a variety of ways to report, such as the immediate supervisor, a specific email address, or telephone number, to a psychologist (which the company provides), and through questionnaires done biweekly (to complain about any kind of situation and to evaluate each employee superiors). Another option that

two of the companies provide (C9 and C18) is a specific person/team responsible for these matters who is also an employee.

Providing several mechanisms to report complaints might also be important in organizations because victims might not feel comfortable to report to someone they know, or to someone of a specific gender. For example, women might not feel secure or at ease to report an incidence of WSH to a man, and vice-versa, so organizations should offer multiple possibilities. The representative of C5 also noted: *“For that exact reason, I think it is essential to have that other channel, in which the person handling the complaint is a woman.”* **C5-I6**

One disadvantage that the multinational companies might have, although only identified in one of the companies, is the language in which the reports can be made. C14 explained that the platform where complaints must be sent to is handled by a foreign team, so that investigation is not biased, and therefore the reports must be in English. This might come as a problem to non-English speakers, and the solution was: *“In the HR team everyone needed to speak English, it was a prerequisite to the job. The rest of the employees that didn’t speak English or didn’t feel comfortable writing a report in English, had to report to us first and we would then write it in English.”* **C14-I16**

An impediment to come forward with complaints most of the times is trauma or fear: fear of retaliation, of not being believed in, of being judged and others (Crockett, 2016; Sable et al., 2006). This is why organizations are advised to offer the possibility of reporting anonymously, so the victim does not feel ashamed (Torres et al., 2016). Of the 19 organizations surveyed, only 11 offer the possibility of reporting anonymously, while for the others the investigation will not proceed unless the person who filed the complaint is identified. However, all interviewees ascertained that confidentiality is always ensured. One way of doing so is to have the interviews away from the organizations’ facilities (Adikaram & Kailasapathy, 2020), or as the representative of C7 explained, filling the report to the committee responsible for these matters. This external committee starts the investigation, which includes sending questionnaires and making interviews to several random employees. This way employees will not be able to understand which was or were the employee(s) they really wanted to interview and question. Also, the spokesperson I8 stated: *“When we receive an email or phone call from this committee, it isn’t signed or identified, | so | we really don’t know who the person we are talking to is, only that is a part of the HR team.”* **C7-I8**

Naturally, formal reporting and total confidentiality are more difficult to provide in smaller or less formal organizations.

4.2.5. Investigation process

The next step following a complaint of WSH is to decide if the claimed behaviour really happened, its nature, and severity (Adikaram & Kailasapathy, 2020). It is important that the person chosen to investigate, outsider or insider, decides carefully and timely.

From the studied companies, the representatives of C1 and C6 could not explain how the investigation was made and its processes. Four other companies (C2, C7, C11, and C14) had an investigation committee: while in C2 and C11 this committee is composed by members of the company (who might know the employees being investigated), for organizations C7 and C14 committee members are located outside of Portugal and, therefore, local impartiality is assured. The most common way to proceed an investigation, used by seven the companies, is by contacting lawyers and letting them conduct the investigation, so that everything is within the legal processes, assuring, once again, an impartial approach. Other alternatives are the HR team, which might lead to biased opinions. This is used in companies C5, C8, and C9. In C12 and C13, which are two public companies, a jurist working in the organization is appointed to lead the investigation process. Similarly, at organization C10, it is the company legal team that is in charge of the investigation.

In sum, over half of the surveyed companies have a specific external person or team in charge of the investigation, who do not know the employees:

“The investigation itself cannot be conducted by us because we are too close to the people in question and |we| can be biased towards the investigation.” C14-I16

On the other hand, and for seven of the companies, the investigation is lead internally, which means that the identities of those involved might be known:

“I believe the people in the committee are or try to be unbiased in this type of cases, but I cannot assure that it happens.” C11-I12

In the public companies, there even exists the concern of not having any written documents in the office, so that no one can suspect or gossip around.

All in all, the smaller national companies do not have the possibility of creating a committee and so, they proceed with the investigation by resorting to a lawyer or doing the investigation themselves.

4.2.6. Monitoring and evaluation

The process is not over once the investigation is concluded and consequences are in place. Organizations need to be aware of any retaliation or trauma to assure employees' well-being (Becton et al., 2017; Torres et al., 2016).

From the 19 organizations, only nine have formally written in their code of conduct or policy that counselling is offered to the victims. Table 6 presents the most common types of counselling used.

Type of Counselling	C2	C6	C7	C9	C10	C11	C12	C15	C18
Phycological	x	x	x	x	x	x			x
Juridic		x							
Medical	x						x	x	
HR team	x	x	x	x	x				

Table 6 - Summary of types of counselling

Source: Author's own elaboration

Phycological counselling is the most common, used by seven companies. Some have internal phycologists in the company, while others have partnerships with external entities:

“Yes, we have a medical office, which has phycologists and psychiatric services, and employees will be forwarded right away to get support.” C2-I3

“We have an agreement with an external phycologist, and, in case of need, the employee can resort to this service.” C9-I10

Juridic support is only offered in one of the companies and can be used for SH cases or any other. Some organizations also have a medical team working for the organization and their services can be used by any employee, if needed. Lastly, the human resources' team is also in charge of the monitoring and making sure that the employee is being taken care of.

