



Federal  
Anti-Discrimination  
Agency

# FADA's research at a glance: Sexual harassment at work – Incidence, current state of knowledge and management strategies

## Overview of the survey

Since the General Equal Treatment Act (German abbreviation: AGG) entered into force in 2006, the prohibition of and the protection from sexual harassment at work have been regulated by the General Equal Treatment Act. Not only concrete rights and options for action of persons affected by sexual harassment can be derived from this Act, but also duties of prevention and intervention on the part of the employers.

On the basis of a representative survey among employees and an exemplary interview among personnel managers and staff representation bodies at private and public employers in Germany, this survey aimed at finding out how widespread sexual harassment at work is in Germany and how incidents are handled in this field. Moreover, the goal of this survey was to take stock of the knowledge of employees and persons responsible at the companies regarding the rights and duties of protection against sexual harassment and to attain an overview of the measures already existing at company level.

### Implementing agency, title and year of publication of the study

Social Science Survey Centre in Duisburg (German abbreviation: SUZ) Sexual harassment at work – Incidence, current state of knowledge and management strategies (2015).

## Method

### Representative survey among employees

From 28th November 2014 to 2nd January 2015 a total number of 1,002 employees subject to social insurance aged 15 and older were questioned in Germany. The survey was conducted as telephone interviews. The subjects were chosen on the basis of a random selection, so that the results of the survey are representing the entire population.

### Exemplary interview of personnel managers and members of works councils and/or staff councils

In parallel with the survey among employees, 667 personnel managers and members of works councils and/or staff councils at private enterprises and public employers were questioned about their experience. The majority of these interviews was also conducted as telephone calls, only a small part of the respondents filled in an online questionnaire.

## Outcomes

### Understanding of the term 'sexual harassment'

- The situations described by the General Equal Treatment Act under Section 3, para 4 for the purpose of defining the term 'sexual harassment' are definitely considered as sexual harassments by more than half of the employees.

- Accordingly, about nine out of ten respondents (93 percent) state that they classify any requests to carry out unwanted sexual acts as sexual harassments. Almost the same percentage of respondents (89 percent) subsume explicit requests such as "Sit on my lap!" under this category.
- Also (supposedly coincidental) unwanted physical contacts, lewd comments of a sexual nature, the putting up of provocative or pornographic images as well as unwelcomed stares are also recognized as forms of sexual harassment by the vast majority of the respondents, however, considerably more often by women than by men.
- The understanding of this term on the part of the personnel managers and members of works councils interviewed also seems to be largely consistent with the interpretation of the current legislation. Thus, more than three quarters of the respondents classify any situation mentioned there as belonging to the category 'sexual harassment'.

### **Personal experience and observations**

- When being directly asked about it, 17 percent of the female employees and 7 percent of their male colleagues report that they have already been sexually harassed at work. Yet, when asking them about the individual offences described in the legislation, approximately 50 percent of each group, women and men, state that they have already experienced this kind of situations once.
- Women tend to experience physical harassment (unwanted physical approaches, hugs, kisses) slightly more often than men. Incidences of visual and/or verbal forms of harassment, such as e-mails with undesired content or ambiguous comments, are reported more often by men than by women.
- Mostly, sexual harassment starts out from men. This particularly applies to cases reported by women. But also men are more often harassed by male colleagues than by women.
- In most cases, the questioned senior executives and staff representatives are informed about sexual harassments by their own observations or because their colleagues have talked about it (each of the aforesaid categories: 43 percent). However, it is rather seldom that affected individuals directly approach them.

### **Handling of incidents of sexual harassment**

- More than half of the personnel managers and members of works councils (58 percent) who know about the harassments at their company state that these matters have been dealt with officially.
- When dealing with these incidents it is often persons working in the human resource management department who do so. In most of the cases they try to clarify the facts by conversations. Approximately four out of ten persons (42 percent) also report about warning letters or transfers.

### **Knowledge about legal provisions and knowledge about protective measures at the workplace**

- It is true that the vast majority of employees (92 percent) knows that sexual harassment is prohibited. However, many of the individual rights which are guaranteed by the General Equal Treatment Act are still largely unknown. Thus, for example, only one in five employees (19 percent) knows that employers are obliged to protect their staff members against sexual harassment.
- Almost half of the respondents (46 percent) do not know about any measures of protection against sexual harassment which would have been initiated by their company or their agency. Only almost one third of them (29 percent) knows about a contact person at the workplace.

- On enquiry, even a large part of the senior executives and staff representatives at public and private enterprises (60 percent) is not able to cite any protective measures at their institutions.
- Merely one quarter (25 percent) of the personnel managers and members of the works councils knows about the employers' duties of protection and care towards employees regulated by law.

## Need for action (from the point of view of the respondents)

Within the scope of this survey it was also inquired what would be necessary from the point of view of employees and/or the personnel managers and members of the works councils to extend the protection against sexual harassment at work.

Most important - from the points of view of both, the employees and the personnel managers and members of the works councils questioned - is **more education and information**, in particular

- improved information of employees on counselling offers in cases of sexual harassment,
- all in all more education at schools and in the media on this subject as well as
- improved training offers for personnel managers and staff representatives, thus being enabled to protect the staff members more effectively.

Moreover, a clear majority comes out in favour of ensuring that a **contact person** should be available to offer support to affected individuals at every company and/or in every department.

Three quarters of the employees and even six out of ten of the personnel managers and staff representatives surveyed come out in favour of **tightening the legally stipulated sanctions and career-related consequences** for offenders.

## More information

The results of the survey 'Sexual harassment at work - incidence, current state of knowledge and management strategies' are presented in the form of graphic charts:

- Results of the survey of employees => [here](#)
- Results of the survey of superiors with staff responsibilities (SWSR) and works council representatives => [here](#)

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