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Abstract: Previous research has examined the impact of the law on decisions made about social sexual interactions in the workplace in the context of a variety of individual difference variables including gender of the observer and sexist attitudes, as well as situational factors including legal standard and prior exposure to aggressive and submissive complainants. The current study continued this line of inquiry by testing whether hostile or benevolent sexist attitudes behaved differently under manipulated exposure to aggressive and submissive complainants. Full-time workers watched 1 videotape in which aggressive, submissive, or neutral (i.e., businesslike) women complained that male coworkers sexually harassed them; then, participants viewed a second complainant who always acted in a neutral behavioral tone. In the first case, participants high in hostile sexism who took a reasonable person perspective (but not those with a reasonable woman point of view) and all men who viewed an aggressive complainant found less evidence of harassment. With the second set of allegations, female workers who were exposed to a submissive complainant in the first case found less evidence of harassment against the neutral complainant, suggesting that exposure to a submissive complainant triggered some type of victim blaming in female workers. Policy and training implications are discussed.

Keywords: sexual harassment, aggressive and submissive complainants, ambivalent sexism

Some commentators argue that social scientists interested in understanding normative behavior in natural environments, including social sexual interactions (Gutek, 1985; Wiener & Hurt, 1999) in the workplace, could learn a great deal by describing the relationships between the law and the manner in which people conduct their everyday lives (Melton, 1988, 1990; Melton & Saks, 1985; Wiener, 1990, 1993; Wiener & Hurt, 1997, 1999, 2000; Wiener & Winter, 2007; Wiener, Winter, Rogers, & Arnot, 2004). A fruitful line of research that has followed this prescription studies how workers evaluate sexual harassment complaints by presenting to decision makers user-friendly descriptions of federal harassment law along with instances of conduct, which may or may not rise to the level of misconduct prohibited by that law (Hurt, Wiener, Russell, & Mannen, 1999; Maeder & Wiener, 2007; Wiener et al., 2002; Wiener & Hurt, 1997, 1999, 2000; Wiener, Hurt, Russell, Mannen, & Gasper, 1997; Wiener, Voss, Winter, & Arnot, 2005; Wiener, Watts, Goldkamp, & Gasper, 1995; Wiener & Winter, 2007). This line of research assumes that the greater impact of law occurs in the regulation of the workplace rather than in the resolution of disputes that wind their way through the Equal Employment Opportunity Commission (EEOC) and ultimately end up as jury trials. Although developing an understanding of how jurors make judgments of whether or not an allegation is a violation of federal law is important in its own right, we believe that a broader impact of law in the workplace concerns the way in which law influences workers' perceptions of wrongdoing. The workers' evaluations of wrongfulness form the basis of their willingness to report violations and the basis of organizational responses to possible violations. After all, exposure to possible workplace misconduct is at the heart of every dispute, and the way in which workers react to that misconduct determines the way in which the organization will deal with the potential wrongdoing.

This is not to suggest that research in this area can proceed without grounding in the law. To the contrary, to understand fully the way in which harassment disputes arise from the workplace milieu, one must begin with an understanding of how workers interact with settled law to evaluate the social sexual conduct that they observe on the job. However, the law does not exist in the simple abstractions of black letter doctrine. Researchers can only hope to understand the full impact of law by studying the context in

which the law shapes the situations that people face as they interact with one another in their everyday lives. The courts are clearly ahead of social scientists in understanding this undeniable truth. As far back as 1998, Justice Antonin Scalia declared that workplace context or, in the language of the law, the “totality of the circumstances” was the final arbitrator in determining whether unwelcome social sexual conduct constituted a violation of the Civil Rights Act of 1964 or was simply boorish behavior. He wrote, “The real social impact of workplace behavior often depends on a constellation of surrounding circumstances, expectations, and relationships, which are not fully captured by a simple recitation of the words used or the physical acts performed. Common sense, and an appropriate sensitivity to social context, will enable courts and juries to distinguish between simple teasing or roughhousing...” and actionable harassment (*Oncala v. Sundowner Offshore Services, Inc.*, 1998 , p. 81).

However, this distinction is easier to describe than to find in the confusion of specific incidents at work. In truth, hostile work environment sexual harassment claims are as diverse as the complainants who bring them and the organizations in which they arise; because fact patterns vary extensively from allegation to allegation, decision makers find it difficult to determine the threshold for discriminatory conduct. The inconsistencies in the outcomes of the existing research literature on the attribution of responsibility in sexual harassment claims point to the difficulties that individuals have when trying to draw a line between behavior that is simply boorish and behavior that discriminates because of a worker’s sex. In this article, we focus on situational differences in workers’ exposure to different types of female complainants and individual differences in worker attitudes toward women to help explain how perceptions of hostile work environment harassment rise out of the complexity of everyday social interaction. To understand the role of these factors on perceptions of workplace misconduct, it is first necessary to understand where the law leaves off and where observer discretion takes over.

Title VII of the Civil Rights Act of 1964 (amended in 1991) prohibits an employer from discriminating with respect to compensation, terms, conditions, or privileges of employment because of race, color, religion, sex, or national origin. Employers and their representatives may not subject workers, because of their sex (*Harris v. Forklift Systems, Inc.*, 1993 ; *Meritor Savings Bank v. Vinson*, 1986 ; and *Rabidue v. Osceola Refining Co.*, 1986), to unwelcome misconduct, which is “sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment” (*Meritor*, 1986 , p. 58; see *Clark County School District v. Breeden*, 2001). Most courts determine whether unwelcome social sexual conduct reaches the threshold of a hostile work environment with a *reasonable person test*, which is “the perspective of a reasonable person’s reaction to a similar environment under essentially like or similar circumstances” (*Rabidue v. Osceola Refining Co.*, 1986 , p. 620). However, others have used the *reasonable woman test* to emphasize differences in how men and women view social sexual conduct. Specifically, in *Ellison v. Brady* (1991) , the Ninth Circuit held that “a female plaintiff states a *prima facie* case of hostile environment when she alleges conduct which a reasonable woman would consider sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment” (p. 879). In *Fuller v. City of Oakland*, 47 F.3d 1522 (9th Cir. 1995) , the Ninth Circuit clarified this standard holding that, “Whether the workplace is objectively hostile must be determined from the perspective of a reasonable person with the same fundamental characteristics [as those of the plaintiff]” (affirmed in *Brooks v. City of San Mateo*, 2000). Both the reasonable person and the reasonable victim standards direct us to look to the totality of the circumstances to find the line that separates discriminatory behavior from normal social sexual conduct at work. Using either standard, the

law tries to locate a line that demarcates unwelcome gender-based conduct, which is sufficiently severe or pervasive to create a hostile work environment.

More recently, Justice Samuel Alito placed the nature of the legal standard more directly into play in Supreme Court jurisprudence with his concurring opinion in *Northern v. White* (2006) in which he questioned whether the reasonable person test should be completely objective (i.e., ignoring plaintiff attributes) or more subjective, taking into consideration some of the complainants' individual characteristics (e.g., age, gender, race, and family relations). That is, he questioned whether the law should use the point of view of an objective bystander or the perspective of the victim to assess the severity and pervasiveness of unwelcome social sexual conduct at work. While lawyers and legislators will undoubtedly continue to argue the philosophic and jurisprudential merits of these different approaches, one way for psychologists to add to this debate is to study the differences that these standards are likely to produce in evaluations of social sexual conduct at work. Do different standards have implications for the perception of misconduct and the regulation of workplace conduct?

