2021: HOW GENDER AND RACE AFFECT JUSTICE NOW

WASHINGTON COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

GENDER AND JUSTICE COMMISSION

Promoting Gender Equality in the Justice System

Workplace Harassment Survey: Washington State Courts, Superior Court Clerks' Offices, and Judicial Branch Agencies

GENDER AND JUSTICE COMMISSION
GENDER EQUALITY IN THE JUSTICE SYSTEM

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EXECUTIVE SUMMARY

This report describes findings from the state-wide Workplace Harassment Survey, as well as recommendations for action, based on key survey findings. The study population included all court employees, employees of non-court judicial agencies (Administrative Office of the Courts [AOC], Office of Civil Legal Aid, Office of Public Defense, and Commission on Judicial Conduct), as well as Superior Court Clerk's Office employees. The inclusive nature of the survey made it possible to estimate the extent and types of workplace harassment experienced by employees as a whole, as well as by identifiable demographic subgroups who might be expected to experience higher exposure to harassment based on their status or identity. The purpose of the survey was to establish a current baseline of workplace harassment—the most pervasive, people-driven risk in the workplace[1]— within the judicial branch, from which to evaluate progress on this issue via future survey administrations.

Key findings include:

- The study found that 57% of respondents who participated in the survey experienced at least one type of workplace harassment on at least one occasion in the past 18 months. Yet many employees did not recognize certain behaviors as "harassment," even if they viewed them as problematic or offensive. Although some of these experiences do not correspond strictly to the legal definition of harassment, they are serious enough to create a work environment that a reasonable person would consider unwelcome, offensive, or disrespectful.

- To give a sense of magnitude of these findings, assuming a court workforce of approximately 4,500 individuals, these figures translate into 2,565 court employees who experienced some type of workplace harassment at least once in the past 18 months.

- Overall, respondents reported an aggregate total of 6,086 separate harassment problems. That is, on average, 3.5 problems per person. The majority of these experiences (77%) included some form of non-sexual work-related harassment. Some examples of these behaviors include giving unreasonable deadlines or unmanageable workloads, excessive monitoring of work, assigning meaningless task, or being blocked from promotion or training opportunities.

- Sixteen percent (16%) of respondents reported experiencing harassment based on their sexual orientation, 8% experienced gender-based harassment, 6% experienced race-based harassment, and 4% experienced unwanted sexual attention. Although less than 1% of survey respondents (n = 41) experienced sexual coercion, the severity of those incidents suggests a need for prevention efforts and specific consideration.

- Approximately 44% of employees who experienced harassment in the past 18 months did not seek help. Of those who tried to get help, 65% were able to obtain some resolution of their problem(s), including 9% who obtained a complete resolution of their problem(s). The most commonly cited reasons for not searching help were fear of repercussions (60%), the status of the perpetrator (57%), lack of confidence in reporting practices (54%), and the belief that incident would be perceived as acceptable by the organization (50%).

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[1]Einarsen, S., Hoel, H., Zapf, D. & Cooper. C.L. (2011). The Concept of Bullying and Harassment at Work: The European Tradition. In S. Einarsen, H. Hoel, Zapf, D, and C.L. Cooper (Eds.) Bullying and Harassment in the Workplace. Developments in Theory, Research, and Practice. Second Edition. CRC Press, Taylor and Francis, Boca Raton, London, New York.

- The study found that harassment experiences are not limited to any one group. However, certain populations are more likely to experience workplace harassment than others.

- The highest rates of any workplace harassment were reported by employees who identified as Indigenous[2], (82%), bisexual (84%), gay or lesbian (73%), multiracial (66%), court clerks[3] (65%), and women (62%), relative to all respondents (57%).

- Indigenous employees, as a group, experienced the highest average number of harassment problems (7.29 per person) compared with any other racial or ethnic group. This estimate (7.29 problems per person) does not indicate how often (or how systematically) they have been exposed to these behaviors; it only represents an estimated number of different kinds of harassment behaviors they have been exposed to.

- Sexual minorities[4], as a group, were significantly more likely than their heterosexual peers to experience at least one type of workplace harassment on at least one occasion in the past 18 months (76% for sexual minority group vs. 57% for heterosexual respondents). The between-group differences in prevalence were the most dramatic for the harassment based on sexual orientation (39% for non-heterosexual and 14% for heterosexual respondents), gender-based harassment (20% vs. 7%), and unwanted sexual attention (10% vs. 3%).

- Women (including transgender women) were significantly more likely than men (including transgender men) to experience incidents of gender-based harassment (9% vs. 4%) and work-related harassment (59% vs. 44%). When looking more closely at work-related harassment, results revealed significant gender differences for nine out of 14 behavioral situations described in the survey. Women were significantly more likely to report having their opinions ignored (37% vs. 25%), being exposed to an unmanageable workload (28% vs. 16%), having someone withholding information that affects their performance (27% vs. 15%), being shouted at or being the target of spontaneous anger (23% vs. 13%), being ignored or excluded (23% vs. 12%), being subjected to excessive monitoring (23% vs. 16%), receiving repeated reminders of errors (22% vs. 13%), and having someone spreading rumors about their competence (19% vs. 13%).

- Intersectionality analysis revealed that the issues most frequently identified by Black, Indigenous and women of color and sexual-minority women are simultaneously similar yet different from the experiences of single-race white women and heterosexual women:

  o Black or African-American and white women employees did not differ significantly in the prevalence of any type of harassment, except for race-based harassment (21% vs. 5%).
  o Hispanic/Latinx and white women experienced the same levels of overall workplace harassment (61%), but their experiences were significantly different in the prevalence of workplace maltreatment based on sexual orientation (26% for Hispanic/Latinx women vs. 16% for white women) and race (11% vs. 3%).

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[2] This report uses "Indigenous" throughout to represent respondents who selected "American Indian, Alaska Native, First Nations, or other Indigenous Group Member" response option alone or in combination with any other race or ethnicity.
[3] Throughout the report "court clerks" refers to employees who self-identified their role as "court clerks." This includes court clerks who have administrative responsibilities, at all levels of courts: some work for elected Superior Court clerks; some work for appointed Superior Court clerks; some work in the Municipal or District courts, the Court of Appeals, and the Supreme Court. The report distinguishes between court clerks and Superior Court Clerks due to their different rates of experienced harassment.
[4] "Sexual minorities" or "non-heterosexual respondents" includes respondents who responded to the question on sexual orientation by marking "gay or lesbian," "bisexual," "asexual," "pansexual," or "questioning."

o Indigenous women experienced the highest prevalence of overall workplace harassment (85%) compared with their single-race white peers (61%) or any other racial and ethnic group (based on the percentage point differences).

o Sexual minority women were significantly more likely than heterosexual women to experience sexual-orientation based harassment (41% vs. 15%), gender-based harassment (22% vs. 8%), and work-related harassment (79% vs. 58%).

o Non-white sexual minority women (n=15) were significantly more likely than non-white heterosexual women (n=201) to experience harassment based on sexual orientation (40% vs. 18%).

- We found a significant association between an employee's position and workplace harassment. Court clerks, as a group, experienced workplace harassment at a higher rate (65%) than respondents with any other appointment type. Judicial assistants experienced the second highest rate of harassment (61%). Among all survey respondents, Superior Court Clerks (49%) and Judges or Commissioners (51%) experienced the lowest rates of harassment. These numbers, however, are still alarming. They mean that one out of every two Judges or Commissioners and one out of every two Superior Court Clerks experienced some type of workplace harassment at least once during the preceding 18 months.

- When asked about the perpetrator of the "worst" harassment incident, 19% of respondents indicated that the perpetrator was their supervisor or manager, 15% indicated that it was someone more senior (other than manager or supervisor), and 9% indicated that the perpetrator was a Judge or Commissioner. For 9% of employees, the perpetrator was someone of equal seniority, and for 5% the perpetrator was someone junior to them.

- A sizable share of respondents experiencing workplace harassment in the past 18 months reported having a major problem with work withdrawal (20%); and with searching for a new job (22%). Seeking fresh employment due to harassment was identified as a major problem by 44% of Black or African American employees and 43% of gender minority[5] employees.

- Respondents who experienced workplace harassment in the past 18 months and those who did not differed strongly in their awareness of their workplace policy and procedures, and their views of the organization's stance on diversity and its commitment to take steps to protect the safety of employees. The biggest difference between these two groups were found in their level of confidence that their organization would deal with concerns or complaints in a thorough, confidential, and impartial manner (87% vs. 60%).

- When analyzing the association between organizational factors and harassment, we found that 1) awareness of policy (i.e., employees' awareness and understanding of anti-harassment policy and procedures) and 2) expectation of response (i.e., employees' confidence that the organization would respond to harassment), all other conditions being equal, significantly decreased employees' likelihood of harassment.

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[5] The gender minority group consists of one transgender woman, two transgender men, eights genderqueer or gender non-conforming respondents, and two who are questioning their gender identity.

RECOMMENDATIONS BASED ON KEY SURVEY FINDINGS

1. **Create diverse, inclusive, and respectful environments**

   The judicial branch and its leaders should take explicit steps to promote equity, diversity, and inclusion; and foster a culture that values individual differences in age, gender, sexual orientation, gender identity or expression, disability, and race or ethnicity.

2. **Deliver regular workplace harassment prevention trainings that drive real changes**

   The judicial branch and its leaders should follow best practices in designing and delivering prevention trainings for all types of workplace harassment, including non-sexual harassment. These trainings should focus on changing behavior, not on changing beliefs. Anti-harassment programs should encourage the support of certain populations that are more likely to experience workplace harassment than others (including, but not limited to sexual and gender minorities; women; Black, Indigenous and employees of color). These training programs should be evaluated to determine whether they are effective and what aspects of the training(s) are most important to changing culture.

3. **Improve transparency and accountability**

   The judicial branch and its leaders should be as transparent as possible about how they are handling reports of workplace harassment. Decisions regarding disciplinary actions, if required, should be made in a fair and timely way. This accountability can ensure that the court workforce feels supported by their organizations, because perceived organizational support, as we showed in this report, significantly reduces the likelihood of workplace harassment.

4. **Measure progress**

   The judicial branch and its leaders should work with researchers to evaluate their efforts to create a more diverse, inclusive, and respectful environment. Conducting regular surveys will help to track whether planned processes have been implemented and whether anti-harassment policies are producing the desired effects. The survey methodology, when fully implemented, will enable judicial leadership to monitor the sustainability and effectiveness of the anti-harassment efforts. The methodology should allow to disaggregate the data by race, ethnicity, sexual orientation, and gender identity or expression to reveal different experiences across populations. The results of surveys should be shared publicly to demonstrate that the branch takes the issue seriously.

INTRODUCTION AND SURVEY OBJECTIVES

This report describes findings from the state-wide Workplace Harassment Survey, as well as recommendations for action based on key survey findings. The survey defined "harassment" as unwelcome conduct that is severe enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Exposure to such treatment, if persistent over time, reportedly creates more devastating problems for employees than all other kinds of work-related stress put together.[6] The survey intentionally did not focus on capturing only harassment that might be legally actionable—unwelcome or offensive conduct that: (a) is based on sex (including sexual orientation, pregnancy, and gender identity), race, color, national origin, religion, age, disability, and/or genetic information and (b) is detrimental to an employee's work performance, professional advancement, and/or mental health. The survey used a broader definition of harassment because previous research found that using a legal definition of harassment as the basis for measuring the prevalence of harassment can lead to underestimation of such conduct.[7] On the other hand, the survey could not capture all "unwelcome, offensive or disrespectful" behaviors that can be experienced at the workplace.

The objectives of the survey were to:

- Understand the landscape of harassment experienced by employees of Washington's courts, Judicial Branch agencies, and Superior Court Clerks' Offices, including how frequently it occurs, who is most affected, and the surrounding circumstances.

- Understand harassment experiences of employees in underrepresented and/or marginalized groups, including women; Black, Indigenous and people of color; and sexual- and gender-minority individuals; and employees in different positions, including judicial leadership, administrative assistants, county clerks, and court administrators.

- Understand to what degree employees are able to access necessary help to address workplace harassment; and for those who do not, the reasons why.

- Understand the impact of workplace harassment on the employees' psychological and physical health.

- Understand which workplace climate factors are associated with harassment.

To address these objectives the survey was designed to include several topical sections presented to the respondents in a sequential manner. The survey began by broadly asking whether respondents had experienced workplace harassment in the past 18 months[8]. If they had, respondents were further offered a list of behaviors and asked whether and how often they had experienced those behaviors and how those behaviors impacted the respondents. All respondents were also asked whether they

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[6] Einarsen, S., Hoel, H., Zapf, D. & Cooper. C.L. (2011). The Concept of Bullying and Harassment at Work: The European Tradition. In S. Einarsen, H. Hoel, Zapf, D, and C.L. Cooper (Eds.) Bullying and Harassment in the Workplace. Developments in Theory, Research, and Practice. Second Edition. CRC Press, Taylor and Francis, Boca Raton, London, New York.

[7] Ilies, R., Hauserman, N., Schwochau, S., & Stibal, J. (2003) Reported Incidence Rates of Work-Related Sexual Harassment in the United States: Using Meta-Analysis to Explain Reported Rate Disparities. *Personnel Psychology,* 56(3): 607-631.

[8] Covering both in-person work environment and remote work environment due to COVID-19. An 18-month reporting period (i.e., in the last 18 months) was chosen to cover 10 months prior to the "Stay Home, Stay Healthy" order implemented on March 23, 2020 due to COVID-19 and 8 months into the order. Traditionally, shorter periods have been used in harassment surveys. However, since one objective of the study was to establish a baseline, it was necessary to use a longer reporting period due to the pandemic.

had witnessed harassment in the workplace in the past 18 months. If they had, respondents were given an option to provide an example of one instance of harassment they witnessed. For those who reported experiencing harassment, additional questions were asked about circumstances surrounding the worst harassment incident, ability to get help, and satisfaction with that help. All respondents were asked about their knowledge of organizational anti-harassment policies and procedures, and perceptions of workplace climate. In addition, the survey asked for demographic data, organization type, appointment type, and length of employment. Workplace harassment was measured across six substantive areas covering 63 specific situations that could potentially rise to a "legally actionable" problem, along with an open item for write-in responses of "other behavior(s)." These situations included not only co-workers (i.e., a superior, subordinate, colleague, etc.), but also anyone whom an employee interacts with at the workplace (i.e., independent contractor, client, customer, or visitor). The six substantive areas of workplace harassment included: 1) unwanted sexual attention, 2) sexual coercion, 3) gender-based harassment, 4) sexual orientation-based harassment, 5) non-sexual work-related harassment, and 6) race-based harassment. Definitions for each type of harassment are presented below:

- ***Unwanted sexual attention -*** Situations in which someone makes unwelcome attempts to establish a sexual relationship with a person, despite this person's efforts to discourage these attempts. This category includes expressions of romantic or sexual interest that are unwelcome, unreciprocated, and offensive to the target. Examples include unwanted touching, hugging, stroking, and persistent requests for dates[9].

- ***Sexual coercion -*** Situations in which favorable professional treatment is conditioned on sexual activity.

- ***Gender harassment –*** *S*ituations in which an employee is subjected to hostile treatment or exclusion based on gender or perceived gender. Gender harassment can take the form of sexist, crude, offensive, or hostile behaviors that are devoid of sexual interest, but aim to insult or offend on the basis of gender stereotypes.

- ***Sexual orientation-based harassment*** – Situations in which an employee is subjected to negative employment action, denial of certain benefits, comments about mannerisms or sexual activity, sexual jokes, or requests for sexual favors solely because of their real or perceived sexual orientation: lesbian, gay, bisexual, asexual, pansexual, or straight (heterosexual).

- ***Race-based harassment***—Situations in which an employee is subjected to negative employment action, denial of certain benefits, or comments about appearance solely because of their race.

- ***Work-related harassment –*** *S*ituations of abusing power or position through persistent vindictive, cruel, or humiliating attempts to hurt, criticize, and condemn an individual or group of employees.

A majority of survey measures were based on validated survey scales. However, some measures were modified based on the specific target population (court employees, Superior Court Clerk's Office employees, and employees of non-court judicial branch agencies) and the survey objectives. Prior to survey administration, the instrument underwent cognitive testing with three volunteers. The purpose of cognitive testing was to determine how potential participants interpreted the items and response options, and whether the items were understood and interpreted as intended. Cognitive

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[9]Lonsway, K.A., Cortina, L.M., & Magley, V.J. (2008) Sexual harassment mythology: Definition, conceptualization, and measurement. *Sex Roles*, 58, 599-615.

testing was performed by the AOC/Washington State Center for Court Research (WSCCR) researcher via Zoom. Before administering the survey, items (e.g., wording, instructions, confidentiality statement) were slightly revised based on the findings of these tests.

