

**AN EXPLORATORY STUDY OF THE
REASONABLE WOMAN STANDARD:
GENDER-BIAS IN INTERPRETING ACTIONABLE
SEXUAL HARASSMENT**

ROBERT K. ROBINSON, PH.D.

BRIAN J. REITHEL, PH.D.

The University of Mississippi

GERALYN McCLURE FRANKLIN, PH.D.

Stephen F. Austin State University, Texas

ABSTRACT

This article presents the results of an exploratory study that investigated gender-differences in interpreting verbal and physical workplace behaviors as sexual harassment. Respondents were required to evaluate sexual behavior described in six vignettes in the context of current legal definitions of sexual harassment. The vignettes were drawn from the findings of fact in actual federal sexual harassment cases. After reading each vignette, the respondents were required to determine whether actionable sexual harassment had occurred within the scope of the narrow legal definition. Additionally, respondents were to select an appropriate disciplinary action that they would recommend if the incidents described in the vignettes were handled internally. Significant differences in both guilt interpretations and punishment recommendations occurred along gender lines.

In recent years increasing attention has been directed toward employers' obligation to investigate and adequately resolve complaints of sexual harassment in the workplace. In the decade and a half since sexual harassment received its initial recognition as a complaint actionable under Title VII [1], sexual harassment claims have steadily increased. By 1990, the number of sexual harassment charges filed with the Equal Employment Opportunity Commission had risen to 56,000 [2]. Wendt, Slonaker, and Coleman's study showed that sexual harassment now

accounts for approximately one fourth of the sex-based discrimination claims filed by women [3].

In addition to the increase of sexual harassment complaints as an actionable Title VII claim, the courts and the EEOC have defined the limits of employer obligations to maintain a harassment-free work environment. Employers are fully expected to treat all complaints seriously, investigate them, and take those actions necessary to ensure that the harassment does not recur. Failure to conduct a proper investigation and implement corrective action can result in the employer being found liable. Prior to 1991, this particular incentive took the form of reinstatement, backpay, or injunctive relief under federal statutes, although monetary damages could be awarded (in certain circumstances) under state tort statutes [4]. The enactment of the Civil Rights Act of 1991 radically increased the potential liability for employers. The new civil rights act authorized ominous penalties for employer noncompliance [5]. Under the statute, the victims of employment discrimination may now file for punitive or compensatory damages in instances where an employer can be shown to have acted with "malice" or "reckless or callous indifference to the federally protected rights of others" [6] (42 U.S.C. § 1981). Depending on the size of the given employer, these damage awards can range from \$50,000 to \$300,000 per victim [6]. As will be seen, the proofs required in sexual harassment litigation, by their very nature, are especially suited to establishing malice or callous indifference. As a result, substantiated incidents of sexual harassment in which the employer failed to adequately investigate may now have serious economic consequences for that employer. However, if employers *do* conduct prompt investigations and *do* take immediate and appropriate action designed to prevent the recurrence of the harassment, then the employers are insulated from liability [7-8]. It should be noted that these remedial actions should be severe enough to end the harassment, but do not necessarily have to result in dismissal [9].

When conducting such in-house investigations, it is important that an employer does so in an impartial manner and ensures that the rights of both parties, the alleged victim and the alleged harasser, are protected [10-11]. An essential component of any investigation is verifying that the alleged behavior did occur and that it was, in fact, sexual harassment. This may not be as simple as it sounds because several federal courts have concluded that behaviors that are potentially sexual harassment may very well be a gender-related issue.

Some federal circuit courts have become increasingly sensitive to the studies that indicate women are far more likely to perceive and categorize a greater range of social behaviors as being sexual harassment than males do [12-18]. As a consequence, several federal judicial circuits [19] have already adapted a standard for analyzing sexual harassment claims known as the "reasonable woman" doctrine [20]. This new doctrine differs markedly from the previous standard, which assessed hostile work environments on a gender-neutral basis [21]. The alternative approach to analysis could have a significant impact in a court's

determination as to whether an employer's investigation or corrective actions were sufficient to avoid a finding of liability. The dilemma confronting the courts is that the concept has not been universally accepted by the judicial community [22-23].

