



TOWARDS A SAFER WORKPLACE

AN OVERVIEW OF SEXUAL HARASSMENT POLICIES
IN THE PRIVATE AND PUBLIC SECTOR IN LEBANON



The background of the entire page is a dense, overlapping illustration of many human faces. The faces are rendered in a simple, sketchy style with closed eyes, suggesting a state of meditation or collective focus. The colors of the faces and hair are varied, including shades of blue, green, yellow, and brown, representing a diverse group of people.

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EXECUTIVE SUMMARY

To strengthen women's participation in the economic and political fields, we recognize that basic physical and moral safety needs to be ensured for them to thrive. Sexual harassment in the workplace creates a hostile environment that constrains the career attainment and labor participation of women and other vulnerable groups and prevents them from achieving economic equality.

At the same time, no legal texts currently address any form of sexual harassment in the workplace. Lebanese labor law does not criminalize sexual harassment in the workplace and does not cover issues related to bodily rights and protecting women and minorities. This renders women and other marginalized groups in the labor market at risk of intimidation and exploitation, with no recourse to corrective actions. In the absence of legal texts, organizations are left to their goodwill and discretion to establish bylaws, policies and procedures that mitigate sexual harassment.

To this end, the current report seeks to explore the internal policies of private and public organizations, political parties, unions, NGOs and universities to identify the different factors that may impede women's participation on economic and political levels. Through a multi-source investigation featuring human resource professionals, policy texts and in-depth consultations with employees, we evaluate the level and status of protection from sexual harassment, document the experiences of the affected workforce and identify key areas for improvement. The analysis concludes with recommendations to adopt bylaws, policies and procedures that provide the necessary protection from sexual harassment in the Lebanese workplace.

BACKGROUND

Working women in Lebanon currently constitute a mere 20% of the workforce across all sectors¹, ranking Lebanon at 136th out of 144 in the world on women's economic participation and opportunity². At the same time, 57% of paid labor that women engage in remains informal, unregulated and unprotected by the Lebanese Labor Law³. One of the main contributors to unsafe workspaces is sexual harassment, sharply limiting women's access to and participation in economic and political life⁴.

Employers and employees alike bear high costs when sexual harassment in the workplace is left untackled⁵. On one hand, organizations incur losses in terms of lower productivity, higher turnover and absenteeism, in addition to a harmed reputation vis-à-vis their stakeholders and shareholders, thereby missing out on essential skills, qualifications and competencies that the female workforce offers. On the other hand, harassment in the workplace affects women physically and psychologically through decreased productivity, poor mental and physical health and lack of commitment, but also economically by reducing work hours, restraining career advancement and increasing the likelihood of leaving their jobs⁶.

In Lebanon, however, the current Labor Law offers no protections against sexual harassment in the workplace. In an effort to create safer and more inclusive spaces, several draft laws have been proposed. In 2014, the Legal Agenda, in consultation with civil society groups working on gender equality, proposed a draft law stating the following⁷:

*«Physical or psychological harassment in the workplace constitutes a threat to the right to work, the right to privacy, the mental health of workers, their physical integrity, the right to non- discrimination, and so on. Despite the gravity of those acts, Lebanese legislations are still free of any prohibitive articles, leaving individuals vulnerable to harassment without effective protection. This gap is aggravated by the fact that harassment impacts the most vulnerable categories of wage earners, including workers conducting domestic and agricultural services, who do not benefit from protection under the labor law.»*⁸

1 UNDP, 2016. «Mind the Gap: A labour needs assessments for Lebanon».

2 WEF, 2016. "Global Gender Gap Index Report".

3 Tailfer, T. "Women and Economic Power in Lebanon: The legal framework and challenges to women economy," CRTD-A, 2012.

4 Khneisser, M. "Examining Sexual Harassment Draft Laws in Lebanon: Women's Equal Right to Public Space", AUB Policy Institute, 2018.

5 Parramore, L. S. "\$MeToo: The Economic Cost of Sexual Harassment", Panel: TransHistorical Restitutions: The Political Economy of Reparations, Jan 7, 2017.

6 Ibid

7 Legal Agenda, «Draft Law on Harassment in the Workplace,» Legal Agenda 3 February 2014

8 Salameh, R. "Gender politics in Lebanon and the limits of legal reformism", Civil Society Knowledge Center, Lebanon Support, 2014.

That same year, MP Ghassan Moukheiber proposed the inclusion of sexual harassment and racial discrimination within the penal code, thereby considering sexual harassment as an offence. The text defined sexual harassment as an act that is *“shocking, insisting or repetitive in any speech, action or insinuation of a sexual or racist nature, directed to a person without consent, leading to aggression on dignity because of the nature, context, profession, pressure, or embarrassment caused.”*⁹

Later on, in 2017, MP Jean Oghassabian, Minister of State for Women’s Affairs, proposed to include the sexual harassment draft law within the Labor Law (first section) and the Penal Code (second chapter, seventh section). In the Labor Law, the text reads,

“Any person, whether an employer or a wage earner, is prohibited from resorting to harassment, whether by means of a written confirmation or by any means of communication, pressure, or intimidation or issue orders aiming at receiving services of a sexual nature both for his own benefit or for the benefit of others.”

The draft law also includes an addition to the Penal Code under the “Public Morals and Ethics” section:

*“To speak or to write, by any means of communication, by using anything that has a sexual connotation that compromises the honor and dignity of the victim, or if overlooked creates hostile or degrading situations.”*¹⁰

This draft law has now been voted as “urgent” within the Lebanese Parliament. Yet, current legislation on sexual harassment remains absent and organizations in the private and public sectors are left responsible for providing a protective workplace and establishing mechanisms for sexual harassment cases.