SURVEY IMPLEMENTATION

The survey was formatted into a web-based tool using SurveyMonkey software. Washington State Supreme Court Gender and Justice Commission staff sent a notification letter via email on behalf of WSCCR to: 1) Court Administrators and Presiding Judges to all court levels (district, municipal, appeals and Supreme Court), 2) the leadership of non-court judicial branch agencies (Office of Civil Legal Aid, AOC, Commission on Judicial Conduct, and Office of Public Defense), 3) and Superior Court Clerks.[10] The letter explained the survey and requested that these leadership groups distribute the survey link and invitation letter from WSCCR to all full-time and part-time employees with an available work email address.[11] The message communicated the importance of responding to the survey—it explained why the survey is being conducted and how the results will be used. Letters of support for the survey from the Superior Court Judges Association, the District and Municipal Court Judges Association, the District and Municipal Court Management Association, and the Washington State Supreme Court Gender and Justice Commission were attached in relevant emails.

The study team also contacted the District and Municipal Court Judges Association and Superior Court Judges Association, asking them to raise awareness about the survey among their members and court employees. Approximately four weeks after the invitation letter, the study team sent a reminder/thank you letter to thank individuals who had already responded to the survey and to ask those who had not completed the survey to do so. At approximately four weeks and eight weeks after the first reminder/thank you letter, the study team sent second and third reminder/thank you letters stressing the importance of the survey. The study team emailed these letters out through the leadership groups described above in the same way that the original survey invitation was distributed.

Responses to the survey were completely voluntary. The survey allowed respondents to skip questions; therefore, each question might have some degree of item non-response associated with it. The item non-responses analysis revealed that questions asking about race/ethnicity, gender identity, sexual orientation, income, education, and job position held had the highest non-responses rate, between 12% and 18%. For example, 104 respondents (6%) skipped the question about sexual orientation, 7% (n=117) selected the option "prefer not to answer," and a handful of respondents reported being distressed, upset, or offended by this question. Although the survey promised confidentiality, some respondents were probably concerned about having their answers tied to other identifying information. More than one-fifth (23%) of all respondents said that they are not open about their sexual orientation to anyone at work and 9% are only open to a few people at work. The number of respondents who skipped the question about gender identity was even higher, at 18%.

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[10] The President of the Washington State Association of County Clerks sent the notification letter to the Superior Court Clerks on behalf of WSCCR. The email from the President provided support for the survey and encouraged Superior Court Clerks to forward the survey link on to employees in their Offices.

[11] Disseminating the survey through court leadership, judicial branch agency leadership, and Superior Court Clerks introduced many limitations to the survey such as: 1) creating an inability to calculate a firm response rate, 2) potential introduction of bias in which employees received the survey based on whether or not leadership in their entity wanted them to take part in the survey, and 3) a potential perception by employees that their leadership would have access to the data (despite assurances in the invitation letter that data would go directly to WSCCR and not be shared outside of WSCCR). However, because Washington's court system in not unified and there is no central entity which maintains employee email addresses for all court employees, this was the only available mechanism to reach all employees.

It is crucial to note that asking respondents to identify many aspects of their identities (e.g., race, ethnicity, gender identity or expression, sexual orientation, and age) that could make them identifiable if looked at in combination is a challenge for any survey, but it is particularly challenging for a workplace harassment survey distributed by organizational leadership and conducted by WSCCR. While WSCCR is an independent research entity that strictly observes all legal and ethical data standards to protect confidentiality, it is administratively located inside AOC, and, thus, might not be perceived by many court employees as an independent research entity.

Overall, 1,745 employees fully or partially responded to the survey. Because we do not know how many employees actually received a link to the survey, given that the dissemination model depended on an intermediary (e.g. Court Administrators or Presiding Judges) to forward the survey invitation on to employees, we cannot estimate with certainty the response rate. However, if we assume that everyone who was targeted received the link, the response rate is around 34%.

DATA ANALYSIS

We used descriptive statistics (counts, percentages, frequency, means, and standard deviations) in the data analysis. Counts were converted to percentages to make comparisons between subgroups of respondents. Throughout the report, percentages denote the percentage of respondents indicating a certain response option, among all survey respondents answering this item, unless noted differently.

Cross-tabulations and significance tests were conducted where applicable[12]. Because the data were not normally distributed, we used Chi-square test[13] to examine differences between two or more subgroups of respondents. The results of two-way cross-tabulations by subgroup are presented in the Appendix. In cases when Chi-square test was not appropriate, all inter-group differences, should be interpreted with caution and reported only as the percentage point difference (or simply the arithmetical difference between the two numbers).

Multivariate logistic modeling techniques were used to predict whether an employee experienced any workplace harassment in the past 18 months depending on their awareness of policy, materials received, diversity, appreciation, respect, and expectation of response, while controlling for gender, age, education, length of employment, and hours worked per week.

Throughout the report, we use bar charts to distill the tabular data presented in the Appendix into an easy-to-grasp visual form. When applicable, significant differences across subgroups are denoted by a symbol (*)[14]. Every figure included in the report is referenced to an appropriate table in the Appendix.

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[12] Chi-square, like any analysis, has its limitations. One of the limitations is that all participants measured must be independent, meaning that an individual cannot fit in more than one category. If a participant can fit into two different categories a Chi-square analysis is not appropriate.

[13] One of the largest strengths of Chi-square is that it makes no assumptions about the distribution of the population. Other statistics assume certain characteristics about the distribution of the population such as normality.

[14] A significance level of 0.05 was used to conclude that there is a statistically significant association between the variables.

SURVEY FINDINGS

FINDING 1: The estimates of workplace harassment depends on how the harassment is defined and what measurement method is used

This survey provided an opportunity to assess employees' understanding of the term harassment by using three different methods to measure the prevalence of workplace harassment:

1. **Self-labelled method:**

   A. When respondents are asked to apply the label of harassment to their own experiences, without the survey providing any guidance about the meaning of harassment.
   B. When respondents are provided a broad description of harassment without the survey using the term itself.

2. **Behavioral exposure method:** When respondents are provided with a list of behaviors and asked whether they have experienced each of those behaviors.

3. **Witnessing method:** When respondents are asked whether they have witnessed workplace harassment directed at someone else, providing a very broad definition of harassment.

Different methods produced different estimates for the prevalence of harassment (Figure 1). The highest estimates (57%) were produced by the behavioral exposure method, and the lowest estimates were produced by the self-labeling method (A) with no definition provided (7%). These findings suggest that many employees do not label certain forms of unwelcome behaviors as "harassment", even if they view them as problematic or offensive. However, when respondents were asked whether they experienced a situation(s) they felt was inappropriate, offensive, or intimidating—a core feature of workplace harassment—30% responded affirmatively. These results show that workplace harassment can be difficult to recognize and some behaviors that occur at work might have been normalized, especially if they are somewhat subtle or not recognized by others.

Estimates produced by the witnessing method (17%) fell between the estimates of the self-labeling method (A) (with no definition provided) and behavioral exposure method. Because the behavioral exposure method has been considered to be more objective[15], the majority of the analyses in this report are conducted with the data produced by this method.

FIGURE 1: PERCENTAGE OF RESPONDENTS REPORTING HARASSMENT, BY METHOD

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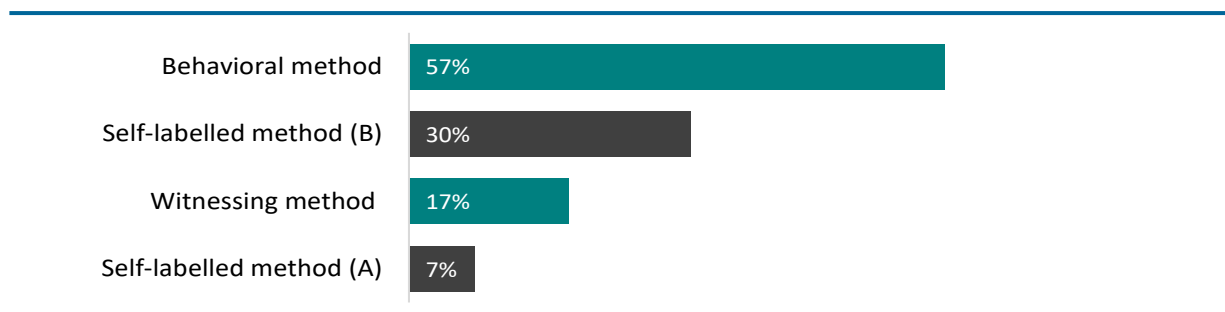
[15] Einarsen, S., Hoel, H., Zapf, D. & Cooper. C.L. (2011). The Concept of Bullying and Harassment at Work: The European Tradition. In S. Einarsen, H. Hoel, Zapf, D, and C.L. Cooper (Eds.) Bullying and Harassment in the Workplace. Developments in Theory, Research, and Practice. Second Edition. CRC Press, Taylor and Francis, Boca Raton, London, New York.
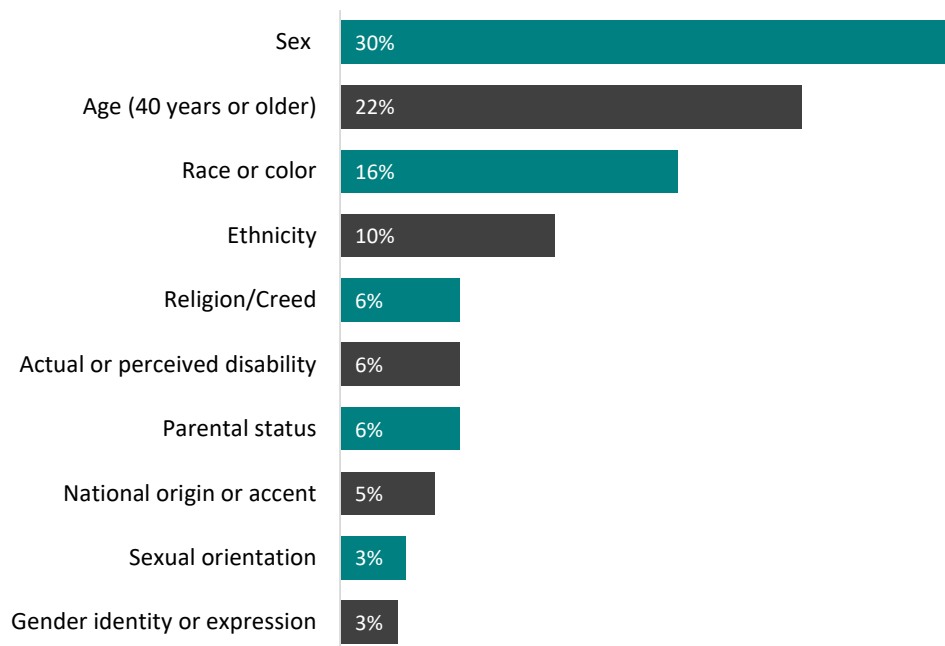
FINDING 2: The most commonly perceived reasons for harassment included sex, age, race or color, and ethnicity

In this section, percentages denote the percentage of respondents indicating that response option, among all survey respondents answering this item.

Respondents who experienced a situation(s) in which anyone in the workplace (i.e., a superior, subordinate, coworker, independent contractor, client, customer, or visitor) said or did something that was inappropriate, offensive, intimidating, or hostile, were further asked to identify one or more reasons why they believe they were subjected to this behavior. These respondents were identified by the self-labelling method (B) (for a definition, see page 9).

The most often cited reason for negative workplace experiences was sex (30%), followed by age (22%), race or color (16%), and ethnicity (10%) (Figure 2). In addition, 6% believed that religion was the reason for inappropriate behavior directed at them, 6% believed that the reason was their disability and/or parental status, and 5% thought it was their national origin or accent. Less than 5% believed that the reasons for negative experiences at work were their sexual orientation and/or gender identity[16].

FIGURE 2: PERCEIVED REASONS FOR INAPPROPRIATE BEHAVIOR (N=505)

Reason	Percentage
Sex	30%
Age (40 years or older)	22%
Race or color	16%
Ethnicity	10%
Religion/Creed	6%
Actual or perceived disability	6%
Parental status	6%
National origin or accent	5%
Sexual orientation	3%
Gender identity or expression	3%

Note: Since respondents could indicate multiple reasons, the categories are not mutually exclusive.

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[16] Providing "sex" and "gender identity or expression" as two separate response options prompted respondents to interpret the terms "on the basis of sex" and "on the basis of gender identity or expression" as two different concepts; thus, two different reasons for harassment. Of note, a combined total of 31% of respondents selected "sex," or "gender identity or expression," or both response options.

FINDING 3: The areas most impacted by harassment were promotion, evaluation, and training

In this section, percentages denote the percentage of respondents indicating that response option, among all survey respondents answering this item.

In addition to perceived reasons for harassment, respondents who experienced a situation(s) in which anyone in the workplace (i.e., a superior, subordinate, coworker, independent contractor, client, customer or visitor) said or did something that was inappropriate, offensive, intimidating, or hostile, were asked to identify one or more area(s) in which workplace harassment has affected their career (Figure 3).

More than one fifth (21%) of respondents identified by self-labeling method (B) believed that workplace harassment impacted their chances of promotion (i.e., their ability to move to a higher-level job, to be delegated greater responsibility, authority, or higher pay), 19% reported that harassment impacted their access to fair performance evaluations, and 17% felt that harassment impacted their ability to receive training necessary to fulfil their duties.

Twelve percent (12%) reported harassment impacting their access to reasonable accommodations (e.g., part-time or modified work schedules, modified equipment or devices, adjusted training materials or policies, qualified readers or interpreters, assistive animals on the worksite, etc.) and 8% thought that harassment limited their ability to receive pay and benefits (e.g., sick leave, safe leave, vacation leave, parental leave, family medical leave, insurance, access to overtime as well as overtime pay, and retirement programs).

FIGURE 3: AREAS MOST IMPACTED BY HARASSMENT AMONG RESPONDENTS WHO WERE IDENTIFIED BY SELF-LABELING METHOD (N=505)

Note: Since respondents could indicate multiple areas, the categories are not mutually exclusive.

FINDING 4: Behavioral exposure method revealed that more than half of survey respondents experienced harassment at least once in the past 18 months
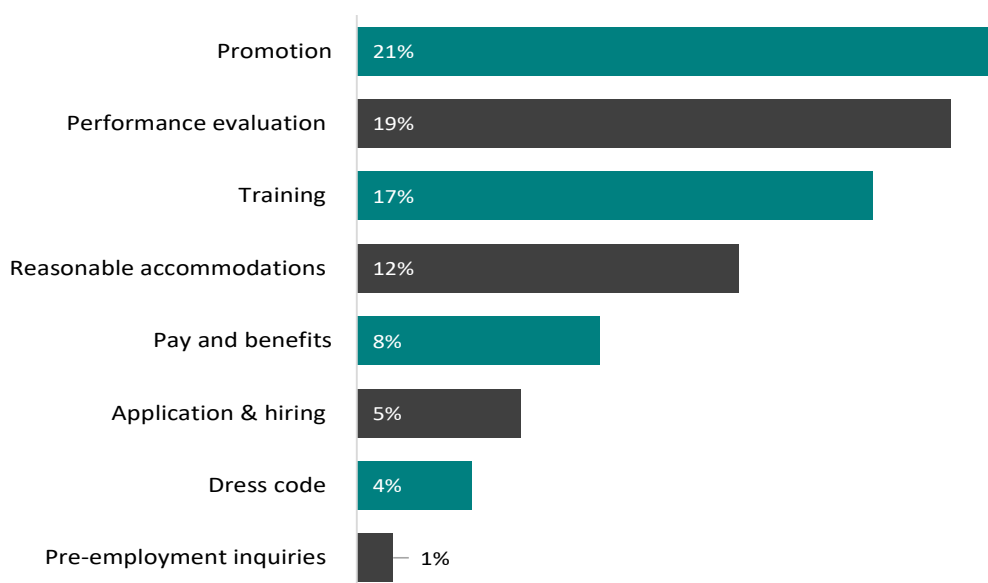
In this section, percentages denote the percentage of respondents indicating that response option, among all survey respondents answering this item.