Under this "reasonable woman" standard, a finding of actionable sexual harassment results if the effects of the alleged harassment would have been judged to be "sufficiently severe or pervasive as to create an abusive work environment" by a reasonable woman in that situation [24-25]. Should this new standard gain universal acceptance, it would define hostile environments, and the resulting employer liability, from the perspective of a "reasonable" member of the alleged victim's sex [26]. What has not been adequately addressed is just how a "reasonable" woman would define particular workplace behaviors as being severe or pervasive, or if such perceptual differences actually exist. None of the previous research on gender differences in determining severity and pervasiveness has been based on the legal definitions of "actionable" sexual harassment.

PURPOSE

The purpose of this study was to initiate inquiry into whether gender differences exist in assessing "actionable" sexual harassment, that is, sexual harassment that is proscribed under federal equal employment opportunity laws. This is a much narrower definition of sexual harassment than used in previous research. For a claim of sexual harassment to be "actionable" under Title VII of the Civil Rights Act of 1964, it must first satisfy a series of conditions, or criteria, called "proofs." In establishing a *prima facie* case of *hostile environment* sexual harassment, the courts have clearly delineated that a complaining party must demonstrate the following:

1. The alleged victim belongs to a class or group protected under Title VII.
2. The alleged victim was subjected to unwelcome sexual harassment.
3. The sexual harassment complained of was based on the alleged victim's sex.
4. The harassment must be "sufficiently *severe* or *pervasive* so as to alter the conditions of the victim's employment and create an abusive work environment." [27, at 904]
5. *Respondent superior*. The employer knew or should have known of the sexual harassment and took no effective remedial action. [28, at 946]

The primary objective of this research was to determine whether there are significant differences in male/female interpretations of workplace behaviors as being sexual harassment after they have been instructed to make their determinations on the basis of the aforementioned legal proofs. The respondents were given instructions for completing the questionnaire that are very similar to a judge's instructions to a jury. Having received these legal guidelines concerning conditions that must be present to make a determination of sexual harassment, will

respondents still demonstrate discernible differences in interpreting behavior along gender lines?

This research provides three contributions to the body of sexual harassment research. First, the federal judiciary will benefit by determining whether there is a bona fide need for the reasonable woman standard. Regardless of the outcome, whether gender differences under such circumstances exist, the results of this study will begin to provide the foundation for a uniform standard of analysis to be applied throughout all thirteen federal judicial circuits. These results will provide either an argument for or against the "reasonable woman" doctrine.

The second beneficiaries will be private and public sector employers. To ensure that in-house investigations comply with federal interpretations of sexual harassment, it would be necessary to account for gender-related differences in perception, should they exist. Should "reasonable woman" standards be adopted by the courts, employer liability under Title VII would be broader because sexual harassment would turn on the perceptions of the victim (as a "reasonable" member of his/her gender), not the employer [29]. In fact, experts in the field are already advocating that when the employer conducts internal investigations, the facts of a case should be evaluated from this "reasonable" perspective to prevent charges of bias [11].

The third beneficiaries of the study are sexual harassment researchers, who may be able to adopt the methodology and instrumentation developed and presented herein. By consistently using the same instruments and designs, sexual harassment researchers will be able to provide guidance to the judiciary's decision making, rather than simply reacting to judicial actions.

RESEARCH METHOD

To answer this research question a survey questionnaire was developed to measure differences in male/female interpretations of sexually oriented behavior in the workplace from a strictly legal perspective. Because of the legal nature of this topic, the descriptions of these behaviors were drawn from actual federal sexual harassment litigation. The survey was administered to forty-seven business majors attending a senior-level Business Policy and Strategy class as a pretest of the survey instrument. The authors intend to eventually survey a professional organization that has a large female representation among its members, using the instrument developed in this pilot study. The survey results were tabulated and analyzed in the context of the existing employment laws in order to derive recommendations for employer action to avert legal liabilities.

The first hypothesis under consideration is that despite the narrow legal definition of actionable sexual harassment, differences in interpretations of sexual

workforce behavior will vary between male and female respondents. To investigate this hypothesis, the survey questionnaire contains the following:

- Instructions are given to the respondents as to how “actionable” sexual harassment is to be determined. This will, in effect, operationalize the definition of sexual harassment for all respondents in much the same way as a judge would instruct a jury.
- Five scenarios were developed from the actual findings of fact in federal hostile-environment sexual harassment cases for presentation to the respondents for analysis [30].
- After reading the case scenarios, the respondents were asked to answer questions to determine:
 1. Did the alleged victim invite or encourage the sexual conduct?
 2. Was the incident sufficiently severe that a single occurrence would have caused the victim serious psychological harm?
 3. Did the sexual conduct occur with enough frequency to establish a pattern of harassment that would create a hostile work environment?
 4. Having previously been given the conditions necessary for a legal determination of sexual harassment, did the respondent find the alleged harasser “guilty” or “not guilty”?
 5. If an in-house investigation had occurred (rather than a formal legal trial), what disciplinary action should be imposed or recommended?