The intention of discrimination law is to rid the workplace of illegal discrimination. In fact, before a worker can bring a Title VII case of discrimination to court, he or she must first make a complaint to the EEOC, which can either issue a "right to sue letter" or not. Workers may bring cases without a right to sue letter; however, the purpose of requiring workers to go first to the EEOC is to settle disputes without going to trial. Indeed, very few cases actually go to trial because most complainants and employers settle their conflicts outside of court. The importance of the type of standard used is at the center of the law's ability to deter illegal behavior. If the courts use a broader standard, one that prohibits more misconduct (i.e., the reasonable victim as opposed to the reasonable person standard), then the law sends a message to the workplace (through training and example) that prohibits a larger breadth of misconduct. It warns against behavior that would be unwelcome and sufficiently severe or pervasive to create a hostile work environment from the point of view of a complaining worker, not just the point of view of a reasonable person. However, unless there are differences in how workers perceive social sexual behavior under these different standards, then the importance of using different points of view is questionable. The purpose of this line of research is to examine how different standards affect workers' perceptions of what is and is not sexual harassment (Hurt et al., 1999; Maeder & Wiener, 2007; Wiener & Hurt, 1997, 1999, 2000; Wiener et al., 1995, 1997, 2002, 2005; Wiener & Winter, 2007).

In one study, Wiener and Hurt (2000) had full-time workers view video re-enactments of equal employment opportunity officers interviewing workers involved in two harassment cases and asked them to rate the conduct that the plaintiff complained about on several elements of sexual harassment law (e.g., unwelcomeness, severity, and pervasiveness). Wiener and Hurt also measured ambivalent sexism (that is, hostile and benevolent sexism) in these full-time workers. Other research (e.g., Wiener et al., 2002; Wiener & Hurt, 1999) demonstrated that these two attitude structures—hostile sexism (i.e., beliefs that women are aggressive and must be kept in their place through gender dominance) and benevolent sexism (i.e., beliefs that women are weak and should be protected from overbearing men; Glick & Fiske, 1996)—influence perceptions of hostile work environment harassment. Wiener & Hurt (2000) found that participants who applied the reasonable person (as compared with the reasonable woman) legal standard and those high (as opposed to low) in hostile sexism (Glick & Fiske, 1996) found less evidence of sexual harassment (Wiener & Hurt, 2000). Notably, legal standard offset the effects of hostile sexism; across both cases, the difference in harassment judgments between high and low hostile sexists disappeared

under the more specific reasonable woman standard but was pronounced in the more abstract reasonable person condition. Others have also found stronger relative effects for hostile sexism as compared to benevolent sexism on harassment judgments (O'Connor, Gutek, Stockdale, Geer, & Melancon, 2004; Russell & Trigg, 2004). Nonetheless, the literature suggests that hostile attitudes toward women inhibit harassment judgments and paternalistic attitudes sometimes facilitate them.

The main purpose of the current work was to extend the study of the effects of different standards on the associations between hostile sexism, benevolent sexism, and judgments of sexual harassment that workers make about workplace incidents. If workers are more likely to perceive identical conduct as harassing under the reasonable victim as compared with the reasonable person standard, then there is a case that we can make to courts and legislatures to use a more subjective approach. We wondered whether manipulating the complainant's behavioral tone by presenting an aggressive complainant or a submissive complainant might trigger the same attitudes and effects on judgments of hostile work environment harassment as prior research has found for hostile and benevolent sexism. That is, we asked whether exposure to a hostile (submissive) complainant might trigger hostile (benevolent) sexism, influencing judgments of harassment involving that complainant, and if such effects might even carry over to subsequent female workers who complained about different instances with a different set of facts than in the first scenario. We reasoned that if exposure to an aggressive (submissive) complainant triggers hostile (benevolent) attitudes toward that complainant and other female complainants, then the moderating effects of legal standard that offset sexist attitudes should have the same impact on the influence of complainant behavioral tone (i.e., exposure to aggressive or submissive complainants).

It is worth noting that prior work has shown that research participants, especially men, sometimes (Wiener et al., 1997; Wiener et al., 1995) but not always (Wiener et al., 2000, 2004) fail to recognize the differences between the reasonable woman and reasonable person standards when they simply read or view the language that constitutes the standard. The current research tested an approach to reinforce the meaning of these standards by asking participants in the enhanced standard conditions to reflect on them and describe what the reasonable person or woman perspectives meant before applying them. Participants in the unenhanced standard conditions simply applied one of the rules after reading its definition. Although it is true that the law as applied in courts does not ask jurors to contemplate the differences between legal constructions, it is very possible and perhaps preferable for organizations to emphasize the differences in perspectives in their antidiscrimination training protocols. Such an approach might help workers take the perspective of potential victims when encountering possible wrongdoings against others or even help them avoid engaging in misconduct themselves. One of the purposes of the current research was to examine what effect enhancing a legal standard has on the judgments of those who apply the standard to evaluate the behavior of others at work.

Regardless of the legal standard and therefore perspectives that the courts endorse in their cases, employees in most organizations have multiple opportunities to evaluate gender-based interactions at work from their own perspectives, the perspectives of objective others, and the perspectives of recipients of the conduct. Furthermore, the behavioral tone of the recipients across these incidents may vary extensively in degrees of aggression and assertiveness. In relating the complainant's behavioral tone to sexist attitudes, we reasoned that the aggressive behavioral tone of a complainant toward individuals other than the alleged harasser might activate hostile sexism, and the submissive tone might activate benevolent sexism. The result would be that these attitudes activated through the complainant's behavioral tone could

carry over to influence hostile work environment judgments that workers make about subsequent events and even subsequent complainants who are not tainted with the same aggressive or submissive behavioral tones. The use of multiple cases allowed us to ask whether complainant behavioral tone effects are one way to trigger hostile and benevolent sexism in worker judgments.

Indeed, prior research has shown that multiple exposures to social sexual conduct at work arouse attitudes and beliefs about current and future cases (Maeder & Wiener, 2007; Wiener et al., 2004, 2005). Past studies have shown that workers' evaluations of harassment allegations depend on their experience with prior allegations, the manner in which complainants interacted with others at work, the availability of examples of harassment in memory, and individual differences in workers' ratings of hostile work environments (Maeder & Wiener, 2007; Wiener et al., 2002, 2004, 2005; Wiener & Hurt, 2000; Wiener & Winter, 2007). Still, this issue remains unsettled in the empirical literature. Stockdale and her colleagues (Stockdale, Berry, Schneider, & Cao, 2004; Stockdale, Visio, & Batra, 1999) argue and present data to suggest that complainants who *themselves* experienced prior episodes of unwelcome social sexual conduct as recipients of those actions are no more or less sensitive to its effects than those who evaluate the conduct *de novo*. It is clear that there is a need for more research to determine when prior exposure to misconduct either as an observer or as a victim influences workers' perceptions of what constitutes harassment in subsequent instances in their workplaces. This is important because it will allow us to understand more about when and how cases arise in the workplace and how the law can inhibit or facilitate the reporting of misconduct.