Figure 4 presents the percentage of survey respondents who reported being exposed to at least one behavior constituting harassment in each of the six substantive areas of workplace harassment included in the study (see Table 1, Appendix). Since respondents could indicate multiple harassment experiences in different categories (e.g., unwanted sexual attention, gender-based, sexual coercion, race-based, work-related, sexual orientation-based), the six categories are not mutually exclusive.

Among all respondents, 57% experienced any harassment at least once in the past 18 months (i.e., they answered affirmatively to at least one of the 63 behavioral situations included in the survey). The overwhelming majority of workplace harassment involved some form of non-sexual work-related[17] harassment (56%). Some examples of these behaviors include giving unreasonable deadlines or unmanageable workloads, excessive monitoring of work, assigning meaningless task, or being blocked from promotion or training opportunities. Sixteen percent (16%) reported experiencing harassment based on their sexual orientation, and individuals who reported having a sexual orientation other than heterosexual (including gay or lesbian, bisexual, asexual, pansexual, or questioning) were more likely to experience sexual orientation-based harassment (39%) than their heterosexual peers (14%). Eight percent (8%) experienced gender-based harassment, 6% experienced race-based harassment, and 4% experienced unwanted sexual attention. Although less than 1% of survey respondents (n = 41) experienced sexual coercion and, therefore, were excluded from most analyses due to sample size, the severity of those incidents suggests a need for prevention efforts and consideration.

FIGURE 4: PERCENTAGE OF RESPONDENTS EXPERIENCING HARASSMENT, BY TYPE (N=1,745)

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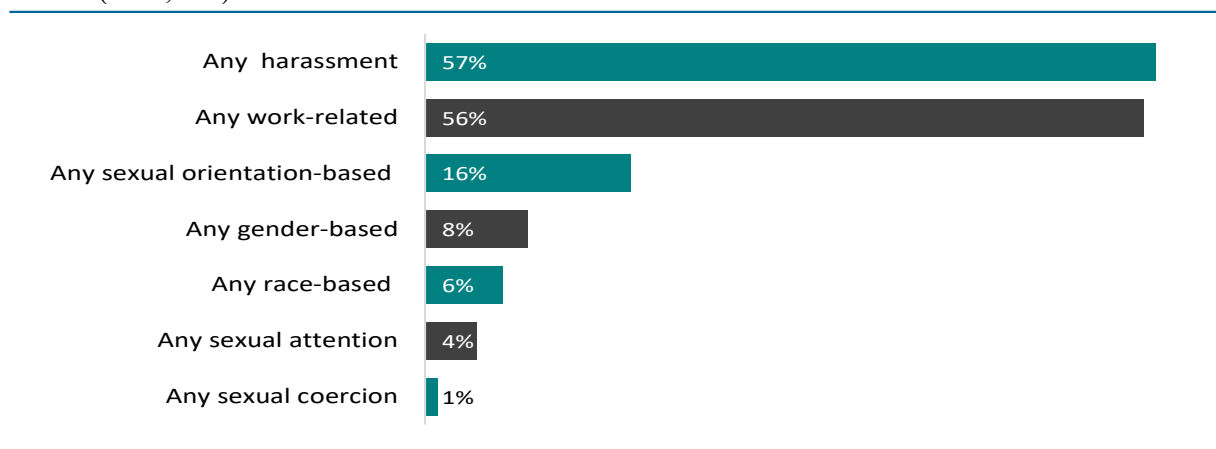
[17] Work-related harassment encompasses the situations of abusing power or position through vindictive, cruel, or humiliating attempts to hurt, criticize, and condemn an individual or group of employees. Such conduct can occur in person, in written communications, via email, phone, or social media.

Overall, survey respondents reported an aggregate total of 6,086 separate harassment problems experienced in the past 18 months. Figure 5 shows the relative percentage of these problems, by type of harassment, as a percentage of all harassment problems reported in the survey. Work-related harassment (77%) accounted for the majority of harassment experiences reported in the survey. Some examples of these experiences include being exposed to demeaning or derogatory remarks, being ignored or excluded from work activities where they should have been present, being interrupted or talked over, being exposed to an unmanageable workload, being blocked from promotion or training opportunities, being ordered to do work below competence level, or having key areas of responsibility removed or replaced with more trivial tasks. Some of these behaviors may be relatively common in the workplace (e.g., being interrupted or talked over), but when persistently directed toward the same individual, they become an extreme source of stress[18] and lead to more negative effects on health than passive and indirect harassment (e.g., social isolation)[19].

Gender and sexual orientation-based harassment each accounted for 8% of all reported harassment problems, race-based harassment accounted for 4%, and unwanted sexual attention (combined with sexual coercion) accounted for 3% of all reported harassment experiences.

FIGURE 5: HARASSMENT PROBLEMS AS A PERCENTAGE OF ALL SUBSTANTIVE HARASSMENT SITUATIONS REPORTED (N=6,086)

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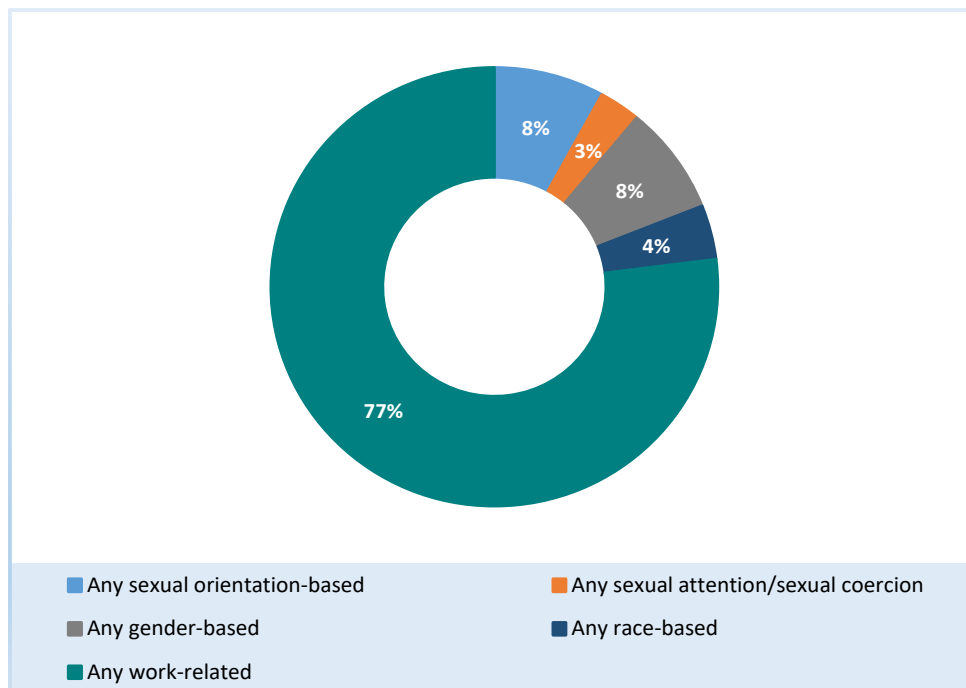
[18] Zapf, D. & Einarsen, S. (2001). Bullying in the workplace: Recent trend in research and practice – an introduction. *European Journal of Work and Organizational Psychology*, 10(4), 369-373.
[19] Einarsen, S., Hoel, H., Zapf, D. & Cooper. C.L. (2011). The Concept of Bullying and Harassment at Work: The European Tradition. In S. Einarsen, H. Hoel, Zapf, D, and C.L. Cooper (Eds.) Bullying and Harassment in the Workplace. Developments in Theory, Research, and Practice. Second Edition. CRC Press, Taylor and Francis, Boca Raton, London, New York.

FINDING 5: Who is the most targeted by workplace harassment?

In this section, all percentages denote the percentage of a certain group (e.g., women) who indicated experiencing any harassment in the past 18 month.

Harassment experiences are not limited to any one group. However, certain populations are more likely to experience workplace harassment than others. The prevalence and relative percentages of workplace harassment experienced by the entire survey group and several distinct subgroups of respondents are presented in Table 1 (See Appendix). Table 1 also reports the total number of respondents in each subgroup, the cumulative number of harassment problems reported by each subgroup, as well as the average number of harassment problems per person within each subgroup.

Gender Identity

Workplace harassment disproportionately impacts employees across gender lines (Figure 6). Respondents who self-reported having a gender identity other than "man" or "woman" (n=13) (including transgender man, transgender woman, genderqueer or gender non-conforming, and questioning) reported experiencing unwanted sexual attention at a statistically significantly higher rate (17%) than respondents who self-identified as a woman (4%) or man (2%) [$\chi2$ =29.601, p<.001].

FIGURE 6: HARASSMENT, BY GENDER IDENTITY
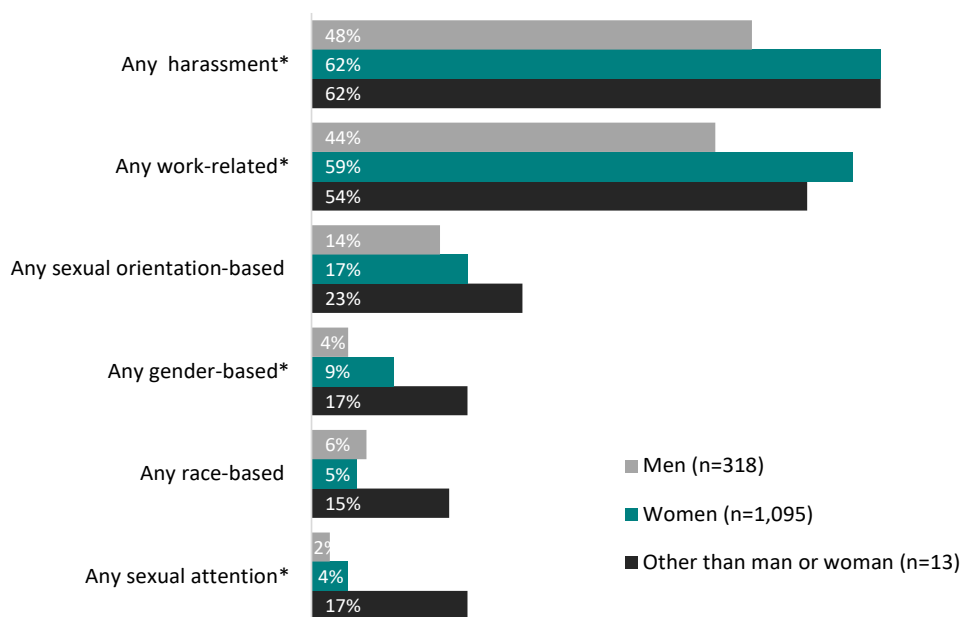
Note 1: 319 respondents did answer a question asking about gender identity.
Note 2: Statistically significant differences are noted by (*).
Note 3: For the purposes of this table "Women" include respondents who marked "woman," "Men" include respondents who marked "man," and "Other than man or women" includes respondents who marked "transgender man," "transgender woman," "genderqueer or gender non-conforming," or "questioning."

They also experienced gender-based harassment at a significantly higher rate (17%) than women (9%) and men (4%). More women experienced work-related harassment (59%) compared with men (44%) or gender minority employees[20] (54%) ($\chi 2 =22.657$, p<.001].

Overall, gender minorities[21] who experienced harassment in the past 18 months, reported 112 different harassment problems, this is, on average, 8.6 problems per person. That was higher than the average number of harassment problems experienced by women (4.01 problems per person) or men (2.62 problems per person) (see Figure 7).

To put this estimate into perspective, gender minority respondents, on average, experienced more than eight out of the 63 behavioral situations included in the survey on at least one occasion during the preceding 18 months. This estimate does not indicate how often (or how systematically) they have been exposed to these behaviors; it only represents an estimated number of different kinds of harassment behaviors they have been exposed to during the preceding 18 months.

FIGURE 7: AVERAGE NUMBER OF HARASSMENT PROBLEMS, BY GENDER IDENTITY

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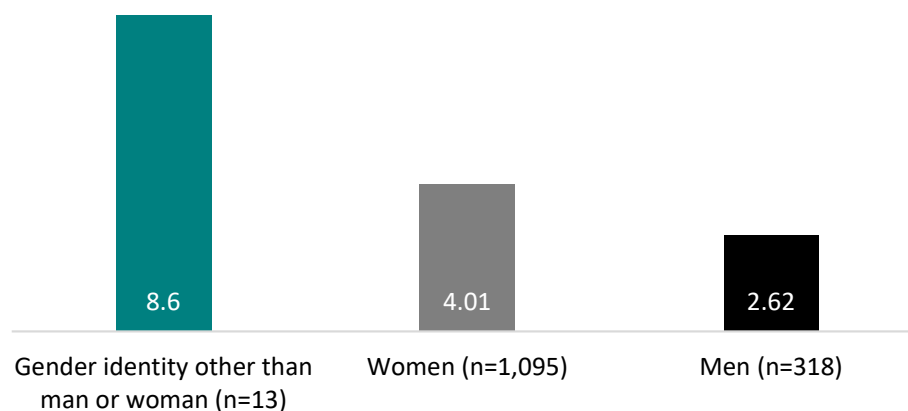
[20] While portions of this report analyze the data for all women (including respondents who marked "woman" or "transgender woman") and all men (including respondents who marked "man" or "transgender man"), other analyses include transgender women and men in a category combined with respondents who identified as genderqueer or gender non-conforming, and questioning. This was to avoid the risk of masking any harassment experiences unique to transgender individuals that would have occurred by combining them with the much larger groups of respondents who marked "woman" or "man." The sample sizes for transgender, genderqueer or gender non-conforming, and questioning individuals were too small to analyze each of these populations separately (n=13).

[21] The gender minority group consists of one transgender woman, two transgender men, eights genderqueer or gender non-conforming respondents, and two who are questioning their gender identity.

Supplementary Analysis: Gender Differences Using Binary Approach

We also run the analysis based on gender using a binary approach that only included respondents who identified either as a woman (including transgender woman) [n=1,096] or a man (including transgender man) [n=320]. The results of this analysis are presented in Figure 8. Women were significantly more likely than men to be exposed to overall harassment (62% vs. 47%; $\chi2$ =21.97, p<.001), any work-related harassment (59% vs. 44%; $\chi2$ =23.70, p<.001), and any gender-based harassment (9% vs. 4%; $\chi2$=7.456, p=.003).

When looking more closely at different behaviors that are a part of work-related harassment, the most prevalent type of harassment, results revealed significant gender differences for nine out of 14 behavioral situations described in the survey (see Table 2, Appendix). Women were significantly more likely than men to report being interrupted or talked over (41% vs. 28%; $\chi2$ =17.965, p<.001), having their opinions ignored (37% vs. 25%; $\chi2$ =18.426, p<.001), being exposed to an unmanageable workload (28% vs. 16%; $\chi2$ =20.53, p<.001), having someone withholding information that affects their performance (27% vs. 15%; $\chi2$ =19.26, p<.001), being shouted at or being the target of spontaneous anger (23% vs. 13%; $\chi2$ =15.49, p=.004), being ignored or excluded (23% vs. 12%; $\chi2$ =20.93, p<.001), being subjected to excessive monitoring (23% vs. 16%; $\chi2$ =13.633, p=.009), receiving repeated reminders of errors (22% vs. 13%; $\chi2$ =19.603, p<.001), and having someone spreading rumors about their competence (19% vs. 13%; $\chi2$ =9.86, p=.043).