Finally, in seven out of the nine companies that do not provide support, the HR professionals interviewed added that if needed, they would provide the support themselves or get professional help from external entities.

A downside of almost every organization is that it was not possible to assess the effectiveness of their practices since they did not disclose that many cases of WSH and did not have an assessment of the data *before vs. after* training.

4.3. Difficulties when spreading the message

Drawing upon the literature, one knows that having policies and procedures to prevent WSH without spreading awareness of the topic is useless (Becton et al., 2017;

McCann, 2005). Awareness and clarification of common myths is essential to prevent WSH (Equal Opportunities Commission, 2016). The more people talk the less taboo there is. It has been proven that changing the stigma of “speaking up” from awkward to empowering is very effective in some cultures (Aji, 2021). Therefore, to answer the second research question, interviewees were questioned about the major difficulties they faced in spreading awareness for WSH. Some recognized the importance of raising awareness, by saying:

“Another aspect that I believe it’s essential is to talk about the theme openly. I always say (...) ‘If you are uncomfortable, speak!’ (...)” C2-I3

The most common obstacle identified by over half of the organizations was *fear of reporting*. Interviewees found that the hardest point to explain to employees is why they should not be afraid of coming forward and report their aggressor. For instance, company C14 pointed out that most times when a complaint is filed, it ends up being falling by the wayside. In another company (C2), they did not want to disclosure statistics on this, but stated that dropping out a complaint is very common:

“I’m monitoring one case closely and helping her to not give up (...)” C2-I3

“I think that they (employees) rarely take the report until the end.” C14-I16

Another challenge pointed out by the respondents was to be able to understand and define ‘sexual harassment’ and explain its limits to employees, which is why training and giving practical examples is important. Four organizations also identified that the age and level of education of the employees could also be a complication, although this topic raised some mixed feelings. While some felt that younger generations were more comfortable being around one another, which could lead to improper behaviours, others pointed out that these newer generations, like Millennials and Gen Z, did not tolerate these kind of behaviours and were not afraid of speaking up, due to the social media influence as #MeToo movement.

“Another thing I have felt here in the company is that newer generations, as the millennials and generation Z, have started to have a speech and practices more concerned about this issue. (...) (young people) don’t accept these behaviours and they respond and complaint about it. Who has more concerns are the older ones, as baby bloomers and generation X.” C9-I10

The seriousness and interest employees show about WSH is also a challenge to organizations. When training is not mandatory it is hard for the HRPs to convince everyone to come as employees think they do not need such training. Most times, people simple do not care about activities that add more chores to their workload, they just want to finish their

job to go home, and these types of activities are consuming their free time. Or when emails are sent if they see it is not something of their interest, they will just ignore them:

“Maybe making them read the emails and convincing them to attend to training sessions, because as I said, they are not mandatory.” C13-I14

“The major difficulty is the interest shown by employees, usually they just want to get in and out on time, or they have other appointments to attend to.” C11-I12

Also, WSH is still a taboo within companies and therefore, talking about it can cause some awkwardness between employees and some may restrain themselves because they do not know what is acceptable to say and what is not, as noted by C6:

“I believe the major difficulties are related with the fact that this matter is still a cause of embarrassment when exposed. In some cases, I believe that employees haven’t had sufficient training to enlighten (...)” C6-I7

Another problem is the hierarchization of some companies. Being in top positions sometimes gets in ‘people’s heads’ so managers might think they do not need to worry about consequences because they will not be fired. Besides, it can be hard to communicate with them about these topics, but it is necessary:

“The major difficulty for us is communication with the leadership about organizational behaviours of this kind.” C9-I10

Additionally, companies really need to proceed to investigate when a complaint is reported and actually apply sanctions to aggressors, if proved, even if those are in high level positions. For instance, C14 identified a situation where a report was filled but nothing was done after because the person was in a top position and “*got things done*”. By doing so, it spreads the message that top managers can do whatever they wish because no consequences will be imposed:

“Sometimes it depends on the employee in question and the impact it is going to have on the business. Companies are afraid to make decisions.” C14-I16

The size of the organization might also be an issue. By having many employees, it can be hard to reach each and every one of them. Also, companies with a high turnover of personnel also face this problem, so they need to have several practices in place to be able to get to everyone, as company C10 is doing.

Finally, a challenge often identified by the human resources team is the lack of time: planning these types of activities is time consuming and just adds more work to what they already have, and some professionals are just not interested:

“These activities end up being extra work for us because the other tasks still need to be done, it is just because of mine and my teams goodwill that we are able to do it.” C13-I15

All in all, there are still many problems that organizations need to address prevent and WSH, but they need to try and make it one of their priorities and make employees realize the importance of training.

4.4. Differences in organizations’ policies and practices

After analysing and comparing the data, one expanded the analysis to search for some key differences between companies, pertaining to their origin (national vs. local subsidiaries of MNCs), sector (public vs. private) and organizational size (large vs. SMEs). These differences are presented below.

4.4.1. National vs. Multinational organizations

Among the seven multinational subsidiaries represented in this study (i.e., C3, C6, C7, C10, C14, C15, and C16), one firm (C16) is still in the process of developing a policy against harassment because it was recently bought by a multinational investment fund, which requires a commitment that did not exist before.

