

Jamaica is Without a National Sexual Harassment Policy: Challenges, Consequences, Health Problems and the Need for a National Policy Framework

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Abstract: Humans are sexual as they are physical beings. Simply put, sexual relations are embedded in their composition and so legislations are needed to protect vulnerable groups such as children, poor, women, orphans, elderly, mentally and physically disabled people and adolescents from sexual exploitations. The current study will explore why Jamaica needs a national sexual harassment policy, the challenges without a policy and the difficulties in formulating a policy in such a highly sexed culture. The methodology that was utilized for the study was ethnography. This study was conducted in Metropolis of Jamaica (ie. Kingston and St. Andrew), and purposive sampling was used to select respondents, with focus groups and elite interviews being among the methods of data collection. There was consensus in the focus group that policies such as those for sexual harassment are not meant to act as deterrents per say but as back up plans, a tool to reach for just in case the harassment occurs; “the rules are not enforced they are just there if something happens I don’t think they can be enforced”. It was also postulated that in Jamaican culture the men approach women, however if the woman makes it clear that she is not interested the most the man will do is curse then move on to another female of interest. It was agreed upon by all participants in the study that power plays a role in sexual harassment and its definition. There was notably more reference to sexual harassment between a manager and a subordinate than between co-workers. A subject stated that: “Many time the harasser feels entitled to harass because they know that they have the power if you complain you might lose the work.” It was also felt that a sexual harassment policy should have various degrees of punishment dependent on the number of infractions the accused has been found guilty of. Thus, a male participant in the focus session declared, “I don’t feel the policy should just fire you like that for sexual harassment. For me sexual harassment is a persistent thing so if you do it once you get reprimanded. Do it again you get suspended that kind of way.” Sexual harassment policy formulation cannot be left to the power men, men bosses and men supervisors to construct because they (men) have a culturalization about sex and sexuality which may contravene to an effective policy framework or to businesses without a national policy framework. Such a situation will foster sexual violence, discrimination, exploitation and harassment against women, children and economically marginalized groups.

Key words: Health, health problems, Jamaica, National Sexual Harassment Policy, public health, sexed culture, sexuality, sexual harassment

INTRODUCTION

Humans are sexual as they are physical beings. Simply put, sexual relations are embedded in their socio-physiological composition and so legislations are needed to protect vulnerable groups from sexual exploitations such as children, poor, women, orphans, elderly, mentally and physically disabled people and adolescents. Early sexual initiation commenced during the adolescence years in many countries, particularly in Jamaica (Louie *et al.*, 2009; Penfold *et al.*, 2009; Fatusi and Blum, 2008;

Chevannes, 2005; Jamaica National Planning Board, 2005; Santelli *et al.*, 2004; Ricketts, 1999), making coerced sex a reality across the globe (WHO, 2002). Coerced sex “is frequently the expression of power and dominance over the person assaulted” (WHO, 2002), suggesting that it is through legislation that societies will curb such likely behaviour. This is captured in a publication by Amnesty International which wrote that “Violence against women in Jamaica persists because the state is failing to tackle discrimination against women, allowing social and cultural attitudes which encourage

Table 1: Selected typology of Crimes Reported: 1988-1992 and from 2002-2004

Offences against person	Reported							
	1988	1989	1990	1991	1992	2002	2003	2004
Murder	414	439	542	561	629	1045	975	1471
Shooting	993	1185	1370	1119	1080	1270	1145	1675
Rape/Carnal Abuse	1118	1090	1006	1091	1108	1145	1308	1269
Robbery	4433	4500	5362	4987	4930	2021	1710	2103
Manslaughter	39	50	35	58	47	23	13	25
Infanticide	5	4	2	5	3	2	0	4
Suicide	12	13	6	3	8	56	64	42
Felonious Wounding	812	651	675	560	447	4284	4091	4149
Other (Assault, wounding)	11630	11954	11700	10138	11921	4201	4305	4538
Sub-Total	19456	19886	20698	18522	20173	14047	13611	15306

Source: PIOJ (1994, 2005)

discrimination and violence” (Amnesty International, 2006). As a result of the State’s inactions in regard to addressing discrimination against women in Jamaica, sexual violence against women is high because legislation has failed to set a framework that could have been used to curb this practice, which is extended to sexual harassment and intimidation in the society and the workplace (Amnesty International, 2006).

The WHO opined that:

Sexual violence is defined as: any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexually using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work (WHO, 2002).

Here it is sexual coercion and sexual violence is not only influencing the individual, but the society through its direct impact on the individual’s ability to function at work, school and in the general society. Yes, sexual intercourse is a reality and sometimes there will be unwanted acts (rape, sexual violence - Table 1) that require external assistance. Amnesty International (2006) opined that sexual discrimination and violence against women is a daily occurrence in Jamaica, which is embedded in the culture. The culture has a particular stereotype about women which is fuelling the sexual discrimination and violence. According to Amnesty International (2006), “Men and women sometimes believe violence against women to be justified if women are suspected of being unfaithful”, which speaks to the embedded issues within the culture which support sexual discrimination and violence by men. This means that legislations are required to balance peoples’ desire for sex in a manner which does not create problems for others because of marginalization, socioeconomic vulnerability or physical inadequacies. Hence, we must understand the culture, the sex in the culture and the practices of people in order to recognize whether there is a need for sexual

harassment policy in a society as a balance mechanism for this sex culture as the Caribbean is a highly sexed society (Gayle *et al.*, 2004; Chevannes, 2001; Barrow, 1998).

According to one scholar “...the child advances in age and leaves the toddler stage, younger boys begin to follow and mimic older boys at play and in carrying out agricultural chores” and that “small girls of the same age are directed toward domestic activities and are found following and mimicking the activities and behavior of their mothers ...” (Durant-Gonzalez, 1976). Using a national cross-sectional probability sample of 2,848 Jamaicans aged 15-74 years old, Wilks *et al.* (2008) found that 95% of Jamaicans aged 15-74 years have had sex, 77% reported at least one sexual partner in the last 12 months, and 88% of those aged 15-24 years have had sexual intercourse. Ricketts (1999) posited that the culture supports childbearing of female teens, and that it is critical for a female to establish womanhood. Within the aforementioned culture, in order to protect the sexuality, reproductive rights of women and respect for the bodily integrity of women (Berer, 2004), a legislative framework is necessary.