The first three questions were provided in statement form and respondents were merely required to check one of seven blocks along a Likert-type scale ranging from “Definitely Present” to “Definitely Absent.” These would later be coded as seven through one in descending order from “Definitely Present.” The fourth question asked the respondent to merely mark a block for “guilty” or “not guilty,” and was later coded one or zero, respectively. To answer the fifth question for each vignette, the respondent had to select one of nine possible disciplinary actions, which were scored as zero to eight, based on the increasing severity of each disciplinary action.

Additionally, demographic data on each respondent were gathered to determine differences based on sex, race, or age. Due to the homogeneity of the student sample in this pilot survey, the racial, education, and age variables could not be investigated.

As previously hypothesized, it was expected that, despite having been given a precise legal definition of sexual harassment, there would be a significant difference in the assessment of actionable sexual harassment along gender lines. In light of the previous research involving “open” definitions of sexual harassment [13, 15, 31-34], it would be expected that the female responses from the survey would be significantly different from male respondents even when provided with a narrow operational definition of actionable sexual harassment.

RESULTS

Of the forty-seven responses to the questionnaire, forty-six were found to be suitable for the study. One was discarded due to nonresponses. Of the acceptable responses, there was an equal number of respondents along gender lines (23 female; 23 male). The mean responses are provided in Table 1. The vignettes, identified as "I" and "II," were based on federal sexual harassment cases in which a federal court concluded that the verbal behavior was neither sufficiently severe nor pervasive enough to substantiate an actionable hostile environment claim of sexual harassment. Vignettes "III" and "IV" were drawn from cases in which a federal court concluded that the verbal behavior was actionable sexual harassment. Vignette "V" involved physical behavior that constituted an actionable claim.

Each case, or vignette, was followed by the five questions previously discussed. On the table, "Invited," "Severity," and "Frequency" represent the mean scores for the first three questions, respectively. The higher the mean score, the greater the sense that the specific condition was present. Hence, a mean score of 6.565 for "Severity" indicates that the majority of that gender group felt that the verbal or physical behavior in that vignette was sufficient to have created a hostile work environment. A mean score of 4.000 would indicate that the respondents were not sure that the condition was present or absent. Conversely, a score of 2.043 would indicate general agreement within that gender group that the verbal or physical behavior was sufficiently absent.

The mean response on the question identified as "Guilty" merely represents the percentage in each gender group of those who concluded that actionable harassment had occurred. The "Guilty" question was coded dichotomously, with one representing a finding of guilt.

Finally, scores for the "Discipline" question indicate the mean severity of the punishment that a gender group would impose if the matter described in the vignette were handled as an in-house investigation. The higher the mean, the greater the severity of the disciplinary action taken against the harasser.

T-tests were conducted to compare male/female means. Those at the 0.05 and 0.10 levels have been identified accordingly. The next section of this article analyzes the pilot study's results in light of the current legal environment.

DISCUSSION

The most noteworthy results from this study are that several of the means do indicate that, within this sample, assessments of actionable sexual harassment varied along gender lines. In three instances (cases I, II, and IV) these differences were significant at the 0.10 level (see Table 1). In all instances, the female respondents were more likely to judge the alleged harasser guilty than were their male counterparts. Interestingly, 74 percent of the female respondents found the