On the other hand, the Ministry of Economy and Trade reported that women entrepreneurs in Lebanon are an untapped source of economic growth, representing an “enormous potential” yet “reel[ing] under a continuing patriarchal culture and inadequate supporting environment”. Citing a low participation of women in Small and Medium Enterprises’ leadership positions, the report called for the establishment of women-friendly business environments through the development of women-led businesses, dedicated and supportive policies, specialized trainings and supportive networks of mentors¹¹. As per the Ministry’s recommendations, the current report calls onto the organizations of private and public sectors to develop policies that support women’s economic participation and ascension to leadership positions and, in turn, foster economic growth. First and foremost, this includes ensuring that women are safe from the physical and moral harm of sexual harassment when performing their jobs.

⁹ Khneisser, M. “Examining Sexual Harassment Draft Laws in Lebanon: Women’s Equal Right to Public Space”, AUB Policy Institute, 2018.

¹⁰ Ibid

¹¹ Ministry of Economy and Trade and UNDP “Lebanon SME Strategy: A roadmap to 2020”, 2014.

The present report provides an overview of the existing bylaws, policies and procedures within the Lebanese private and public sectors, indicating whether sexual harassment has indeed been acknowledged and tackled. We thus document the handling of cases of sexual harassment and outline key areas for improvement for organizations operating in Lebanon. Finally, we propose some guidelines for the establishment of clear policies and procedures to ensure a safe work environment for all employees.

METHODOLOGY

To provide a comprehensive picture of policies on sexual harassment in the workplace, the research encompassed multiple sources, informants and stakeholders as follows:

1- Meetings with human resource (HR) specialists, line managers and directors, as well as current and previous employees from different organizations in Lebanon.

These meetings allowed for an in-depth examination of the extent of management's engagement and commitment to tackling the issue of sexual harassment in the workplace, as well as reporting on any sexual harassment cases and explaining how the procedure was handled.

We originally contacted 90 institutions and the response rate was limited to 47%. However, it is to be noted that some organizations were working on producing their own policies and bylaws against sexual harassment, and, though supportive of our project, were unable to offer us further insight into their ongoing work. From April 2018 to August 2018, we eventually sampled 42 organizations, including 3 universities, 5 political parties, 5 unions, 3 public institutions, 6 non-governmental organizations (NGOs) and 20 private companies. The sectors were diverse, from entertainment, transport, NGOs, media, health centers, to different private businesses (development, engineering, banks, hotels, travel agencies).

2- Analysis mapping the internal policies of the organizations and highlighting the existing policies that address sexual harassment.

In particular, the mapping evaluated whether and how sexual harassment was defined in the text and the extent to which it covered the breadth of business interactions. It also sought to develop a procedure for addressing sexual harassment cases, which was responsible for ensuring correct due process, and confirm whether any prevention efforts were in place.

3-Interviews and focus groups organized with women in Lebanon, encompassing regions, contexts, sectors and employment status.

From April 2018 to May 2018, we used a convenience sample of 51 participants, of which 15 in-depth interviews and 36 participants in 5 focus group discussions. Participants were women who were political candidates, municipality figures, professionals or business owners, responsible of domestic labor, as well as students and activists. Data collection was conducted across Beirut, Tripoli, Tyre, Rashaya and Niha. These consultations aimed at shedding light over the

structural challenges facing women, the societal attitudes towards women's economic and political participation, as well as coping mechanisms and other strategies that women employ to achieve their career goals. Interviews averaged 45 minutes in length and focus groups lasted about 1 hour and 15 minutes on average. All interviews and focus group discussions were transcribed and analyzed using thematic analysis which identified key themes and categories of analysis upon which rests the overall discussion of results. and focus groups lasted about 1 hour and 15 minutes on average. All interviews and focus group discussions were transcribed and analyzed using thematic analysis which identified key themes and categories of analysis upon which rests the overall discussion of results.

FINDINGS

1. General Attitudes

In this study, we observe a significant lack of bylaws and policies to tackle sexual harassment in the workplace. Out of the 42 surveyed organizations, 14 had any clause, however small, for protection against harassment, intimidation, exploitation or bullying, of which only 6 had a formal policy or bylaws precisely for sexual harassment. Two of the organizations had such policies as a requirement from international donors. In total, then, 15% of organizations expressly acknowledge the issue of sexual harassment, while 33% have clauses that may potentially be used to protect against sexual harassment. We also note the prevalence of beliefs about sexual harassment that may contribute to the absence of adequate policies. The major challenges were misunderstanding the definition of sexual harassment and confusion around what the best practices are for a healthy work environment and for dealing with sexual harassment cases. In general, the definition of sexual harassment was not well understood and answers were often speculative. Overall, we noted responses under the following themes:

THEME	QUOTED EXAMPLES FROM INTERVIEWS
DENYING THE EXISTENCE OF SEXUAL HARASSMENT	<p>“It doesn’t exist. These things don’t exist and are not even subject for discussion. We are not discriminatory. We don’t differentiate between women and men. It doesn’t happen, not even in the offices. We are employing more women in the offices because they work more. Women have proven themselves and removed discrimination from the heads of men.” (Union F)</p> <p>“Higher education in general is pretty protective of their reputation and that means things can be swept under the rug. I haven’t heard of nor known that those kinds of things are happening here. Maybe not making it public is also a legal issue, out of fear that someone portrays the university as an inhospitable environment.” (University K)</p>