Although one might think that the issue of multiple exposures to diverse complainants is an obvious factor to consider in harassment judgments, early research in sexual harassment has not addressed this issue. Despite the high likelihood that workers come into contact with multiple complaints at work, most researchers had participants read single vignettes with single complainants (e.g., Baker, Terpstra, & Cutler, 1990; Burgess & Borgida, 1997; Gutek, Morasch, & Cohen, 1982; Gutek et al., 1999; Hartnett, Robinson, & Singh, 1989; Jones, Remland, & Brunner, 1987; Kovera, McAuliff, & Hebert, 1999; Powell, 1986; Saal, Johnson, & Weber, 1989; Terpstra & Baker, 1986; Thomann & Wiener, 1987; Valentine-French & Radtke, 1989; Wayne, Riordan, & Thomas, 2001). Participants evaluated the facts to determine whether the complainants had or had not been the victims of sexual harassment. To be sure, not all research looking at sexual harassment judgments presents single scenarios and asks for subjective judgments. For example, Stockdale, O'Connor, Gutek, and Greer (2002) presented a short written scenario, the same scenario accompanied by still photographs, and a 1 hr 20 min-broadcast video and found few if any effects of prior experience with victimization on participants' judgments of sexual harassment. In later work, Stockdale et al. (2004) again modeled the comparative decision-making process when they investigated the role of intra- and intergender status on judgments of sexual harassment complaints made by men. Here, participants judged two different scenarios that manipulated whether a male worker was the target of unwelcome sexual advances or the victim of vulgar and derogatory name-calling. It is only with the use of multiple scenarios that we can begin to examine the role of multiple exposures in psycholegal research paradigms.

To capture better the complexity of the work environment, Wiener and colleagues have conducted several studies that employ multiple scenarios (Wiener & Hurt, 1997, 2000; Wiener et al., 1995, 1997, 2002). However, the main purpose of these earlier investigations using multiple scenarios was to improve on the generalizability of the legal standard, gender, and ambivalent sexism effects (benevolent and hostile sexist

attitudes). Still, Wiener and Winter (2007) found that male workers (but not female workers) who observed a complainant with an aggressive or ambiguous behavioral tone drew weaker inferences of harassment as compared with those who viewed a submissive complainant across two fact patterns. The current study expands on the Wiener and Winter finding by disaggregating judgments across case scenarios, studying the effects separately in each case example, and directly comparing the effects of the manipulated behavioral tone of a complainant (aggressive vs. submissive vs. neutral) to measured hostile and benevolent sexism.

Finally, it is important to take into consideration the gender of workers in understanding how employees determine what does and does not constitute harassment. Most studies of sexual harassment judgments report main effects and interaction effects involving sex of the observer, demonstrating that women generally find more evidence of harassment than men do. However, there is some disagreement in the literature on the importance of observer gender, with some arguing that gender effects are tenuous and inconsistent (Blumenthal, 1998; Gutek et al., 1999). Nonetheless, the most recent meta-analysis has shown that with ambiguous cases, women are more likely to find evidence of harassment as compared with men (Rotundo, Nguyen, & Sackett, 2001). Following Wiener and Winter (2007) and Wiener et al. (2004, 2005), each of which found that gender moderated the association of prior experience with sexual harassment to judgments of misconduct, we included gender of the observer as a measured variable in the current research, expecting that men would be more influenced by the behavioral tone of the complainant than would women.

In summary, the purpose of the current study was to further our understanding of how the law and workplace context interact to shape workers' perceptions of hostile work environment harassment in two ways. First, we investigated the effects of the behavioral tone (aggressive, submissive, or neutral) of a harassment complainant on the judgments of workers about that complainant and about a second complainant whose conduct was neutral in tone. Second, we compared the effects of manipulated behavioral tone and measured hostile and benevolent sexism (Glick & Fiske, 1996) on those judgments.

These considerations led to several hypotheses about how people evaluate social sexual conduct at work. First, in accordance with prior research, we hypothesized that women would find more evidence of harassment across both cases. Second, we predicted that workers exposed to aggressive complainants would find less evidence of harassment because they would view those complainants as hostile and therefore would see them as undeserving of relief, but that workers would find more evidence of harassment with exposure to submissive complainants because they would view them as weak and in need of protection. Third, we hypothesized an interaction between gender and complainant behavioral tone, expecting women to be less sensitive to the behavioral tone manipulation than men would be because the women would focus more on the facts of the case and less on the qualities of the complainant. This is especially true when women are the victims of the harassment so that female observers identify with the complainants and tend to see the workplace incidents from the complainants' point of view. Fourth, we expected that individuals high in hostile work environment harassment would find less evidence of harassment and those high in benevolent sexism would find more evidence of hostile work environment harassment. (Note that the literature reliably supports the first relationship and inconsistently supports the second, sometimes even reporting the opposite effect for benevolent sexism.)

Fifth, we theorized that manipulated complainant tone (aggressive vs. submissive) would influence judgments of harassment by activating hostile or benevolent sexism attitudes, respectively. That is, the active ingredient in the effects of behavioral tone would be the triggering of sexist attitudes. As a result, we hypothesized that individuals who were exposed to an aggressive (submissive) complainant in the initial case would score higher on hostile (benevolent) sexism as measured on the Ambivalent Sexism Inventory (ASI) administered after the workers evaluated the harassment cases and made hostile work environment judgments. If behavioral tone activates forms of ambivalent sexism, then there should be traces of that effect after workers use those attitudes to reach judgments about discrimination.

Furthermore, if manipulated behavioral tone and measured ambivalent sexist attitudes share a similar psychological mechanism, then any moderating effects the legal standard might have on measured attitudes ought to be similar for manipulated behavioral tone. In accordance with prior research (Wiener & Hurt, 2000), looking at a case from the victim's point of view might cause both men and women to focus on the facts of the case and ignore current or prior exposures to aggressive, submissive, or neutral complainants. Therefore, the sixth prediction was that the effects of hostile sexism, benevolent sexism, and manipulated behavioral tone would be strongest in the reasonable person standard condition and weakest in the reasonable victim (here woman) standard condition. However, because the literature is equivocal about the effectiveness of legal standards, we decided to experiment with bolstering or enhancing the legal standards for some of the participants but not others. Some of the workers reflected back on the standards just before completing the questionnaires that measured likelihood of sexual harassment. We expected that those participants who reflected on the standard before using it would show dampened effects for ambivalent sexism and for manipulated behavioral tone in the reasonable woman condition but not in the reasonable person condition. That is, we predicted three-way interactions between standard and enhancement with ambivalent sexism and with manipulated behavioral tone.

Finally, we anticipated that the activation of these attitude structures in one case should spill over into judgments of a second, independent case. In other words, we theorized that presenting aggressive (submissive) complainants in the first case would result in workers finding more (less) evidence of harassment in a second unrelated case in which the complainant's behavioral tone was neutral or businesslike. This would especially be true if the effect of behavioral tone worked through activation of sexist attitudes. Indeed, the effects of different types of complainants (i.e., aggressive, submissive, or neutral) on judgments in an initial case spilling over into judgments in another independent sexual harassment case would be evidence of assimilation, by which we mean constructs activated through an initial task shape subsequent independent social judgments (Blair & Banajia, 1996; Bargh, Chaiken, & Govender, 1992; Bargh, Chen, & Burrows, 1996; Dijksterhuis, Spears, & Postmes, 1998; Higgins, Rholes, & Jones, 1977; Lepore & Brown, 1997). This carryover, possibly the result of psychological assimilation explained by the activation of hostile and benevolent sexism, could have profound implications for both the study of sexual harassment judgments and training in the workplace. That finding would require researchers and trainers to conceptualize perceptions of sexual harassment as dynamic and changing over time with exposures to complainants with different behavioral characteristics, which in turn might activate sexist attitudes.

To test these hypotheses, we presented to participants two short DVDs that re-created the work environments that two women workers had complained about in prior sexual harassment cases and asked

the workers to rate the claims of the women on dimensions of Title VII hostile work environment harassment.