FIGURE 8: HARASSMENT, BY GENDER
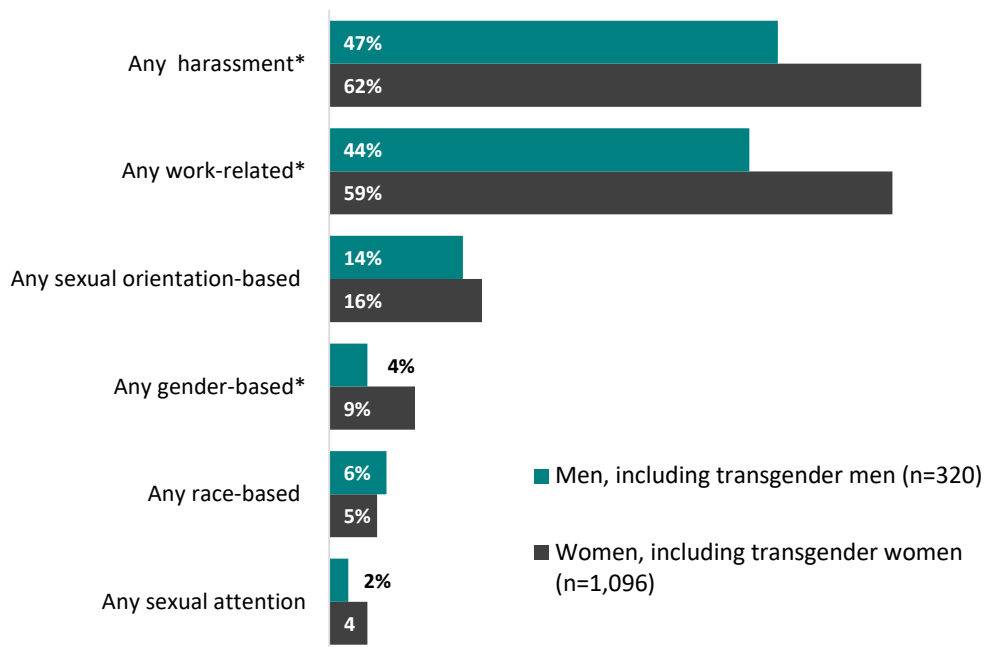
Note: Statistically significant differences are noted by (*).

Sexual orientation

Respondents who self-identified with a sexual orientation other than heterosexual (including gay or lesbian, bisexual, asexual, pansexual, and questioning) were significantly more likely than respondents who identified as heterosexual to experience all types of harassment, except race-based harassment (see Figure 9). Overall, 76% of sexual minorities experienced at least one type of harassment on at least one occasion during the past 18 months, compared with 57% of their heterosexual peers ($\chi 2$ =17.31, p<.001). The between-group differences in prevalence were the most dramatic for the harassment based on sexual orientation (40% for sexual minority group and 14% for heterosexual respondents, $\chi 2$ =52.18, p<.001), gender-based harassment (20% vs. 7%; $\chi 2$ =26.45, p<.001), and unwanted sexual attention (10% vs. 3%; $\chi 2$ =13.68, p<.001).

Gay, lesbian, and bisexual respondents were at increased risk of workplace harassment compared to heterosexual respondents. Our results show that employees who self-identified as gay or lesbian (n=44) or as bisexual (n=55) were more likely than their heterosexual colleagues to experience all forms of harassment, except race-based harassment (Table 1, Appendix); and bisexual respondents were more likely to be targeted than any other group. The differences were particularly striking for work-related harassment, with 82% of bisexual employees experiencing any work-related harassment compared with 67% of gay or lesbian and 55% of heterosexual peers (Table 1, Appendix).

FIGURE 9: HARASSMENT, BY SEXUAL ORIENTATION
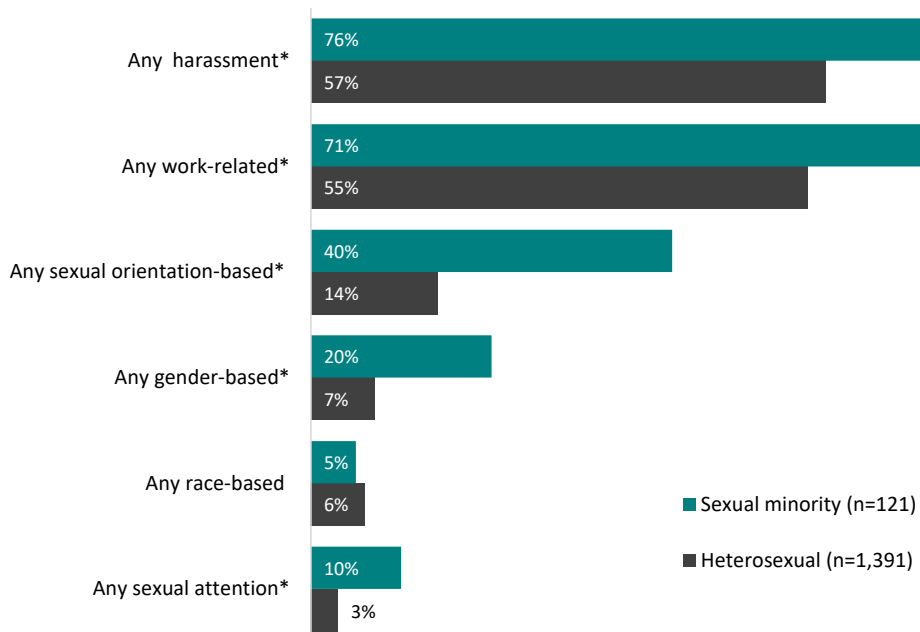
Note 1: Statistically significant differences are noted by (*).

Figure 10 visually presents the average number of harassment problems per person across four subgroups of respondents[22]. Overall, respondents who self-identified other than heterosexual (including gay or lesbian, bisexual, asexual, pansexual, and questioning) and who experienced harassment in the past 18 months, reported, as a group, 731 harassment problems. This is, on average, 6.04 problems per person. That was higher than the average number of harassment problems experienced by heterosexual employees (3.55 problems per person) (see Figure 10).

Bisexual respondents, as a group, experienced the highest average number of harassment problems (6.22 per person), compared with gay or lesbian (5.43 problems per person) and heterosexual respondents (3.55 problems per person). Again, this estimate does not indicate how often (or how systematically) they have been exposed to these behaviors; it only represents an estimated number of different kinds of harassment behaviors bisexual respondents have been exposed to during the preceding 18 months.

FIGURE 10: AVERAGE NUMBER OF HARASSMENT PROBLEMS, BY SEXUAL ORIENTATION

Bisexual (n=55)	Sexual minority (n=121)	Gay or lesbian (n=44)	Heterosexual (n=1,391)
6.22	6.04	5.43	3.55
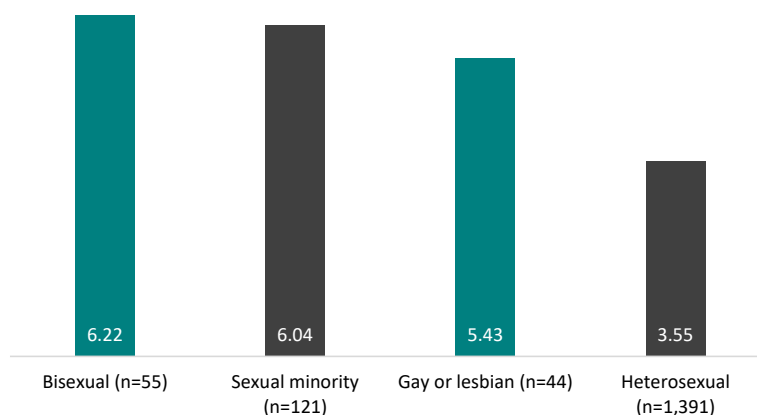
Note: The four groups are not mutually exclusive. Sexual minority group includes respondents who self-identified as gay or lesbian, bisexual, asexual, pansexual, or questioning.

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[22] These four groups are not mutually exclusive. Heterosexual (n=1,319) and sexual minority (n=121) groups are mutually exclusive; while bisexual (n=55) and gay or lesbian (n=44) are also a part of the sexual minority group.

Race and ethnicity

Figure 11 and Table 1 (see Appendix) show the percentage of respondents in each of the seven racial and ethnic groups (e.g. white; non-white; American Indian, Alaska Native, First Nations, or other Indigenous Group Member; Asian; Black or African-American; and Hispanic, Latinx or Spanish origin; multiracial) who indicated experiencing various forms of harassment at least once in the past 18 months. Because Chi-square analysis was applicable only for inter-racial comparisons against the "white" group, all other inter-racial differences should be interpreted with caution and reported only as the percentage point difference (or simply the arithmetical difference between the two numbers)[23].

The main findings include:

1. Single-race white and all non-white respondents (combined) did not differ in the prevalence of most types of workplace harassment, excep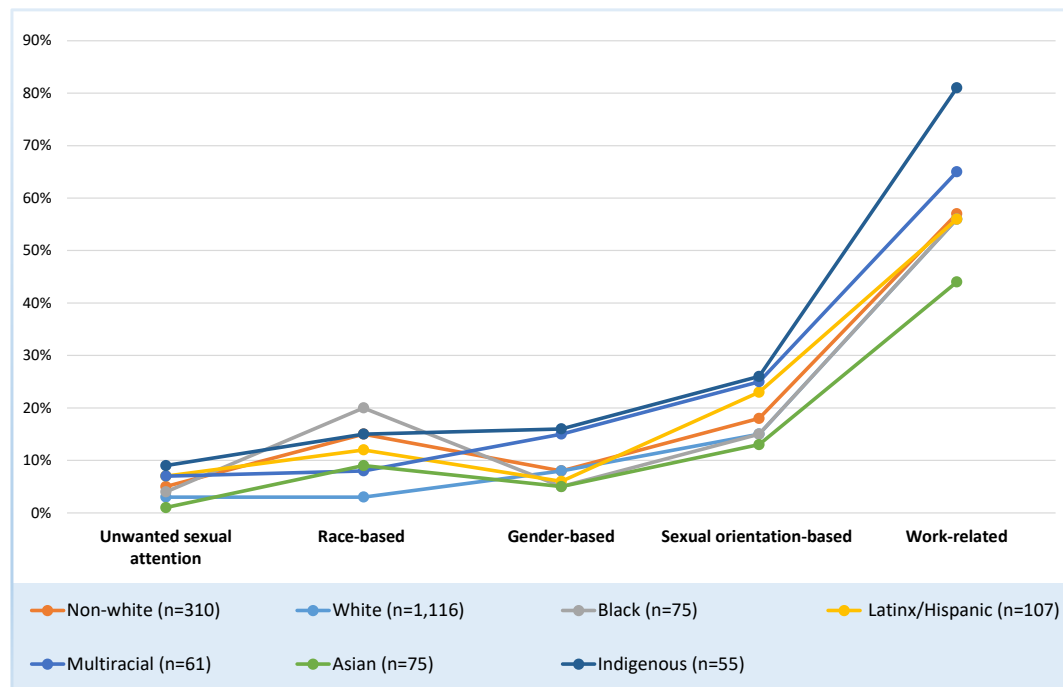t for race-based harassment; where non-white respondents (15%) were five times more likely to experience at least one instance of race-based harassment in the preceding 18 months, compared with their white peers (3%) [χ2 =67.848, p<.001].

2. American Indian, Alaska Native, First Nations, or Other Indigenous Group Member respondents (Indigenous), the smallest of the groups (n=55), experienced the highest prevalence of overall workplace harassment (82%) compared with their single-race white peers (59%; χ2 =11.753, p<.001) or any other racial/ethnic group (based on the percentage point differences).

3. Looking at specific types of harassment, Indigenous respondents were significantly more likely than their single-race white colleagues to experience all types of workplace harassment included in the study: any unwanted sexual attention (9% vs. 3%; χ2 =6.001, p=.014), any gender-based harassment (16% vs. 8%; χ2 =5.360, p=0.021), any sexual-orientation-based harassment (26% vs.15%; χ2 =4.414, p=.036), any race-based harassment (15% vs. 3%; χ2 =21.865, p<.001), and any work-related harassment (81% vs. 56%; χ2 =14.106, p<.001).

4. Asian respondents[24] experienced any harassment at a significantly lower rate compared with their single-race white colleagues (44% vs. 59%; χ2 =6.133, p=.013), but they were three times more likely to experience race-based harassment (9%), relative to white respondents (3%) [χ2 =9.385, p<=.002].

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[23] The survey included self-reported race and ethnicity and allowed for multiple answers to be recorded. The directions for this question include the words "Mark all that apply" and the response choices were: (1) American Indian, Alaska Native First Nations, or Other Indigenous Group Member; (2) Asian; (3) Black or African American; (4) Hispanic, Latinx or Spanish origin; (5) Middle Eastern or North African; (6) Native Hawaiian or Other Pacific Islander; (6) White; and (7) Some other race (please specify). The latter allowed for a write-in option. The item non-response rate for this question was 18% (i.e., 312 respondents did not provide answer for this question). Only three (n=3; 0.2%) self-identified as Middle Eastern or North African and only four respondents (0.2%) self-identified as Native Hawaiian or Other Pacific Islander. For the purpose of this report, every entry – including multiple response entries – is coded for each racial/ethnic category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous. Similarly, respondents who self-identified as Black or African-American alone (n=55) or in combination with any other race or ethnicity (n=20), were classified as Black or African-American. The Asian group consisted of respondents who marked "Asian" alone or in combination with any other race or ethnicity. Respondents who marked "Middle Easter or North African" alone or in combination with any other race/ethnicity were coded MENA (n=7). Respondents who marked "Native Hawaiian or Other Pacific Islander" alone or in combination with any other race or ethnicity were marked NHOPI. Respondents who self-identified as "Hispanic, Latinx or Spanish origin" alone or in combination with any other race or ethnicity were coded as "Hispanic/Latinx." To make comparisons, the white category consists of respondents who marked "white" only. We also included "multiracial group" that consists of respondents who chose two or more races or ethnicities.

[24] It is also important to note that the Asian category groups very diverse populations into one category, which may mask disparities for subpopulations within that group.

FIGURE 11: WORKPLACE HARASSMENT, BY RACE AND ETHNICITY (N=1,433)

5. Black or African-American and white respondents did not differ significantly in the prevalence of any type of harassment, except for race-based harassment, where Black or African-American employees were six times more likely to experience workplace mistreatment than their single-race white peers (20% vs. 3%; $\chi2 =54.863$, $p<.001$).

6. Hispanic, Latinx or Spanish Origin and white respondents experienced the same levels of overall workplace harassment (59%), but there were two areas where Hispanic/Latinx and white employees had strikingly different experiences. In particular, Hispanic/Latinx respondents, relative to their single-race white peers, experienced significantly higher rates of sexual orientation-based harassment (23% vs. 15%; $\chi2 =5.206$, $p=.023$), and race-based harassment (12% vs. 3%; $\chi2 =23.972$, $p<.001$).

7. Multiracial respondents (i.e., respondents who chose two or more races or ethnicities), compared with their single-race white colleagues, experienced significantly higher rates of gender-based harassment (15% vs. 8%; $\chi2 =3.948$, $p=.047$); sexual orientation-based harassment (25% vs. 15%; $\chi2 =4.100$, $p=.043$), and race-based harassment (8% vs. 3%; $\chi2 =5.465$, $p=.019$).

Figure 12 presents the average number of harassment problems per person across seven racial and ethnic groups. There, once again, Indigenous employees, as a group, experienced the highest average number of harassment problems (7.29 per person) compared with any other racial group. To put this estimate into perspective, Indigenous employees, as a group, were exposed to a larger number of situations and contexts where they experienced harassing behavior(s) on at least one occasion during the preceding 18 months. This estimate (7.29 problems per person) does not indicate how often (or how systematically) they have been exposed to these behaviors; it only represents an estimated number of different kinds of harassment behaviors they have been exposed to.

Multiracial; Black or African American; and Hispanic Latinx, or Spanish Origin respondents, who experienced harassment in the past 18 months, had similar averaged number of harassment problems per person (5.00, 4.35, and 4.28, respectively). However, a similar average number of problems does not mean that the issues experienced were the same for different racial and ethnic groups. Asian respondents who experienced harassment during the preceding 18 months, on average, had the lowest average number of problems (2.75 per person).[25]

FIGURE 12: AVERAGE NUMBER OF HARASSMENT PROBLEMS, BY RACE AND ETHNICITY

Indigenous (n=55)	Multiracial (n=61)	Black (n=75)	Non-white (n=310)	Latinx/Hispanic (n=107)	White (n=1,116)	Asian (n=75)
7.29	5.00	4.35	4.49	4.28	3.54	2.75

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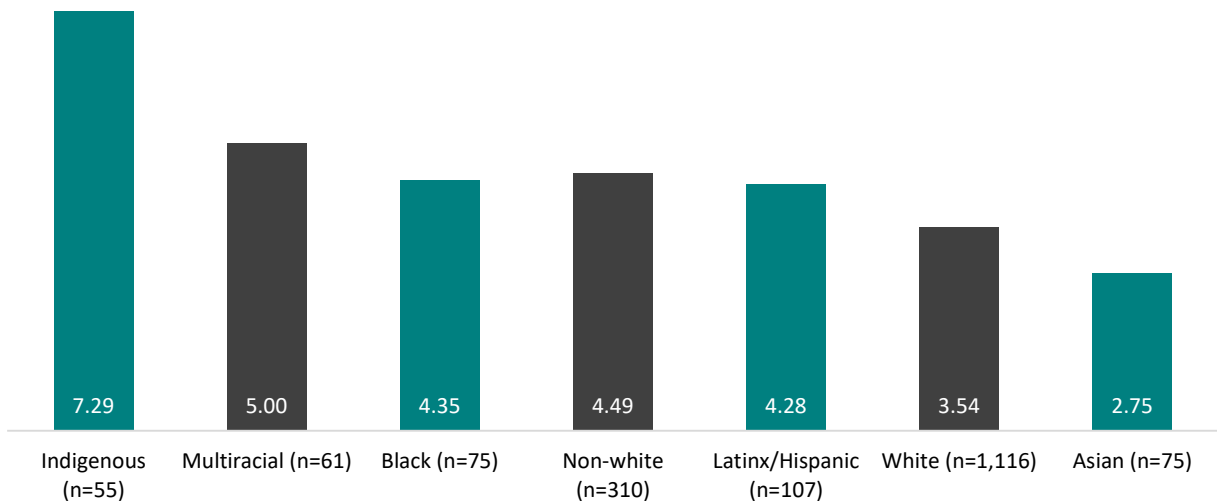
[25] It is important to note that the Asian category combines very diverse populations into one category, which may mask disparities for subpopulations within that group.