Gayle *et al.* (2004) postulated that, Jamaica had no sexual harassment policy, and Women’s Organizations have been lobbying for it for some time now, yet in 2010, no national policy has emerged from the Legislators although sexual violence, sex and sexual coercion continues unabated in the society. Because there is no national policy framework which outlines the conceptualization, the consequences are emotional and psychological abuse, neglect, sexually transmitted infections and more sexual abuse in a milieu without a well defined position on sexual harassment. It can be argued, therefore, that government policy is needed to curtail sex between people because without this legislative framework, powerful men will prey on the economically challenged, children, adolescents, women and those in the socio-economic margins of society. Simply put, the lack of a sexual harassment policy reduces social justice, sexual autonomy and respect for the body of the aforementioned people.

The consequences of sexual harassment are most detrimental and may have vast and multidimensional effects on the victim, the harasser and the organization in which the harassment takes place. In the case of *Meritor Savings Bank versus Vinison in 1986*, the Supreme Court of the United States in its rulings set the precedent for three (3) important factors; it defined the quid pro quo aspect of sexual harassment; it legitimized the second category of sexual harassment that being hostile work environment; and it laid the foundation for employer liability as it relates to sexual harassment (Britannica's Editorial Board of Advisors, 2010). The Supreme Court ruling (US) in 1986 made sexual harassment an issue which could not only legally affect the harasser but the employer as well for failing to enact policies which would thwart its occurrences. Tindigarukayo (2006) found that in the fiscal year of 2004 US EEOC received a total of 13,136 charges of sexual harassment and in the fiscal year of 2003 gained \$37.1 million in monetary benefits from those persons and or organizations found guilty of sexual harassment. Therefore, countries around the world, India, United States of America, Australia, Canada and South Africa to name a few adopted national sexual harassment legislation to give victims redress and to lessen the incidents of such abuse (Hodges-Aeberhard, 1996).

Within the Caribbean only countries such as Belize, Bahamas and Guyana have legitimized legislation against sexual harassment. Countries such as Jamaica, Barbados and St. Kitts and Nevis have draft bills before parliament. In the Jamaican context, the country in September 1981 signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which came into effect in 1984 and deals with the issue of sexual harassment under Articles 2 (Policy Measures and Legislation) and Article 11 (Employment). It has also ratified in 2005 the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para). Jamaica has also ratified the CARICOM Plan of Action and in 1997 the CARICOM Post-Beijing Plan of Action.

Being a party to such legally binding international treaties Jamaica is required to have some policy in place to address sexual harassment. In an attempt to bypass the bureaucracy and possibly the costs involved in ushering in a new law. The Jamaican government has encouraged private sector companies to aid in the battle against sexual harassment by implementing their own sexual harassment policies to govern the workplace. This cry for action however has fallen on mostly deaf ears as most established organizations within the private and public sector do not have such policies, including some of the governmental ministries. There is debate centered on the possible reasons for the lack of in-house policy; some scholars purport that organizations do not have policies against sexual harassment due to organizational culture.

A valid argument supported by the study, which found that culture and the level of friendliness in an organization, dictated what constituted as sexual harassment. Other scholars postulate that perhaps nothing is being done to tackle sexual harassment simply because they do not see it as a real issue to be tackled by their human resources staff. A notion which was deemed incorrect by the study, as all participants found sexual harassment an issue even though there were differences of opinion on the degree of its severity. The fact still remains however that daily both Jamaican women and men are affected mentally, physically and their earning capacity diminished because they are victims of sexual harassment.

The current study will explore why Jamaica needs a national sexual harassment policy and the difficulties in formulating a policy in such a highly sexed culture, and the challenges without a policy.

METHODOLOGY

Methods and measures: The methodology that was utilized for the study was ethnography. Ethnography may be described as “the art and science of describing a group or culture”. (Chevannes, 2001) Ethnography focuses on describing the cultural traits of a group and may also be used to explore and describe the relationship among variables (Neuman, 2006; Schensul, 2005; Byrne, 2001) This qualitative methodology was thought to be most suited for the nature of research as it describes and situates the phenomenon of sexual harassment in a cultural context, both the broad Jamaican culture and the specific organizational culture. Ethnography describes and draws attention to the relationship between societal culture and organizational culture; while exploring how these affect sexual harassment. The ethnographer explores and identifies this link by interacting with and observing persons who are members of the community about which the study is being conducted. In the case of this study, the ethnography was of an emic nature. According to Schensul (2005), ethnography “...may contribute to issue clarifications or pointing to directions for targeted social change” (Schensul, 2005) which envelopes the purpose of this study and it is therefore fitting and will be used herein.

Thus, it is an asset because by allowing exploration of the community in which the phenomenon of sexual harassment occurs the researchers and also the policy makers will be better able to draft a policy, which takes into consideration the ideologies, norms and values of the key stakeholders of the policy, namely the community members. By using ethnography the researchers are better able to gain understanding and acquire knowledge about the members of the wider Jamaican community and also the working community. Coupled with the use of ethnography throughout this research is that of the

thematic approach. In ethnography one observes and explores many elements of a community and a culture, even those which are not necessarily directly related to but still a part of the general framework of the issue or phenomenon being explored. Following this, the researchers for the purpose and direction of the paper had to sieve through the wealth of knowledge obtained and focus the paper by identifying common themes which came out via observations and interviews which was then sewn together to form a discussion. As Chevannes notes,

...the ethnographic work is inevitably selective of what it includes and excludes; thus what is presented as a factual portrayal of the way of life of a community is indeed something made or fashioned by the writer- at best partial truths (Chevannes, 2001)

Therefore, the end result is a piece of work made of the varying themes interpreted and deemed relevant by the researchers.

Sampling: This study was conducted between April and July, 2010 in the parishes Kingston and Saint Andrew, Jamaica. Purposive sampling was used to select the participants used for the study. The participants either worked in Kingston and Saint Andrew or lived in the parishes. This is a non-probability selection method where “you select the units to be observed on the basis of your own judgment about which ones will be most useful or representative” (Babbie, 2004). The sampling technique was used to identify persons for elite interviews who would be considered experts or persons of extensive knowledge on the subject of sexual harassment. The focus group was selected based on the purpose of gaining information and vantage points from those who make up the working community in Kingston and St. Andrew, Jamaica.

Instruments of data collection: The data was collected using elite interviews and focus group. Structured questions were used to lead the elite interview, while a general framework of questions was created to lead the direction of discussion for the focus group. The questions used were formulated by the pre-existing notions of the researchers, as well as contributing ideas obtained through research of the existing work on sexual harassment by scholars. The questions were not tested before application because they were vetted by the supervisor of the paper as well as a scholar in the field of social research.