Table 1. Mean Responses and t-Test Results

| Case/Question | Female Respondents (n = 23) | | Male Respondents (n = 23) | | Note |
|---------------|--------------------------------|-----------------------|------------------------------|-----------------------|------|
| | Mean | Standard Deviation | Mean | Standard Deviation | |
| I: Invited | 2.087 | 1.676 | 2.609 | 1.644 | |
| Severity | 3.304 | 1.663 | 2.043 | 1.107 | A |
| Frequency | 4.304 | 2.010 | 3.478 | 1.855 | |
| Guilty | 0.478 | 0.511 | 0.217 | 0.422 | B |
| Discipline | 2.700 | 1.867 | 3.190 | 3.341 | |
| II: Invited | 1.696 | 1.550 | 2.043 | 1.581 | |
| Severity | 4.696 | 1.663 | 3.913 | 1.998 | |
| Frequency | 5.043 | 1.770 | 3.739 | 2.115 | A |
| Guilty | 0.739 | 0.449 | 0.435 | 0.507 | A |
| Discipline | 5.000 | 3.078 | 3.000 | 2.655 | A |
| III: Invited | 1.652 | 1.496 | 2.609 | 1.901 | B |
| Severity | 5.261 | 1.602 | 4.826 | 2.081 | |
| Frequency | 5.862 | 1.337 | 5.478 | 2.020 | |
| Guilty | 0.826 | 0.388 | 0.696 | 0.470 | |
| Discipline | 5.381 | 2.598 | 4.429 | 3.187 | |
| IV: Invited | 2.565 | 1.805 | 2.783 | 1.476 | |
| Severity | 4.826 | 1.992 | 3.652 | 2.187 | B |
| Frequency | 5.696 | 1.663 | 5.217 | 2.088 | |
| Guilty | 0.739 | 0.449 | 0.565 | 0.507 | B |
| Discipline | 5.350 | 2.641 | 5.474 | 3.289 | |
| V: Invited | 1.609 | 1.469 | 1.609 | 1.158 | |
| Severity | 6.304 | 1.295 | 6.565 | 0.843 | |
| Frequency | 6.478 | 0.790 | 6.261 | 1.322 | |
| Guilty | 1.000 | 0.000 | 0.870 | 0.344 | |
| Discipline | 7.435 | 1.674 | 7.000 | 2.098 | |

Notes: t-Tests were conducted to compare the male/female means, with the results coded as follows:

A = t-test significant at 0.05 level

B = t-test significant at 0.10 level

alleged harasser guilty in case II, even though the federal decision from which the vignette was drawn held the harasser to be not guilty.

Throughout the responses, females were more likely to assess "severity," "frequency," and "discipline" higher than males except in two instances. Males imposed slightly higher discipline scores against the harasser in case IV than females (5.474, compared to 5.350). Males also found the physical contact in case V to have been sufficiently severe to constitute sexual harassment at a slightly higher rate than females (6.565 to 6.304).

If such results can be replicated in the larger study, it will demonstrate that the current legal proofs for sexual harassment do little to "operationalize" the violation. Despite providing a narrower definition of sexual harassment, interpretations of what behaviors constitute "severe" or "pervasive" may vary significantly between the genders.

For future research, this study gives rise to several questions. Will the same outcomes be replicated in a more heterogeneous sample? Will results differ when ethnicity, age, education, and other demographic variables are accounted for?

Another intriguing question raised by this study results from the frequency in which a harasser who was judged not to be guilty of actionable harassment would still have been disciplined had the matter been handled in-house. This could indicate that some respondents may feel that just because the behavior is not sufficient to meet the legal requirements to be actionable, they are serious enough to disrupt the workplace and warrant disciplinary action. Furthermore, examination of disciplinary actions assessed under a finding of guilt indicate that some situations perceived as actionable harassment may not warrant the extensive punitive and compensatory awards authorized under the Civil Rights Act of 1991. For example, approximately 74 percent of the female respondents found the harasser guilty of actionable sexual harassment in case IV, yet only three respondents (17.6% of those assessing guilt) recommended termination (see Figure 1). This may be indicative of individual perceptions that there exist "misdemeanor" and "felony" forms of actionable sexual harassment.

Additionally, males tended to be more likely to impose a more severe disciplinary action when an assessment of guilt was imposed. As an example, 38.5 percent of the males who found the harasser guilty in case IV recommended termination (see Figure 2). This was a percentage twice that of the female respondents for the same case. Further research may indicate that females are more prone to determine that certain workplace behaviors are sexual harassment; males may be more likely to impose harsh punishment for harassers once that determination is made.