Intersectionality Analysis

This section focuses on workplace harassment of women at the intersection of gender, race and ethnicity, and sexual orientation. The results show the issues most frequently identified by Black, Indigenous and women of color and sexual-minority women are simultaneously similar yet different from the experiences of single-race white women and heterosexual women. We focused the intersectionality analysis on sexual minority women based on the high rates of harassment in this population. While the analysis identified high rates of harassment for gender minorities as well, the samples sizes for those populations were too small to allow for intersectionality analysis.

1. White and non-white women did not differ in the prevalence of most types of workplace harassment, except for race-based harassment; where non-white women (15%) were significantly more likely than their single-race white peers (3%) to experience at least one instance of race-based harassment during the preceding 18 months ($\chi2$ =53.830, p<.001).

2. Black or African-American and white women did not differ significantly in the prevalence of any type of harassment, except for race-based harassment; where Black or African-American women were four times more likely to experience workplace mistreatment than their single-race white peers (21% vs. 5%; $\chi2$ =45.976, p<.001).

3. Hispanic/Latinx and white women experienced the same levels of overall workplace harassment (61%), but their experiences were significantly different in the prevalence of workplace maltreatment based on sexual orientation and race (Table 3, Appendix). In particular, Hispanic/Latinx women, relative to their single-race white peers, experienced significantly higher rates of sexual orientation-based harassment (26% vs. 16%; $\chi2$ =6.187, p=.013) and race-based harassment (11% vs. 3%; $\chi2$ =17.610, p<.001).

4. Asian women experienced any harassment at a lower rate compared with their single-race white colleagues (48% vs. 61%; $\chi2$ =3.742, p<=.053), but they were three times more likely to experience race-based harassment (9%), relative to white women (3%) [$\chi2$ =7.265, p<=.007].

5. Indigenous women experienced the highest prevalence of overall workplace harassment (85%) compared with their single-race white peers (61%; $\chi2$ =9.066, p=.003) or any other racial and ethnic group (based on the percentage point differences). Looking at specific types of harassment, Indigenous women were significantly more likely than their single-race white colleagues to experience race-based harassment (13% vs. 5%; $\chi2$=12.026, p<.001) and work-related harassment (82% vs. 59%; $\chi2$ =9,113, p=.003).

6. Multiracial women, compared with their single-race white colleagues, experienced significantly higher rates of race-based harassment (10% vs. 3%; $\chi2$ =6.338, p=.012).

7. Sexual minority women (including gay or lesbian, bisexual, asexual, pansexual, and questioning) were significantly more likely than women who identified as heterosexual to experience sexual-orientation based harassment (41% vs. 15%; $\chi2$ =35.747, p=<.001), gender-based harassment (22% vs. 8%; $\chi2$ =19.571, p=<.001) and work-related harassment (79% vs. 59%; $\chi2$ =13.810, p=<.001).

8. Non-white sexual minority women (n=15) were significantly more likely than non-white heterosexual women (n=201) to experience harassment based on sexual orientation (40% vs. 18%; $\chi2$ =4.348, p=.037).

Appointment type

Research consistently investigates harassment in the framework of the imbalance of power between the employees. The courts as well as non-court judicial agencies, like any other governmental organizations, operate in environments in which the power structure of an organization is hierarchical with strong dependencies on those at higher levels. To explore how power imbalance is associated with workplace harassment, the survey included a question about the respondent's appointment within the organization. Figure 13 displays the prevalence of overall workplace harassment among the respondents with different appointments (see also Table 1, Appendix).

We found a significant association between an employee's position and experience of any workplace harassment ($\chi 2$ =23.954, p=.046). Court clerks[26], as a group, experienced any workplace harassment at a higher rate (65%) than respondents with any other appointment type. Judicial assistants experienced the second highest rate of harassment (61%). Among all survey respondents, Superior Court Clerks (49%) and Judges or Commissioners (51%) experienced the lowest rates of harassment. These numbers, however, are still alarming. They mean that one out of every two Judges or Commissioners and one out of every two Superior Court Clerks experienced some type of workplace harassment at least once during the preceding 18 months.

Figure 14 visually presents the average number of separate harassment problems reported by employees with different appointment types. Court clerks, as a group, reported an aggregate of 1,593 separate harassment problems with an average of 4.76 problems per person. This is the highest number of harassment problems (4.76 per person), compared with employees with any other types of appointment. Superior Court Clerks, Judges or Commissioners, and Judicial Assistants, who experienced harassment during preceding 18 months, had similar averaged number of harassment problems per person (2.46, 2.44, and 2.42, respectively).

FIGURE 13: ANY WORKPLACE HARASSMENT, BY APPOINTMENT TYPE

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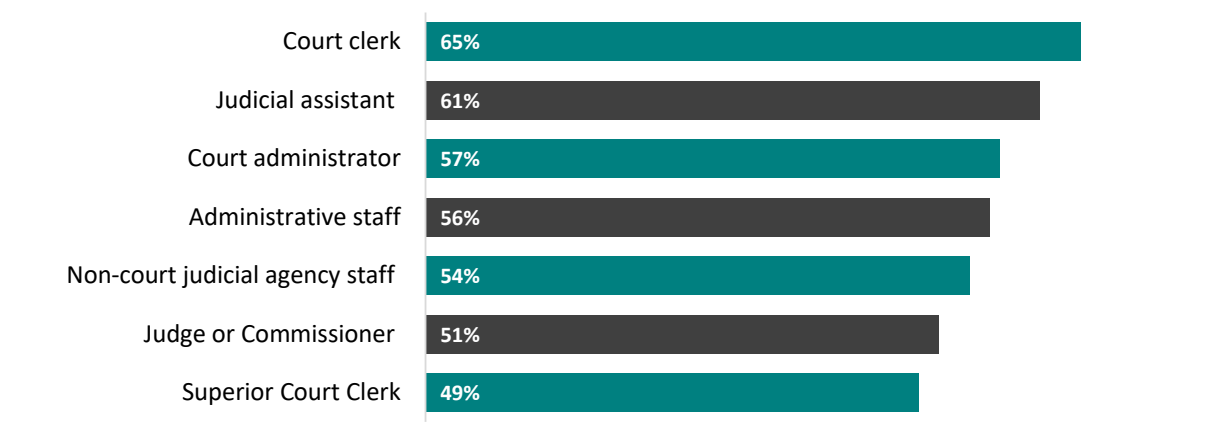
[26] Court clerks include employees who have administrative responsibilities, at all levels of courts: some work for elected Superior Court Clerks; some work for appointed Superior Court Clerks; some work in the Municipal or District courts, the Court of Appeals, and the Supreme Court. The report distinguishes between court clerks and Superior Court Clerks due to their different rates of experienced harassment.

FIGURE 14: AVERAGE NUMBER OF HARASSMENT PROBLEMS, BY APPOINTMENT

Court clerk (n=335)	Staff at non-court judicial branch agency (n=82)	Court administrator (n=108)	Administrative staff (182)	Superior Court Clerk (n=74)	Judge or Comissioner (n=124)	Judicial assistant (n=69)
4.76	4.04	3.89	3.09	2.46	2.44	2.42
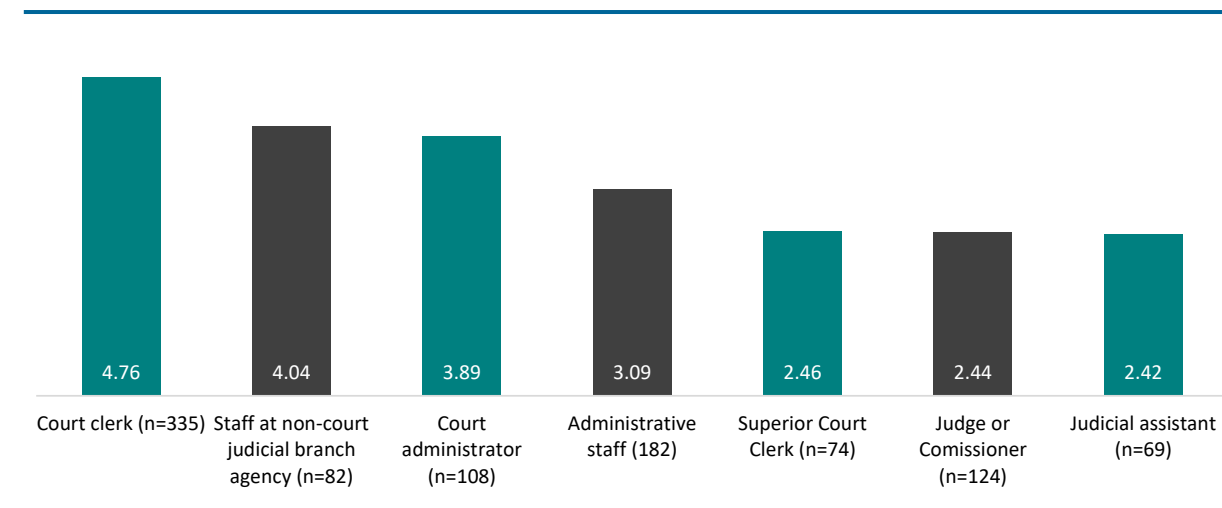
FINDING 6: CIRCUMSTANCES SURROUNDING WORKPLACE HARASSMENT

In this section, percentages denote the percentage of respondents indicating that response option, among all respondents experiencing any harassment in the past 18 months.

Survey respondents who experienced workplace harassment in the past 18 months were asked follow-up questions about the circumstances surrounding the "worst" incident, or the incident that had the greatest effect on them.

For 44% of respondents who experienced harassment in the past 18 months, the "worst experience" of harassment was not about a single and isolated event, but rather about behaviors that are repeatedly and persistently directed against them by the same source or perpetrator (22%), or it was one in a series of isolated incidents from different sources or perpetrators (22%).

Respondents were also asked about the power relationship between themselves and the perpetrator of the "worst" incident.[27] In many cases, respondents indicated that the perpetrator was a person in a superior position in the organizational hierarchy who could influence their work opportunities such as their supervisor or manager (19%), and/or someone more senior (other than manager or supervisor) (15%). Nine percent (9%) indicated that the perpetrator was a Judge or Commissioner. For 9% of employees, the perpetrator was someone of equal seniority and for 5% the perpetrator was someone junior to them (see Figure 15 and Table 4, Appendix).

Thus, the overall picture is that senior employees are more often among the "bullies". However, the number of colleagues and/or subordinates involved in harassment speak against the view that workplace harassment is primarily a top-down problem.

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[27]   Respondents were able to check multiple response options to this question.

FIGURE 15: RELATIONSHIP WITH THE HARASSER (n=954)

Relationship	Percentage
Your manager or supervisor	19%
Someone more senior than you (other than your manager/supervisor)	15%
A Judge or Commissioner	9%
Someone of equal seniority	9%
Court personnel (other than Judge or Commissioner)	6%
Support staff that works for the courts	5%
Someone junior to you	5%
A litigant (party to a case)	4%
An attorney/ lawyer	4%
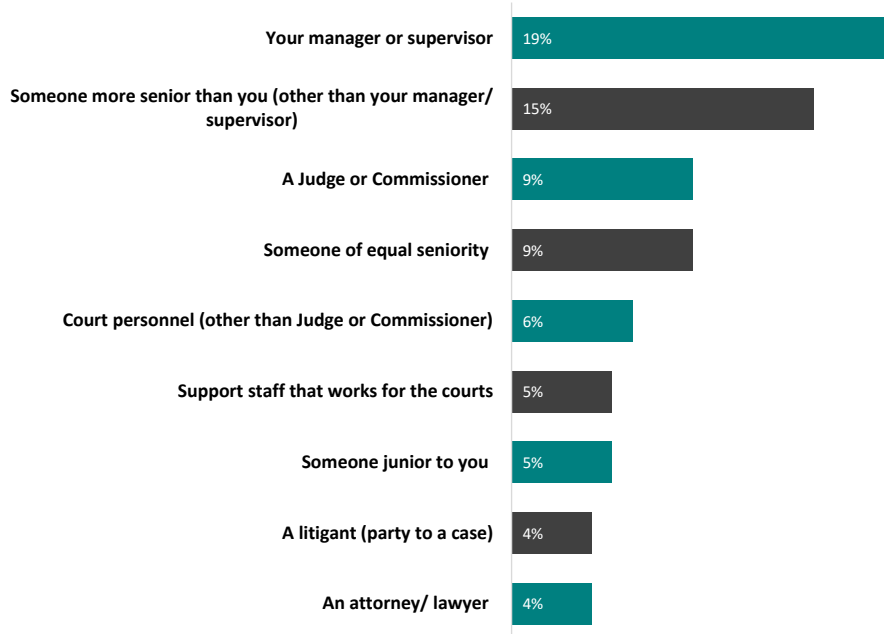
The respondents were given an option to provide the main (self-perceived) reason for their "worst" harassment experience. Of all respondents who experienced harassment, 404 respondents took advantage of this opportunity to specify the reason for this experience. From these comments, a number of factors contributing to harassment were identified and grouped into four categories, each corresponding to a different level: 1) individual, 2) interactional, 3) organizational, and 4) societal level (Figure 16). This framework is useful for designing effective interventions for preventing workplace harassment. The factors identified were:

Individual level factors:

1. Supervisor's personality issues
2. Unhappy litigant/client
3. Being a woman
4. Age (younger)
5. Disability, hearing loss
6. Race
7. Personal life circumstance
8. Jealousy, anger, fear

Interactional level factors:

1. Power/Senior position
2. Job insecurity
3. Insecurity of a co-worker
4. Stressful situation
5. Favoritism
6. Miscommunication

Organizational level factors:

1. Work-related stress
2. Gender bias
3. Organizational homophobia
4. Micromanagement, work pressure
5. Scapegoat
6. Unexperienced management
7. Lack of reinforced policies by administrators and superiors
8. Lack of training of Managers and HR

Societal level factors:

1. Mistrust toward the courts
2. High racial tensions
3. COVID-related

FIGURE 16: LEVELS OF WORKPLACE HARASSMENT
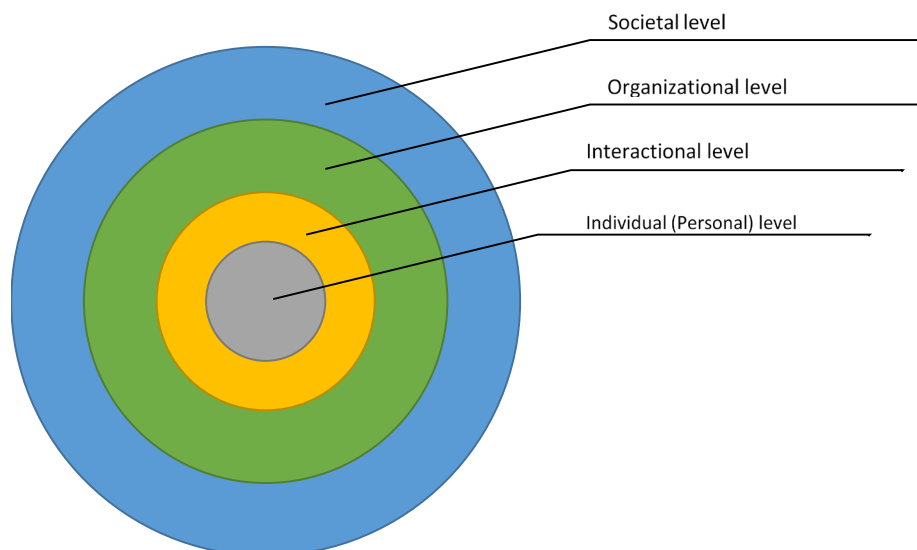
FINDING 7: CONSEQUENCES OF HARASSMENT[28]

In this section, percentages denote the percentage of respondents indicating that response option, among respondents experiencing any workplace harassment in the past 18 months.