Method

Participants

We recruited 503 participants from the Lincoln and Omaha, Nebraska, metropolitan areas through newspaper advertisements and community fliers distributed at local businesses. Respondents telephoned the laboratory, and researchers screened them for eligibility and for level of hostile and benevolent sexism using eight questions from the ASI (Glick & Fiske, 1996). Because the purpose of the study was to examine the way the law influenced workers' evaluations of multiple exposures to potentially offensive social sexual conduct at work, eligible participants were full-time workers. Of the 496 participants who provided complete demographic information when they arrived at the lab, 237 were men (48%), 259 were women (52%), and 493 (99%) reported being employed full-time. (Note that seven of the total sample of 503 did not provide this information.) Four hundred twelve (83%) were European Americans, 35 (8%) were African American, 20 (4%) were Hispanic, 6 (1%) were Asian, and 20 (4%) either did not report their ethnic background or reported an ethnic background other than the ones indicated above. The sample was reasonably well educated in that 222 (44%) had a bachelor's degree or higher, 167 (33%) had attended college but had not graduated, 81 had graduated from high school but had not attended college (16%), and only 33 (7%) had not graduated from high school.

During the screening sessions, research respondents signed up for available sessions. Within each of multiple 3-week blocks, we randomly assigned each of 24 scheduled sessions to one of the conditions in the design. The design was a 3 (first complainant tone condition: aggressive vs. submissive vs. neutral) \times 2 (legal standard: reasonable person vs. reasonable woman) \times 2 (enhanced reflection: enhancement vs. no enhancement of the legal standard) \times 2 (order of the cases: Reynolds first complainant and Farrell second vs. Farrell first complainant and Reynolds second) between-subjects design. Between one and six workers participated in each of the 24 sessions scheduled within each 3-week block.

Materials and Procedure

Cases. We hired a production crew and professional actors to reenact scripts that we modeled after the fact patterns in two Title VII cases: *Faragher v. City of Boca Raton* (1998) and *Rabidue v. Osceola Refining Co.* (1986). We based the scripts on the events in both cases but modified the facts slightly in the interests of efficiency, the need for experimental control, and the demands of the winter climate where we made the DVD reenactments. The scripts and DVD reenactments displayed the events that took place in the original cases with these modifications. That is, our research participants watched the events that transpired in the cases as the actors played the scenes in the DVDs. In our Faragher case, Ms. Faragher was a college student who worked part time as a lifeguard for a local indoor swimming pool rather than for a city beach club. Ms. Faragher claimed that two of her supervisors created a hostile work environment by repeatedly subjecting her and other female lifeguards to "uninvited and offensive touching" and making lewd remarks, speaking about women in "offensive terms" (*Faragher v. Boca Raton*, p. 780). Our reenacted DVD showed these actual events and remarks occurring at work similarly to the way the case reporters had described them in the plaintiff's complaints and employer's responses. In the second case, our Ms. Rabidue, an executive assistant, complained about a male coworker who

made crude and extremely vulgar comments about her and other women. The alleged perpetrator treated women with little respect, often downplaying their abilities to complete their assignments successfully. Ms. Rabidue claimed that some of the male employees displayed pictures of nude or scantily clad women in the workplace. Again, our reenacted DVD showed these actual events and remarks occurring at work similarly to the way the case reporters had described them in the plaintiff's complaints and employer's responses. To minimize the unlikely possibility that participants would recognize the cases, we renamed the scenarios. (The *Faragher v. City of Boca Raton* case became *Farell v. City of Clearwater* and the *Rabidue v. Osceola Refining Co.* case became *Reynolds v. River City Refining Co.*).

Manipulations. Participants watched both the Farell and Reynolds videotapes in counterbalanced order. Thus, Farell was the first complainant case and Reynolds was the second case for half of the participants, and Reynolds was the first complainant case and Farell was the second case for remaining participants. In the first case, the actress portraying the complainant varied her tone to be aggressive, submissive, or neutral (i.e., businesslike), whereas the actress in the second case was always neutral. We were interested in whether we could activate hostile and benevolent attitudes toward complainants similar to the measured individual differences in hostile and benevolent sexism captured by the ASI (Glick & Fiske, 1996). We intended for the showing of the aggressive (submissive) complainant in the first case to activate hostile (benevolent) feelings toward the complainant in the second case. Each videotape ranged from 23 to 25 min in length, followed by 3 min of legal definitions of sexual harassment.

After a brief introduction to the characters and the work environment, each first vignette presented one of three opening scenes in which the complainant acted in an aggressive, submissive, or neutral tone. We instructed the actors to play the scene differently according to the three experimental conditions. Participants who saw the Reynolds video first viewed the opening scene(s) during which the complainant acted in an aggressive, submissive, or neutral manner when she complained to her supervisor (not the alleged harasser) about fellow workers who were not completing their jobs. The case presentation manipulated the behavioral tone of the complainant through adaptations of the actor's voice tone, nonverbal behaviors, and emotional reactions. In the *aggressive first complainant condition*, the complainant made belligerent demands, nearly shouting at her supervisor with a look of anger in her face. The actress was told to portray an aggressive complainant. In the *submissive first complainant condition*, the complainant could barely make eye contact. She looked at her feet and the floor as she sheepishly reported her complaint, but in a muffled tone. The actress was told to portray a submissive complainant in this scene. In the *neutral first complainant condition*, the complainant acted in a businesslike manner in the opening scene, making moderate eye contact, speaking in a businesslike voice, and displaying a typical workday expression. The actress was told to act as if it was a neutral, typical workday. We intentionally chose to manipulate behavioral tone with a scene that involved a worker other than the alleged harasser in both reenactments so that we could portray the alleged complainant as aggressive, submissive, or neutral (i.e., businesslike) without also manipulating the conflict level with the alleged harasser. Recognizing that the reaction of the complainant to the alleged harasser could contribute additional aggressive or submissive information, we still chose to exclude the alleged harasser(s) in this scene so as not to confound behavioral tone with conflict level in the victim's reactions. To maintain experimental control, all other scenes in the DVDs were identical so that we were able to hold conflict level and victim reaction constant.

Similarly, participants who saw the Farell video first viewed the opening scene(s) during which the complainant acted in an aggressive, submissive, or neutral manner when she greeted a fellow lifeguard (again, not the alleged harasser) who was late relieving her at the conclusion of her shift. As with the Reynolds' first complainant case, the case presentation manipulated the behavioral tone of the complainant through adaptations of the actor's voice tone, nonverbal behaviors, and emotional reactions. (Note that the actors were different in the two cases.) Participants in the Farell *aggressive first complainant condition* watched a belligerent complainant and those in the Farell *submissive first complainant condition* viewed a passive complainant. Finally, those in the *neutral first complainant condition* saw the complainant behave in a businesslike, neutral manner. Manipulated behavioral tone in the first scene was an independent variable in the research design.

At the conclusion of each video, a male and female narrator presented participants with legal definitions and instructions to use to determine whether sexual harassment had occurred in the vignette. The questionnaires also provided written instructions. Half of the participants received the *reasonable person standard*, and the remaining participants received the *reasonable woman standard*. The narrators explained that "hostile work environment sexual harassment results when an employee is subjected to unwelcome sexual conduct, which a reasonable [*person/woman*] would view as sufficiently severe or pervasive to alter the conditions of employment and create an abusive work environment." The narrators elaborated, "The views of a reasonable [*person/woman*] are those that an [*objective female*] worker would have in a similar environment under essentially like or similar conditions experienced by the complaining employee."¹ Finally, the narrators presented dictionary definitions of *severe*, *pervasive*, and *abusive*. In this manner, we provided guidelines for evaluating hostile workplace harassment that required participants to contemplate the criteria outlined in federal law. This language came directly from case law and publications from the EEOC. Legal standard was the second independent variable.