Elite interview: The elite interview referred to as the qualitative interview (Babbie, 2004; Berg, 2001; Crotty, 2005; Denzin and Lincoln, 1994; Flick, 2006), consists of a set of topics not necessarily questions to be discussed in length by the researchers and someone who is considered

an expert or who has a great deal of experience in the field of study (Babbie, 2004; Berg, 2001; Crotty, 2005; Denzin and Lincoln, 1994; Flick, 2006). There were a total of four (4) elite interviews carried out for the paper. Units for elite interviews were grouped into categories depending on the relevant area to which they would add information. There were three (3) ‘persons of interest interview’. A person of interest was identified as someone who may not have been a victim of sexual harassment or an employee at an organization that uses a sexual harassment policy but one who via studies or experience or occupation would add to an understanding of the subject being studied. For example a woman’s rights activist was among the persons of interest. The researchers made use of questions to guide the discussion; there were a total of eight (8) questions which ranged from defining sexual harassment to opinionated elements which make for a most effective policy.

There was then an elite interview category designated ‘private sector companies with policies’. There was only (4) such interviews which consisted of seven (7) questions. These questions ranged from the reason for the sexual harassment policy to the formulation of the policy and enactment of the policy. ‘Victims of sexual harassment’ was another category identified for the elite interview. The researchers were able to interview one (1) victim of sexual harassment and this consisted of asking the respondent seven (7) questions. Questions ranged from defining sexual harassment, to the sexual harassment experience and the organization’s response to the incident of harassment.

Focus group: The researchers also conducted a focus group. A focus group is essentially when a number of subjects placed together and a discussion is prompted on the area being studied (Babbie, 2004; Berg, 2001; Crotty, 2005; Denzin and Lincoln, 1994; Flick, 2006). It is used to provide a forum for researchers to test hypotheses and gain access to and explore the opinions, thoughts and attitudes of the participants on the topic being studied (Campbell and Gilmore, 2005). There were 5 focused groups’ sessions. On average, there were 8 persons in the focus group, four (4) women and four (4) men were selected in an effort at gaining some gender equality within the discussion. It was made up of young professionals ages twenty-three (23) to thirty-seven (37). The focus group was guided by about five (5) questions and themes ranging from defining sexual harassment to ideological reasoning for sexual harassment and ways the phenomenon may be thwarted within the workplace.

Measures: Sexual Harassment - “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly

affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment" (US EEOC, 2009) The definition will be used in the study as is. Organizational Climate- "the degree to which an organization (or its relevant proximal component) is perceived as insensitive to or tolerant of sexual harassment" (Hulin *et al.*, 1996). Organizational Stress - "the uncomfortable feelings derived from forces in the workplace that an individual experiences when he or she is forced to deviate from normal or desired patterns of functioning" (Hanisch, 1996) Term will be used as is. Organizational Stressor - changes within the work environment that causes the employee to adapt to such changes. Policy- "a program of actions adopted by a person, group, or government, or the set of principles on which they are based" (Britannica's Editorial Board of Advisors, 2010) Word will be used in study as is. Sexual Harassment Policy- the policy used to prevent sexual harassment and provide methods of redress for victims of sexual harassment and harassers. Definition will be utilized as is stated.

RESULTS

Culture and the effectiveness of policy: There was consensus in the focus group that policies such as those for sexual harassment are not meant to act as deterrents per say but as back up plans, a tool to reach for just in case the harassment occurs; "the rules are not enforced they are just there if something happens I don't think they can be enforced". It was also postulated that in Jamaican culture the men approach women, however if the woman makes it clear that she is not interested the most the man will do is curse then move on to another female of interest. "That is how Jamaican man stay WI cuss bout it but we don't continue and get more forceful that is for rapist" (That is how Jamaican men are we argue about it but we don't continue and get more forceful that is for rapists). However, a female participant declared policy or no policy "dem nah go stop if dem really wah harass you, dem nah go stop" (they will not stop if they really want to harass you, they will not stop).

An element that was brought out through the focus groups was also how the general culture of a country can influence and dictate whether a policy such as one for sexual harassment is effective or not. It was postulated that in a country like Jamaica where the government is labeled by respondents as a "backward employer" and it is stated that "*our ministries barely have email*" a proactive nature is lacking to thwart crimes such as sexual harassment.

"In America where things are more rigid and there's a law for everything, in a country where I can come

to rob you house slip on ice break a leg and sue you [another respondent shouts "and win!"] in a country like that you can enforce all these wonderful laws cause all she has to do is complain about it now it becomes me having to defend myself against her is not her word against mine now she has complained I have to prove I didn't do it otherwise I am going to lose my job. Jamaica don't have that kind of culture to support that kind of action"

Respondents within the focus groups were also concerned how policy would affect the culture of the organization. Participants were of the belief that a policy that was too rigid and too defined would make for a bad working environment and may also do more harm than good. A female participant made the observation that:

"When you make it that defined and that basic you have to let everybody know that is your policy because it is so easy to offend. When you do that it makes it very easy to scheme up against an employee.[respondent then pouts and declares in a sullen voice] It makes it so hard for you to have a nice working environment, everything going to qualify as sexual harassment."

Thus, the societal culture affects both the organizational culture and the effectiveness and implementation of the policy.

Power and power relations: It was agreed upon by all participants in the study that power plays a role in sexual harassment and its definition. There was notably more reference to sexual harassment between a manager and a subordinate than between co-workers. A subject stated that: "Many time the harasser feels entitled to harass because they know that they have the power if you complain you might lose the work"

A female respondent candidly stated in a tone of acceptance, "It's our whole culture, we're very patriarchal. That's just the way it is you can't change it".

However, a few respondents were of the belief that it is not about patriarchy and men having power over women; it is purely an issue of power. As one participant animatedly declared "don't feel say is man alone woman do things outa street to!"(Don't feel that it is men alone, women do things out on the street too) This is a stance supported by a female participant in an elite interview, who purported:

"Can women really exploit men in the workplace and the answer is yes. Sexual harassment is about power dynamics and the people with power often feel that they have the right to do it and the powerless just have to accept it. It's a larger issue of power; patriarchal explanation doesn't come in here".

Respondents however both male and female did acknowledge that there are more sexual harassment cases

where men are the harassers than women, but this they explain is because of the number of men versus the number of women in an organization. If there are more men than women then there will probably be more cases of sexual harassment but because of elements stemming from attraction on the man's part not necessarily as scholars purport a need to assert their power over females. A male participant in the focus group remarked:

"I honestly believe that there are chronic sexual harassers, people in power who feel say them higher or whatever. They are more like our former governor general who say there is only one thing better than a beautiful woman, two beautiful women".