Numerous studies have documented links between harassment and psychological and professional well-being. Workplace harassment has been reported as the most pervasive type of social stress, and even as a traumatic event[29]. In order to gauge the outcomes of harassment associated with the highest level of stress, all respondents experiencing harassment were asked to rate a specific list of work-and health-related outcomes on a three-level scale: "Not a problem," "Moderate problem," or "Major problem." Figure 17 shows the percentage of respondents who classified each outcome as "Major problem" (see also Table 5, Appendix).

A substantial number of respondents (32%) reported experiencing major problems with avoiding certain people, feeling angry with the organization (29%), having trouble falling or staying asleep (25%), experiencing a loss of self-esteem (21%), having physical reactions (i.e., headaches, exhaustion, gastric problems, respiratory complaints, musculoskeletal pain, or weight loss/gain) (25%), and avoiding social events at work such as lunch, happy hour, or a holiday party (16%).

FIGURE 17: MAJOR PROBLEMS ASSOCIATED WITH WORKPLACE HARASSMENT

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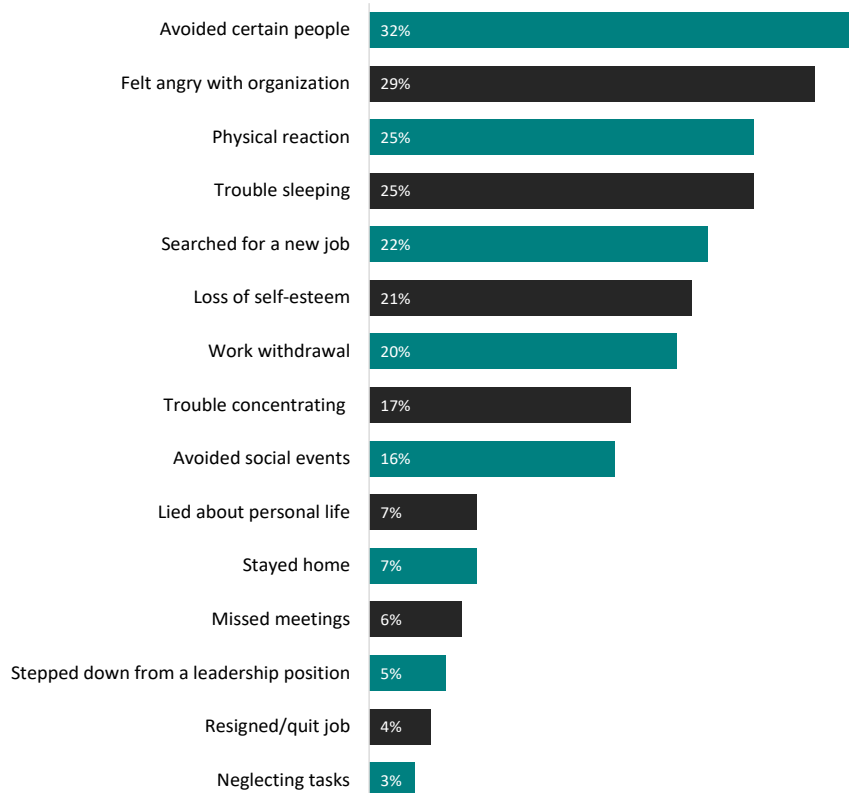
[28] This section was prepared by Jillian Hagerman, DO, MPH student as a part of a Planning, Advocacy and Leadership Skills class (HSERV 572) taught by Dr. Amy Hagopian (Department of Global Health, University of Washington). During this practicum, the students conducted a literature review and, data analysis, and prepared written drafts of findings and visualizations for the Gender and Justice Commission (GJC).

[29] Einarsen, S., Hoel, H., Zapf, D. & Cooper. C.L. (2011). The Concept of Bullying and Harassment at Work: The European Tradition. In S. Einarsen, H. Hoel, Zapf, D, and C.L. Cooper (Eds.) Bullying and Harassment in the Workplace. Developments in Theory, Research, and Practice. Second Edition. CRC Press, Taylor and Francis, Boca Raton, London, New York.

In addition, a sizable share of respondents (20%) who were exposed to workplace harassment in the past 18 months reported having a major problem with work withdrawal (distancing from the work without actually quitting); and 22% with searching for a new job. Seeking fresh employment due to harassment was identified as a major problem by 44% of Black or African American employees and 43% of gender minority employees.

Further, 5% of employees who experienced harassment reported experiencing major problems with stepping down from leadership opportunities to avoid the perpetrator, and 4% said that the major problem for them was that they needed to leave their job (resign or quit) in order to stop the harassment.

Black or African-American and Indigenous employees were more likely to identify stepping down from leadership opportunities in response to harassment as the major problem, compared to their single-race white peers (16% vs. 4%; $\chi2 =53.863$, $p<.001$ for Black or African-American and 15% vs. 4%; $\chi2 =51.254$, $p<.001$, for Indigenous employees).

Further, Black or African American employees were more likely to report resigning in responses to harassment as the major problem, compared with their white peers (17% vs. 3%; $\chi2 =45.114$, $p<.001$).

Men (including transgender men) were more likely than women (including transgender woman) to identify stepping down from leadership opportunities (13% vs. 4%; $\chi2 =8.256$, $p=.016$) and lying about personal life (15% vs. 6%; $\chi2 =6.179$, $p=.046$) in response to harassment as major problems.

FINDING 8: STEPS EMPLOYEES TAKE WHEN FACED WITH HARASSMENT

One aim of the survey was to find out what employees did when faced with workplace harassment. Respondents were asked whether they sought help; whether, and to what degree they were able to solve their problem(s) with the help they received. Figure 18 shows the percentages of respondents who made efforts to get help and the percentage of those who were able to solve the problem(s). Of all respondents who answered this question, 56% tried to get help. Of those who tried to get help, 65% were able to solve the problem(s), including 9% who obtained a complete resolution of their problem(s). The most commonly cited reasons for not seeking help were fear of repercussions (60%), the status of the perpetrator (57%), lack of confidence in reporting practices (54%), and the belief that incident would be perceived as acceptable by the organization (50%) (See Figure 19).
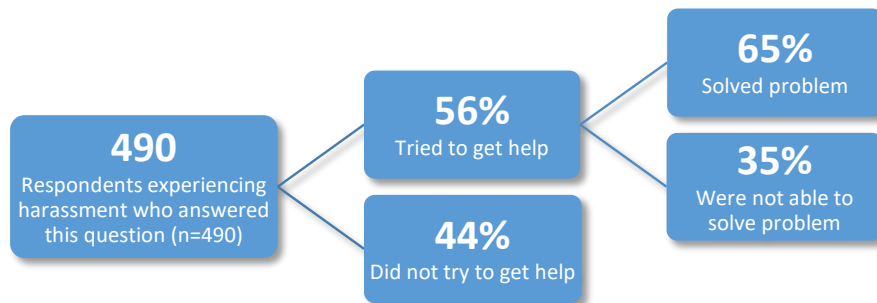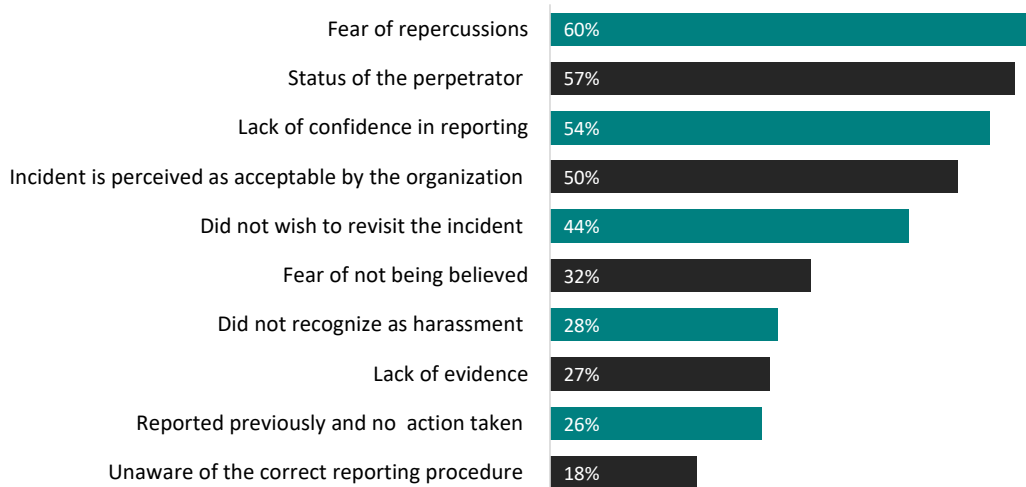
FIGURE 18: GETTING HELP

FIGURE 19: REASONS FOR NOT SEEKING HELP (n=198)

FINDING 9: ORGANIZATIONAL FACTORS ASSOCIATED WITH HARASSMENT

In this section, percentages denote the percentage of respondents indicating that response option, among all survey respondents.

The purpose of anti-harassment policies is to emphasize the organization's commitment to providing a workplace free of harassment, describe the responsibilities of the organization, and designate resources for individuals experiencing harassment. To this end, all survey respondents were asked about their awareness and understanding of anti-harassment policies and procedures as well as about their perception of their organization's response to harassment[30]. The descriptive analysis of the responses to these questions are presented in Figures 20 through 23 (see Table 6, Appendix).

Respondents who experienced workplace harassment in the past 18 months and those who did not differed strongly[31], on all questions in this section, in their responses related to awareness of the policy and procedures, as well as the organization's commitment to take steps to protect the safety of employees. The biggest difference between these two groups of respondents was in their level of confidence that their organization would deal with concerns or complaints in a thorough, confidential, and impartial manner (60% of those who experienced harassment vs. 87% of those who did not).

But even on the other items the differences were substantial (and statistically significant). Relative to respondents not experiencing harassment, respondents experiencing harassment were <u>less likely</u> to know whether their organization has an anti-harassment policy (92% of those who did not experience harassment vs. 89% of those who did), and whether their organization conducts harassment trainings (77% vs. 66%). They were also <u>less likely</u> to know their rights and obligations (87% vs. 74%), who is responsible for managing complains (82% vs. 69%), how to help prevent harassment (55% vs. 44%), how to report an incident of workplace harassment (54% vs. 41%), and where to go to get help with workplace harassment (56% vs. 43%) (see Figure 20).

All respondents were asked whether they received written (e.g., brochures, emails) or verbal information (e.g., presentations, training) from anyone in their organization about various aspects of workplace harassment. Once again, we found significant between-group differences (i.e., respondents experiencing harassment vs. not) on all four survey items pertaining to receiving information and/or training (Figure 21). Employees who experienced workplace harassment were significantly <u>less likely</u> than their colleagues who did not experience harassment to remember receiving information about 1) the definitions of workplace harassment (46% vs. 54%); 2) how to report harassment (41% vs. 54%); 3) where to go to get help (43% vs. 56%); and 4) how to prevent workplace harassment (44% vs. 55%).

The responses to the survey items pertaining to the organization's stance on diversity, organizational support and employees' beliefs that organizational actions serve their best interest also significantly differed depending on employees' experience with harassment (see Figure 22).

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[30] Questions pertaining to institutional policies and procedures were formatted in a yes/no format; while, questions about organizational climate and fairness were scored on a four-point Likert scale ranging from 1 = "Strongly Disagree" to 4 = "Strongly Agree." We compared the percentages of respondents providing 1) affirmative answers to yes/no questions and 2) providing favorable responses (positive scores), based upon the combined sum of the "Strongly agree" and "Moderately agree" response categories. It should be noted, however, that these results are based on cross-sectional measures that do not allow us to interpret relations as cause and effect.

[31] The differences in responses were statistically significant at the 0.05 significance level.

FIGURE 20: AWARENESS AND UNDERSTANDING OF ANTI-HARASSMENT POLICY

Does your workplace have anti-harassment policy?

No harrasment	Any harrasment
92%	89%

Does your workplace inform you of your rights and obligations?

No harrasment	Any harrasment
87%	74%

Do you know who is responsible for managing complaints made under the policy?

No harrasment	Any harrasment
82%	69%

Do you know where to go to get help if you or someone you know experience harassment?

No harrasment	Any harrasment
90%	77%

Does your workplace policy inform you about disciplinary consequences for individuals who violate these policies?

No harrasment	Any harrasment
62%	46%

Do you understand what happens when someone reports a claim pertaining to workplace harassment?

No harrasment	Any harrasment
70%	47%

Does your workplace inform you how it would maintain the privacy of the person making the report?

No harrasment	Any harrasment
70%	50%

Does your workplace conduct training(s) relating to workplace harassment?

No harrasment	Any harrasment
77%	66%

FIGURE 21: RECEIVING INFORMATION OR TRAINING

Have you received information about the definitions of workplace harassment?

No harrasment	Any harrasment
54%	46%

Have you received informationa about how to report an incident of workplace harassment?

No harrasment Experience	Any Harrasment
54%	41%

Have you received information about where to go to get help if you or someone you know experiences workplace harassment?

No harrasment Experience	Any Harrasment
56%	43%

Have you received information about how to help prevent workplace harassment?

No harrasment Experience	Any Harrasment
55%	44%

Employees who experienced workplace harassment were significantly <u>less likely</u> than their colleagues who did not experience harassment, to think that their organization values differences in age, gender, sexual orientation, gender identity or expression, and race or ethnicity (79% of those who experienced harassment vs. 81% of those who did not), and that it has a work environment accepting individual differences (76% vs. 90%). They were less likely to believe their organization would take the report of workplace harassment seriously (72% vs. 91%). They were also less likely to agree that their organization would maintain the privacy of the person making the report (65% of those who experienced harassment vs. 89% of those who did not), that their organization would take steps to protect the safety of the person making the report (69% vs. 90%), and that their organization would do its best to honor the request of the person about how to go forward with the case (69% vs. 89%).

The survey also measured respondents' perceptions of fairness and trust using the following three items: (1) respondents' perception that people like them have the ability to protect themselves and enforce their legal rights; (2) respondents' perception that people like them are treated fairly in their organization; and (3) respondents' perception that the civil legal system can help people like them solve important problems. Across these three questions, we have found significant between-group differences in responses (see Figure 23). Specifically, respondents experiencing harassment were far <u>less likely</u> than their peers who did not experience harassment to agree that people like them have the ability to protect themselves and enforce their legal rights (60% of those who experienced harassment vs. 87% of those who did not); they were less likely to think that people like them are treated fairly in the organization (71% vs. 91%); and they were less likely to feel that the civil legal system can help people like them solve important problems (65% vs. 85%).