In exploring national versus multinational organizations’ policy and practices, one compared several themes, through the “query” option of NVivo 12, such as: (1) having a specific policy against sexual harassment, in addition to the code of conduct; (2) having or not a non-retaliation policy against WSH; (3) having several practices to prevent the harassment from happening in the workplace; (4) having a zero-tolerance policy; (5) having different mechanisms to report complaints of WSH; (6) having anonymous or identified complaints; (7) who makes the investigation; (8) if the organization provides counselling after a case of WSH occurred or not; and (9) the most frequent difficulties when addressing WSH.

Table 7 presents the main differences.

Theme	MNC	Local Company
Specific policy on WSH	Majority had one (6 - 86%).	Majority did not have one (2 - 18%).
Non-retaliation policy	Three organizations had one (3 - 43%).	Two organizations had one (2 - 18%).
Preventive practices	The main practices are: (i) training sessions on SH (6 - 86%); (ii) e-learning and quizzes (4 - 57%); and (iii) posters and emails (3 - 43%). Only one of the organizations does not have any kind of practices to prevent WSH.	The main practices are: (i) training sessions on SH (5 - 45%); and (ii) conflict management training (2 - 18%). Four of the organizations do not have any kind of practices to prevent WSH.
Zero-tolerance policy	Majority had one (6 - 86%).	Majority did not have one (2 - 18%).

Theme	MNC	Local Company
Report mechanisms	The main mechanisms to report are: (i) to the HR team (5 - 71%); (ii) to the hierarchical superior (4 - 57%); (iii) through a specific email or a specific platform (4 - 57%).	The main mechanisms to report are: (i) the HR team (8 - 73%); (ii) to the hierarchical superior (5 - 45%); and (iii) through letters (3 - 27%).
Type of complaints	Majority offered the possibility to report anonymously (6 - 86%).	Majority did not offered the possibility to report anonymously (5 - 45%).
Investigation	Majority had an outsider investigating the claim (6 - 86%).	Majority had an insider investigating the claim (6 - 55%).
Counselling	Majority offers counselling to employees (4 - 57%) through several ways: (i) phycological; (ii) juridical; (iii) medical; and (iv) HR team.	Majority does not offer counselling to employees (5 - 45%), but when it does it is: (i) phycological, and (ii) medical.
Difficulties	The main difficulties identified were: (i) the fear of reporting; and (ii) the hierarchization of management.	The main difficulties identified were: (i) the fear of reporting; and (ii) the employees' interest.

Table 7 - Multinational companies vs. Local companies

Source: Author's own elaboration

When considering all nine factors, one can see that there are major differences between MNCs and Local companies, both in policies and in practices. The first finding is that the Portuguese law applies to all multinational companies operating in Portugal, but the firm's harassment policies and practices are defined by the headquarters company. The Portuguese team only needs to adjust the existing regulations to abide by the Portuguese laws: *"We can always add information, but usually the international norms are very well defined, and we just need to adjust them to the Portuguese legislation."* **C7-I8**

As of practices, while MNCs focus more on learning skills and knowledge about the topic through e-learnings and posters, local companies invest more in general conflict management training, which ultimately will indirectly help to prevent WSH. Another difference is in the way complaints are reported and how the investigation is done, which is the opposite of one another. Besides, the support offered by MNCs is greater than local companies, which offer less possibilities of doing so. The fear of reporting is present in both types of organizations, however the hierarchization of management is more present and tapered in MNCs, while in local companies the second most mentioned difficulty was the employees' interest and availability to learn more about this problem.

To conclude, local subsidiaries of the MNCs have a higher level of formalization which includes WSH policies and practices. Several interviewees actually underscored this conclusion, as follows:

“Before any Portuguese legislation came out, I was already aware with this topic, by working on a multinational company at the time. (...) we are a little behind the practices and culture of other countries, by me previous experiences.” C9-I10

One of the reasons identified as to why some of the national companies do not have many policies and practices to address WSH is related with the fact that neither had cases of this nature or the number of cases was very low: *“As of the moment that it (a report) happened, we started making sessions on the topic.” C9-I10.* However, this justification is seen as an excuse for not having them, which eventually leads to fear of reporting and lack of protection to the victims by the organization. Local employees may be more afraid of coming forward because they do not feel safe to do so, since the company does not explain the importance of the matter nor manifest any strong commitment in protecting the employees (Rodriguez et al., 2014). Or maybe, employees do not know what characterizes SH because the issue is still a taboo and the local organizations do not disclosure and publicize the phenomenon. Talking about the subject is very important to spread awareness and knowledge (Equal Opportunities Commission, 2016; Zelin et al., 2021).

4.4.2. Public vs. Private sector organizations

In terms of the predominance of sexual harassment, Yasmin and Jabeen (2017) found that there can be a large difference between the public and private sector. Public companies follow strict government regulations while private companies go by required laws for shareholders (Allbusiness.com, n.d.). Therefore, when choosing the organizations to sample, one tried to target representatives from both the private and the public sector, however the number of public organizations participating was relatively low and limited to three public organizations and four spokespersons (C2, C12, and C13). Because conclusions could come across biased, if one considers the MNCs, which have already been reported to pay more attention to WSH, the companies considered from the private sector were C1, C4, C5, C8, C9, C11, C17, and C18. Using the factors considered in section 4.4.1 the findings document several differences between the public and the private sector, as summarized in Table 8.