After viewing the first case, which varied complainant tone, but before answering the main dependent variable questions about the "severity or pervasiveness" test, workers in the *enhanced reflection condition* answered two questions that asked them to think about the legal standard. The questionnaire began, "In the video that you just saw, we asked you to take the perspective of a [reasonable person/reasonable woman] to evaluate the facts in this case. Please think carefully about the [reasonable person/reasonable woman] standard and write answers to the following questions in the space provided." The questions were (a) "In your own words, please describe what the [reasonable person/reasonable woman] standard means" and (b) "How would a [reasonable person/reasonable woman] think about the case that you just saw?" Those participants who were not in the enhanced reflection condition did not answer these questions; instead, they went directly to the questionnaire that contained the "severity or pervasiveness" test for that case. Standard enhancement occurred only once, after the video in the first case. There was no standard enhancement manipulation for the second case. Enhancement of standard was the third independent variable in the study.

Measures. Using 9-point Likert scales, all participants answered the following dependent measures for the first case on the basis of the elements of the severity or pervasiveness test: whether the sexual conduct was unwelcome, severity of the sexual conduct, pervasiveness of the sexual conduct, and the likelihood that the plaintiff was subjected to hostile work environment sexual harassment. For the Reynolds case, a factor analysis of the four elements of the severity or pervasiveness test (unwelcomeness, severity, pervasiveness, and likelihood of harassment) produced one factor (eigenvalue = 3.06), with all factor

loadings at .85 or above. A four-item scale for hostile work environment harassment showed an internal consistency reliability score of coefficient alpha equal to .90. The same analyses for the Farell measures produced one factor (eigenvalue = 2.82), with all factor loadings .82 or above. A four-item scale for hostile work environment for this case was also reliable ($\alpha = .86$). This hostile work environment scale constituted the main dependent variable for harassment judgments that participants made during the study.

The questionnaire next asked participants to evaluate several behavioral attributes for the main characters in the scenario on 9-point scales (e.g., 1 = *not at all aggressive* to 9 = *very aggressive*). The adjectives that represented the behavioral attributes were *aggressive, meek, competent, likeable, passive, forceful, hostile, and kind*. These items served as manipulation checks for the tone of the first complainant's conduct in the opening video scenes in the first case. ²

Next, participants answered 10 true–false questions that tested their knowledge about the events and facts represented in the video for the appropriate case. These items, for which there were correct and incorrect answers, served as checks to ensure that the participants had paid attention to the reenactments. Examples of questions for the Farell case were (a) “Jim was always on time when relieving Suzanne Farell from her shift” (False); (b) “Suzanne Farell waited a long to file a sexual harassment complaint” (True). Examples of questions for the Reynolds case were (a) “Dorothy Simon, a friend of Kathy Reynolds, found Bob Hayward a person with whom she could easily get along” (False); (b) “Some of the workers at River City Refining Company enjoyed looking at a calendar with pictures of scantily dressed women” (True).

Participants next viewed the second video, during which the complainant always acted in a neutral manner in the opening scene. Following this case, participants answered the same questions as they answered for the first case but with the other complainant as the object of the Likert measures. There was no enhanced reflection manipulation for the second case, so that the participants in the enhanced reflection group answered those questions only once, when they encountered the legal standard in the first case.

Next, participants completed the full ASI (Glick & Fiske, 1996), which measures hostile and benevolent sexism with 22 self-report items for which respondents rate their agreement on 6-point Likert scales ranging from 0 (*disagree strongly*) to 5 (*agree strongly*). Examples of hostile and benevolent sexism items are, respectively, “Most women interpret innocent remarks or acts as being sexist,” and “Women should be cherished and protected by men.” Prior work by Glick and Fiske (1996) demonstrated the ASI to be a psychometrically sound instrument, and work by Wiener et al. (2000, 2004) and Wiener and Winter (2007) demonstrated that the constructs work well in predicting judgments of sexual harassment. In the current study, internal consistency scores for both hostile and benevolent sexism were more than adequate (for hostile sexism, $\alpha = .83$, $n = 493$, and for benevolent sexism, $\alpha = .84$, $n = 491$).

The researchers also administered over the telephone during the screening session eight items from the ASI to assess the participants' level of hostile and benevolent sexism before they came to the lab and read any study materials. Four of the eight items loaded high on the Hostile Sexism construct in prior research that was unrelated to sexual harassment judgments (Glick & Fiske, 1996), and these four also correlated with the full scale in studies of sexual harassment that administered the full inventory Wiener et al. (2000, 2004) and Wiener and Winter (2007). These items were “Women are too easily offended”; “Feminists are not seeking for women to have more power than men” (reversed scored); “Once a woman gets a man to

commit to her, she usually tries to put him on a tight leash”; and “When women lose to men in a fair competition, they typically complain about being discriminated against.” The other four items loaded highly on Benevolent Sexism in the Glick and Fiske research and correlated with that measure in several studies of sexual harassment that administered the full scale Wiener et al. (2000, 2004) and Wiener and Winter (2007). These items were “Every man ought to have a woman whom he adores”; “A good woman should be set on a pedestal by her man”; “Men should be willing to sacrifice their own well being in order to provide financially for the women in their lives”; and “Women, as compared to men, tend to have a more refined sense of culture and good taste.”

Factor analyses on the eight items in the current study produced two factors with eigenvalues greater than 1.00. The eigenvalue for the Hostile Sexism factor was 2.77, and with a cutoff score of .70, all four of the first set of items loaded on this factor. The internal consistency reliability (coefficient alpha) for this factor was .74 ($n = 495$). The eigenvalue for the Benevolent Sexism factor was 1.56, and with a cutoff score of .55, all four of the second set of items loaded on this factor. The internal consistency reliability (coefficient alpha) for this factor was .68 ($n = 495$). We aggregated the four hostile items to create a hostile sexism screening measure and the four benevolent sexism items to create a benevolent sexism screening measure. The hostile screen correlated significantly with the full hostile sexism scale that we administered after the participants evaluated the scenarios, $r = .53, p < .001, n = 491$, and the benevolent screen correlated significantly with the full benevolent sexism scale administered after the scenarios, $r = .68, p < .001, n = 491$.

Results

Manipulation Checks

Case facts. First, with regard to true–false questions for all viewings of the Farrell case regardless of order, the 493 participants who completed the measure answered 9.5 of 10 questions correctly (95%; $SD = 0.77$). With regard to all viewings of the Reynolds case, 495 participants answered 9.7 of 10 (97%) of the questions correctly ($SD = 0.79$). These data show that the participants paid close attention to the videos and comprehended the facts that made up each of the cases.

