JOURNAL OF VOCATIONAL BEHAVIOR 47, 164–177 (1995)

The Structure of Sexual Harassment: A Confirmatory Analysis across Cultures and Settings

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Sexual harassment is increasingly recognized as a serious social problem with important implications for individuals, organizations, and society as a whole. Despite increased research attention, fundamental conceptual issues remain unresolved. The present paper proposes that sexual harassment is a stable behavioral construct distinct from but related to evolving legal formulations. Based on previous research and theory, we propose a tripartite model of this construct (i.e., gender harassment, unwanted sexual attention, and sexual coercion) and test it through confirmatory factor analysis conducted simultaneously in three populations. Results confirm the generalizability of the construct across settings (workplace and higher education) and cultures (United States and Brazil) and are discussed in terms of their implications for theory, research, and social policy. © 1995 Academic Press, Inc.

Sexual harassment has recently emerged as a critical social issue with important implications for individuals, organizations, and society as a whole. Numerous studies document its extent (Fitzgerald et al., 1988; Gutek, 1985; USMSPB, 1981; 1987; Tinsley & Stockdale, 1993), judicial decisions have begun to clarify its legal framework (*Ellison v Brady,* 1991; *Franklin v. Gwinnett County School District,* 1992; *Meritor Savings Bank, FSP v. Vinson,* 1986), and both practical guides (Bravo & Cassedy, 1992) and social policy recommendations (Fitzgerald, 1993; 1994) have begun to appear. Psychologists have made important research and policy contributions in this area (American Psychological Association, 1993; APA Taskforce on Male Violence Against Women, 1994; Fiske & Borgida, in press; Fitzgerald, 1993; Gutek, 1985; Pryor & McKinney, in preparation; Tinsley & Stockdale, 1993) and continue to play important roles in shaping public awareness of this issue.

In the intense spotlight generated by public events such as the Thomas confirmation hearings and the Navy "Tailhook" scandal, it is sometimes

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0001-8791/95 $12.00
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difficult to remember that sexual harassment emerged as a legal concept only slightly over a decade ago (EEOC, 1980; MacKinnon, 1979) and has been the subject of serious scientific scrutiny for somewhat less than that (Gutek, 1985; USMSPB, 1981), although its existence has been documented for nearly a century (Bularzik, 1978). Reflecting on this situation, Fitzgerald and Hesson-McInnis (1989) observed "As with many topics that are both socially important and somewhat controversial, data collection has proceeded rapidly, without benefit of theory, or even the careful formulation of definitions . . . researchers themselves tend to mean different things by the term, leading to data being collected on a variety of behaviors often with no rationale beyond 'these have been used in previous research' " (p. 310). Similar comments were recently provided by Gruber (1992).

Over the past several years, the legal framework of sexual harassment has become increasingly clear. Landmark Supreme Court decisions have confirmed that Title VII of the 1964 Civil Rights Act prohibits both coerced sexual exchange (*quid pro quo*) and the more general *hostile environment* behaviors (*Meritor Savings Bank, FSB v Vinson,* 1986) and that such prohibitions hold for educational as well as workplace settings (*Franklin v Gwinnett County,* 1992). These decisions essentially elevate the definitions and guidelines issued by the Equal Employment Opportunity Commission (EEOC, 1980) to the status of law and parallel the *quid pro quo vs conditions of work* distinction first suggested by MacKinnon (1979). The courts have thus distinguished two general types of sexual harassment; however, the severity needed to trigger the legal standard in any particular instance and whose judgment of severity is to be accepted remain important questions (*Ellison v Brady,* 1991; *Harris v Forklift Systems Inc.,* 1993; *Robinson v Jacksonville Shipyards,* 1991). The decision in *Harris* was widely expected to clarify the standard of severity in hostile environment cases as well as to settle the issue of whose perspective (i.e., reasonable person, reasonable woman) is to be dispositive; however, the Court chose not to address this latter controversy directly, leaving lower courts and the appellate bench without clear guidance on this issue.

In contrast to the broad-brush analysis of contemporary legal theory, the great majority of psychological research has taken place at the level of specific acts, with little attempt to aggregate behaviors at a higher level of generality. Virtually no theoretical attention has been given to defining the domain of this construct, nor to specifying its structure or dimensions, which are presumably logical preconditions to valid assessment. One consequence of this situation has been lack of agreement concerning exactly what behaviors should be examined and at what level of specificity.

The major incidence studies (USMSPB, 1981; 1987) employed a check list approach, examining seven behavioral clusters (sexual teasing, jokes, remarks, or questions; pressure for dates; letters, phone calls, or materials of a sexual nature; sexually suggestive looks or gestures; deliberate touching,

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