

# LEGISLATIVE PROHIBITIONS AGAINST WORKPLACE SEXUAL HARASSMENT: MALAYSIA IN THE REGIONAL CONTEXT

Malaysia prohibits sexual harassment at the workplace. This prohibition, outlined in Malaysia’s Employment Act, is a strong foundation for dignity and freedom from workplace harassment for women in Malaysia.

At the same time, **the Malaysian government is in the process of considering a new Sexual Harassment Bill to expand legal protections against sexual harassment and recourse available to victims.** The first section of this brief enumerates the strengths in Malaysia’s current legal framework against sexual harassment at work. Subsequent sections of this brief detail a range of legislative areas that the Malaysian government could address in future laws and reforms in service of the prevention and elimination of workplace sexual harassment.<sup>1</sup>

## STRENGTHS IN MALAYSIA’S LEGAL FRAMEWORK

The scope of sexual harassment prohibitions in the Employment Act feature important strengths:

- The legal definition of sexual harassment covers **actions that create a hostile work environment as well as quid pro quo or sexual advances**—thereby covering actions that violate a person’s dignity or create an environment that is intimidating, hostile, degrading, humiliating, or offensive.
- The Employment Act makes explicit that **the prohibition against sexual harassment extends to domestic workers**—an occupation that experiences widespread sexual harassment at work around the world.
- **Employers can be held legally responsible for failing to fulfill their roles** in responding to sexual harassment complaints—this offence can result in fines levied on the employer.

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<sup>1</sup> All policy data presented in this brief reflect legislation in force as of January 2021. Details on sourcing and methodology can be found online (<https://www.worldpolicycenter.org/topics/equal-rights-and-discrimination/methods>) under “Preventing Workplace Discrimination and Sexual Harassment.”



## OPPORTUNITIES FOR LEGAL REFORM IN THE REGIONAL CONTEXT

For each area below, examples of strong legislative text approaches from the region are included at the end of the document. Regional analysis draws on available findings from 30 countries in East Asia & the Pacific.

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### PROHIBITING DISCRIMINATORY HARASSMENT BASED ON SEX ALONGSIDE SEXUAL BEHAVIORS

In Malaysia, the current legal definition of sexual harassment entails *“any unwanted conduct of a sexual nature, whether verbal, non-verbal, visual, gestural or physical, directed at a person which is offensive or humiliating or is a threat to his well-being, arising out of and in the course of his employment;”*

- Malaysia’s current definition—which is focused on sexual advances and conduct—**could be strengthened by further prohibiting sex-based harassment**, to ensure legal protection against stereotyping, derogatory jokes, and other unwelcome behavior based on sex.
- Legislation in 8 countries in East Asia & the Pacific prohibit both sexual-behavior based harassment at work and sex-based harassment (Australia, Cambodia, Fiji, Lao, Marshall Islands, The Philippines, Timor-Leste, and Vietnam).

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### PROHIBITING SEXUAL HARASSMENT AGAINST ALL PEOPLE IN THE WORLD OF WORK

In addition to employees, the ILO Convention on Violence and Harassment (C190) protects “other persons in the world of work” including “persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants.” Evidence from around the world demonstrates that sexual harassment in the world of work can occur irrespective of contractual status and studies have found that women experience sexual harassment during recruitment processes and job interviews,<sup>i</sup> as well as in internships and practicum training programs.<sup>ii</sup>

Currently, Malaysian legislation defines “complaints of sexual harassment” as *“relating to sexual harassment made (i) by an employee against another employee, (ii) by an employee against any employer; or (iii) by an employer against an employee.”* The First Schedule of the Employment Act further defines an employee as *“any person, irrespective of his occupation, who has entered into a contract of service with an employer under which such person’s wages do not exceed two thousand ringgit a month.”*