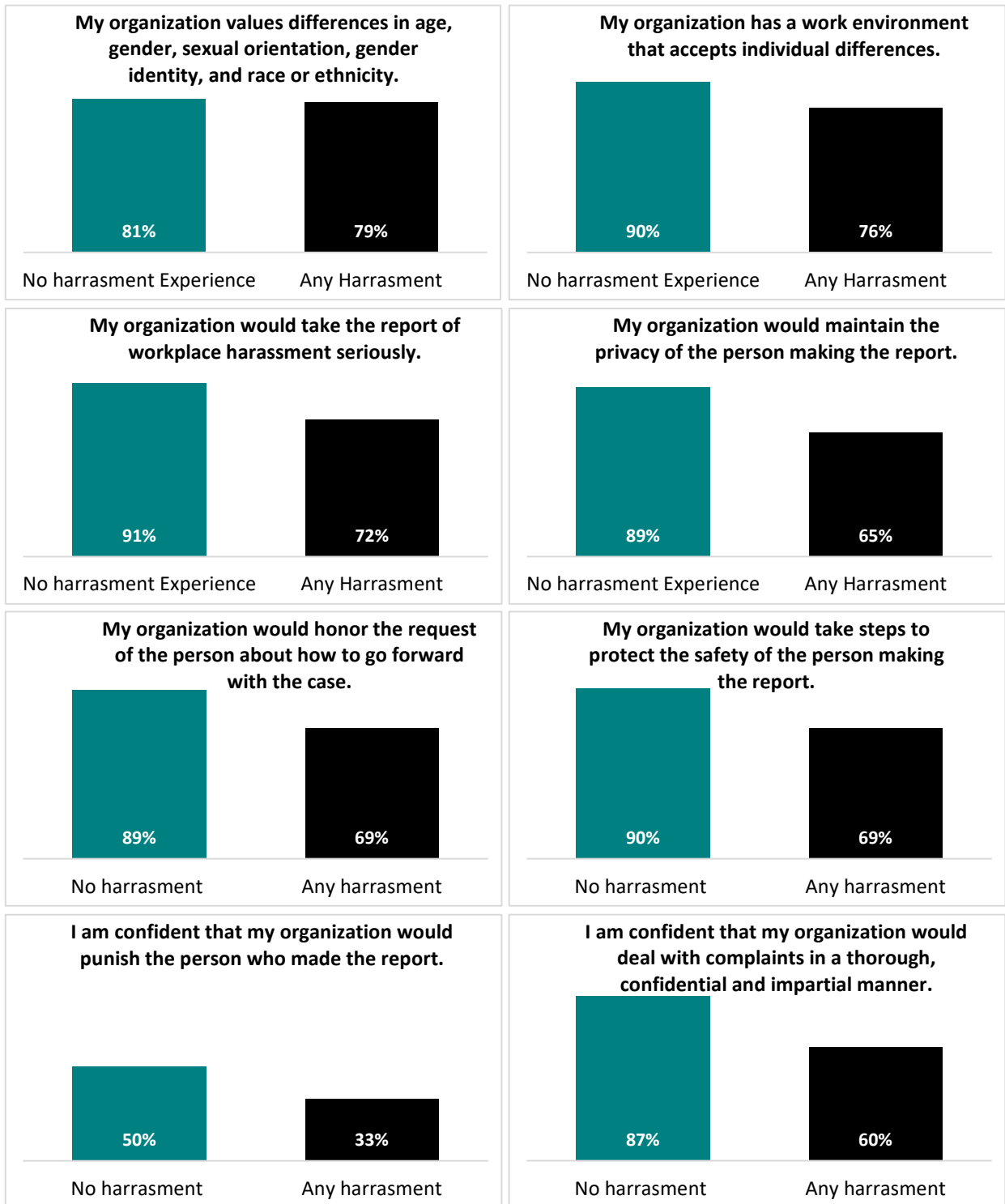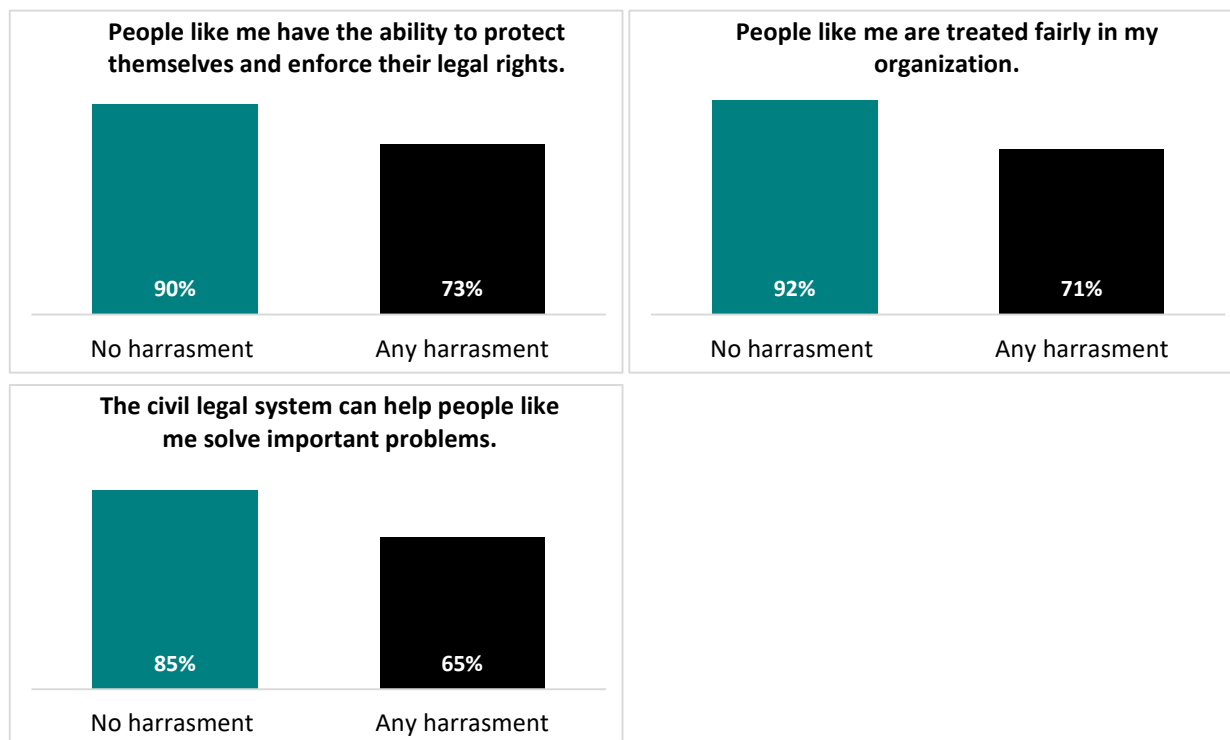FIGURE 22: PERCEIVED DIVERSITY AND ORGANIZATIONAL SUPPORT

My organization values differences in age, gender, sexual orientation, gender identity, and race or ethnicity.

81%	79%
No harrasment Experience	Any Harrasment

My organization has a work environment that accepts individual differences.

90%	76%
No harrasment Experience	Any Harrasment

My organization would take the report of workplace harassment seriously.

91%	72%
No harrasment Experience	Any Harrasment

My organization would maintain the privacy of the person making the report.

89%	65%
No harrasment Experience	Any Harrasment

My organization would honor the request of the person about how to go forward with the case.

89%	69%
No harrasment	Any harrasment

My organization would take steps to protect the safety of the person making the report.

90%	69%
No harrasment	Any harrasment

I am confident that my organization would punish the person who made the report.

50%	33%
No harrasment	Any harrasment

I am confident that my organization would deal with complaints in a thorough, confidential and impartial manner.

87%	60%
No harrasment	Any harrasment

FIGURE 23: PERCEIVED FAIRNESS AND TRUST

People like me have the ability to protect themselves and enforce their legal rights.

90% No harrasment
73% Any harrasment

People like me are treated fairly in my organization.

92% No harrasment
71% Any harrasment

The civil legal system can help people like me solve important problems.

85% No harrasment
65% Any harrasment

Relationship between Workplace and Harassment[32]

Given significant associations between awareness, understanding of anti-harassment policies and procedures, as well as perception of the organizational climate and reported harassment, we investigated whether organizational variables predict the likelihood of harassment using binary logistic regression. Organizational variables selected for this analysis were: (1) *Awareness of policy* (employees' awareness and understanding of anti-harassment policy and procedures); (2) *Materials received* (receiving of written [e.g., brochures, emails] or verbal information [e.g., presentations, training] pertaining to preventing workplace harassment); (3) *Diversity, appreciation, respect* (employees' perceptions of diversity, respect and fair treatment); and (4) *Expectation of response* (employees' confidence that the organization would respond to harassment). These variables were constructed by summing the responses to multiple survey items in those categories (for a detailed list of survey items, see Table 7 in the Appendix).

Table 8 presents the results of binary logistic regression analysis performed to predict whether an employee experienced any workplace harassment in the past 18 months depending on their awareness of policy, materials received, diversity, appreciation, respect, and expectation of response, while controlling for gender, age, education, length of employment, and hours worked per week. We found that awareness of policy and confidence that the organization would respond to harassment, all other conditions being equal, significantly <u>decreased</u> employees' likelihood of harassment (odds ratio

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[32] This section was prepared by Ronald Buie, Ph.D/MPH student as a part of a Planning, Advocacy and Leadership Skills class (HSERV 572) taught by Dr. Amy Hagopian (Department of Global Health, University of Washington). During this practicum, the students conducted a literature review and data analysis, and prepared written drafts of findings and visualizations for the Gender and Justice Commission.

= 0.85 for awareness and odds ratio =0.75 for expectation of response). In percentage terms, employees who were more aware of the anti-harassment policy were 15% less likely to experience harassment than their colleagues who were less aware of the policy. Similarly, employees who had higher levels of confidence in their organization's support with respect to harassment were 25% less likely to experience harassment than their colleagues who were less confident in this support.

Receiving written (e.g., brochures, emails) or verbal information (e.g., presentations, training) about various aspects of harassment prevention (i.e., definitions of types of workplace harassment; how to report an incident of workplace harassment; where to go to get help; and how to help prevent workplace harassment) was not useful in predicting workplace harassment. In other words, employees who remembered receiving materials and/training on these topics and those who did not were equally likely to experience workplace harassment. Furthermore, employee's perceptions of the organizational environment (i.e., employees' views of diversity, appreciation, and respect) did not predict employee's chances of experiencing workplace harassment. This means that employees with more positive attitudes and less positive attitudes toward the organizational environment were equally likely to experience workplace harassment in the past 18 months.

FIGURE 24: ORGANIZATIONAL FACTORS RELATED TO HARASSMENT
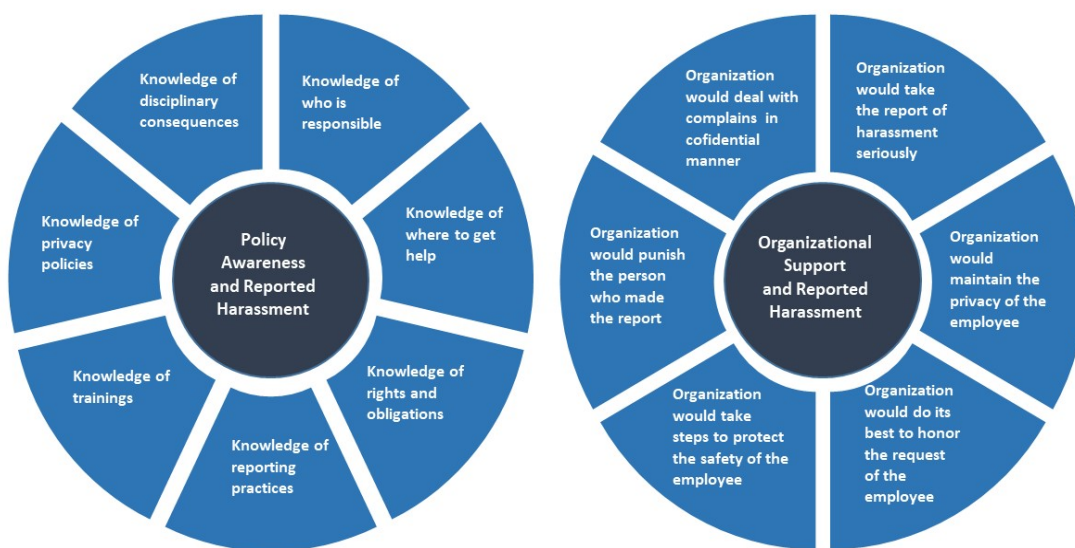
Because we were surprised by the lack of association of harassment with *diversity, appreciation, and respect* (i.e., employees' perceptions of diversity, respect, and fair treatment), we performed a separate regression on the individual questions that composed this component (Table 9, Appendix). Of the five questions constituting this construct, only the "expectation of fair treatment" was predictive of harassment at a p-value below 0.05. In percentage terms, employees who believed that people like them are treated fairly in the organization were 49% less likely to experience harassment than their colleagues who were less likely to believe in fair treatment.

The factors that increased the likelihood of workplace harassment were the number of hours worked per week and the length of employment. Compared with men, women in our study experienced a higher chance of workplace harassment; and younger employees were at a higher risk for workplace harassment compared to older employees.

Appendix

Table 1: Prevalence of workplace harassment by substantive area and subgroup

	All respondents	White	Non-white	Black	Latinx/Hispanic	Multiracial	Asian	Indigenous	Women	Men	Other gender identity	Heterosexual	Gay or lesbian	Bisexual	Non-heterosexual	Judge or Commissioner	Administrative staff	Court clerk	Superior court clerk	Judicial assistant	Court administrator	Non-court judicial branch employees
Any harassment	57%	59%	58%	57%	59%	66%	44%	82%	62%	48%	57%	57%	73%	84%	76%	51%	56%	65%	49%	61%	57%	54%
Unwanted sexual attention	4%	3%	5%	4%	7%	7%	1%	9%	4%	2%	17%	3%	7%	9%	10%	3%	3%	3%	1%	4%	3%	2%
Gender-based	8%	8%	8%	5%	6%	15%	5%	16%	9%	4%	17%	7%	16%	24%	20%	7%	6%	7%	3%	7%	12%	10%
Sexual orientation-based	16%	15%	18%	15%	23%	25%	13%	26%	17%	14%	13%	14%	36%	42%	39%	10%	11%	17%	19%	7%	18%	12%
Race-based	6%	3%	15%	20%	12%	8%	9%	15%	5%	6%	9%	6%	2%	6%	5%	4%	7%	5%	4%	4%	3%	7%
Work related	56%	56%	57%	56%	56%	65%	44%	81%	59%	44%	52%	55%	67%	82%	71%	50%	55%	63%	43%	55%	54%	50%
# of respondents	1,745	1,116	310	75	107	61	75	55	1,095	318	13	1,391	44	55	121	124	182	335	74	69	108	82
# of problems	6,086	3,947	1,391	326	458	305	206	401	4,393	834	112	4,933	239	342	731	303	562	1,593	182	167	420	331
Average # of problems per capita	3.49	3.54	4.49	4.35	4.28	5.0	2.75	7.29	4.01	2.62	8.6	3.55	5.43	6.22	6.04	2.44	3.09	4.76	2.46	2.42	3.89	4.04

Note1: Those who replied "Other" or "Prefer not to answer" for sexual orientation are excluded from the analyses.

Note 2: Some subgroups are mutually exclusive; while some are not mutually exclusive. For example, 1) white vs. non-white; 2) heterosexual vs. non-heterosexual, 3) women, men, and other gender identity; and 4) respondents with different appointment types are mutually exclusive.

Note 3: The average number of problems was calculated relative to the respondents who reported experiencing at least one incidence of harassment in the past 18 months, not all of the respondents

Note 4: Non-court judicial branch employees include employees of the Administrative Office of the Courts, Office of Civil Legal Aid, Office of Public Defense, and Commission on Judicial Conduct.

Note 5: For the purpose of this report, every race/ethnicity entry – including multiple response entries – is coded for each racial/ethnic category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous.

Note 6: For the purposes of this table "Women" include respondents who marked "woman," "Men" include respondents who marked "man," and "Other gender identity" include respondents who marked "transgender man," "transgender woman," "genderqueer or gender non-conforming," or "questioning."

Table 2: Prevalence of different types of work-related harassment, by gender

Type of work-related harassment	Women	Men	Chi-square ($\chi2$)	P-value
Being interrupted or talked over	41%	28%	17.965	p<.001
Having your opinions ignored	37%	25%	18.426	p<.001
Being exposed to an unmanageable workload	28%	16%	20.53	p<.001
Someone withholding information that affects your performance	27%	15%	19.26	p<.001
Being shouted at or being the target of spontaneous anger	23%	13%	15.49	p=.004
Being ignored or excluded or facing a hostile reaction when you approach	23%	12%	20.93	p<.001
Being subjected to excessive monitoring of your work	23%	16%	13.633	p=.009
Receiving repeated reminders of your errors or mistakes	22%	13%	19.603	p<.001
Having deadlines which are changed at short notice or no notice	21%	16%	Non-significant	-
Spreading of gossip and rumors about your competence	19%	13%	9.86	p=.043
Being ordered to do work below your level of competence	18%	15%	Non-significant	-
Having key areas of responsibility removed or replaced with more trivial or unpleasant tasks	15%	125	Non-significant	-
Receiving hints or signals from others that you should quit your job	12%	7%	Non-significant	-
Being subjected to intimidating behaviors such as invasion of personal space, shoving, blocking your way	7%	5%	Non-significant	-

Note 1: "Women" includes respondents who marked "woman" or "transgender woman" and "men" includes respondents who marked "man" or "transgender man."