IMPLICATIONS AND CONCLUSIONS

It must be remembered that this was an exploratory study and as such, its primary purpose was to learn more about the problem being researched and to

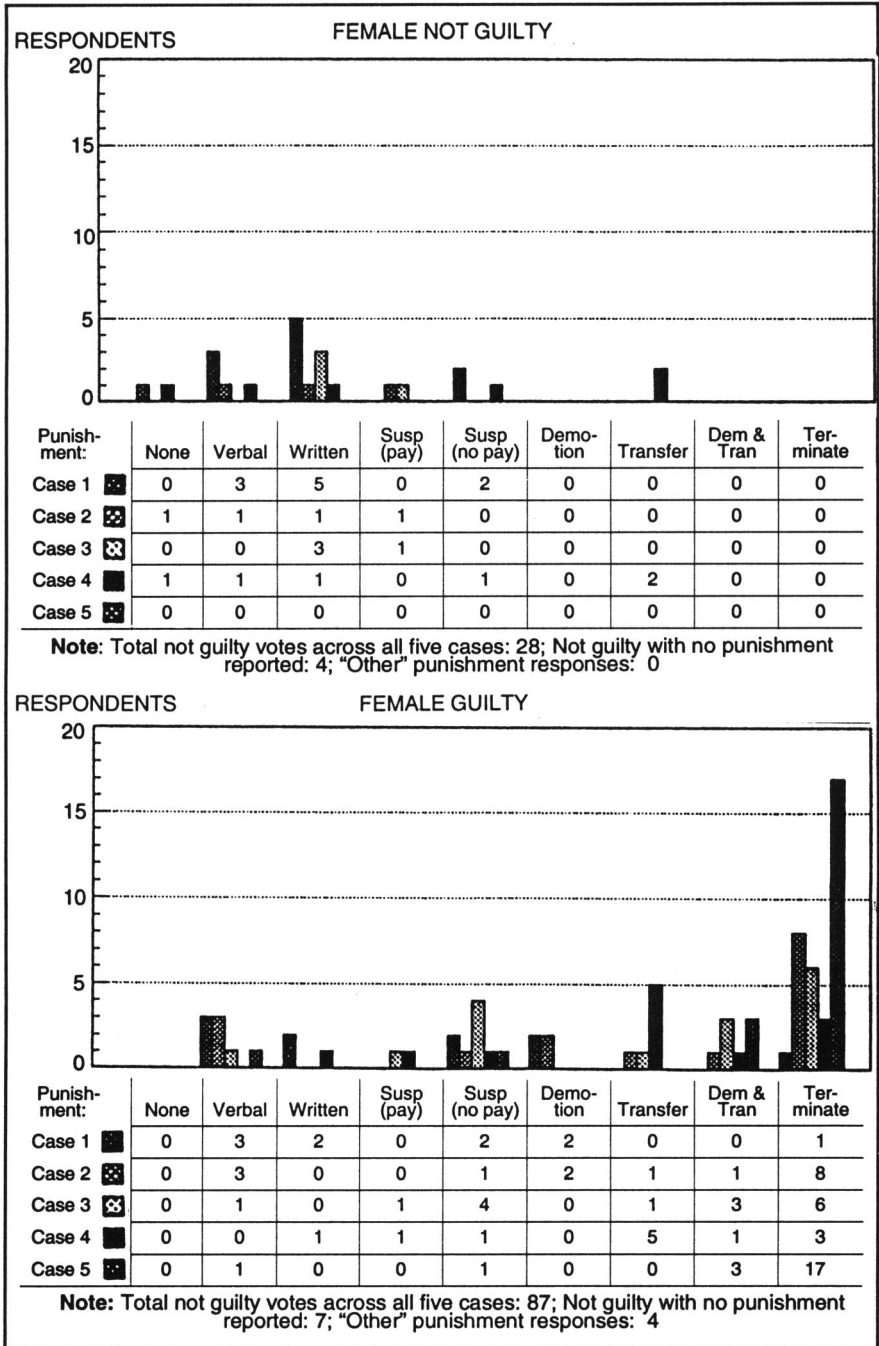


Figure 1. Punishments recommended by female respondents.