- This provision could be strengthened by more explicitly articulating that prohibitions against sexual harassment extend to job seekers and employees in training—such as interns or apprentices.
- Legislation in Fiji, Marshall Islands, and The Philippines explicitly extends coverage to both job seekers and employees in training.
- 6 additional countries in the region extend coverage to job seekers (Australia, Kiribati, Republic of Korea, New Zealand, Timor-Leste, and Tuvalu)

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### PROHIBITING SEXUAL HARASSMENT BY ANYONE IN THE WORKPLACE

Though most sexual harassment in the workplace is perpetrated by coworkers or managers, women are also at risk of sexual harassment from clients, contractors, or other third parties. Studies have shown a high incidence of sexual harassment perpetrated by clients and customers, across industries and in countries across the globe.<sup>iii</sup>

Currently, Malaysian legislation prohibits sexual harassment *“arising out of and in the course of his employment” “(i) by an employee against another employee, (ii) by an employee against any employer; or (iii) by an employer against an employee.”*

- While this provision covers sexual harassment by employers and coworkers, it **could be strengthened by more explicitly covering sexual harassment perpetrated by anyone a worker might come into contact with in the workplace**—in other words, language that extends coverage to sexual harassment perpetrated by customers, external contractors, and other third parties.
- Legislation in 4 countries in East Asia & the Pacific currently prohibits sexual harassment by anyone in or outside the workplace (Australia, Kiribati, Republic of Korea, New Zealand)

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### PROTECTION FROM RETALIATION FOR REPORTING SEXUAL HARASSMENT

Studies find that when women are afraid of retaliation, they are less likely to report sexual harassment,<sup>iv</sup> and indeed, evidence does demonstrate that reporting sexual harassment often triggers retaliation—especially against the most vulnerable victims.<sup>v</sup> To this end, the ILO’s Violence and Harassment Convention (C190) specifically calls for “protection against victimization of or retaliation

against complainants, victims, witnesses and whistle-blowers” but **legislation in Malaysia does not pair a prohibition of workplace sexual harassment with a protection from retaliation for lodging a complaint.**

Strong protections from retaliation should protect any person participating in investigations of sexual harassment, and cover any adverse action including harassment or disciplinary actions, not just retaliatory dismissal; several countries in the East Asia and the Pacific region demonstrate that it is feasible to extend this form of legal protection for reporting sexual harassment.

- 10 countries in the region comprehensively prohibit all forms of retaliation against individuals who report workplace sexual harassment, including: Australia, China, Fiji, Kiribati, Republic of Korea, Lao, New Zealand, The Philippines, Timor-Leste, and Tuvalu.
- 7 countries in the region prohibit retaliation against witnesses or workers participating in an investigation of sexual harassment, including: Australia, Fiji, Kiribati, Lao, New Zealand, Timor-Leste, and Tuvalu.

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## **ESTABLISHING EMPLOYERS’ LEGAL RESPONSIBILITY TO PREVENT WORKPLACE SEXUAL HARASSMENT**

Recognizing the responsibility held by employers to maintain safe and respectful workplaces free of harassment, ILO’s Violence and Harassment Convention (C190) specifically calls for “laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work” by taking specific steps that include adopting and implementing workplace policies, and providing trainings to workers and others.

While Malaysian law requires employers to respond to complaints of sexual harassment, legislation does not currently require employers to take active steps in the prevention of workplace sexual harassment.

**Malaysia’s legal framework against sexual harassment could be strengthened by incorporating specific prevention requirements for employers aligned with C190.** Such requirements are already included in legislation in countries in the East Asia and Pacific region:

- 4 countries in the region establish a general requirement for employers to prevent workplace sexual harassment (China, Kiribati, Timor-Leste, and Tuvalu)
- 6 countries in the region go further and require that employers take one or more specific preventative measures, including: raising awareness of legal rights, creating of a code of conduct,



developing and implementing sanctions, or holding trainings (Fiji, Republic of Korea, Marshall Islands, Mongolia, The Philippines, and Vietnam)