	<p>"There is no stigma in our institution; there is no social pressure. The environment here is not like that. We don't have harassment nor intimidation." (Newspaper C)</p>
<p>CLASSIFYING SEXUAL HARASSMENT AS FLIRTATION, FRIENDLY ACTS OR JOKES</p>	<p>"In 5 years, I haven't seen too many cases, but I can't know the exact number. I also don't know how much harassment incidents took place because I don't know how many were real harassments. Sometimes they are flirtation and some women like it, you know. This is a bar, it happens that people hit on one another and it is ok. Our clients are also respectable; we don't have these things happening around here. When I see the case, I try to check if it was a just a joke." (Bar G)</p>
<p>SEXUAL HARASSMENT POLICIES NOT BEING IMPORTANT FOR THE WOMEN THEMSELVES</p>	<p>"During orientation, new female members are told about harassment and how they can report it. Most of the time, they start laughing and react to the subject in absolute indifference." (Transport T)</p>
<p>WOMEN CAN ALSO BE HARASSERS</p>	<p>"It is not only women who get harassed, men get harassed too. You don't believe me? I swear they do! It happened twice here. Harassment happens a lot by women on bartenders for instance." (Bar G)</p> <p>"We can't also just believe it when women say it happened. We have to see both sides. We don't want to be unfair to men too. Anyways men are harassed by women too." (NGO T)</p>
<p>WOMEN RESPONSIBLE FOR AVERTING SEXUAL HARASSMENT</p>	<p>"But if she is strong enough, an employee, in particular, will be afraid of giving her any comment or intimidating her." (Bar G)</p> <p>"As a woman, if I set a target, I will achieve it. There are no constraints; nobody can say no, you can't work. You are fought exactly like men. You have to break the boundaries and force people to respect you. As a lawyer, I can go to a police station and force the employees there either to speak to me in a respectable manner or to allow them to disrespect me. It is up to me to shape their behavior. It depends on how much I allow this to happen. And at a party, I have to be friendly with people. Intimidation and discrimination happen, it depends on the woman herself. if she accepts it, it'll happen" (Political Party R)</p>

	<p>"It is then her responsibility to defend herself. Some women respond positively to such demands. It all goes back to her education." (Hotel M)</p>
<p>DRESS CODE POLICIES AS A PREVENTION TECHNIQUE</p>	<p>"We don't have a dress code, but it is not ok for a female employee to wear see-through clothes or shirts with wide necks. It is not ok that she would be waiting on a client and her boobs are coming out." (Restaurant E)</p> <p>"I started to wear wide skirts to avoid all this. They started making fun of me for not 'looking sexy', but I didn't care. I did this to save myself from harassment coming from clients and colleagues, but mostly coming from male managers. Power dynamics are very strong. There is a lot of intimidation and discrimination." (Transport T)</p> <p>"We have 60 employees coming from different backgrounds. Some of them are not used to seeing women in revealing clothes, which can lead to such actions. They would think all these people are available and this is unacceptable. So eventually a conventional dress code decreases the factors since it helps avoiding putting women in a bad position and exposing them to problems. We don't have a dress code; we don't think it is needed. But generally, it is used to decrease the possibility of this situation happening. The present employees don't wear anything unsuitable, but in the future, women need to know there is a formal dress code." (Newspaper A)</p>
<p>BLAMING SUBSTANCE USE</p>	<p>"Sometimes the guest is not like that (harasser), but when he gets drunk, he is no longer aware of his actions. So to avoid this, the security guards escort drunk clients to their doors." (Hotel N)</p> <p>"Of course alcohol and substance abuse helps. Men understand that the environment makes it easier for them to exploit women; the environment helps. However, it helps the girl too to hit him if he does anything. It is also known that people do come to the bars to hit on women or men." (Bar I)</p>

2. High-Risk Professions

Women working in hotels, bars and transportation services were at a higher vulnerability for unsolicited and unwanted contact. Women are particularly unsafe in workspaces which are mobile, involve substance use or have night shifts.¹² Interviewed employees talked about the pressure the administration puts on them to have a certain physical appearance whether in relation to body, size, makeup or plastic surgery, in addition to the dress code. This requirement is known by convention and through client expectations, if not in written form from management.

“Many hotels body shame women for their sizes: they recruit employees based on their appearance since they want them to look like models. However, this does not happen everywhere; these places are known in the business. They think this is good for marketing.”

When it comes to bars and hotels, the presence of alcohol and other substances means that sexual harassment is confused with flirting. This context leads to blurring the line between basic hospitality and unwanted attention. For example, harassing clients were not penalized at times under the excuse of intoxication and at other times because they were high-paying customers. Hotels can also be a particularly hostile work environment for women because the public space i.e. the hotel, and the private space, i.e. clients' rooms, become linked. This is exemplified by the following experience from a hotel employee:

“The situation becomes easier for harassment in a hotel, especially since a lot of people think that women who work in a hotel are easy to get, and that they go out with clients and go with them to their rooms. This makes it easier for them to harass.” (Hotel M)

Women in the sector of agriculture are also highly vulnerable to different forms of exploitation. According to the National Observatory for Woman in Agriculture and Rural Areas (NOWARA)¹³, agricultural workers receive no support or coverage for their basic rights as they are excluded from the labor law.

“The majority of Lebanese women who work in agriculture don't even perceive their work as 'labor', but as one additional house chore. So they are not aware of discrimination or bullying they might be facing in this context”.