Theme	Public sector	Private sector
Specific policy on WSH	Majority had one (2 - 67%). Available online for the general public.	None had one. Not available to the general public.
Non-retaliation policy	Only one organization had one.	Only one organization had one.

Theme	Public sector	Private sector
Preventive practices	The main practices are: (i) training sessions on SH; (ii) conflict management training; and (iii) posters. All organizations have practices; however, they are optional.	The main practices are: (i) training sessions on SH; (ii) conflict management training; and (iii) personal development and emotional training. These are mandatory for every employee. However, four of the organizations do not have any kind of practices to prevent WSH.
Zero-tolerance policy	Only one organization had one.	Only one organization had one.
Report mechanisms	Mentioned four ways to report complaints: (i) to the hierarchical superior; (ii) through a specific email; (iii) to the HR team; and (iv) by letter.	Mentioned several ways to report complaints: (i) to the HR team; (ii) to the hierarchical superior; (iii) by letter; (iv) to a medical team; (v) through forms; (vi) through a specific platform or person; and (vii) through a telephone line.
Type of complaints	Majority offered the possibility to report anonymously (2 - 67%).	Majority did not offered the possibility to report anonymously (3 - 38%).
Investigation	Majority had an insider investigating the claim (2 - 67%). Nevertheless, organizations are cautious not to have any written documents in the office. Consequences are not defined by the organization.	Half had an insider investigating the claim, while the other half had an outsider investigating it. Consequences can be defined by the organization.
Counselling	Majority offers counselling to employees (2 - 67%) through two ways: (i) phycological and (ii) medical.	Majority does not offer counselling to employees (3 - 38%), but when it does it is phycological.
Difficulties	The main difficulties identified were: (i) the fear of reporting; and (ii) to capture the employees' interest on the topic.	The main difficulties identified were: (i) the fear of reporting; and (ii) the employee's age.

Table 8 - Public vs. Private sector organizations

Source: Author's own elaboration

One of the major differences between the sectors are the possible consequences and sanctions for cases of WSH, which is consistent with literature (e.g., Correia, 2021; Lavan, 1993). This constraint was mentioned by the interviewees working in the public sector:

“In the public sector there aren’t many possibilities. To be possible to fire someone, very specific and concrete reasons are needed. Unfortunately, these consequences are already defined and there is nothing we can do about it.” C13-I15

Another difference pertains to the code of conduct and other policies, which were online for the public organizations, while in the private sector only five organizations were open to share it, with the condition of not disclosing it. One also noticed that the only organizations which did not have mandatory practices were from the public sector. It seems public organizations cannot obligate employees to attend a training session, neither regarding WSH nor any other matter, which requires more attractive ways to engage the employees:

“We focus on spreading awareness and disclosing in an attractive way, so that we can attract employees.” C13-I14

“Training sessions are never mandatory. But I pressured them to come, I send several emails almost begging them to come. But it is very hard to get everyone’s presence, they think it isn’t necessary and that they don’t need it.” C12-I13

Furthermore, in the private sector organizations invest in more and different ways to report complaints, while in the public sector those were reduced. Finally, one noticed more openness to talk about WSH issues from the public representatives than the ones from the private companies: the former freely spoke about cases that had existed during the years, while among the latter, only two interviewees alluded to existing situations.

4.4.3. Large vs. Small and Medium organizations

Previous research is not consistent on potential differences between large and smaller companies pertaining the policy and practices addressing WSH. For instance, Lewis et al. (2017) concluded that the incidence of harassment and bullying is not related to the firm size, while Fevre et al. (2012) showed that these behaviours were more likely to occur in larger organizations. Furthermore, Forth et al. (2006) argued that, because resources are not abundant in SMEs, workplace conflicts without mediation and resolution can increase in these firms. Finally, SMEs differ from larger ones in several aspects, such as economic resources, which are not abundant, preference for shorter-term strategies than long-term ones, and more proximity between supervisors or chiefs and employees (Baillien et al., 2011). These characteristics can increase bullying and harassment.

To address these potential differences, one considered that the size of the organization can be measured by the number of employees, since this is a usual measure of firms’ size in the literature (Kalleberg & Van Buren, 1996). Therefore, one separated the sample organizations into two categories, based on the number of employees. Organizations with more than 250 employees were considered large organizations, while organizations with less than 249 employees were coded SMEs¹. Consequently, 12 organizations (C2, C3, C6, C9, C10, C11, C12, C13, C14, C15, C16, and C18) were coded large companies, and the remaining six (C1, C4, C5, C7, C8, and C17) were coded SME. Once again, in contrasting the findings for the large and SMEs, one only considered the local companies, so a final set of six large companies (C2, C9, C11, C12, C13, and C18), and five SMEs (C1, C4, C5, C8, and C17) were compared.

¹ The criteria to determine a firm’s dimension are those defined by the EU recommendation 2003/361

Using the factors mentioned in section 4.4.1, Table 9 presents the main differences.