Complainant tone in first-viewed videos. A complainant tone condition (aggressive vs. submissive vs. neutral) multivariate analysis of variance (MANOVA), which used only the data from the first viewing of the Reynolds case after which workers rated the aggressiveness, submissiveness, competency, likeability, passiveness, forcefulness, hostility, and kindness of Ms. Reynolds (when she was the complainant in the priming case) produced a significant main effect, multivariate $F(16, 484) = 11.13, p < .001, r = .52$. Table 1 shows significant univariate F values for all eight adjective descriptors and post hoc tests using the Newman–Kuels procedure. Participants in the aggressive as compared with the neutral complainant tone condition found Ms. Reynolds more aggressive, forceful, and hostile, as well as less likeable and kind. Furthermore, compared with those in the submissive condition, those in the aggressive condition found the complainant more aggressive, forceful, and hostile, as well as less meek, likeable, passive, and kind. Comparing the submissive complainant with the neutral tone condition, participants who watched a submissive Ms. Reynolds found her kinder and more passive, but less aggressive, competent, and forceful. As a pattern of results, Table 1 shows strong support for the success of the behavioral tone manipulation in the Reynolds case.

For the Farell case, a prime condition (aggressive vs. submissive vs. neutral) MANOVA on the same adjectives that participants rated for Reynolds also found evidence for a successful complainant tone effect, multivariate $F(16, 468) = 5.41, p < .001, r = .39$. Table 1 shows significant effects with univariate F s for all but three of the measures (competence, likeable, and kind), none of which went directly to the manipulation of aggressive versus submissive conduct. Applying the Newman–Kuels post hoc procedure, Table 1 shows that those participants who observed the aggressive, as compared with the neutral, Ms. Farell, found her more aggressive and hostile, whereas they found the submissive Ms. Farell less aggressive, forceful, and hostile, as well as more meek and passive. Those who observed the submissive Ms. Farell rated her, as compared with the neutral complainant, more meek and passive. Table 1 shows support for the success of the complainant tone manipulation in the Farell case.

First Case Analysis

Analyzing ratings of the severity or pervasiveness test in the first case scenarios allowed the test of the effects of case, complainant behavioral tone, legal standard, and enhanced standard for the actual complainant who acted aggressively, submissively, or neutral in tone. As was the case in all prior sexual harassment research, we added worker gender as a blocking variable, and to test the effects of hostile and benevolent sexism, we added the screening measures for these variables (collected before participants arrived at the laboratory) as continuous predictors to test their associations with judgments of sexual harassment. We also tested the interactions of hostile and benevolent sexism screens with legal standard and standard enhancement. Thus, the hostile work environment scale from each case served as dependent measures in a 3 (complainant behavioral tone: aggressive vs. submissive vs. neutral) \times 2 (legal standard: reasonable person vs. reasonable woman) \times 2 (enhanced reflection of standard: enhanced vs. unenhanced) \times 2 (gender) \times 2 (case: Reynolds vs. Farell) analysis of variance (ANOVA) on the first case viewed data. The model tested all the main effects and interactions among these nominal level factors. The linear model added the hostile and benevolent screening measures as continuous scales and tested for main effects and interactions between these factors and legal standard and legal standard enhancement.

First, there was a main effect for the hostile sexism screening measure, $F(1, 435) = 10.98, p < .01, r = -.16, MSE = 2.20$,³ but it was qualified by an interaction between legal standard and the hostile sexism screening factor, $F(1, 435) = 3.42, p = .06, r = .09$. Follow-up correlation analyses showed that the overall correlation between the screening measure of hostile sexism and the hostile work environment scale was negative, $r = -.11, p < .05, n = 491$. However, this association was significant only in the reasonable person legal standard condition, $r = -.22, p < .01, n = 241$, and not in the reasonable woman factor condition, $r = -.01, ns, n = 250$. Thus, workers high in hostile sexism found less evidence of harassment across both cases, unless they evaluated the case from the perspective of a reasonable woman and not that of a reasonable person. Furthermore, there was a significant gender effect, $F(1, 435) = 8.85, p < .01, r = .14$, such that women ($M = 7.35$) rated both cases higher on the harassment scale than did men ($M = 6.90$). The gender effect replicated across both cases; however, there was a main effect for case effect, $F(1, 435) = 4.09, p < .05, r = .09$, such that all workers found more evidence of harassment in the Farell swimming pool case ($M = 7.27$) than in the Reynolds office case ($M = 6.99$) case.⁴

With regard to the manipulated factors, there were no main effects. Instead, there was a two-way interaction between complainant behavioral tone and gender, $F(2, 435) = 3.42, p < .05, r = .12$, and a three-way interaction between gender, legal standard, and enhancement, $F(1, 435) = 6.06, p < .05, r = .12$.

Table 2 displays the means adjusted for covariates and follow-up tests of significance. For male but not female workers, those who encountered the aggressive complainant found less evidence of harassment than did those who encountered the submissive complainant. Furthermore, women found more evidence of harassment than did men for both the aggressive and neutral complainants, but there were no gender effects for the submissive complainant. Table 3 shows the means for the three-way interaction between gender, legal standard, and enhancement. For male workers with enhanced standards (i.e., they reflected and answered questions about the standards), the reasonable woman standard produced higher ratings on the severity or pervasiveness scale than did the reasonable person standard. For women, there were no effects of standard qualified by enhancement.

Second Case Analysis

Analyzing ratings of the severity or pervasiveness test in the second case scenario allowed a test of the effects of case, first case complainant tone, legal standard, and enhanced standard for the complainant who acted in a neutral tone in the second case. The second case was whichever scenario (Farell or Reynolds) that each participant did not review in the first video, so that there were different fact patterns and different complainants in the first and second DVDs. We performed the same analysis as we did for the first case ratings, using the rating scale for hostile work environment harassment for the second case as the dependent variable and the same control, covariate, and manipulated independent variables in the model. However, here the effect of the first complainant legal tone was a carryover effect akin to a priming inducement, such that we manipulated the aggressive or submissive tone of an earlier observed complainant to test its effects on the evaluation of a subsequent neutral tone complainant. Finally, the enhancement of standard occurred only at the time of the ratings of the first case, so that the participants did not repeat this enhancement for the second case. However, the standard in the second case was the same as it was in the first case for each participant. Therefore, we could test the effects of enhancement as a carryover effect akin to training the standard in one case and testing its effects in a second different case.

A gender effect emerged for the hostile work environment rating scale in the second case, $F(1, 435) = 3.81, p = .05, r = .09, MSE = 2.70,$ ⁵ such that women ($M = 7.26$) rated both cases higher on the harassment scale than did men ($M = 6.93$). Once more, the gender effect replicated across both cases; however, there was also a main effect for case, $F(1, 435) = 24.91, p < .01, r = .23$, such that all workers again found more evidence of harassment in the Farell swimming pool case ($M = 7.47$) than in the Reynolds office case ($M = 6.71$).

Replicating the first case analysis, there were no main effects for the manipulated variables, but there were several significant interactions. First, there were two significant three-way interactions involving the ambivalent sexism screening scales; one between the hostile sexism screening scale, legal standard, and enhancement, $F(2, 435) = 3.02, p = .05, r = .12$, and a similar one between the benevolent sexism screening scale, legal standard, and enhancement $F(2, 435) = 4.52, p < .05, r = .14$. To follow up on these interactions, we calculated partial correlations predicting the second case outcomes with both screening measures (hostile and benevolent sexism) controlling for the other measure in each of the four Legal Standard \times Enhancement conditions. The only significant relationship to emerge was between benevolent sexism and the harassment scale controlling for hostile sexism in the reasonable woman, unenhanced condition, $r = -.24, p < .01, n = 123$. The simple correlation without controlling for hostile sexism was

also significant, $r = -.22$. In summary, under limited conditions, those scoring higher on benevolent sexism found *less* evidence of harassment in the second case, but the association of hostile sexism and the harassment scale found for the reasonable person standard in the first case largely dissipated in the second case.