¹² <https://www.osha.gov/SLTC/workplaceviolence/>

¹³ <http://www.nowara.org/>

In fact, since 2007, NOWARA has not once received a report from women speaking out against sexual harassment, discrimination or intimidation. These issues take a backseat, for the primary concern for these women is to provide their basic livelihood. The agricultural sector is highly precarious, due to its seasonality as well as its reliance on temporary workers. Within this informal economy, laborers are easily replaced if they complain about work conditions. It is also no surprise that the most vulnerable workers are Syrian and Bedouin women, as well as children. As an invisible workforce, they receive no legal support and slip through the cracks in the labor law.

“Most of the time they don’t even know they are being harassed or raped. They think this is the norm. They might also start gaining money out of it, without knowing that this is abuse. Fathers and ‘shaweeshs’ (foremen responsible for employing them) are generally the ones who economically take advantage of them.”

3. Preventing Factors

Organizations surveyed still expressed concerns about including anti-sexual harassment clauses in their bylaws and policies. The most frequently cited reason was the worry of wrongful accusations of sexual harassment that may be used for revenge and causing harm. However, we caution that the fear of misuse should not prevent organizations from adopting these policies. After all, it is necessary to engage with these policies to prevent misuse since they serve to protect employees from exploitation and harm. A first step would be to curb misconceptions around what constitutes sexual harassment and what does not in order to better capture a claim of sexual harassment. One of the common statements made by the organizations points to the confusion as to whether compliments could become punishable under such policies. As it will be outlined in depth in a later section, policies are very clear in defining what sexual harassment is and how it manifests within work environments.

In addition, it is important to note that wrongful accusations are highly rare (in the U.K., they make 4% of all cases, while in Europe and the U.S. the rates vary between 2% and 6%).¹⁴ In fact, the process of filing a complaint is a significant cause of anxiety and fear in itself. Given the existing societal power structure, women often struggle to have their testimonies properly heard and they are at high risk of becoming the center of a scrutiny, going through their private lives, choices, appearances and characters. One must keep in mind that this process can also be very disturbing due to the serious risk of repercussions on

¹⁴ <https://theconversation.com/heres-the-truth-about-false-accusations-of-sexual-violence-88049>

their career. Therefore, these risks far outweigh any possible offensive benefit that a woman would gain through an unfounded accusation. It is clear, then, why the research indicated such low rates of wrongful accusations, but this rare occurrence should not deter organizations from putting in place protection policies for all employees.

The table below illustrates the common concerns cited by organizations that may pose obstacles for drafting and adopting anti-harassment clauses.

THEME	QUOTED EXAMPLES FROM INTERVIEWS
CONCERN OVER WRONGFUL ACCUSATIONS	<p>“There is a danger in misusing the law; this should be taken into consideration. Nowadays, there is a problem in the Western countries: there is a huge number of reports and objections and they [the countries] don’t even know what to say anymore. Even a compliment is forbidden, which creates some kind of conflict about what the man actually means. We shouldn’t go to the extreme.” (Newspaper B)</p> <p>“But in any case, we can’t have more (bylaws), you never know, women might abuse the law and use it against men.” (NGO T)</p> <p>“The manager listens to both sides, because we cannot only believe the woman. She might be lying too.” (Bar G)</p>
DIFFICULTY TO PROVE	<p>“Even abroad, it is very very tough to mitigate. When you have no proof, you can’t do anything. And some ladies will take advantage of this. It’s not that men are bad and women are good. And I don’t want to be unfair to anyone.” (Services Q)</p>
LACK OF KNOWLEDGE OF HOW TO DRAFT POLICIES	<p>“The existing bylaws will not be enough if the institution grows. Such things need to be integrated in the institution. No one told me bylaws concerning these issues should exist, I was ignorant about them. If the lawyer had told me about them before, I would’ve included them. It is interesting to have such policies.” (Bar H)</p>

	<p>"We have nothing [bylaws] concerning anti-discrimination or anti-intimidation. We don't know what can be preventative. If it happens, she goes to the police. If it took place between two employees, then we can take action. We have no fixed procedures for now, we cannot be preventative." (Union H)</p>
<p>POLICIES DEPENDING ON LEADERSHIP COMMITMENT</p>	<p>"There should be bylaws because if the current leader leaves, different conditions will be created. Bylaws are needed, but they will always depend on the policies of the person in charge." (Political Party S)</p> <p>"Harassers don't want it to be a priority. They are more powerful in the workplace. And more powerful in the union (they had only 2 female unionists), and the CEO is a patriarchal male." (Transport T)</p> <p>"I don't believe in papers anymore based on more than 25 years of experience. It is good to have things on paper, but it is so much better to have enlightened leaders." (Services Q)</p>
<p>CONCERN FOR CLAIMANT</p>	<p>"In general, the problem with anti-harassment policies is that if a woman files a complaint, she can lose her job even if the harasser is punished. Then, if she applies for another job and they discover she was kicked out because of such an issue, they will not hire her. They will think she might have abused the law and accused him falsely. Therefore, there is a need to protect women at the job security level knowing the existing mentality. In this party, we don't have such a mentality, but we are trying to see what is happening in other countries and find a way to solve this issue in Lebanon. We need a protective framework for job security or else, women will not report." (Political Party S)</p>
<p>DIFFICULTY BREAKING CULTURAL NORMS</p>	<p>"They don't acknowledge the subject, first of all because anything related to sex and relations is taboo. Second, because when she talks about it, she is accused. They will start asking her, "what did you say? What were you wearing?" Third, it is considered a scandal: the society looks at her as if she were humiliating herself.</p>