Theme	Large	SMEs
Specific policy on WSH	Two organizations had one (2- 33%).	Neither had one.
Non-retaliation policy	Two organizations had one (2- 33%).	Neither had one.
Preventive practices	The majority had practices (5 - 83%). The main ones being: (i) training sessions on SH (4 - 67%); (ii) conflict management training (1 - 17%); and (iii) posters (1 - 17%).	The majority did not have practices (2 - 40%). However, the main ones are: (i) training sessions on SH (1 - 20%); (ii) conflict management training (1 - 17%); and (iii) personal development and emotional training (1 - 17%).
Zero-tolerance policy	Two organizations had one (2- 33%).	Neither had one.
Report mechanisms	Majority had more than one way to report complaints (5 - 83%). The main mechanisms to do so are: (i) to the HR team (3 - 50%); (ii) to the hierarchical superior (3 - 50%); (iii) through a specific email or a specific platform (2 - 33%).	Majority had more than one way to report complaints (3 - 60%). The main mechanisms to do so are: (i) to the HR team (5 - 100%); (ii) to the hierarchical superior (2 - 40%).
Type of complaints	Half offered the possibility to report anonymously, and the other half did not.	Majority did not offered the possibility to report anonymously (2 - 40%).
Investigation	Majority had an insider investigating the claim (4 - 67%).	Majority had an outsider investigating the claim (3 - 60%).
Counselling	Majority offers counselling to employees (5 - 83%) through several ways: (i) phycological; and (ii) medical.	Neither organization offers counselling to employees.
Difficulties	The main difficulties identified were: (i) the fear of reporting; and (ii) to capture the employees' interest on the topic.	Only one organization mentioned difficulties. Those were: (i) the fear of reporting; (ii) the employee's age; and (iii) carefully defining WSH boundaries.

Table 9 - Large organizations vs. SMEs

Source: Author's own elaboration

One of the major differences is noted in the organizations' policies, for instance neither SMEs has a specific policy on WSH or a non-retaliation policy or a zero-tolerance policy. Moreover, counselling is not offered to a victim of WSH, while in larger firms this support is offered in most organizations. In reporting complaints differences were also eminent, as in SMEs the victim had to come forward, whereas in larger firms they did not.

Taking all nine factors into account, one can conclude that larger firms are more prepared to address WSH, which does not mean a lower incidence, since having more employees also equates a higher probability of a case happening. Another justification pertains to the fact that smaller companies have less resources, either financial or time, offset by a higher vigilance over a smaller number of employees:

"You know, we function differently from larger companies (...) By being such a small company, it wouldn't be hard to identify the problem and "cortar o mal pela raiz"." **C1-I1**

5. Conclusions

This dissertation aims to answer two research questions:

- (i) Which are the existing policies and practices used by diverse organizations located in Portugal to address workplace sexual harassment?
- (ii) What are the major difficulties experienced when spreading awareness about workplace sexual harassment?

Earlier research shows that there are a number of actions and practices that can be implemented in organizations to prevent WSH, and this study reveals that each organization chose different ways to do so, being the most used ones giving specific training on SH to all employees (used by 11 organizations) and having several mechanisms to report complaints (as the majority had more than one to do so). Concerning policies, only eight of the studied organizations had a specific one pertaining WSH, the rest only mentioned the subject in the mandatory code of conduct. A non-retaliation policy was also in place, although only in a few (five) organizations; and a zero-tolerance policy in nearly half (eight) organizations. These numbers reveal that for several organizations, the employees' well-being is not a priority, and therefore do not appeal to victims to come forward by not talking about the topic and neglecting that this problem can happen in their organization, for instance five organizations did not have any kind of practices.

As expected, there were several differences between the different types of organizations, such as MNCs and local companies, for instance, MNCs are more prone to have policies and practices to address this problem than local ones. There is still a long way to go within local organizations. From the comparison between public and private sector organizations, the major difference is who defines the consequences for perpetrators and the obligation of attending to training sessions. Lastly, findings suggest that larger firms are also more prepared and have more resources to address WSH than SMEs and that younger interviewees were more at ease at talking about the problems of WSH than older ones.

In answering the second research question, the findings suggest that the major difficulties mentioned in the interviews were, without a doubt, disseminate the fear of reporting (present in all types of organizations) and spreading awareness about the topic to raise interest in employees. In order to prevent a problem of this sensitivity, both the HR team and the employees need to be all in. Management needs to be self-convinced to convince employees of the importance of WSH and find ways to keep them aware.

5.1. Theoretical contributions

There are several theoretical contributions of this study. Firstly, it is one of the few studies providing empirical evidence for the policies and practices employed by organizations located in Portugal in addressing WSH. Similarly to the companies from other contexts, one found that having HR practices on its own is not the only thing that matters, these practices need to be effectively implemented (McCormack et al., 2021). Any organization that focuses just on policy development will fail in combating this damaging phenomenon. Data showed that this is just the first step towards an effective policy.

Secondly, this study contributes to a better understanding of the role of HRPs in helping employees and in preventing situations of WSH. Existing research on the topic of WSH has primarily focused on the victims' perspectives on the subject, while this study emphasizes the organizations' approaches to it. Recognising the importance of HR is essential, as it enhances trust in organizations and eliminates some of employees' fears.