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## **ESTABLISHING AND EMPOWERING A STRONG INDEPENDENT BODY TO RESPOND TO SEXUAL HARASSMENT CLAIMS**

It is critical to pair strong legislative prohibitions against workplace sexual harassment with equally strong mechanisms for prevention, enforcement, and access to justice for all workers. The ILO Convention on Violence and Harassment calls for “dispute resolution mechanisms external to the workplace,” and such independent bodies can be particularly helpful not only for workers who fear retaliation or inaction from their employers but also for those who face resource and language barriers to pursuing their claims in the courts.<sup>vi</sup>

Malaysia’s Employment Act establishes an independent external body to which workers can lodge sexual harassment complaints in limited circumstances—the Director General of Labor. Workers can bring complaints to the Director General in the following cases:

- If the employer refuses to inquire into a complaint of sexual harassment, the worker can refer the matter to the Director General, who may direct the employer to inquire into the complaint
- The employer can make a complaint directly to the Director General if the complaint “is made against an employer who is a sole proprietor” – in which case the Director General “shall inquire into such complaint himself in a manner prescribed by the Minister.”

**Malaysia’s legislative framework for enforcement could be greatly strengthened by establishing an independent oversight body which is empowered to receive any workplace sexual harassment claims and offer recourse.** A number of countries take this approach in the East Asia and Pacific Region.

- 16 other countries in the region have established an independent mechanism for individuals’ complaints of workplace sexual harassment: Australia, Cambodia, China, Fiji, Japan, Kiribati, Republic of Korea, Lao, Marshall Islands, Mongolia, New Zealand, The Philippines, Thailand, Timor-Leste, Tuvalu, and Vietnam.



## LEGISLATIVE TEXT EXAMPLES OF KEY POLICY DETAILS FROM ACROSS EAST ASIA AND THE PACIFIC

### PROHIBITING DISCRIMINATORY HARASSMENT BASED ON SEX ALONGSIDE SEXUAL BEHAVIORS

**Timor-Leste** as an example of accompanying prohibitions of sex-based harassment and sexual behavior-based harassment

#### Labour Code, N. 4, 2012 (official English translation)

Article 7 Harassment

1. Harassment of job applicants and workers is prohibited.
2. Harassment is considered to be any unwanted conduct that affects the dignity of women and men, or conduct that is considered verbally, non-verbally or physically offensive, or which creates a work environment that is intimidating, hostile, humiliating and destabilising for the victim.
3. Sexual harassment is any unwanted conduct of a sexual nature that affects the dignity of women and men, or conduct that is considered verbally, non-verbally or physically offensive, such as touching or suggestive remarks, comments of a sexual nature, displaying pornography, requesting sexual favours, or other conduct which creates a work environment that is intimidating, hostile, humiliating and destabilising for the victim.
4. The employer shall put in place all necessary measures to prevent harassment, especially sexual harassment, from occurring in the workplace.

**The Philippines** as an example of a prohibition of *gender-based sexual harassment* that includes both sexual behavior-based harassment and sex-based harassment

#### Safe Spaces Act, 2019

Article IV. Gender-Based Sexual Harassment in the Workplace

SEC. 16. Gender-Based Sexual Harassment in the Workplace - The crime of gender-based sexual harassment in the workplace includes the following:

- (a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;
- (b) A conduct of sexual nature and other conduct based on sex affecting the dignity of a person, which is unwelcome, unreasonable, and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems;
- (c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient



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## PROHIBITING SEXUAL HARASSMENT AGAINST ALL PEOPLE IN THE WORLD OF WORK

In Fiji, sexual harassment is defined as a form of discrimination and discrimination is prohibited in both the application process and in the provision of training.

**Human Rights and Anti-Discrimination Commission Act, N. 11, 2009, amended to Dec. 2016**

PART 3—UNFAIR DISCRIMINATION

Areas where unfair discrimination prohibited

19.—(1) It is unfair discrimination for a person, while involved in any of the areas set out in subsection (3), directly or indirectly to differentiate adversely against or harass any other person by reason of a prohibited ground of discrimination.