There was also a marginally significant interaction between the complainant's behavioral tone in the first case and worker gender, $F(2, 435) = 2.82, p = .06, r = .25$. Table 4 displays the means adjusted for covariates and follow-up tests of significance. Women found more evidence of harassment than men did, but only when they observed the complainant with the neutral behavioral tone in first case. There were no effects for the first case behavioral tone for men in the Case 2 data; however, women primed with a submissive complainant in the first case found less evidence of harassment relative to those in the aggressive and neutral conditions. Apparently, women primed with a submissive complainant in one case found a later complainant who was neutral in tone to be less likely the victim of hostile work environment harassment. This effect resembles a victim-blaming phenomenon such that exposure to a submissive complainant led women to hold subsequent complainants to a higher standard.

Finally, there was a three-way interaction between gender, legal standard, and enhancement on the second case harassment scale, $F(1, 435) = 4.77, p = .05, r = .10$. Subsequent post hoc analysis conducted by testing differences between means in each of the cells of the design resulted in only one significant difference such that women judging the actions under the reasonable woman enhanced condition found more evidence of harassment ($M = 7.60$) than did men ($M = 6.71$) in that condition.⁶

Ambivalent Sexism as an Outcome

Analyzing ratings of the ASI, which workers made following their evaluation of the two case scenarios, tested the effects of exposure to hostile work environment claims on hostile and benevolent sexism. We reasoned that hostile sexism might decrease with exposure to a submissive complainant and that benevolent sexism might decrease with exposure to an aggressive complainant or with use of a reasonable person perspective. ANOVAs ($3 \times 2 \times 2 \times 2$), in which the independent variables were complainant tone in the first harassment case, legal standard, enhancement of the legal standard, and gender, tested these hypotheses. Dependent variables were the full hostile sexism and benevolent sexism scales that participants completed after viewing and analyzing the first and second cases. For hostile sexism, there were two significant effects. First, there was a gender effect, $F(1, 475) = 19.46, p < .01, r = .20$, such that men scored higher on hostile sexism even after evaluating two cases ($M = 2.07$) than did women ($M = 1.72$).⁷ Second, there was a three-way interaction between behavioral tone of the first complainant, legal standard, and enhancement, $F(2, 435) = 4.63, p = .01, r = .14$. Table 5 displays the means and follow-up post hoc tests. Within the reasonable person legal standard conditions, those workers who viewed the neutral complainant in the first scenario and evaluated her case with an enhanced standard showed the highest level of subsequent hostile sexism, significantly greater than those who viewed a submissive complainant under the same conditions. Those with the enhanced standard also scored significantly more hostile than did those with the unenhanced reasonable person standard (both with neutral first case complainants). Finally, under the neutral enhanced condition, those who used the reasonable woman standard showed lower levels of hostile sexism. These data show that exposure to a submissive complainant, under some conditions, can lower hostile sexism, but thinking carefully about that standard in its reasonable person form increases hostile sexism.

The same analysis with benevolent sexism as the dependent variable resulted in a main effect for gender, $F(1, 475) = 101.46, p < .01, r = .42$, with men showing higher scores on benevolent sexism ($M = 2.73$) than women ($M = 1.87$) and a main effect for legal standard, $F(1, 475) = 5.04, p < .05, r = .11$. Those in the reasonable woman condition scored higher on benevolent sexism ($M = 2.40$) than did those in the reasonable person condition ($M = 2.20$).⁸

Discussion

Summary of the Results

The purpose of the current study was to further our understanding of how the law interacts with workplace context to shape workers' perceptions of what constitutes hostile work environment harassment. What did we learn? To begin, the data supported the first hypothesis showing that across both cases women, as compared with men, found more evidence of hostile work environment harassment, replicating our own prior work (Wiener & Hurt, 2000; Wiener & Winter, 2007) and supporting the Rotundo et al. (2001) meta-analysis. However, the manipulation of the behavioral tone of the complainant moderated the effects of gender, supporting the interaction that we proposed in our third hypothesis. It is interesting that the effects of gender did not show up in the first case when the behavioral tone of the complainant was submissive, that is, men found as much evidence of harassment as women when they evaluated the submissive complainant but less when they evaluated a neutral or aggressive one. One interpretation of this finding is that gender effects in prior research may have been the result of women feeling the need to protect other women but men feeling that way only when the complainant presented herself as especially needy of such protection. Because prior research has not manipulated the behavioral tone of the complainant, the extent to which men see the protection needs of complainants probably varies unsystematically with the case materials that researchers used in those experiments. This might explain why gender effects are not always evident in studies of judgments of sexual harassment.

Although we found no main effects for complainant behavioral tone, thus disconfirming our second hypothesis, we did find that when a complainant acts submissively as compared with aggressively, men but not women find more evidence of harassment. Thus, men showed effects of behavioral tone that were similar to prior findings in the literature for hostile sexism (O'Connor et al., 2004; Russell & Trigg, 2004; Wiener et al., 2000, 2007). In those studies, decision makers found less evidence of harassment the more they adhered to hostile attitudes and beliefs; in our study, men found less evidence of harassment when an aggressive as opposed to a submissive complainant confronted them.

Partially supporting the fourth hypothesis, there was a main effect for preexisting hostile sexism in the first case such that those scoring higher on our abridged screening measure of hostile sexism found less evidence of sexual harassment. However, as in Wiener et al. (2000), this was true only for those using the reasonable person standard. The effects of hostile sexism disappeared in the first case when participants applied the reasonable woman's standard and took the complainant's point of view, and it attenuated in the second case after decision makers had an opportunity to make decisions about the first complainant. The reader will remember that half the participants evaluated the Farrell fact pattern first and the other half the Reynolds fact pattern first. Selection of the second fact pattern was random, determined by whichever DVD the participant had not yet viewed. Therefore, because case was controlled by random assignment,

the fact that there was only an effect for hostile sexism in the first case demonstrated that practice making decisions in the one case decreased the effects of hostile sexism in a later case. These interesting results point to some ways to limit the role that hostile sexism plays in the workplace, in that these attitudes may only affect judgments of initial exposures to social sexual conduct at work, and even then, they attenuate when workers take the point of view of the female complainant. Repeated exposures to complainants and taking the complainants' perspective may be effective techniques to reduce the influence of these sexist attitudes in discrimination contexts.

Prior work has shown stronger effects for hostile sexism than for benevolent sexism, and our work supports this conclusion (O'Connor et al., 2004; Russell & Trigg, 2004). The only significant relationship we found between benevolent sexism and judgments of harassment occurred in the second case and only under the enhanced reasonable woman condition. Furthermore, that relationship was negative. Thus, when workers in the second case applied a more subjective standard and had reflected on the meaning of that standard, they found less evidence of hostile work environment harassment in a second evaluation if they scored higher on benevolent sexism on the screening measure. Making matters more complex, men, who found more evidence of harassment across both cases, scored higher on the full scale for hostile sexism administered after the second case, which we would expect, but they also scored higher on benevolent sexism. Thus, in our study as in others, the role of benevolent sexism in hostile work environment judgments is tenuous and inconsistent. The more important attitude structure for understanding judgments of hostile work environment harassment appears to be hostile sexism.