	<p>They want to keep these issues as a secret and solve them behind closed doors. To have bylaws about these issues, we need to speak about them. When these issues are spoken about openly, women become stronger when sharing what happened with them. And when we start defining harassment, women will be more aware about it. Making harassment clearer will help them understand that they should refuse such wrong situations.” (Union E)</p> <p>“One huge problem is religion and how much it reflects the social relations between people. We need awareness in schools in particular, on this issue: Lebanese, for years, have been patriarchal; this needs to be changed in schools, with a critique of separation and definition of gender roles. The biggest number of schools is religious. Then students go to universities not dealing with this issue, then to the workplace where they projects all of this.” (NGO W)</p>
NOT A PRIORITY	<p>“Women unionists oppose (sexual harassment policies) because they think it is insignificant, not a big deal. They think it is more important to work for their social benefits, especially maternity.” (Transport T)</p>
RELUCTANCE TO ENFORCE PUNITIVE MEASURES	<p>“The problem is in the absence of consistency, absence of the right decision; they dismiss the report because they think, “I need this employee”. (Hotel L)</p>

4. Used Procedures

In the absence of adequate bylaws/policies for sexual harassment, organizations tended to use the same procedures generally employed for other grievances. Based on responses from organizations that detail the course of action in case of a sexual harassment claim, we identified the following risks associated with the lack of specialized sexual harassment policies:

- **Evaluating cases as “serious” or “not serious”.** Organizations first pointed to the need for identifying serious and high-risk claims from “fake” or unsubstantiated claims. Without any clear policy clauses about what can be dismissed, and without the presence of dedicated trained staff to take such decisions, we are worried about not identifying and processing sexual harassment cases adequately. The discretion used to classify cases as “serious” or not may also undermine a victim’s claims, dismiss a lived experience of harassment, and deter other victims from lodging a complaint.

- **Forcing confrontation between claimant and alleged perpetrator.** Generally, we realize that forcing a confrontation between the claimant and the alleged perpetrator may replicate power dynamics that already exist, posing a higher risk of retaliation. We also notice that “legal neutrality”, i.e. the attempt to give both sides equal space to present their cases, may well perpetuate societal power inequalities. For instance, one side of such power inequalities is that men’s narratives appear more credible than women’s do, managers’ words are taken more seriously than employees’, the burden of proof is placed on the victim. In fact, there was almost no mention of the necessity to listen to women, to trust them, and to support them through investigation procedures.

- **Absence of a post-investigation monitoring system.** During hearings in a case of sexual harassment, as well as following a decision, concrete steps must be taken to protect against any possible intimidation or retaliation. Organizations also need to be careful about any breach of confidentiality/anonymity as this may carry severe consequences for the victim and the overall work climate. We organized key responses in the following table to illustrate the different responses from management to cases of sexual harassment, when reported.

THEME	QUOTED EXAMPLES FROM INTERVIEWS
NO ACTION TAKEN	<p>“I was harassed by an older manager. He was intimidating and discriminatory towards me before: in the company bus, he made me change my seat for him. He went into a space in where he knew I will be alone (according to the protocol), and asked me, twice, if I had a boob job. I answered him, twice, that I will consider he didn’t say that. The second time, he did it in front of team members, looking down my shirt. I went to my manager and told her what happened. I was devastated. The manager, a woman, did nothing but offering support. The thing is they generally say, “he is known to be like that, we cannot do anything about it”.’ (Transport T)</p> <p>“I was quite surprised when the female employee came to me about a harassment case: she was not afraid or shy to talk about it. In a position of responsibility, it is very hard to judge: you cannot be unfair to either of them. I thought that the worst-case scenario would be that he touched her. Ça va! (That’s okay!) There is no threat to her safety.” (Services Q)</p> <p>“Generally hotels don’t support their employees and if a client is important and regular, they’ll allow him to act in such manner. And this affects employees of course.” (Anonymous hotel employee)</p> <p>“In the women’s prayer room in the institution, where women change their clothes for prayer, the female employees discovered a phone recording video. However, the problem was simple because they didn’t take their clothes off there anyways. So it wasn’t a big deal. On the contrary, the female employees solved it on their own and in a comical manner. They recorded themselves saying hi on the camera. They discovered who the perpetrator is, but they ended the matter here and didn’t complain or take it any further. They didn’t tell others who he was. Such things are not harassment, but small incidents.” (Newspaper C)</p>

	<p>"There was one complaint of harassment between employees which we investigated in. Investigations are very difficult in such cases: unless you have a camera, it is her word against his. We made it clear there is no joke about this. We cannot prove anything. We didn't take actions. But we didn't get any reports since." (Anonymous company)</p>
SHIFTING THE BLAME	<p>"If she gets intimidated, it is her fault. If she is strong and has a strong personality, they would fear her instead of intimidating, mocking or making fun of her. Even men are intimidated and mocked if they are weak, so it's not about being a woman. She is intimidated or mocked exactly like him, not because she is a woman. It is her fault if she is shy and has a weak personality." (Political Party R)</p> <p>"I was once harassed by an older, more powerful male, and I spoke up to him. I then became stigmatized as "an angry, mean woman who isn't sociable, has psychological problems and emotional issues. [...] There are no supportive laws: if I speak up, what guarantees that I won't be shamed and blamed, and/or lose my job, and/or be stigmatized?" (Transport T)</p>
UNCLEAR/CONTINGENT ACTION	<p>"But we cannot punish a guest. If it happens, the security and manager talk to the guest. To make sure the incident doesn't happen again, we change the employee and send a male. If the incident is too serious, the guest is kicked out." (Hotel N)</p> <p>"We listen to the employees and create a friendly environment for both employees and clients. They know they have our support; we allow them to work in a comfortable way." (Hotel K)</p>