(2) Without limiting subsection (1), sexual harassment, for the purposes of this section, constitutes harassment by reason of a prohibited ground of discrimination.

(3) The areas to which subsection (1) applies are—

(a) the making of an application for employment, or procuring employees for an employer, or procuring employment for other persons;

(b) employment;

...

(d) the provision of an approval, authorisation or qualification that is needed for any trade, calling or profession;

(e) the provision of training, or facilities or opportunities for training, to help fit a person for any employment;

(f) subject to subsection(4), membership, or the making of an application for membership, of an employers' organisation, an employees' organisation or an organisation that exists for members of a particular trade, calling or profession;

(g) the provision of goods, services or facilities, including facilities by way of banking or insurance or for grants, loans, credit or finance;

In the Marshall Islands, sexual harassment is defined as a form of gender discrimination, and gender discrimination is prohibited in recruitment and hiring (covering job seekers) and training (covering trainees)

**Gender Equality Act, 2019**

§706. Prohibition of gender discrimination.

(1) Gender discrimination, whether direct or indirect discrimination, is prohibited in all areas, in particular in the political, legal, economic, employment, social and domestic spheres, and by any person, State entity, enterprise or organization.

(2) Gender discrimination under subsection (1) includes multiple and intersectional discrimination.

(3) Violence against women and girls, including sexual harassment, constitutes gender discrimination

§714. Employment.

(1) Gender discrimination is prohibited in any area or aspect of employment, including the following:



(a) recruitment and hiring, wages and salaries, conditions of employment, benefits, training opportunities, promotion, retirement, retrenchment, termination, or any other relevant area;

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## PROHIBITING SEXUAL HARASSMENT BY ANYONE IN THE WORKPLACE

**In the Republic of Korea**, legislation explicitly includes directives regarding sexual harassment by clients and people in similar roles

### Act on Equal Employment and Support for Work-Family Reconciliation of 1987 (amended through 2016)

Article 2 (Definition)

The definition of terms used in this Act shall be as follows:

2. The term “sexual harassment at work” refers to a situation where an employer, a superior, or a worker causes another worker to feel sexually humiliated or offended by sexually charged words or actions by using their position in the workplace or in relation to work, or gives disadvantages in employment for disregarding sexual words or actions or any other demands, etc.

4. The term “worker” means a person employed by an employer and a person having the intention to be employed

Article 12 (Prohibition of Sexual Harassment at Work)

No employer, superior or worker shall engage in sexual harassment at work.

Article 14-2 (Prevention of Sexual Harassment by Clients, etc.)

(1) If a person closely related to the duties, such as a client, etc., causes a worker to feel sexually humiliated or offended by sexual words, actions, etc., during the performance of duties, and such worker requests resolution of the grievances thereby, the employer shall make efforts to take all possible measures, such as the change of the place of work, relocation, etc.

**New Zealand** as an example of explicit language around recourse for sexual harassment by customers and clients

### Human Rights Act, N. 82, 1993, amended to Dec. 2020

62 Sexual harassment

(1) It shall be unlawful for any person (in the course of that person’s involvement in any of the areas to which this subsection is applied by subsection (3)) to make a request of any other person for sexual intercourse, sexual contact, or other form of sexual activity which contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment.

(2) It shall be unlawful for any person (in the course of that person’s involvement in any of the areas to which this subsection is applied by subsection (3)) by the use of language (whether written or spoken) of a sexual nature, or of visual material of a sexual nature, or by physical behavior of a sexual nature, to subject any other person to behaviour that—

(a) is unwelcome or offensive to that person (whether or not that is conveyed to the first-mentioned person); and



(b) is either repeated, or of such a significant nature, that it has a detrimental effect on that person in respect of any of the areas to which this subsection is applied by subsection (3).