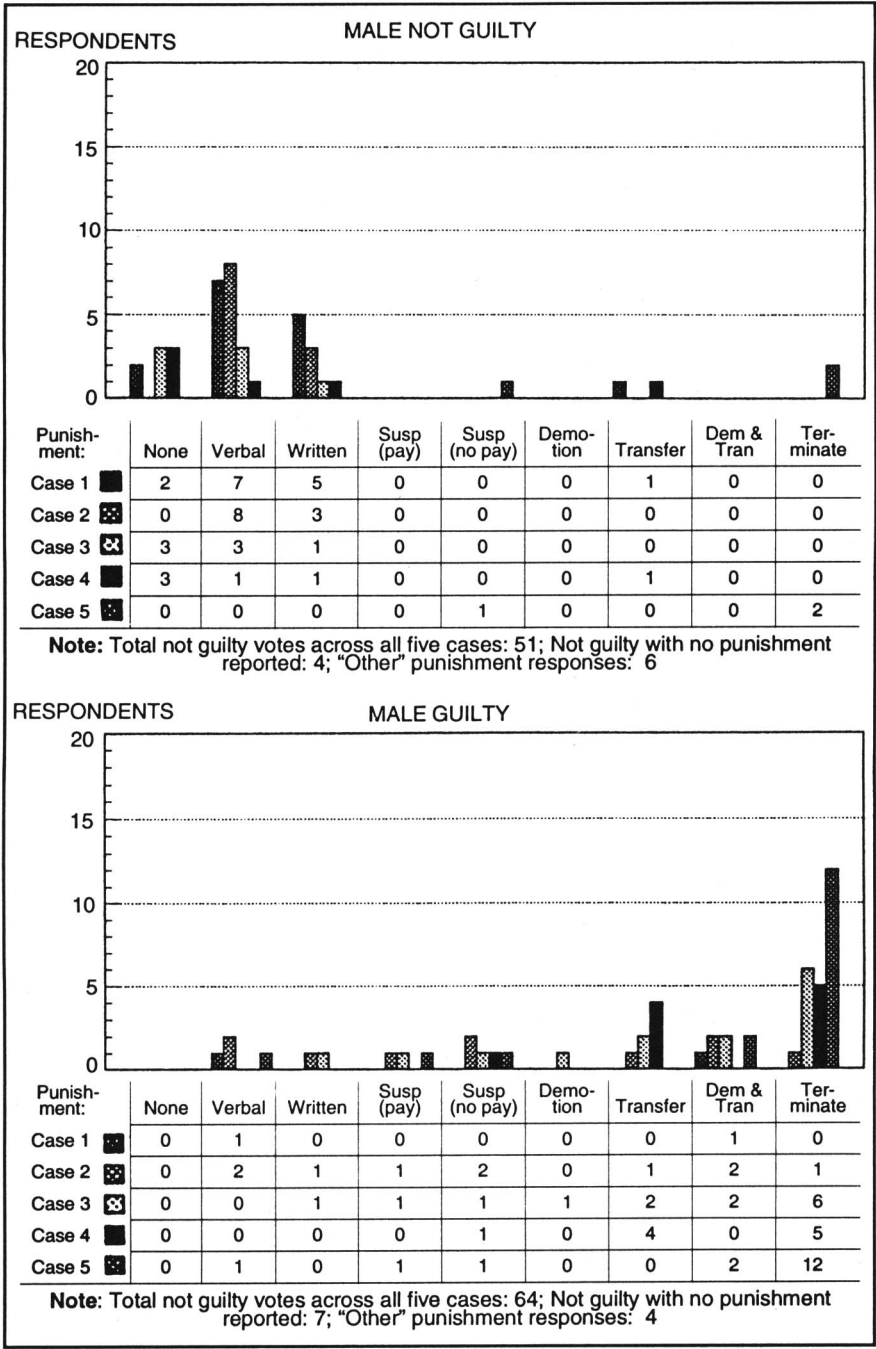


Figure 2. Punishments recommended by male respondents.

establish research priorities [35]. In this instance, the initial findings appear to support the contention that women are far more likely to interpret workplace behaviors as being sexual harassment than men are, even when they are exposed to the more narrowly defined legal proofs. That gender biases occur even when the legal system has attempted to provide more objective definitions of actionable sexual harassment is consistent with findings provided in previous research [36].

One of the implications of this study, should these findings be replicated, is that the potential advantages to be gained from manipulating jury selection are increased under the "reasonable woman" doctrine. Because the new Civil Rights Act allows for jury trials, and women are more likely to conclude that behavior of a sexual nature is actionable harassment, trial lawyers representing the female complaining party could increase the possibility of a favorable outcome by selecting a female-heavy jury. Conversely, attorneys representing employers may consider male-heavy juries advantages.