A third contribution relies on the differences identified between types of organizations, as MNCs/Local organizations, public/private sector organizations, and SMEs/large organizations. There are few studies comparing the prevalence of WSH in Portugal in different types of organizations and other attributes as Torres et al. (2016). However, not much is known about the practices to address WSH. To be able to prevent SH, organizations will need to invest both time and money to address the topic through several of the identified practices and policies. This study proves that there are a number of actions to be taken by organizations to walk towards a better prevention of WSH, by offering a "roadmap" of what organizations can and should do.

Lastly, this study helped to summarize the major difficulties and challenges organizations are faced with when dealing with WSH. If our society wants to evolve and be better at preventing these behaviours, they need to start with the demystification of some aspects concerning SH and end with the fear of reporting by giving victims the confidence to do so, by applying severe consequences to aggressors, for instance.

5.2. Limitations and suggestions for future research

This study also has some limitations that open the path for further investigations. Firstly, this study included different sectors and industries, and future investigations could benefit from focusing on a specific one to achieve more concrete solutions, since this study found differences in different types of organizations.

A second limitation is methodological. This investigation is based on a limited number of interviews with representatives of 19 organizations. Although it is informative about practices and policies used in organizations located in Portugal, the results are barely generalizable to other environments. Additionally, this study used a qualitative methodology and naturally, it has its own characteristics and limitations, hence using different methodologies or different methods of data collection in future research is suggested.

A third limitation concerns the respondents. Predominantly, only the HR' perspective was taken into consideration and solely one person per organization (except in four organizations) was interviewed. Their views are very significant, however by including more organizations and interviewing more members of those (from employees to top management), data would be more detailed, informative, and enable the researcher to compare top management's points of view with other employees and with the HR team. It would also be interesting to study companies with more cases of SH, to understand if these have any measures to prevent it from keeping happening and their efficacy. Moreover, the respondents in this study were mostly from the same gender (female), non-feminine professionals showed a lower response rate, and so comparisons between the various genders and inputs from both were not possible.

Fourthly, the willingness to collaborate in the study was also a limitation since from the hundreds of people contacted only 23 accepted to contribute. This is linked to the sensitivity of the theme and the discomfort of talking about it.

A fifth limitation regards the SH between client/supplier-employee or employee-client/supplier. This type also exists, and it was not approached in detail in this study.

Finally, this study was carried out in a particular country – Portugal. As such, the findings should be interpreted considering the Portuguese culture and history which differ from other countries. If the study was replicated in other countries, conclusions may be distinguished. Further research can be undertaken to see if these findings are applicable in other countries and circumstances.

5.3. Managerial contributions

The findings from this study also have managerial implications to several stakeholders, specifically employers, managers, HR professionals, and employees.

To employers, the findings reflect differences pertaining organizations' ownership and size. In particular, the findings underscore the differences in resources that may preclude

the way SME address WSH. By learning from the larger and MNCs, one can recommend to local employers a plan of action to address WSH that starts by providing adequate training to employees regarding this topic, which will raise awareness and improve its prevention. Having several mechanisms to report claims was also proven to be a good method and choosing the right person to make the investigation is also an important decision which might influence the outcome of the investigation. Organizations should always try to select someone unbiased to both parts and keep monitoring them after the investigation has ended. It also adds knowledge and value both to professionals that are starting their careers and to those who need to update their WSH practices and policies. With this study they can learn new strategies and the most used tactics on SH prevention, to achieve good/better results.

To managers and top managers, the findings suggest that although HRP are an important part in preventing WSH, they are not the only ones. Managers in top positions also need to set the example by attending to training sessions and be on the lookout for possible situations of harassment. Furthermore, they should assess how employees feel about the role and effectiveness of current HR practices, to identify areas for improvement.

To HRPs, findings show that most of the work to prevent SH from occurring comes from the HR or an equivalent team within the company. Regardless of the size, nature, and sector of the organization, they should actively try to fight this problem. One conclusion perceived when analysing the interviews is that most professionals assume that the number of complaints is accurate, and purely believe that WSH does not exist because there are no cases reported. Nevertheless, this might not be real, victims are still afraid of coming forward because of retaliation and future damages in their careers, even when policies and practices exist, this fear remains (Gilhooley, 2020). HRPs can withdraw ideas from this study to implement in their workplace and be more prepared to deal with cases. It is crucial that they stay updated to this type of investigations and to how they can add value to their practices.

Finally, to employees, the findings underscore the right of being informed about their workplace rights, including not being harassed. Training, appealing to report and making sure the existing policies are being correctly applied, for instance by ensuring consequences are in place, are cornerstone steps to decrease WSH and increase employee's wellbeing.

Overall, there is still a long way to go when it comes to preventing WSH, especially for national organizations. It cannot be just talking and no action, there needs to be consequences and follow ups. It is not going to be achievable from day to night, but step by step we can be walking towards a better work environment.