69 Further provision in relation to sexual or racial harassment in employment

(1) Where—

(a) a request of the kind described in section 62(1) is made to an employee; or

(b) an employee is subjected to behaviour of the kind described in section 62(2) or section 63—  
by a person who is a customer or a client of the employee's employer, the employee may make a complaint in writing about that request or behaviour to the employee's employer. ...

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## PROTECTION FROM RETALIATION FOR REPORTING SEXUAL HARRASSMENT

**New Zealand** as an example of legislation that prohibits any form of less favorable treatment towards persons who have made complaints or serve as witnesses to complaints made under the Act

### Human Rights Act, N. 82, 1993, amended to Dec. 2020

Part 2 Unlawful discrimination

Other forms of discrimination

66 Victimisation

(1) It shall be unlawful for any person to treat or to threaten to treat any other person less favourably than he or she would treat other persons in the same or substantially similar circumstances—

(a) on the ground that that person, or any relative or associate of that person,—

(i) intends to make use of his or her rights under this Act or to make a disclosure under the Protected Disclosures Act 2000; or

(ii) has made use of his or her rights, or promoted the rights of some other person, under this Act, or has made a disclosure, or has encouraged disclosure by some other person, under the Protected Disclosures Act 2000; or

(iii) has given information or evidence in relation to any complaint, investigation, or proceeding under this Act or arising out of a disclosure under the Protected Disclosures Act 2000; or

(iv) has declined to do an act that would contravene this Act; or

(v) has otherwise done anything under or by reference to this Act; or

(b) on the ground that he or she knows that that person, or any relative or associate of that person, intends to do any of the things mentioned in subparagraphs (i) to (v) of paragraph (a) or that he or she suspects that that person, or any relative or associate of that person, has done, or intends to do, any of those things.

(2) Subsection (1) shall not apply where a person is treated less favourably because he or she has knowingly made a false allegation or otherwise acted in bad faith.

**Tuvalu** as example of a prohibition of discriminatory action in response to involvement in a complaint or proceeding impacting the employer

### Labour and Employment Relations Act, 2017

PART 5: EQUAL EMPLOYMENT OPPORTUNITIES

50 Prohibition of discrimination

(1) An employer shall not discriminate, directly or indirectly, against any employee or prospective employee in respect of recruitment, training, promotion, terms and conditions of employment, termination of employment, or other matters arising out of the employment relationship, for a



prohibited reason.

(2) For the purpose of subsection (1), a prohibited reason is a reason that is affected by any of the following attributes of the employee or prospective employee, whether actual or perceived:

[...]

(f) involvement in a dispute, an investigation or legal proceedings affecting the employer.

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## **ESTABLISHING EMPLOYERS' LEGAL RESPONSIBILITY TO PREVENT WORKPLACE SEXUAL HARASSMENT**

**The Philippines** as an example of legislation with a range of clear, explicit responsibilities of employers with the aim of prevention

### **Safe Spaces Act, 2019**

SEC. 17. Duties of Employers. - Employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

- (a) Disseminate or post in a conspicuous place a copy of this Act to all persons in the workplace;
- (b) Provide measures to prevent gender-based sexual harassment in the workplace such as the conduct of anti-sexual harassment seminars;
- (c) Create an independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall: (...)
- (d) Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall:
  - (1) Expressly reiterate the prohibition on gender-based sexual harassment
  - (2) Describe the procedures of the internal mechanism created under Section 17 of this Act;and
- (3) Set administrative penalties.

**Mongolia** as an example of legislation with a range of clear, explicit responsibilities of employers with the aim of prevention

### **Law on the Promotion of Gender Equality, 2011, amended to 2017**

Article 11. Guarantees of equal rights in employment and labor relations

11.4. In order to prevent and keep the workplace free of sexual harassment and to maintain zero tolerance of such harassment, an employer shall take the following measures:

11.4.1. incorporate in organization's internal procedures specific norms for prevention of sexual harassment in a workplace and the redress of such complaints;

11.4.2. design and conduct a program on training and retraining geared toward creating a working environment free from sexual harassment, and report on its impact in a transparent manner.