Another implication is that the legal definition of actionable sexual harassment may need to be more narrowly defined. Presently the courts have considered the conduct-related elements of hostile work environment sexual harassment to be objective in nature [22]. However, our initial findings indicate that interpretations of what conduct was either "severe" or "pervasive" enough to constitute actionable sexual harassment are gender-biased. The marked differences between male and female interpretation of these behaviors would indicate that a good deal of subjectivity exists in these elements. Two alternative solutions to this perceptual dilemma may exist. One is the adoption of a reasonable woman standard, which has already been adopted by several federal agencies and has been recommended for universal adoption [23]. The other possibility is that the Supreme Court would be forced to more narrowly define "severity" or "pervasiveness" to reduce the potential for subjective assessment.

The final problem identified in this study is that there may be a marked difference between what men and women perceive as the appropriate remedial action for eliminating sexual harassment from the workplace. The current requirement is that such action must be "reasonably" severe to ensure that the sexual harassment will not recur [37]. Our preliminary results indicate that differences in preferences for punishments to be imposed also exist along gender lines.

This pilot study has demonstrated that more research needs to be conducted to provide answers for these and other questions. The results of future research efforts may bring a better understanding of the sexual harassment dilemma and provide an approach for resolving this problem in both the workplace and the courtroom.

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Dr. Robert K. Robinson is an Assistant Professor of Management at the University of Mississippi. His research interests involve federal regulation of the work place, sexual harassment, business ethics, and employee recruiting and selection.

Professor Robinson's articles have appeared in numerous professional and many other business journals.

Dr. Brian J. Reithel is an Assistant Professor of Management Information Systems at The University of Mississippi. A frequent contributor to management and MIS journals, Dr. Reithel's current writings have appeared in *Decision Support Systems*, *Public Administration Quarterly*, *Journal of Individual Employment Rights*, *Journal of Systems and Software*, and numerous national and international conference papers.

Dr. GERALYN McClure Franklin is Associate Professor of Management at Stephen F. Austin State University. Her research interests are in sexual harassment, equal employment opportunities, women in management, and small business development. In recent years she has published articles in many professional and trade journals.

ENDNOTES

1. *Williams v. Saxbe*, 413 F. Supp. 654 (D.D.C. 1976).
2. F. T. Coleman, Creating a Workplace Free of Sexual Harassment, *Association Management*, 45:2, pp. 69-75, February 1993.
3. A. C. Wendt, W. M. Slonaker, and J. W. Coleman, Employment Discrimination is Sex-blind, *SAM Advanced Management Journal*, 58:2, pp. 28-33, Spring 1993.
4. R. H. Baxter and L. C. Hermle, *Sexual Harassment in the Workplace: A Legal Guide* (3rd Edition), Executive Enterprises, New York, 1989.
5. Civil Rights Act of 1991, 42 U.S.C. § 2000e et. seq.
6. 42 U.S.C. § 1981.
7. *Katz v. Dole*, 709 F.2d 251 (4th Cir. 1983).
8. *Barrett v. Omaha National Bank*, 726 F.2d 424 (8th Cir. 1984).
9. S. L. Bass, The "Reasonable Woman" Standard: The Ninth Circuit Decries Sexes Perceive Differently, *Labor Law Journal*, 43:7, pp. 449-455, 1992.
10. R. K. Robinson, R. L. Fink, and G. M. Franklin, Sexual Harassment in the Workplace: Issues and Answers, *Hospital and Health Service Administration*, 38:2, pp. 167-180, 1993.
11. J. J. Oh, Internal Sexual Harassment Complaints: Investigating to Win, *Employee Relations Law Journal*, 18:2, pp. 227-244, 1992.
12. D. J. Benson and G. Thomson, Sexual Harassment on a University Campus: The Congruence of Authority Relationships, Sexual Interests, and Gender Significance, *Social Problems*, 29, pp. 236-251.
13. B. A. Gutek, B. Morasch, and A. G. Cohen, Interpreting Social-Sexual Behavior in a Work Setting, *Journal of Vocational Behavior*, 22, pp. 30-48, 1983.
14. D. Lester, B. Banta, J. Barton, N. Elian, L. Mackiewicz, and J. Winkelried, Judgment about Sexual Harassment: Effects of the Power of the Harasser, *Perceptual and Motor Skills*, 63, p. 990, 1986.
15. G. N. Powell, The Effects of Sex Role Identity and Sex Definitions of Sexual Harassment, *Sex Roles*, 14, pp. 9-19, 1986.