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Annexes

Annex 1 – Methodological considerations of similar studies

Study	Purpose of the study	Instruments of Data Collection	Country of the study	Sample Size	Response Rate
Reese and Lindenberg (1996)	Understand the employees' feelings about the SH policies in their workplace	Surveys to employees	USA	2 public-sector organizations	-
Reese and Lindenberg (2004)	This paper explores satisfaction with sexual harassment policies in public sector workplaces	Questionnaires	USA	273 employees from cities of Michigan state	30%
Hertzog et al. (2008)	Acquire organizational-level data on workplace measures in place	Interviews with employers and personnel managers	USA	303 organizations with a formal sexual harassment policy	-
Teixeira et al. (2013)	Understand how Paraná companies are fighting the problem of moral and sexual assault and analyse the existence (or not) of preventing policies.	Semi-structured interviews to human resource managers	Paraná	5 companies that were rewarded for their human resource's policies concerning the quality of life of employees	-
Ali and Kramar (2014)	Develop a more comprehensive framework to explore SH experienced by women in the workplace in Pakistan.	Interviews with working women and human resource managers in six Pakistani organizations	Pakistan	6 HR managers	-
Jenner et al. (2020)	Explore preventive options for sexual harassment in an academic medical context from the employees' perspective and to develop transferable strategies	Semi-structured interviews	Germany	15 female physicians and 15 female nurses working at a tertiary referral center	-
Adikaram and Kailasapathy (2020)	Understanding the actual practices of handling sexual harassment complaints and best practices in organizations.	In-depth interviews	Sri Lanka	35 HR professionals	-
Tan et al. (2020)	Investigate the importance of organizational climate for psychosocial safety of workplace sexual harassment prevention.	Semi-structured interviews	Malaysia	20 Malaysian employees from various organizations	-
McCormack et al. (2021)	Examine the perspectives of HRP's and Employee Representatives (ERs) on the role of HRP's in managing workplace bullying.	Individual interviews	Australia	12 HRP's 5 ERs	-

Annex 2 – Pedido de Colaboração

Bom dia Ex.mo Dr/Dr^a.,

Em primeiro lugar gostaria de me apresentar. Sou a Mariana Correia, estudante do Mestrado em Gestão da Faculdade de Economia do Porto e encontro-me neste momento a fazer uma dissertação (de conclusão do mestrado) sobre as políticas e práticas de prevenção do assédio nas diferentes organizações.

Nesta fase do meu trabalho estou a procurar profissionais de recursos humanos e/ou os responsáveis do departamento de ética (ou equivalente) para poder fazer uma entrevista sobre este tema. Compreendendo a natureza delicada do assunto, as entrevistas são naturalmente anónimas e confidenciais e nem os participantes nem as empresas serão identificados em momento algum do processo.

Assim, venho saber se posso contar com a sua colaboração? Ou recomendação de alguém que me possa ajudar?

Qualquer questão não hesite em contactar.

Muito obrigada desde já.

Com os melhores cumprimentos,

Mariana Correia

Annex 3 - Guião das Entrevistas

Questão de Investigação Principal	Questões de Investigação específicas	Tópicos/Temas/Categorias	Questões a dirigir aos participantes	
Sexual Harassment Definition? (Setting the stage for the conversation)		Na empresa/em geral	Como a sua empresa define o que é o SH?	
		Para o próprio	Tem equipas específicas para combater o SH? Quantos responsáveis tem e qual o seu papel? Na sua opinião, o que é SH? Recorda exemplos?	
RQ1: What policies and practices are used to address sexual harassment?	Quais as Políticas?	Para colaboradores	Que políticas têm?	
			Quando foram implementadas?	
			Como é feita a sua divulgação?	
			Têm alterado muito de ano para ano?	
			(Se for internacional) Uma vez que são empresas internacionais, estes tipos de políticas são definidos a nível local ou internacional?	
		Para outras partes, p.e. clients ou fornecedores (Se aplicável)	Que políticas têm?	
			Qual é o processo subsequente?	
		Quais as práticas?	Que ações fazem para pôr as políticas em prática?	
			São obrigatórias ou opcionais?	
			Exemplos de iniciativas concretas	
	Conhece o referencial de (Becton et al., 2017), ou seja, o que têm previsto/feito para cada uma das seguintes etapas:	Formação em SH	Qual? Como? Com quem? Para quem?	
			É obrigatório?	
		Política de Zero Tolerância	Existe escrito? Posso ter acesso ao(s) documento(s)?	
			Que outras consequências podem existir?	
		Mecanismos para reportar queixas	Verbal? Escrito? Eletronicamente?	
			Podem ser anónimas?	
			Têm em conta a confidencialidade das partes?	
		Acompanhamento e Avaliação	No fim de um processo, existe algum acompanhamento posterior?	

Questão de Investigação Principal	Questões de Investigação específicas	Tópicos/Temas/Categorias	Questões a dirigir aos participantes
RQ2: Which are the main difficulties when spreading the information regarding the SH policies/ information?	Eficácia das políticas/práticas?		Já existiram muitas denúncias? É possível dizer um número?
			Notaram-se mudanças positivas/negativas? É possível fornecer suporte?
	Dificuldades sentidas?		Estatisticamente, com que grupo acontecem mais denúncias? Por exemplo mulheres, homens, jovens, adultos, estagiários, etc.
	Pontos de melhoria		Quais sentes que são as maiores dificuldades para pôr em prática as vossas políticas?
			Acha que as políticas em vigor são suficientes ou existe ainda espaço para melhorar?
			O que acha que poderia ser melhorado?
Caraterização demográfica dos participantes	Para caraterizar a amostra e apenas para fins estatísticos importa-se de responder a algumas questões pessoais?		Idade
			Naturalidade
			Nível de escolaridade
			Cargo que exerce na empresa/organização
			Há quanto tempo o exerce
			Nº de colaboradores