PUNITIVE MEASURES

"In 2011, an incident was reported to the executive director. The incident took place during a counselling session, when the sexual health educator asked the client for information about condom size. He laid back and asked her, "What do you think? Which size do you think I should use?" The management then called him and informed him that he is no longer welcome in the center due to his unacceptable act that was considered a sexual harassment. He never came back again. All violence and sexual harassment incidents were perpetrated by men." (NGO S)

"Even if the clients are very powerful or rich, they are kicked out. The owners have a European mentality, an open mind and respect towards their employees." (Hotel M)

"Men come up to me and ask me what I did to be in this position, insinuating I had offered sexual services and favors to the president and asking to receive similar services. My answer would be, "Well, what did you do to get to this position?" I reported them to the president and they were immediately removed from their positions." (Anonymous political party)

"There was once an incident, where we found a text in the women's bathroom: "I danced with this guy, don't dance with him, he is a harasser". We looked at the CCTV recordings and found him and he was banned from coming in. We thus got an idea, maybe putting a board for women to write this kind of stuff. But then again, you know, it will become a way to get their revenge from someone." (Bar I)

"Several factors are taken into consideration: we take evidence through proper investigation, witness and file history. Especially in this case, we can't take decisions without evidence. If the harassment was verbal, we have no evidence so we can't know if the claim is truthful right away. But then we put him under surveillance to prove it." (Hotel L)

5. Policies by Sector

The following chart illustrates the number of surveyed organizations having anti-sexual harassment clauses, policies or bylaws.

Results show that a mere 15% of all surveyed organizations had a mention, however brief, of sexual harassment within their internal policies. Next, we enlarged the search to include any protective clauses related to intimidation, bullying or safety within employee handbooks and other records. Even so, only 33% of organizations had any mention of these rules in their internal documents.

Chart 1: Number of organizations with anti-harassment clauses, policies or bylaws, as a percentage of total organizations surveyed (42)

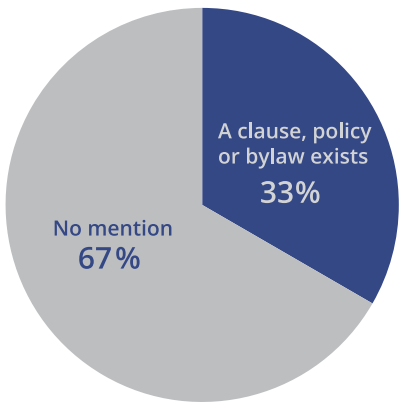
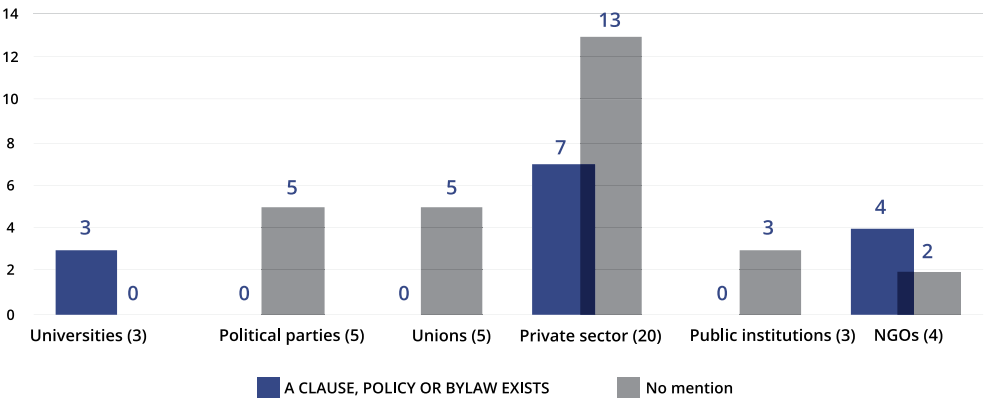


Chart 2 disaggregates the findings by sector, as shown below. For this chart to be informative, we included sexual harassment policies as well as other protective policies, some of which could be used to address sexual harassment cases. We note that anti-sexual harassment policies are absent among political parties, unions, and public institutions. On the other hand, the three universities approached in this study provided very clear guidelines and code of ethics to tackle sexual harassment cases on campus, albeit it remains unclear how well these policies were applied.

Chart 2: Anti-harassment policies disaggregated by sector



In fact, in a meeting with one of the universities surveyed, the interviewee expressed the following:

“Higher education in general is pretty protective of their reputation, and that can mean that things can be swept under the rug. Maybe not making it public is also a legal issue, out of fear that someone portrays the university as an inhospitable environment.”

Perhaps more alarmingly, NGOs were expected to fare better with some mention of sexual harassment within their policies or bylaws. Instead, one third of the NGOs surveyed had no mention of sexual harassment. As for the private sector, we believe that there is room for institutional change to incorporate such policies.