16. K. H. Sheehan, D. V. Sheehan, K. White, A. Leibowitz, and D. C. Baldwin, A Pilot Study of Medical Student 'Abuse', *Journal of the American Medical Association*, 263:4, pp. 533-537, 1990.
17. D. E. Terpstra and D. D. Baker, Outcomes of Sexual Harassment Charges, *Academy of Management Journal*, 31:1, pp. 185-194, 1988.
18. K. M. York, Defining Sexual Harassment in Workplaces: A Policy-capturing Approach, *Academy of Management Journal*, 32:4, pp. 830-850, 1989.
19. At the time of this writing, the United States Courts of Appeal for the First, Third, Sixth, Eighth, and Ninth Federal Judicial Circuits have adopted "reasonable woman" standards (*Lipseett v. University of Puerto Rico*, 864 F.2d 881 (1st cir. 1988); *Andrews v. City of Philadelphia*, 895 F.2d 1469 (3rd cir. 1990); *Yates v. Avco Corp.*, 819 F.2d 630 (6th cir. 1987); *Burns v. McGregor Electric Industries*, 1993 w1 88325 (8th cir. March 30, 1993); and *Ellison v. Brady*, 924 F.2d 872 (9th cir. 1991).
20. *Ellison v. Brady*, 924 F.2d 872 (9th cir. 1991).
21. A. F. Silbergeld, Reasonable Victim Test for Judging Hostile Environment Sexual Harassment Cases, *Employee Relations Today*, 31, pp. 257-264, Summer 1991.
22. W. C. Arbery, A Step Backward for Equality Principles: The "Reasonable Woman" standard in Title VII Hostile Work Environment Sexual Harassment Claims, *Georgia Law Review*, 27:2, pp. 503-533, 1993.
23. L. Dennison, An Argument for the Reasonable Woman Standard in Hostile Environment Claims, *Ohio State Law Journal*, 54:2, pp. 473-496, 1993.
24. *Andrews v. City of Philadelphia*, 895 F.2d 1469 (3d Cir. 1990).
25. *Yates v. Avco Corporation*, 819 F.2d 630 (6th Cir. 1987).
26. It is assumed that if a male employee were the alleged victim of sexual harassment, the determination as to whether the actions in question resulted in a detrimental effect would have to be examined from the perspective of a "reasonable man."
27. *Henson v. City of Dundee*, 682 F.2d 897 (11th Cir. 1982).
28. *Bundy v. Jackson*, 641 F.2d 934 (D.C. Cir. 1981).
29. A. Baker, The "Reasonable Woman" Standard: Implications for Assessing the Severity of Sexual Harassment and the Adequacy of Employer Response, *Journal of Corporation Law*, 17:3, pp. 691-713, 1992.
30. To insure authenticity of both the instructions and the scenarios, the questionnaire was reviewed by an assistant state attorney for the state of Florida who also was a former Department of Justice attorney with civil rights experience.
31. D. E. Terpstra and D. D. Baker, A Hierarchy of Sexual Harassment, *Journal of Psychology*, 121:6, pp. 599-605, 1990.
32. D. A. Thomann and R. L. Wiener, Physical and Psychological Casualty as Determinants of Culpability in Sexual Harassment, *Sex Roles*, 17:9/10, pp. 573-591, 1987.
33. T. Reilly, S. Carpenter, V. Dull, and K. Bartlett, The Factorial Survey: An Approach to Defining Sexual Harassment on Campus, *Journal of Social Issues*, 38:4, pp. 99-110, 1982.
34. E. Weber-Burdin and P. H. Rossi, Defining Sexual Harassment on Campus: A Replication and Extension, *Journal of Social Issues*, 38:4, pp. 111-120, 1982.
35. C. W. Emory and D. R. Cooper, *Business Research Methods* (4th Edition), Irwin, Homewood, Illinois, 1991.

36. D. E. Terpstra and D. D. Baker, Outcomes of Federal Court Decisions on Sexual Harassment, *Academy of Management Journal*, 35:1, pp. 181-190, 1992.
37. *Downes v. Federal Aviation Administration*, 775 F.2d 288 (Fed. Cir. 1985).

Direct reprint requests to:

Robert K. Robinson
Department of Management and Marketing
The University of Mississippi
University, MS 38677