Policy and policy effectiveness: As it relates to the implementation of a policy to battle sexual harassment, there were mixed notions. Most respondents were of the view that having a sexual harassment policy may be somewhat effective. However, one respondent citing the experience he had working with Company Sefah (fictitious name) that had a 'no-hugging' rule voiced his lack of confidence in the implementation and effectiveness of any such policy. He declared with a shake of his head:

"I don't think it can be enforced at all, I don't think you can ever stop somebody from doing this [hugs the female respondent beside him]".

Generally, subjects thought that if a policy included specific elements then it would have a fair chance at stopping or lessening the chances of sexual harassment. There was however a lack of agreement on specifically what those elements should be. A female participant purported that by having an all encompassing definition for sexual harassment incorporated within the policy it would have far reaching capabilities and be able to handle most if not all cases of sexual harassment. She stated:

"You cannot quantify sexual harassment there is no measure, so you define it from a simple and basic level".

To this the other female subject retaliated by stating that having a policy of an all encompassing nature would make for an unfriendly working environment. She stated:

"That makes it a very unwelcome working environment, it makes it a very tense working environment".

Another participant voiced his agreement that having a too thorough definition of sexual harassment in a policy would be problematic by stating that:

"If you tie something so tight your gonna get extreme cases".

Another issue which arose in relation to the elements of the policy was the debate on evidence. Respondents were of the opinion that creating a policy to reprimand sexual harassment would prove very difficult because it is a phenomenon that is not easily proven. In the focus sessions the general tenet was that users of policies aimed at thwarting sexual harassment would have a hard task, as sexual harassment involves one's perceptions (Fiedler and Blanco, 2006) making the intent of the harasser an issue. Hence, a participant declared:

"I don't feel comfortable labeling a man and saying that he is someone who has sexually harassed someone, when really his intentions weren't that. Like it would have to be similar to when they trying a murder case you know? Premeditation and intention would have to be considered".

At this juncture a participant stated that to abate the proof issue within the policy a company can install close circuit cameras.

"There will never be direct evidence apart from what we can capture on camera and even that in and of itself is very sticky".

The animator then introduced investigation and adjudication as a method of garnering proof of sexual harassment to engage the use of the policy. To this suggestion a respondent then asked, "Investigate what? I don't see any way without real evidence". However, a subject of an elite interview that works for Company Tarpa (fictitious name) that has an active sexual policy stated:

"You will know. When you are investigating these kinds of things and hear the arguments of those involved you will be able to tell when it's really sexual harassment or just a little office romance gone bad. The signs are there".

When asked by the researchers what exactly are these signs to which he refers he said,

"Well they don't come to work, work performance or the victims say the man is picking on them. Things like that".

This participant was then asked about the use of video cameras in helping to identify solid proof for claims of sexual harassment. To this he then recalled an incident where a new female employee was 'taken under the wing'

of a long time male employee; this male employee held down the female employee and kissed her. He argued that because the male employee was working at the company for some time he was aware of the location of all cameras and avoided them at all times when in the presence of the female employee. When asked what became of that case, he stated that the harasser's tenure of employment had since been terminated.

A male participant in the focus group declared that at Company Rasper (fictitious name) where he works, there was a claim of same sex sexual harassment. He stated that even though there was a policy no steps were taken because there was no proof. He then went on to tell the group the story of the incident; he said that there was a thorough check on the complainant where it was found he had a bad work history with the company. It was then purported by the respondent that because the victim had a record of coming late to work and other minor infractions he was deemed a troublemaker and he subsequently had to dismiss the claim and fight to retain his job. At the end of the tale another respondent exclaimed:

“You see what me a say to you! Because there was no proof this thing came down to reputation. So that little man there even though him say the other yute harass him, his job record never so pretty cause him come work late and dem likkle tings there and him go stand up for himself now and before the policy protect him, him haffi a fight to keep him likkle work. So you haffi know what you a do before you jump up bout you a use policy”. (You see what I'm saying to you! Because there was no proof this thing came down to reputation. So that little man there even though he said the other youth harassed him, his job record wasn't so pretty because he comes to work late and those little things and he went and stood up for himself now and before the policy protected him. He had to fight to keep his little work. So you have to know what you are doing before you jump up about your going to use policy).

A subject in an elite interview however cited that it is recommended that victims of sexual harassment make it known to persons around as soon as the incident has taken place or if it persists to keep a diary of the date, time and places that the other incidents occurred. This was corroborated by a respondent in a focus session who stated “...if someone see it happening a third party can report it and management step in”. However, another participant rejected this notion and stated that for a policy to be effective “There has to be more concrete evidence than third party”.

A participant in an elite interview also brought to the fore another issue which may arise in the investigation

and adjudication section of a sexual harassment policy. He stated that in cases at Company Tarpa (fictitious name) where sexual harassment claims have been investigated there were complaints from female employees about the composition of the panel which carried out the investigation. He stated:

“The women got mad man and cried foul, a group of them came and stormed my office man. They said that the panel was not fair because it was all men and no women investigating the cases”.

It was also noted by respondents that any policy created and implemented to tackle sexual harassment should have within it elements that protect the victim from any measures of retaliation by the harasser. Therefore, a subject in an elite interview declared “You would have to have protection for the person who is being harassed, if you complain there would be no retaliation”.

Respondents also felt that in order for a sexual harassment policy to be successfully implemented employees would have to be made aware of the policy with the use of workshops, orientation and even work retreats. An elite interview subject thus purported:

“Best way to implement a policy is to get buy in on the part of the employees. You can get this by holding a couple workshops, having discussions, a formal mechanism and also feedback from the employees. If it is not accepted it cannot be implemented and effective”.

Another respondent from an elite interview suggested that an effective policy is one that has within it a good communication strategy. She postulated:

“I think it could work if you have like each department had a representative and those representatives would meet with the head of human resources or management and discuss either cases of harassment and ways of getting employees to come forward and be open. You know what be good too? Posters and that kind of thing that spread the word”.

However, a participant declared that orientation and other methods would not be effective in implementing the policy and making employees aware of its existence. He purported:

“You know what you do, you test for it. Orientation and dem ting dere is only once a year or for new employees, so what you do you test for it. When I used to work at company X (name omitted) they used to test for it. So they give you something to read and you sign a document and that kind of thing then dem

give you a test to see if you remember what you just read, so you can do that probably every six months or so”.

He then went on:

“You are not trying to absolve yourself as a company you are trying to encourage a culture change which is why I say test for it. You can always put up poster and send email and memos but you can’t know for sure if anybody even reading those”.