Table: Sexual harassment policies and procedures for selected organizations

	Newspaper C	Newspaper A	Bar F	NGO T	Bar G	Construction D	University K	NGO U	University L	Hotel M	Hotel L
EXISTENCE OF POLICY	Clause	Clause	Policy	Policy	Clause	Clause	Policy	Bylaws	Policy	Clause	Clause
CLEARLY DEFINES SEXUAL HARASSMENT			X	X			X	X	X	X	
CONSIDERS POWER RELATIONS IN THE WORKPLACE (BOSS-EMPLOYEE, PROFESSOR-STUDENT)		X		X				X			
COVERS ALL BUSINESS INTERACTIONS (STAKEHOLDERS, PARTNERS, CLIENTS)				X				X	X		X
PROTECTS AGAINST RETALIATION			X	X			X	X	X	X	
WHO DOES THE INVESTIGATION RELY ON?				Person		Person		Committee	Committee		Person
Works on prevention and staff awareness				X			X	X			
Relies solely on labor law	X	X			X						

6. Coping Mechanisms

“Coping strategies refer to the specific efforts, both behavioral and psychological, that people employ to master, tolerate, reduce or minimize stressful events.”¹⁵ Women placed within a high-risk environment of sexual harassment with no possibility of recourse or reporting, find themselves with limited courses of action. The majority of the women interviewed stated that they had no choice but to stay silent. As expressed by the interviewee below:

“Generally the harasser has a higher position than the woman. So he harasses, insults or humiliates her and she can't speak up. And if she does, she will lose her job and people will say that she was the one hitting on him. That's the first thing he tells her: if you try to file a complaint, I will tell them that you came onto me. It's his word against hers. And who will the society believe? It will believe him because he has more power.”

This is further corroborated by the Ministry of Women’s Affairs stating that, in light of the absence of a law related to the working conditions of women, the Ministry is unable to receive or treat complaints from working women:

“Currently, she can file a complaint at the Ministry of Labor. But the problem is that there is no protection system: There is no mechanism that insures women won't lose their jobs after filing a complaint. While in the new law, women are protected from expulsion in case they filed a complaint.” (Office of the Minister of State for Women’s Affairs)

Based on the above-mentioned patterns and practices, women have opted for coping mechanisms that would allow them to keep their jobs, not cause a stir and avoid the source of harassment, when possible.

THEME	QUOTED EXAMPLES FROM INTERVIEWS
REMAINING SILENT TO KEEP THEIR JOB	“There is this trend where bosses harass their secretaries and kick them out if they don't reciprocate. It starts with him employing women he finds attractive. Now we know that some women cannot afford to lose their jobs. She might have a family or might be divorced and has responsibilities. So she decides to accept all forms of humiliation and harassment to stay in her job. She cannot afford quitting her job.” (Services R)

15 <https://macses.ucsf.edu/research/psychosocial/coping.php>

	<p>"25-26% of women are working, which indicates that women are in need for jobs. However, discrimination is present in jobs and salaries, especially because harassment sometimes comes from the boss: sometimes she can't leave her job because she needs the money even if somebody harasses her because her husband won't allow her to leave her job." (NGO W)</p> <p>"I know it from female students how hard it has been for them to convince their fathers to agree they attend our university. So in harassment situations, the students think, "I should keep my head low, stay sidelined and stick to my studies. If I raise this issue, it will have repercussions on my family, on me when trying to get a job later. After all, the country is so small." (University K)</p>
INTERNALIZED GUILT	<p>"There are people who face the problem directly, get support from someone or change their workplace. Some are afraid and start considering themselves guilty, so they start thinking, "I caused this." (Union E)</p>
AVOIDANCE	<p>"A woman went through a harassment incident with an old man who, at the age of her grandfather, grabbed her ass. So she told me that she didn't report the incident and decided not to be present in the same place with him." (Anonymous political party)</p>
LEAVING OCCUPATION	<p>"Harassment, intimidation and discrimination are the main reasons why women leave political movements and parties, because it is not a safe and comfortable space for them to work in. They stop being politically active because their political work is jeopardized." (Political Party U)</p>

CONCLUSIONS AND RECOMMENDATIONS

By tapping into multiple sources and stakeholders, this report presents a number of notable findings:

First, we noted that general attitudes towards sexual harassment seem to not take the issue as a serious matter, rather considering it inexistent or impossible to prove. This is further corroborated by women's experiences that sexual harassment was not given the pressing importance it deserved. In addition, once the work culture had established indifference to the severity of sexual harassment, other women also became likely to shame their peers for speaking up.

Second, organizations cited a number of factors that prevent them from taking further steps to instate anti-harassment policies. Such constraints would first need to be addressed if any protection policies are to be established within the Lebanese workplace. A principal concern for employers is wrongful accusations and potential harm caused if an employee is unjustly singled out as a harasser. An equally prominent concern is the difficulty to prove whether sexual harassment had indeed taken place. As such, employers tend to favor a trial-type of case resolution where claimant and alleged perpetrator would be forced into a confrontation using “tangible” evidence.

Third, a series of observations pertain to the actions taken by management when faced with a sexual harassment case. In the absence of clear policies and thorough specialized training, discretion was left to management to determine the best course of action. In general, management was not well equipped to mitigate sexual harassment cases, and consequently, very little could be done when no clear procedures or organizational values were communicated and shared. When a discourse of blame was present, it almost exclusively rested on women, their behaviors, dress code or character. They were either blamed for being overly friendly and open to sexual acts, or for dressing provocatively, or for not being strong enough to stand up for themselves. In contrast, men's behavior was generally portrayed as circumstantial, emanating either from a good-willed compliment or from temporary impairment due to substance use. When clearly unacceptable acts were committed, they were interpreted as minor and harmless, without any “true” violent intent.