11.5. An employee shall have the following rights in promoting gender equality;

11.5.1. receive information and education and be trained on gender discrimination and sexual harassment;

11.5.2. file a complaint and testify on one's own behalf or on behalf of a victim in a case of gender discrimination or sexual harassment;



11.5.3. inform the employer and/or the management of the acts in breach of Articles 7.2 and 7.4 of the Labor Law of Mongolia and to demand accountability for the perpetrator(s) and redress of the damage.

11.6. An employee shall have the following duties in promoting gender equality; (...)

11.6.2. duly observe norms effected for the purpose of preventing gender discrimination and sexual harassment.

11.7. The rights, duties and responsibilities of an employer and an employee set out in this Article shall be incorporated in the internal employment procedures as provided for in Article 130.2 of the Labor Law of Mongolia.

(...)

11.9. The state agency in charge of labor and employment affairs shall provide support to employers in their activities to promote gender equality.

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## **ESTABLISHING AND EMPOWERING A STRONG INDEPENDENT BODY TO RESPOND TO SEXUAL HARASSMENT CLAIMS**

**China** an example of a range of options for recourse (independent of the workplace) women have when their right to freedom from sexual harassment is infringed upon

### **Law on the Protection of Women's Rights and Interests, 1992-2005**

Article 40

Sexual harassment against woman is prohibited. The victims have the right to lodge complaint to unit or organ concerned.

Chapter VIII Legal Responsibility

Article 52

When a woman's lawful rights and interests are infringed upon, she has the right to request the competent department concerned for a disposition or arbitration from arbitration agency according to the law or bring a lawsuit in a people's court.

Local legal aid agencies or the People's Court should provide help and legal and judicial aids according to the law with women who are poor in financial situation and need legal or judicial aids.

Article 53

When a woman's lawful rights and interests are infringed upon, she may file a complaint with a women's organization, women's organization should maintain woman victim's rights and interests and has right to request and assist the department or unit concerned to investigate and deal with the case so as to protect the lawful rights and interests of the complainant. The department or unit concerned should conduct investigation and deal with and give reply.

Article 55

Any violation of stipulations in this law, infringement upon woman's rights and interests in the collective economic organizations based upon woman's unmarried, married, divorced and widowed status, or infringement upon the husband and his children's equal rights and interests as other members of collective economic organizations when he moved to his wife's residence



after his marriage, shall be arbitrated by the government at the township level, the victims also can apply arbitration to the arbitration agency who are in charge of land contract arbitration, or bring the case to the People's Court. The People's Court should take this case.

**Cambodia**, sexual harassment is prohibited in the Labour Code, and this law establishes an independent mechanism for complaints and settlement, aligned with worker rights outlined within the law

**Labor Code, 1997 (consulted 2007 & 2018 amendments)**

Article 300

An individual dispute is one that arises between the employer and one or more workers or apprentices individually, and relates to the interpretation or enforcement of the terms of a labor contract or apprenticeship contract, or the provisions of a collective agreement as well as regulations or laws in effect.

Prior to any judicial action, an individual dispute can be referred for a preliminary conciliation, at the initiative of one of the parties, to the Labor Inspector of his province or municipality.

Article 301:

On receipt of the complaint, the Labor Inspector shall inquire of both parties to elicit the subject of the dispute and then shall attempt to conciliate the parties on the basis of relevant laws, regulations, or collective agreements, or the individual labor contract.

To this effect, the Labor Inspector shall set a hearing that is to take place within three weeks at the latest upon receipt of the complaint. The parties can be assisted or represented at the hearing.

The results of the conciliation shall be contained in an official report written by the Labor Inspector, stating whether there was agreement or non-conciliation. The report shall be signed by the Labor Inspector and by the parties, who receive a certified copy.

An agreement made before the Labor Inspector is enforceable by law.