It was also found by the researchers that there should be other initiatives in place that would work in conjunction with the sexual harassment policy in making it more effective. The most important of these was a company dress code. As one participant remarked during an elite interview, “Yes a dress code would help because if you trying to help yourself you wouldn’t dress a certain way, don’t it?”

However, another subject in an elite interview stated that:

“Dress codes help you know, because here even our temporary employees are required to wear uniforms but you know how it is you will always have women who push it. Whether the skirt too short or she only does up a certain number of buttons but those people are few, so yes it helps”.

It was commonly accepted that for any sexual harassment policy to have any chance at being used by staff and be effective, is for it to have concrete confidentiality clauses. A participant in an elite interview declared that at his company confidentiality is paramount. It was said:

“It’s in our policy you know, if you talk to anyone about it or it gets out and you are the one you can be reprimanded man just like the harasser. You can’t have people going through these things and the whole office knows man, that’s not professional at all”.

On the issue of redress for the victim of sexual harassment there was some disagreement. When asked about monetary compensation for the victim it was deemed that this was not necessary and would be hard to implement in organizations located in Jamaica. One respondent however cited a case that she was aware of where the company not only paid the back pay for when the victim took sick leave but also paid for counseling. This however was seen as very generous by another respondent who was told the tale in an elite interview. It was stated:

“Wow that was very generous. But no this company wouldn’t pay for that, for what? Is the harasser to pay for that! The company not involved so why should it pay”.

It was also felt that a sexual harassment policy should have various degrees of punishment dependent on the number of infractions the accused has been found guilty of. Thus, a male participant in the focus session declared:

“I don’t feel the policy should just fire you like that for sexual harassment. For me sexual harassment is a persistent thing so if you do it once you get reprimanded. Do it again you get suspended that kind of way”.

To this however another respondent stated, “Well not really you know it depends on the severity of the harassment. Suppose him hold down a woman and that kind of thing, that is instant dismal”. At this observation there were nods of agreement and mutterings of “yes a true”.

DISCUSSION

However, any attempt by policymakers or other parties to create a policy which would be effective in thwarting sexual harassment should take into consideration the possible issues which may arise to detract from the strength of such a policy. It is widely purported that men are most often times the offenders in sexual harassment (Mackinnon, 1979, 2001; Sterba, 2001; Summers and Hoffman, 2002). Given this, the Jamaican culture presents a hurdle to the effectiveness of any sexual harassment policy because it is steeped in patriarchal notions, which are accepted by men and women. This argument is supported by the findings in the current study as illustrated by a female participant who notes, “It’s our whole culture, and we’re very patriarchal. That’s just the way it is you can’t change it.” Such a perspective speaks to an internal script that is followed by all and set a tone for sexual discrimination, violence and sexual harassment as well as the pursuit and interpretation of actions. Those internal scripts form the justification for many sexual acts carried out against women as men perceive a right to sex when they desire it, which is supported by the culture. This is aptly captured by Gayle *et al.* (2004), who wrote that “Men are likened to slave masters who feel that they have unlimited access to women’s bodies and the women are likened to women under slavery who had no rights to their bodies”. Even among adolescence males, there is little respect for rights of females which is borne by Gayle *et al.*’s (2004) work that found “Two boys acknowledged that they raped girls. Both raped the girls due to a lack of respect for them, and these are deepened without a legal framework to curb those cultural practices.

Jackson and Newman posited that: According to the typical treatment that draws on this explanation, sexual harassment occurs because male workers carry into the workplace improper role expectations for women—notably, sexual expectations they have learned elsewhere (Jackson and Newman, 2004).

Jackson and Newman (2004)'s perspectives highlight the challenge of not having a national sexual harassment policy as the internal script learnt in the community will be easily transmitted into the workplace without some legal framework of restriction. A group of researchers found that the sexual practices account for the high HIV prevalence in Africa (Halperin and Epstein, 2004), which suggests that societal behaviour can be a challenge for the community, workforce and the nation because of internal scripts that people take into the workplace and anywhere they go in a nation.

The Jamaican man is seen as the alpha and the omega, the instigator, and the breadwinner of the family (Chevannes, 2001; Brown *et al.*, 1997), which support male domination. "Jamaica is a patriarchal society with a traditional view; based on religion...men are seen as the gatekeepers to the resources that women need" (Summers and Hoffman, 2002). This ideology of 'man run tings' is taught to Jamaican boys from an early stage. In his study of Grannitree, a community in Jamaica, Chevannes highlights this fact with his mention of a boy aged 11-12 who proclaims: "Sir, a no uman choose man, man choose uman!" (Chevannes, 2001) which translates to "Sir, women do not choose men, men choose women". In such a society, there is no gender equality, and women therefore have little if any economic power. It is this reality that fuels sexual discrimination and violence against them, and one that is sympathetic towards the behaviour of men even when this violates the human and reproductive rights of women.

The culture which includes the power and roles of women create an internal script that influence perceived actions and behaviour, which was argued by Ashforth and Fried (1988). It is that internal script which justifies apartheid, racism, slavery, discrimination and violence against women, and other social behaviours (including sexual harassment) (Fiedler and Blanco, 2006; Bried and Hayes, 1997; Grauerholz, 1994) that is echoed in the findings of Gayle *et al.* (2004)'s work from adolescence males and those of Chevannes in the five Caribbean societies' study.

The cultural script in Jamaica therefore can retard a policy on sexual harassment that is similar to one in the United States or Europe. The Jamaican culture is friendly and socially warm. It is such that persons greet each other with a hug, a kiss or sometimes a 'little squeeze up' (hug or embrace) and other actions that normally invade a persons' personal space and borders on invading one's bodily autonomy. As one participant in the study noted:

"...because you know in this culture people choops and stuff persons who are not up for this type of behaviour or who dub it as sexual harassment are often seen as 'troublemakers', 'prudes' or made out to be social pariahs".