Annex 4 – Categories structure and Number of references associated

Free nodes	Interviewee's interventions	This category includes all the interviewee's verbalizations referring to free nodes in the interview context.	
		Interviewee's characterization	This category includes all the interviewee's verbalizations referring to the interviewee's characterization.
			Biographical data References to the biographical data that characterize the interviewee, such as age, gender, and residency.
			Professional context References to the professional context of the interviewee, such as their education journey and level, their function in the organization and how long they have been practicing it.
		Definition of SH	This category includes all the interviewee's verbalizations referring to the definition of SH for both the company and the interviewee itself.
			For the company This category includes all the interviewee's verbalizations referring to the definition of SH for the company, according to their code of conduct.
			For Self This category includes all the interviewee's verbalizations referring to the definition of SH for the interviewee itself, according to his/her beliefs.
		Cases of SH	This category includes all the interviewee's verbalizations referring to specific cases of SH that happened within the organization context.
		Other verbalizations	This category includes all the interviewee's verbalizations referring to other aspects that are not considered in the free nodes or that are not relevant for the matter of this study.
			MNCs This category includes all the interviewee's verbalizations referring to specific information on SH regarding multinational organizations.
			Company's size This category includes all the interviewee's verbalizations referring to specific information on SH regarding the size of the organization.
			Public vs. Private sector This category includes all the interviewee's verbalizations referring to specific information on SH regarding the sector of the organization.
			Other This category includes all the interviewee's verbalizations referring to other aspects.
	Interviewer's interventions	This category includes all the interviewer's verbalizations in the context of the interview.	

Tree nodes	RQ1 - Policies & Practices	This category includes all the interviewee's verbalizations referring to the first research question concerning the policies and practices used by diverse organizations located in Portugal to address WSH.				
		For Employees	This category includes all the interviewee's verbalizations referring to the policies and practices organizations have towards their employees, as well as how they spread awareness about them.			
			Policies	This category includes all the interviewee's verbalizations referring to the policies organizations have towards their employees.		
				Local Law	References about the Portuguese law in organizations' policies.	
				Multinational Law	References about multinational laws in organizations' policies.	
				Code of conduct	References about organizations' code of conduct and what information is detailed in it, from the definition to consequences.	
				Zero Tolerance Policy	References about zero tolerance policies and what information is detailed in it.	
				Other policies	References about other policies that organizations have and what information is detailed in them, for instance specific policies on SH or non-retaliation policies.	
			Becton's Model	This category includes all the interviewee's verbalizations referring to the Becton's model, that is what is done for each step: practices, report mechanisms, investigation, and monitor & evaluation, and consequences.		
				Practices	This category includes all the interviewee's verbalizations referring to the practice's organizations have towards their employees. It includes how regular it is performed and if it mandatory.	
					Training sessions on SH	References about training sessions to prevent WSH for employees and what is detailed in these sessions.
					Conflict management training	References about conflict management training sessions for employees and what is detailed in these sessions.
					E-learnings	References about e-learnings regarding WSH for employees and what is detailed in them.
					Quizzes	References about quizzes regarding WSH for employees and what is questioned in them.
			Surveys	References about surveys done to employees concerning WSH and what is detailed in them.		

				Posters & Brochures	References about poster or brochures regarding the topic WSH.
				Emails	References about emails sent to employees regarding WSH.
				Personal & Emotional training	References about personal and emotional training sessions for employees and what is detailed in these sessions.
				Other	References about other types of practices to prevent WSH.
			Report	This category includes all the interviewee's verbalizations referring to the several report mechanisms existent in organizations for cases of WSH.	
			Investigation	This category includes all the interviewee's verbalizations referring to the investigation process to address WSH claims in organizations.	
			Monitoring & Evaluation	This category includes all the interviewee's verbalizations referring to the counselling and monitoring offered to victims of WSH.	
			Consequences	This category includes all the interviewee's verbalizations referring the existing consequences to the perpetrator of a WSH case.	
		Awareness	This category includes all the interviewee's verbalizations referring to how they spread awareness to employees about the policies and practices in place in the organization.		
		For other parties	This category includes all the interviewee's verbalizations referring to the policies and practices organizations have towards their clients.		
			Policies	This category includes all the interviewee's verbalizations referring to the policies organizations have towards harassment perpetrated by other parties, as clients or suppliers.	
			Practices	This category includes all the interviewee's verbalizations referring to the practice's organizations have towards harassment perpetrated by other parties, as clients or suppliers.	

Tree nodes	RQ2 - Difficulties	This category includes all the interviewee's verbalizations referring to the second research question concerning the major difficulties experienced when spreading awareness about WSH.			
		Difficulties	This category includes all the interviewee's verbalizations referring the difficulties felt when spreading awareness of the topic to employees.		
		Efficacy of policies	This category includes all the interviewee's verbalizations referring to the efficacy of existing policies and practices in place in the organization.		
		What to improve?	This category includes all the interviewee's verbalizations referring to what can and should be improved in order to be closer to prevent WSH in the organization.		