Table 3: Intersectionality analysis

	All women	White women	Non-white women	Black women	Latinx/Hispanic women	Multiracial women	Asian women	Indigenous women	Heterosexual women	Non-heterosexual women	Non-white, non-heterosexual
Any harassment	62%	61%	63%	64%	61%	71%	48%	85%*	60%	80%*	73%
Unwanted sexual attention	4%	3%	5%	6%	7%	7%	2%	5%	3%	7%	7%
Gender-based	9%	9%	7%	6%	5%	17%	7%	10%	8%	22%*	13%
Sexual orientation-based	16%	16%	19%	14%	26%*	21%	15%	23%	15%	41%*	40%
Race-based	5%	3%	15%*	21%*	11%*	10%*	9%*	13%*	6%	4%	20%
Work related	59%	59%	61%	64%	58%	71%	48%	83%*	58%	79%*	73%
# of respondents	1,096	850	227	52	88	42	54	40	961	81	15
# of problems	4,398	3,257	1,054	239	385	247	153	264	3,719	503	94
Average # of problems per capita	4.01	3.83	4.64	4.60	4.38	5.88	2.83	6.60	3.87	6.21	6.27

Note 1: "Women" includes respondents who marked "woman" or "transgender woman."

Note 2: For the purpose of this report, every entry – including multiple response entries – is coded for each racial category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous.

Table 4: Relationship with a harasser in the "worst" experience of harassment, by subgroup

	All	White	Non-white	Black	Latinx/Hispanic	Multiracial	Asian	Indigenous	Women	Men	Other gender identity	Heterosexual	Gay or lesbian	Bisexual	Non-heterosexual	Judge or Commissioner	Administrative staff	Court clerk	Superior court clerk	Judicial assistant	Court administrator	Non-court judicial branch employees
Manager or supervisor	19%	18%	24%	33%	19%	25%	12%	29%	20%	13%	25%	19%	13%	13%	14%	3%	14%	28%	19%	7%	16%	14%
Someone more senior (other than manager/supervisor)	15%	14%	19%	21%	22%	8%	15%	18%	16%	9%	38%	14%	19%	24%	23%	10%	10%	19%	11%	14%	10%	25%
Someone of equal seniority	9%	10%	9%	12%	11%	13%	12%	11%	10%	9%	13%	9%	22%	13%	17%	6%	6%	12%	11%	7%	3%	16%
Someone junior	5%	6%	7%	9%	8%	5%	-	7%	6%	8%	-	6%	9%	-	5%	5%	5%	6%	6%	5%	7%	2%
Support staff that works for the courts	5%	5%	8%	16%	5%	3%	-	4%	5%	6%	-	4%	13%	11%	10%	2%	5%	5%	-	10%	7%	5%
A Judge or Commissioner	9%	9%	8%	12%	10%	3%	3%	4%	10%	7%	13%	9%	22%	2%	10%	16%	3%	9%	6%	12%	20%	5%
An attorney lawyer	4%	4%	7%	7%	10%	3%	6%	7%	4%	5%	13%	4%	3%	11%	8%	6%	3%	3%	6%	5%	7%	2%
A litigant (party to a case)	4%	4%	6%	5%	3%	13%	9%	9%	4%	5%	13%	4%	9%	7%	8%	8%	-	6%	3%	5%	5%	-
Court personnel (other than Judge or Commissioner)	6%	6%	7%	5%	10%	5%	6%	7%	7%	5%	13%	6%	9%	7%	8%	-	8%	7%	3%	10%	8%	5%
# of respondents	954	542	181	43	63	40	33	45	677	151	8	787	32	46	92	63	101	219	36	42	61	44

Note 1: The number of respondents for each subgroup is smaller than in Table 1, because not everyone answered this question.

Note 2: This table reports only those who reported experiencing any workplace harassment at least once in the past 18 months, and those who provided responses for a question asking about a "harasser" in the "WORST" experience of harassment – that is why the size of subgroups can be smaller than the size of the same subgroups in Table 1.

Note 3: For the purpose of this report, every race/ethnicity entry – including multiple response entries – is coded for each racial/ethnic category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous.

Note 4: For the purposes of this table "Women" include respondents who marked "woman," "Men" include respondents who marked "man," and "Other gender identity" include respondents who marked "transgender man," "transgender woman," "genderqueer or gender non-conforming," or "questioning."

Table 5: Consequences of harassment that are classified as major problem

	All	White	Non-white	Black	Latinx/Hispanic	Multiracial	Asian	Indigenous	Women	Men	Other gender identity	Heterosexual	Gay or lesbian	Bisexual	Non-heterosexual	Judge or Commissioner	Administrative staff	Court clerk	Superior Court Clerk	Judicial assistant	Court administrator	Non-court judicial branch employees
Work withdrawal	20%	19%	21%	29%	18%	15%	6%	19%	19%	25%	14%	21%	11%	17%	16%	4%	15%	25%	27%	13%	19%	28%
Missed meetings	6%	6%	7%	17%	6%	5%	13%	7%	6%	9%	29%	7%	0%	10%	7%	0%	4%	10%	14%	0%	6%	12%
Neglecting tasks	3%	1%	5%	13%*	6%	5%	6%	7%*	1%	5%	29%	2%	0%	10%	7%	0%	2%	3%	0%	0%	0%	8%
Felt angry	29%	27%	43%	46%	39%	40%	41%	44%	30%	37%	57%	31%	26%	24%	27%	17%	24%	36%	36%	20%	25%	36%
Stepped down	5%	4%	12%	16%*	3%	5%	6%	15%*	4%	14%	29%	6%	5%	3%	4%	0%	7%	7%	0%	0%	3%	12%
Stayed home	7%	6%	7%	13%*	3%	35%	12%	7%	6%	10%	14%	7%	5%	7%	5%	0%	2%	10%	7%	13%	10%	16%
Searched job	22%	4%	22%	44%*	33%	20%	12%	30%	23%	25%	43%	24%	11%	17%	15%	4%	27%	33%	21%	7%	23%	32%
Avoided events	16%	16%	17%	26%	15%	10%	11%	22%	17%	15%	43%	17%	16%	17%	14%	4%	16%	22%	13%	20%	22%	12%
Lied about life	7%	7%	12%	25%*	9%	15%	12%	11%	6%	15%	43%	8%	11%	14%	11%	0%	2%	10%	7%	13%	10%	16%
Avoided people	32%	32%	40%	50%	33%	45%	28%	44%	33%	37%	57%	33%	32%	31%	32%	4%	38%	45%	47%	31%	22%	32%
Resigned/quit	4%	3%	4%	17%*	6%	-	6%	4%	4%	2%	14%	4%	0%	0%	0%	0%	7%	4%	0%	0%	3%	8%
Trouble sleeping	25%	24%	30%	54%*	12%	30%	12%	37%	19%	25%	43%	26%	21%	14%	21%	4%	28%	33%	27%	25%	28%	21%
Lost self-esteem	21%	21%	26%	38%	15%	20%	11%	41%*	21%	23%	57%	22%	5%	14%	13%	4%	17%	32%	20%	13%	23%	16%
Trouble concentrating	17%	15%	27%	42%*	15%	20%	18%	37%*	17%	20%	57%	18%	5%	14%	13%	4%	15%	23%	27%	19%	19%	16%
Physical reaction	25%	23%	34%	54%*	21%	25%	18%	41%	26%	24%	43%	26%	5%	21%	18%	4%	23%	36%	40%	31%	25%	40%
# of respondents	**474**	**336**	**99**	**24**	**33**	**20**	**17**	**27**	**366**	**50**	**7**	**387**	**19**	**29**	**56**	**23**	**47**	**122**	**15**	**16**	**31**	**25**

Note 1: For the purpose of this report, every entry – including multiple response entries – is coded for each racial category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous.

Note 2: For the purposes of this table "Women" include respondents who marked "woman," "Men" include respondents who marked "man," and "Other gender identity" include respondents who marked "transgender man," "transgender woman," "genderqueer or gender non-conforming," or "questioning."

Table 6: Awareness and understanding of harassment policy

	All	White	Non-white	Black	Latinx/Hispanic	Multiracial	Asian	Indigenous	Women	Men	Other gender identity	Heterosexual	Gay or lesbian	Bisexual	Non-heterosexual	Judge or Commissioner	Administrative staff	Court clerk	Superior Court Clerk	Judicial assistant	Court administrator	Non-court judicial branch employees
Workplace has policy	89%	89%	86%	87%	86%	88%	82%	84%	88%	92%	75%	89%	96%	87%	91%	95%	92%	84%	91%	81%	92%	91%
Know about my rights and obligations	74%	76%	68%	64%	70%	68%	64%	67%	72%	83%	75%	73%	88%	67%	78%	84%	79%	64%	71%	74%	79%	79%
Know who is responsible for managing complains	69%	71%	62%	55%	60%	63%	68%	75%	67%	76%	50%	69%	69%	65%	63%	91%	84%	61%	69%	62%	77%	68%
Policy informs about disciplinary consequences	46%	47%	42%	45%	36%	53%	46%	58%	42%	62%	50%	46%	57%	46%	46%	61%	51%	41%	40%	43%	53%	48%
Know where to get help	77%	78%	73%	71%	76%	73%	82%	75%	75%	85%	50%	77%	79%	76%	73%	87%	89%	73%	74%	79%	77%	77%
Informed about how privacy will be maintained	50%	51%	45%	39%	44%	53%	50%	33%	47%	62%	38%	50%	62%	50%	54%	71%	57%	34%	37%	50%	60%	59%
Understand what happens when someone reports a claim	47%	50%	41%	32%	35%	50%	46%	42%	44%	62%	38%	47%	52%	54%	53%	71%	56%	36%	40%	43%	59%	55%
Harassment training	66%	67%	60%	45%	62%	68%	73%	42%	64%	74%	50%	66%	76%	61%	65%	79%	73%	56%	57%	71%	75%	66%
Know types of harassment	46%	45%	48%	27%	51%	53%	59%	42%	44%	52%	50%	46%	46%	52%	51%	45%	47%	37%	25%	52%	64%	61%
Know how to report harassment	41%	42%	42%	20%	46%	48%	50%	42%	39%	51%	50%	41%	39%	50%	46%	44%	47%	34%	22%	45%	57%	46%
Know where to go to get help	43%	44%	44%	30%	44%	45%	59%	42%	42%	51%	38%	44%	46%	50%	47%	45%	50%	36%	25%	50%	59%	41%
Know how to prevent harassment	44%	46%	42%	28%	46%	43%	50%	42%	43%	53%	38%	44%	43%	48%	50%	42%	48%	36%	28%	55%	59%	59%
# of respondents	891	655	181	31	63	40	22	12	591	151	8	739	29	46	89	63	101	218	35	42	61	44

Note 1: For the purpose of this report, every race/ethnicity entry – including multiple response entries – is coded for each racial/ethnic category. For example, respondents who self-identified as American Indian, Alaska Native First Nations, or Other Indigenous Group Member (Indigenous) alone (n=14) or in combination with any other race or ethnicity (n=41), were classified as Indigenous.

Note 2: For the purposes of this table, transgender women and men are coded as "Other gender identity."

Table 7 Parameterization of logistic regression variables of organizational factors

New variable construct	Original variables	Proposed method
Awareness of Harassment Policy	• Does your workplace inform you of your and others' rights and obligations under such policies? • Do you know who is responsible for managing complaints made under the policy or policies? • Does your workplace policy inform you about the range of disciplinary consequences for individuals who violate these policies? • Do you know where to go to get help if you or someone you know experience workplace harassment? • Does your workplace inform you and others about how it would maintain the privacy of the person making the report? • Do you understand/know what happens when someone reports a claim pertaining to workplace harassment or bullying? • Does your workplace conduct training or information sessions relating to workplace harassment?	Convert all variables to 1 = yes, 0 = no or don't know Take the sum of all answers per response, discarding any missing values, resulting in a value between 0-7
Materials received	• The definitions of types of workplace harassment • How to report an incident of workplace harassment • Where to go to get help if you or someone you know experiences workplace harassment • How to help prevent workplace harassment	Convert all variables to 1 = yes, 0 = no or don't know Take the sum of all answers per response, discarding any missing values, resulting in a value between 0 and 4
Diversity, appreciation, respect	• My organization values differences in age, gender, sexual orientation, gender identity or expression, and race or ethnicity • My organization has a work environment that is open and accepts individual differences • People like me have the ability to protect themselves and enforce their legal rights • People like me are treated fairly in my organization • The civil legal system can help people like me solve important problems	For each, convert: Strongly disagree and somewhat disagree to 0, convert somewhat agree and strongly agree to 1. Take sum of all answers per response, discarding any missing values, resulting in a value between 0 and 5.
Expectation of response	• My organization would take the report of workplace harassment seriously • My organization would maintain the privacy of the person making the report • My organization would do its best to honor the request of the person about how to go forward with the case • My organization would take steps to protect the safety of the person making the report • I am confident that my organization would punish the person who made the report • I am confident that my organization would deal with concerns or complaints in a thorough, confidential, and impartial manner	For each, convert: Strongly disagree and somewhat disagree to 0, convert somewhat agree and strongly agree to 1. Take the sum of all answers per response, discarding any missing values, resulting in a value between 0 and 6

Table 8: Results of binary logistic regression, dependent variable: Any harassment

	Model 1			Model 2		
	β	SE	Exp(β)	β	SE	Exp(β)
Awareness about policy	-.157***	.035	.854	-.163***	.037	.850
Materials received	.014	.036	1.014	.022	.038	1.022
Diversity, appreciation, and respect	-.064	.064	.938	-.090	.066	.914
Expectation of response	-.295***	.050	.745	-.242***	.053	.785
Gender				-.384**	.141	.681
Age				-.195**	.069	.823
Education				.032	.043	1.033
Length of employment				.264***	.067	1.302
Hours per week				.370***	.099	1.447
Constant	2,546***	.224	129.63	.746	.678	2.109

Note: B = B Coefficient; SE=Standard Error; Exp(B)= odds ratio; **$p < .05$; ***$p < .001$.
Independent variables are all continuous except gender (women vs men). Women" includes respondents who marked "woman" or "transgender woman" and "men" includes respondents who marked "man" or "transgender man."

Description: Table 8 shows the regression results from two different binary logistic regressions which were built in a sequential manner in which every subsequent model included an increased number of independent variables. For each variable, the table shows the coefficient (estimate β), the estimated standard error for the coefficient (SE), and exponentiated coefficient estimate (Exp(β)). A p-value of less than 0.05 indicates that the regression coefficient is statistically significantly different from zero, which would indicate that the variable has a statistically significant effect on the dependent variable. Estimate β is the value for the logistic regression equation for predicting the dependent variable from the independent variable. This estimate tells the amount of increase (or decrease, if the sign of the coefficient is negative) in the predicted log odds of any harassment that would be predicted by a one unit increase (or decrease) in the predictor, holding all other predictors constant. Because these coefficients are in log-odds units, they are difficult to interpret, so they are often converted into odds ratios which are calculated by exponentiation of β coefficient (see Exp(β)).

Interpretation: An odds ratio > 1 indicates that the event (harassment) is more likely to occur as the predictor increases. An odds ratio < 1 indicate that the event (harassment) is less likely to occur as the predictor increases. For example, for each additional unit of increase in awareness about policy, the likelihood of experiencing harassment decreases by about 0.850 times.

Table 9: Results of binary logistic regression testing factors of "diversity appreciation and respect"

	Model 1		
	β	SE	Exp(β)
Awareness about policy	-.160**	.037	.852
Materials received	.024	.038	1.024
Expectation of response	-.241***	.054	.786
Gender	-.373***	.142	.689
Age	-.213**	.070	.808
Education	.032	.043	1.033
Length of employment	.269***	.067	1.308
Hours per week	.362***	.099	1.436
Differences are valued vs. not	.219	.269	1.245
Open environment vs. not	.161	.287	1.175
Ability to protect vs. not	.189	.256	1.208
Fair treatment vs. not	-.659**	.272	.517
Civil legal system can help vs. not	-.275	.191	.760
Constant	.728	.679	2.070

Note: B = B Coefficient; SE=Standard Error; Exp(B)= odds ratio; **p < .05; ***p < .001.
I Independent variables are all continuous except gender (women vs men).
Women" includes respondents who marked "woman" or "transgender woman" and "men" includes respondents who marked "man" or "transgender man."