Again the internal script which is created by the culture justifies sometimes mindless behaviour which tramples on the human rights of particular groups, but this is fostered with a sexual harassment policy. On the other hand, the problem with sexual harassment is its subjectivity, and the fact that gender plays a role in the interpretation of this phenomenon (Baird *et al.*, 1995; Gutek *et al.*, 1983; Padgitt and Padgitt, 1986). This is aptly captured in this study, as a participant remarked that:

"You have some girl that have discussion with men that will mek other girls blush, but some woman can't manage that and will go complain. At the point management will come and say ok we buck up on a prude mek we just cool." (You have some girls that have discussions with men that make other girls blush, but some women can't manage that and will complain. At the point management will come and say ok we've come across a prude let's just calm down)

Clearly from the aforementioned participant's perspective is that the social interpretation of an event is based on the gender of the individual. Simply put, in Jamaica, because of the internal script of men, some behavioural practices are okay, but this is not necessarily the perspectives of some females. Thus, gender shades the interpretation of actions (or inactions) and the perception of events which is endorsed by other studies (Baird *et al.*, 1995; Gutek *et al.*, 1983, Padgitt and Padgitt, 1986) and some men may even believe that women are too sensitive to some issues. And they (women) may interpret certain behaviour more serious than it is. Males may think that they are being sociable (Dietz-Uhler and Murrell, 1992; Popovich *et al.*, 1992), and the females' interpretation of the events are totally erroneous and owing to gender sensitivity. Irrespective of the disparity in interpretations of sexual harassment between the genders, the reality is, women are experiencing this at the workplace (Kustis and Knapp, 1996; MacKinnon, 1979), and the culture aids in its continuation.

This friendly culture of the society is carried into the place of work, thus adding to the organizational culture. Organizational culture dictates how tasks and social interactions are generally conducted by the employees of the organization (Hulin *et al.*, 1996). Therefore, if the organizational culture is of an overtly friendly nature that managers and their subordinates' lunch and socialize outside of office hours, a manager asking a subordinate to dinner would not be frowned upon much less be labelled

as quid pro quo. Even in some routine activities at the workplace, sexual harassment is likely to emerge between employees and employees, employees and employers (Mueller *et al.*, 1996) because people have an internal script that are embedded in them from their socialization.

Therefore it is important to examine sexual harassment as it occurs in a country's cultural context as the culture of the wider society impacts organizational culture as well as gender disparity. This knowledge will then aid in identifying elements needed within a sexual harassment policy that will offset such culturally induced hindrances. According to Summer and Hoffman (2002):

Jamaican policymakers must be careful about adopting policies and strategies from other countries; they must take into account Jamaica's history when developing a model for addressing this problem.

Consequently, human resource managers and all relevant personnel involved in the drafting process must take into account, context and organizational culture when creating a sexual harassment policy. It must be recognized that sexual harassment policies are not 'one size fit all' devices but must be conceptualized based on the particular organization, as no two (2) organizations will have the exact same organizational culture.

Participants in the study cited elements in accordance with Hulin *et al.* (1996) that dealt with the culture of the organization. It was found that the more friendly the workplace the harder it is to identify sexual harassment, as a subject declared, a "culture of everybody gel with everybody and to that effect" makes it quite troublesome to identify cases of sexual harassment. One person opined that, "If is a co-worker that come hug me up and we go lunch and ting, that different from a manager a come a rub my leg and them ting there. That very, very different!" (If it's a co-worker that came and hugged me and we went to lunch and so, that's different from a manager coming and rubbing my leg and that kind of thing. That's very, very different)

The current research concurs with Tindigarukayo's (2006) findings in his research on the 'Perceptions of Sexual Harassment in Jamaica.' According to Tindigarukayo (2006), males were almost 3 times more likely to ask a coworker on a date compared with a female, and while the disparity was closer between a male boss kissing an employee on the cheeks compared with a female boss, the difference was even closer between the genders as it relates to coworkers kissing each other on the cheeks.

As was noted by a subject of the study, "If the person is willing is not the action alone that defines sexual harassment it's the perception of the object of the harasser." Conceptualizing sexual harassment has to do all about each person's individual perception about which certain actions and behaviours to them may be classified as sexual harassment. As is noted by McNamara and Cleveland (1996):

Sexual harassment indicates that men and women differ in their perceptions of what behaviours constitute sexual harassment, a discussion of norms and expectations of appropriate behaviours by work group members may reveal discrepancies in perceptions (McNamara and Cleveland, 1996).

There are proponents of the feminist school of thought who theorize that the root cause of sexual harassment may be found seeped in the issue of male dominance and gender discrimination. They tend to define sexual harassment as follows:

Sexual harassment is best described as unsolicited nonreciprocal male behavior that asserts a woman's sex role over her function as a worker (LeMoncheck and Sterba, 2001)

Scholars have purported that sexual harassment can be tackled at the organizational level by utilizing organizational development in the form of policies, and that this would thwart the phenomenon (Stockdale, 1996). Response styles such as general sexual harassment policies according to Stockdale are more effective in containing the occurrences of the phenomenon because it offers employees' multidimensional choices for responding to the harassment. The study highlighted that respondents felt that where elements within the actual policy might lack in effectiveness the organizational climate created by having such a policy would allow for employees affected by sexual harassment to feel relaxed when broaching the subject. A female respondent thus purports that with a policy, "I don't think it is easier to come forward but it is some level of comfort in terms of seeking your redress".

There is debate in the literature on the drafting of sexual harassment policies as to which of the many structures presented (Sterba, 2001), is the best and most effective when incorporated within the policy. Structures may be central, decentralized or a hybridized structure taking elements from both central and decentralized structured formats. Centralized responsibility manifests itself in a general sexual harassment policy when said policy creates an office within the organization specifically designed to handle grievances related to sexual harassment. This policy structure it is argued by its proponents affects the outcomes of sexual harassment because it is easily accessible by those who have been harassed. It also acts as an efficient moderator because it allows for analysis of sexual harassment cases and their outcomes due to better record keeping and following up of sexual harassment cases. From a monetary vantage point it saves organizations from incurring the cost of hiring external personnel. The centralized structure was one which was advocated by a few respondents in the study, as one made mention of the use of an 'independent observer' to monitor the interactions within organization and thus handle sexual harassment cases. The respondent

stated, "I don't know, maybe if you had someone external you know to monitor. Like an independent observer".

Opponents of this structure type argue that personnel of a centralized structure may eventually become tagged as advocates for either victims or harassers. It is also thought that this structure may create issues as it relates to confidentiality because centralized offices based on their mandate are required to investigate all claims of sexual harassment whether the victim consents or not. Valid concerns that surfaced in the findings of the study as it was felt by other participants that this external person would not be helpful because as the other female respondent stated "that independent observer can make friends at the company to!" A male respondent then stated that if the independent observer were a man "that person would probably see the girls and go 'you know I see why he did that". It was also thought that this structure would create issues as one participant noted "It may look like harassment from the outside but the woman doesn't think it is. So that could be a problem".

Centralized structures keep records for example names of victims and harassers which maybe at some time are subject to internal or external review, which may impinge on the employee's reputation or lead to leakage of information and retaliation. This is a real concern for employees as one respondent noted that on the subject of confidentiality:

"It's in our policy you know, if you talk to anyone about it or it gets out and you are the one you can be reprimanded man just like the harasser. You can't have people going through these things and the whole office knows man, that's not professional at all".