In case of non-conciliation, the interested party can file a complaint in a court of competent jurisdiction within two months, otherwise the litigation will be lapsed.

Article 338:

(...) The Labor Administration offers conciliatory services to employers and workers, as well as to their organizations, in order to help settle individual or collective disputes.

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<sup>i</sup> Vuckovic, M., Altvater A., Sekei, L.H., Koss, K. (2017). Sexual harassment and gender-based violence in Tanzania's public sector: A study among employees in Mtwara Region and Dar es Salaam. *International Journal of Workplace Health Management* 10(2) 116-133.

<sup>ii</sup> Lin, Yueh-Hsiu. (2006). The incidence of sexual harassment of students while undergoing practicum training experience in the Taiwanese hospitality industry—individuals' reactions and relationships to perpetrators. *Tourism Management* 27(1) 51-68. La Lopa J. and Gong, Z. (2020). Sexual harassment of hospitality interns. *Journal of Hospitality & Tourism Education* 32(2) 88-101.

<sup>iii</sup> Gettman, H. J., & Gelfand, M. J. (2007). When the customer shouldn't be king: Antecedents and consequences of sexual harassment by clients and customers. *Journal of Applied Psychology*, 92(3), 757; Good, L., & Cooper, R. (2016). 'But it's your job to be friendly': Employees coping with and contesting sexual harassment from customers in the service sector. *Gender, Work & Organization*, 23(5), 447-469; Folgerø, I. S., & Fjeldstad, I. H. (1995). On duty—off guard: Cultural norms and sexual harassment in service organizations. *Organization Studies*, 16(2), 299-313; Hughes, K. D., & Tadic, V. (1998). 'Something to deal with': customer sexual harassment and women's retail service work in Canada. *Gender, Work & Organization*, 5(4), 207-219; Kensbock, S., Bailey, J., Jennings, G., & Patiar, A. (2015). Sexual harassment of women working as room attendants within 5-star hotels. *Gender, Work*



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& *Organization*, 22(1), 36-50; Liu, X. Y., Kwan, H. K., & Chiu, R. K. (2014). Customer sexual harassment and frontline employees' service performance in China. *Human Relations*, 67(3), 333-356; Yagil, D. (2008). When the customer is wrong: A review of research on aggression and sexual harassment in service encounters. *Aggression and Violent Behavior*, 13(2), 141-152.

<sup>iv</sup> Cortina, L. M., & Areguin, M. A. (2020). Putting People Down and Pushing Them Out: Sexual Harassment in the Workplace. *Annual Review of Organizational Psychology and Organizational Behavior*, 8.

<sup>v</sup> Bergman, M. E., Langhout, R. D., Palmieri, P. A., Cortina, L. M., & Fitzgerald, L. F. (2002). The (un) reasonableness of reporting: Antecedents and consequences of reporting sexual harassment. *Journal of Applied Psychology*, 87(2), 230; Buchanan, N. T., Settles, I. H., Hall, A. T., & O'Connor, R. C. (2014). A review of organizational strategies for reducing sexual harassment: Insights from the US military. *Journal of Social Issues*, 70(4), 687-702; Stockdale, M. S. (1998). The direct and moderating influences of sexual-harassment pervasiveness, coping strategies, and gender on work-related outcomes. *Psychology of Women Quarterly*, 22(4), 521-535; Lee, J. Y., Heilmann, S. G., & Near, J. P. (2004). Blowing the whistle on sexual harassment: Test of a model of predictors and outcomes. *Human relations*, 57(3), 297-322.

<sup>vi</sup> McCann, D. (2005). Sexual harassment at work: National and international responses, Conditions of Work and Employment Series No. 2. International Labour Organization. Available at [https://www.ilo.org/travail/info/publications/WCMS\\_TRAVAIL\\_PUB\\_2/lang--en/index.htm](https://www.ilo.org/travail/info/publications/WCMS_TRAVAIL_PUB_2/lang--en/index.htm) (Accessed 3 May 2021).