Fourth, more than two thirds of the surveyed organizations have policies and bylaws that never brought reference to sexual harassment or safety in the workplace. Hence, organizations generally lacked clarity in asserting their shared culture and values when it comes to preserving the employees' moral and physical safety. In particular, a sharp lack of policies is noted within political parties, unions, public institutions and sectors where the role of the female workforce is crucial. This draws attention to the urgent need for more engagement in these sectors to guarantee a harassment-free workplace. In addition, investing and mobilizing resources for employee awareness and harassment prevention is an equally important step to curb the damage resulting from a potential filed case of sexual harassment. Staff training and educational material about sexual harassment remain a rare occurrence in this sample of organizations.

Finally, women facing sexual harassment adopt coping mechanisms to alter their outlook, attitudes or behaviors in their jobs. They may consider quitting their jobs or avoiding on-the-job interactions. The majority, however, remains silent to avoid work-related scandals that may add unnecessary stress to the experience of harassment itself. Others are silent out of a lack of trust in a system that may not provide a just recourse. As such, women facing sexual harassment and a lack of organizational support find their work satisfaction, productivity and commitment sharply declining.

In light of the above conclusions, it becomes essential to delay no further the process of formalizing anti-sexual harassment policies, procedures and bylaws within organizations in Lebanon. To this end, the following recommendations are proposed to employers and organizations:

1- Prevention

- **Extensive employee orientation.** The starting point of prevention programs is at recruitment. During employee orientation, an extensive session needs to revolve around the respective bylaws and policies, taking the time to explain in depth the definition of harassment, expected behaviors in the workplace, reporting mechanisms, and to identify the focal point with whom to communicate in this regard in the future.

- **Clear shared values.** Employees are reminded of an organization's culture and shared values when overt and covert messages are in place to communicate expectations. To this end, we recommend using visual material such as posters or leaflets to convey the commitment of both the organization and the employees to a harassment-free workplace.

- **Trainings for current staff.** We recommend conducting company-wide trainings, discussions and reminders on a regular basis. These trainings would focus on acceptable workplace dynamics, delimiting jokes and compliments, establishing awareness on discrimination (including body shaming), as well as avoiding negative attitudes towards vulnerable communities, intimidation and bullying. Exercises such as role-play or case studies may be useful.

2- Policies

- **Instating policies.** Institutions should develop and adopt clear bylaws, policies, codes of conduct specific to sexual harassment. These policies need to focus on the principle of consent, acknowledging potential structural vulnerabilities due to factors such as gender, age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation gender identity, refugee status, etc.

- **Clarity of procedures.** The adopted policies should include a comprehensive definition of sexual harassment, as well as a description of the procedures and measures to be followed for reporting and deliberation on filed cases of sexual harassment. In addition, a definition of the physical and temporal boundaries of the workplace would guarantee that clients, patients, business partners and other external stakeholders, might also be sanctioned when violating these policies.

3- Investigation

- **Investigative committee.** The reporting and investigation process rests on the proper functioning of a well-trained, specialized investigative committee. Depending on the case and where possible, the committee should involve external to the hierarchy members associated with the case in question. Furthermore, if the complainant wants to follow an informal reporting process, a mediation system should be in place to discuss further recommended steps towards problem resolution. This may include training a representative from each department to receive reports and aid in the resolution.

- **Notes on due process.** The complainant and alleged perpetrator need to be interviewed separately and with full confidentiality. The complainant may also request to report anonymously. In all cases, the complainant should be protected against any retaliation, taking into consideration the existing power dynamics and the possible abuse of power. In no way should the reporting of sexual harassment have consequences on the complainant or cost them their

job. Finally, a clear timeframe should be communicated, specifying set dates for investigation and deliberation.

- **“Proof” is not always possible.** While sexual harassment can be clearly defined as acts or comments, it may also take the form of a more subtle way of intimidation and exploitation. In addition, it is very rare to have witnesses around when women are subjected to sexual harassment and women are sometimes approached precisely when alone. To this end, the burden of proof should not rest on the victim, though the presence of evidence may well contribute to the building of the case. Instead, and given our previous note on the extremely low occurrence of wrongful accusations, we recommend that women’s narratives be taken seriously and that solutions be revolved, most importantly, around the victim’s safety.

- **Sanctions.** The purpose of a clear set of policies and procedures is to identify the courses of action and degree of severity of sanctions in the case of sexual harassment. This is why it should not be the investigative committee or to the recommendations of individual parties who decide what the proper type of sanction is. Instead, we recommend a clear penalty scale matching a disciplining action to the degree of each offence. In addition, we advise taking a much more serious stance in cases involving superiors committing harassment and cases of repeated behavior by the same perpetrator.

4- Labor Law

- **Proper texts in labor law.** The first step is to adopt a text including anti-harassment and anti-discrimination regulations for all registered and operating organizations in Lebanon to abide by. In the absence of an amended labor law, organizations are left to their own discretion to provide protection for their employees. Therefore, organizations with no bylaws or policies would place their employees at undue risk to their physical and moral safety, with no mechanisms for mitigation.

- **Inclusion of vulnerable workers.** It is important to include vulnerable workers, such as agricultural workers and domestic workers, in the amended labor law to-be.

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ABOUT THE ARAB FOUNDATION FOR FREEDOMS AND EQUALITY

The Arab Foundation for Freedoms and Equality (AFE) is an organization that supports grassroots activist groups and organizations working on a wide range of initiatives including human rights, gender identity and sexual health.

The Gender and Sexuality Resource Center (GSRC) is a program of AFE that aims to address knowledge gaps and create an alternative site of knowledge production in Arabic. The GSRC is an information hub that brings together activists, academics, and researchers who work and produce knowledge on Gender and Sexuality in the MENA region.