Decentralized Responsibility is another structure type that interrupts the direct relationship between sexual harassment and its outcomes. Scholars postulate that a structure where supervisors are accountable for thwarting sexual harassment in the workplace such as that dictated in decentralized responsibility creates an effective response style to sexual harassment for a number of reasons. These include: supervisors will more likely hear more grievances as victims of sexual harassment are more likely to complain to persons they know; supervisors are more accessible to sexually harassed persons versus a centralized office; supervisors would be more immersed in organizational culture and understand the cases of sexual harassment better thus allowing for different possible resolution styles and outcomes (Jensen and Hodson, 1999). There were also proponents for this structure within the study. A subject in an elite interview suggested:

"I think it could work if you have like each department had a representative and those

representatives would meet with the head of human resources or management and discuss either cases of harassment and ways of getting employees to come forward and be open".

However there is some opposition of this structure because it is thought that it will not be an effective moderating variable as postulated by its supporters because it lends itself to conflict of interest as supervisors may defend their friend if he or she is accused. This was cited as a real issue for the subjects as it was said, "If it's a culture where the boss is always right then it's not easy." Another respondent reiterated the point by saying "if is the manager, CEO or whatever harassing you, where you go the? What you must do, go to the person above them [superior] and say oh excuse me but I'm being harassed by the person you put in charge of me. Yes the same person you have corporate meetings with".

Another effective policy response style postulated in the literature is a hybrid of the two structural styles, a decentralized model with a centralized office. This hybrid they argue is the best structure because it incorporates interest-based problem resolution by allowing supervisors to conduct formal investigations and also utilizes rights-based options wherein the central office may advise about policy and have incorporate formalized policy procedures. Such a model was again disagreed on and met with lack of enthusiasm by persons in the study. They agreed that evidence is needed in order to adjudicate and enact a sexual harassment policy. However they thought that this vital evidence would be difficult to obtain. It was thus noted by a subject in the study that, "There will never be direct evidence apart from what we can capture on camera and even that in and of itself is very sticky".

Rowe (1996) rightly postulates that no policy will be the same and incorporate the same elements because it is hard to design a policy in which all users think it is effective and adequate as organizations differ. They have different compositions, aims and functions. A policy is created by people. People differ and so policies would be created by an individual's perception of the problem. Thus each policy solution will be dependent on that person's perception and so some persons will find the policy satisfactory while others will not. Rowe (1996) is clearly validated in her theory by the findings of the research. Though participants all agreed that sexual harassment was a problem that needs to be combated, there was no final consensus on the formulation of a policy and the elements that should be included for it to be effective and fulfill its purpose because of the different typology and severity of sexual harassment (Toropainen-Kauppinen *et al.*, 1996). Consequently, it was agreed upon by all participants in the study that for any policy to be effective, it would have to include the input of the employees, through activities such as 'anonymous

surveys' as suggested by a respondent. A candidate in an elite interview thus purported:

“Best way to implement a policy is to get buy in on the part of the employees. You can get this by holding a couple workshops, having discussions, a formal mechanism and also feedback from the employees. If it is not accepted it cannot be implemented and effective”.

Jamaica a signatory of many international treaties and conventions is legally required to institute a sexual harassment bill, this however is slow in coming and it is up to private organizations in a quest to protect their employees and their bottom line to institute an in-house sexual harassment policy. Unfortunately in a study by Tindigarukayo (2006) which consisted of 14 government ministries; 13 government agencies and 5 non-government organizations there was a limited number that had existing and functioning sexual harassment policies.

Employees need to be made cognizant of sexual harassment and their rights; they should demand from and hold organizations accountable for instituting sexual harassment policies. Organizations should also be mobilized if not out of concern for the welfare of their employees in a bid to save themselves and their lower their cost margin. With victims of sexual harassment in the fiscal year of 2003 gaining \$37.1 million in monetary benefits from those persons and or organizations found guilty of sexual harassment (Tindigarukayo, 2006).

The absence of a national sexual harassment policy makes it more difficult for companies, and women to report such cases as there is no legal remedy (Bureau of Democracy, Human rights and Labor, 2000a, b) as they are fearful of discrimination and victimization. While sexual violence is not limited to a particular gender, it is more perpetrated by males against females (Luce *et al.*, 2010), but it is even more problematic for Jamaican males to report such incidences, especially if they were carried out by female(s). The Jamaican society therefore cannot go on the path of being a signatory to conventions but not instituting a policy so fundamental to the protection of sexual autonomy of women, increase respect for other people's bodily integrity and reduce the likelihood of social misconduct. According to Amnesty International “Women's rights activists in Jamaica have chosen to focus on transforming attitudes as a first step. They have taken up the cause of a sexual harassment bill, first mooted in 1995, and have suggested that it be drafted utilising CARICOM (Caribbean Community) model legislation (Amnesty International, 2006)”. It is grossly unacceptable that in 2010, Jamaica does not have a national sexual harassment policy inspite of number of cases of sexual violence and discrimination against women.

Furthermore, Jones (2003) purported that violence against women and children have been on the rise in the last two decades. With the fact that women are more likely to be employed in sectors where wages are lower than that of men, one sure result of this is sexual discrimination, victimization and harassment by power men. Another aspect to the victimization, discrimination and sexual violence women in Jamaica is that it is sometimes interpreted as the victims fault (Tarver *et al.*, 2002; Belknap, 2000). Instead of blaming men (powerful and/or otherwise) for their actions against women, even some people in the clergy believe that women's seductive dressing invite sexual harassment. Embedded in such perspective is that women create sexual desire in men, and that their actions (men) are a part of sexual provocation (Pfeffer *et al.*, 1995), instead of placing the blame squarely where it should lie. A study showed that in some societies women are expected to marry the rapist to protect their integrity (Heise, 1993), which is legitimizing sexual discrimination, violence (Table 1), exploitation and harassment against women because of the patriarchal setting of such communities and the marginalization of women as against protecting the human and sexual right of all people irrespective of gender.

Without a clear national sexual harassment policy in the society, those realities will continue unabated and even justified by the culture. Those issues highlight the mental and physical health challenges of women who are victims of discrimination, harassment and sexual violence, and how these are supported by the lack of a national sexual harassment policy. A statute on rape is insufficient to address the issues which arise in sexual harassment as women have the right to sexual and social justice as their male counterparts, thus a sexual harassment policy is urgent to curb the increased sexual discrimination, violence, victimization and harassment experienced by women on a daily basis. Not having a national sexual harassment policy in any society is a betrayal of women's human, reproductive and social rights as this fosters men's internal script, and will not curb any misconception they have about women's sexuality and social justice.

If according to Hanson and Pickett (1984) public health is defined as “...the Science and Art of (1) preventing disease, (2) prolonging life, and (3) promoting health and efficiency through organized community effort..”, then without such a context, sexual harassment is clearly a public health phenomenon which has been neglected in Jamaica for decades. Even though such a conceptualization is relatively old, the new one still includes violence and women's health (Pan American Health Organization, PAHO, 2007; Fee, 2003), which speaks to inclusion of sexual harassment. Sexual harassment and gender-based violence influence the

health and general wellbeing of all genders, but despite the growth of knowledge in public health in the Americas and the recognition that violence and sexual assault are a part of this discipline, Jamaican public health practitioners have failed to include sexual harassment in their work (Bourne, 2010a, b, c, d; Bourne and Charles, 2010; Bourne *et al.*, 2010a, b; Morgan, 2005).

Morrow (1992) created an perspectives that would support the reluctance of Caribbean public health practitioners and researchers from treating sexual violence, discrimination and harassment as not being of an epidemic proportion that requires urgent attention, when the researcher opined that violence against women in the English-speaking Afro-Caribbean is lower than which is found in other nations with similar economic characteristics. Jamaica which is an English-speaking Afro-Caribbean nation has seen increasing female victimization in the form of rape, carnal abuse and sexual harassment (Jones, 2003), and the internal script of culture, particularly among men, support the continuation of those practices and blame the victim instead of the perpetrator(s), which further erodes the wellbeing of victims while we wait for the legislation on sexual harassment. The WHO (2002) postulated that one in every four women had experienced sexual violence, and this is as high as one in three among adolescent girls, and while this may not be as high in the Caribbean compared with the other places in the world, it cannot be argued that it is of low importance, because there are in excess of 1,000 rapes and carnal abuse yearly too many in Jamaica. Thus it cannot be believed that this does not need immediate public health intervention. Clearly, the tumultuous economic situation of peoples in Latin America and Caribbean has increased over the past one half decade, which speaks to the worsening of economic marginalization of women without a sexual harassment policy in Jamaica to address particular sexual violence. Sexual harassment has a profound and tremendous effect on health, and becomes institutionalized with each year that a policy fails to become a law.

CONCLUSION

Sexual harassment policy formulation cannot be left to socioeconomically powerful men, men bosses and men supervisors to construct because they have a culturalization about sex and sexuality which may contravene those of the policy framework. Because of the internal script that men have, these will guide their interpretations of social-sexual behaviour in the work place (Gutek *et al.*, 1983) and therefore fashion legislations. According to Chevannes, "According to seventeen-year-old Barry, it is like a rule in the community that boys must begin sex at around puberty" (Chevannes, 2001), and that:

A male heterosexual identity is not only a matter of personal choice, but is also an issue of concern of the wider community. Many parents are therefore quite anxious to confirm their sons' heterosexual orientation, and as we have seen, even to encourage it (Chevannes, 2001).

The socialization of boys in the Caribbean is sexual freedom, promiscuity, heterosexual orientation and women and more women (Gayle *et al.*, 2004; Chevannes, 2001; Brown *et al.*, 1997), suggesting a particular cultural underpinning of the sexes and that this influence peoples behaviour. Such a culture sees nothing wrong with touching; steering down someone, making sexual gestures and innuendoes, and the women is now left with the burden of proof that the expression is sexual harassment versus that of sociability. On the other hand, within the context of the culture a woman cannot rape a man. Jamaicans belief that rape is perpetrated by males against females and the reverse is not equally the same. As such, men have difficulties convincing police personnel that he has been raped by a female. The matter becomes even more complex, if the women is beautiful because the cultural interpretation is that he should be proud or people will question is heterosexuality. There are, therefore, inherent contradictions in the aforementioned matter as culturally some rapes are acceptable, others are not, and sexual harassment may be difficult for men to report because of the consequences of such a discourse.

One of the consequences of not having a sexual harassment policy is reduced sexual autonomy of women. Governments should be committed to protecting people against sexual harm as this will accommodate them protecting themselves (Berer, 2004), and clearly this is not the case with the absence of a national sexual harassment policy. Sexual harassment should be construed as discrimination by sex, dignity of the individual, violation of human, reproductive and civil rights, and a health hazard which must be seen as a criminal offence as well as employers' liability. With one third of HIV/AIDS cases being among females (Bain, 2005), which means that the virus is predominantly gender specific (male, Douglas, 2005), it can be inferred therefore from Bain's and Douglas' works that if sexual assault and violence are substantially perpetrated by males, then some of the HIV/AIDS cases would have arisen from rape. Despite the aforementioned it cannot be left to feminists or only women to formulate as they may want to socially reconstruct the society to reflect one which is good for women but this possibly may be oppressive to men, which would be reversing the situation instead of removing inequalities. It requires dialogue with all stakeholders at the national level to formulate a national sexual harassment policy to protect the people of Jamaica, particular the economically vulnerable, children,

adolescents, physical challenged and women. Because HIV is the 5th leading cause of mortality among Jamaicans (in 2002, PAHO, 2007), and the fact that more males have the virus compared with females (Douglas, 2005), sexual harassment which may result in sexual assault and rape will flourish without a national sexual harassment and may pose a challenge to addressing the HIV epidemic.

In summary, while sexual harassment is predominantly perpetrated by males against females, a national sexual harassment policy cannot be gender specific as this would create gender discrimination against the unmentioned sex, and thereby retards willingness of the that gender from coming forward with cases of harassment. The society needs to be sensitized about sexual harassment, and efforts should be instituted to lower and remove the social ostracization of people who come forward with cases because the current reality is destroying the sociopsychological and physiological wellbeing of many lives. Furthermore, sexual harassment should be seen as a public health concern, and therefore be studied by public health researchers and included in the public health literature as well as social justice (or injustice) and medical sociology, in Jamaica. In the study of health status of people, from here onwards, we must include sexual harassment because sexual violence against people, particularly women, children and economically marginalized groups, affect their psychological, social and physiological wellbeing. Because sexual harassment creates mental health problems, the Ministry of Health needs to keep statistics on this phenomenon in order to aid health measurement and outcomes of those who have had experienced sexual harassment.

ACKNOWLEDGMENT

This study was emerged from the Master of Science thesis of Racquel Peter. It was a partial fulfillment of the requirement for the Degree of Master of Science in Governance and Public Policy, University of the West Indies, Mona, Jamaica.

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