Nonetheless, there was some evidence that manipulated behavioral tone influences judgments in a manner similar to hostile sexist attitudes, especially in initial exposures to workplace social sexual conduct, where both increased hostile sexism under the reasonable person standard and exposure to an aggressive complainant in men resulted in lower ratings of hostile work environment harassment. However, benevolent sexism did not mirror the effects of the aggressive versus submissive complainant manipulations, and it is not obvious why the similarity for hostile sexism and aggressive complainant tone holds true for men and not women. Furthermore, although the reasonable woman standard did offset the effects of measured prescreened hostile sexism, it was powerless to alter the difference in aggressive and submissive behavioral tone effects in men. Thus, the impact of legal standard on the ambivalent sexism was not at all the same as its influence on the manipulations of complainant behavioral tone.

Still, there may be some overlap between the priming effects of aggressive versus submissive complainants and hostile sexism. Nonetheless, our data show that the relationship between these factors is complex and likely involves other moderating and mediating variables. The partial support of our fifth hypothesis that individuals exposed to an aggressive as compared with a submissive complainant in the initial case would score higher on hostile sexism and lower on benevolent sexism as measured by the full ASI warrants this conclusion. Exposure to a submissive complainant lowered hostile sexism scores, but only for those participants who relied on the reasonable person condition and reflected on its meaning. Consistent with other results, the behavioral tone manipulation had no effect at all on benevolent sexism scores, but practice using the reasonable woman standard did increase workers' scores on that factor. It is not surprising that workers who took the female complainant's point of view (twice) showed increases in benevolent sexism. However, such an unintended side effect has limited negative consequence in harassment judgments because benevolent sexism attitudes related only inconsistently and only under very specified conditions to those judgments.

Furthermore, the disconfirmation of the sixth hypothesis that the effects of hostile sexism, benevolent sexism, and manipulated behavioral tone would be strongest in the reasonable person standard condition and weakest in the reasonable victim (here woman) standard condition shows substantial independence of measures of ambivalent sexism and complainant priming effects. To be sure, we continued to find that the effects of hostile sexism were only significant in Case 1 in the reasonable person condition, but such moderating effects were not found for the complainant behavioral tone manipulation. In summary, there were some interesting relationships between the outcomes of the manipulations of complainant behavioral tone and the associations of ambivalent sexism with judgments of harassment, but overall our data show that these constructs are not the same and seem to act through at least partially independent routes. Nevertheless, the similarities between the measured and manipulated variables that emerged in this research suggest that future work examining their separate and joint effects on workplace judgments could be fruitful.

Perhaps the most interesting findings came out of our seventh hypothesis concerning the carryover effects of the manipulations of behavioral tone of the first complainant and judgments of the second case with a neutral and independent complainant. Although there was such an effect, it was different from the predicted one. The carryover effect occurred only for women participants, and it took an unexpected form. Women primed with a submissive complainant in the first case found a later complainant who behaved in a neutral tone less likely to be the victim of hostile work environment harassment. One interpretation of these findings is that when female observers confront another female worker who acts in a submissive manner and then experiences a sexually hostile work environment, the observers develop a tendency to blame that complainant and subsequent ones because the first complainant did not respond assertively to the situation. Although additional data are necessary to examine this explanation, it is possible that female observers believe that when other women are submissive at work, they bring these discrimination problems on themselves. Furthermore, there is also evidence for victim blaming of submissive complainants in the first case. In that case, women who viewed a neutral or aggressive complainant found significantly more evidence of harassment than did men, but those exposed to a submissive complainant did not find significantly more evidence of harassment than did their male counterparts. This, too, is consistent with female workers blaming a submissive complainant for the misconduct that she experiences.

Others have attributed victim blaming to a just world theory (Lerner, 1980) in which observers attribute responsibility to victims because they believe the world is a just place and those who experience negative outcomes such as sexual harassment must deserve those outcomes. In this work, the victim might have deserved it because she acted submissively and did not stand up for herself. Still others introduce the defensive attribution hypothesis (Shaver, 1970; Walster, 1966) to explain this phenomenon. Accordingly, people believe that they are in control of their own conduct; therefore, when others receive negative outcomes, it must be because of something that the actors themselves have done. This protects the decision makers from believing that they will become victims of the same fate because they are in control of their own behavior and would not act in a manner similar to the victim. Thus, female workers may conclude that they would not act submissively and therefore they would not be subject to hostile work environment harassment. Work by Maes (1994) with cancer patients showed that these two explanations were separate and found evidence for both phenomena in victim blaming. Future research examining discrimination judgments of female workers about other submissive complainants will certainly have a great deal to add to both the applied and basic research in this area.

For the purposes of the current study, it is important to note that female complainants of sexual harassment may be in a double bind. If they behave aggressively or even in a business-like manner, male coworkers may be less sensitive to their complaints, but if they behave submissively, female coworkers may blame them for being the victims of sexual harassment. This study did not intend to examine these victim-blaming tendencies of female workers; therefore, we did not manipulate the second complainant's behavioral tone, but future research should do so to determine whether subsequent submissive complainants suffer even more victim blaming from female coworkers than neutral complainants do. It will also be important to learn whether male coworker observers find even less evidence of harassment for subsequent aggressive complainants. Apparently, the behavioral tone of complainants interacts in interesting but complicated ways in workers' evaluations of social sexual conduct, and these effects do not resemble straightforward priming effects as we originally anticipated. Instead, they seem to imply a much stronger motivational component.

Training Implications

These results of this work, which presented aggressive, submissive, or neutral complainants of harassment, showed that we were able to manipulate the way in which full-time workers apply the severity or pervasiveness test to understand social sexual conduct that they might observe at work. While prior research has shown that measured general hostility toward women is predictive of decreased attributions of responsibility in allegations of harassment (O'Connor et al., 2004; Russell & Trigg, 2004; Wiener et al., 2000, 2002, 2004), the current study shows that aggressive behavior of a single complainant can cause the same effect for men. It also shows that presentation of a submissive complainant can produce a similar effect in women, especially for judgments of subsequent complainants with whom women come into contact. Although our work leaves open for future investigations the issue of whether or not hostile attitudes triggered by aggressive complainants are the psychological mechanism responsible for this effect, it does demonstrate that when people use the law to evaluate social sexual conduct, they go beyond the facts that the law asks them to consider.

This is a result that the law does not condone and may not even anticipate. Even the broadest view of the law would probably not include the complainant's unrelated aggressive or submissive behavior as part of the totality of the circumstances as the Supreme Court uses that concept (*Harris v. Forklift Systems, Inc.*, 1993 ; *Oncale v. Sundowner Offshore Services, Inc.*, 1998). In other words, the law protects women from workplace discrimination equally, regardless of whether they behave aggressively or submissively on the job. The law does not recognize differences in complainant composure. Therefore, it is probably not the best instrument to use to protect complainants from either the behavioral tone effects that likely result from male workers' expectations that women should not act aggressively or from the tendency of women to blame submissive women for complaining about but not acting against hostile environments. Indeed, given the inability of the law to counteract these influences, the task of debiasing men and women falls directly on the human resources departments in organizations. Employee diversity training would do well to teach workers to disregard such extra-legal factors as the complainant's prior and largely irrelevant behavioral tone when trying to sensitize those workers to recognize and report hostile work environment harassment.

Policy Implications

What does our work have to say to Justice Alito's concerns about the subjective versus objective approach to evaluating hostile work environment harassment (*Burlington Northern v. White*, 2006)? To begin, we did find an interesting, if unpredicted interaction between legal standard, enhanced standard reflection, and observer gender in the first case. Table 3 shows that for men who reflected about the meaning of the legal standard, those using the reasonable woman as opposed to the objective reasonable person standard found more evidence of hostile work environment harassment in the first case. Therefore, there is a possibility that the gender differences in which men find less evidence of harassment than do women for female complainants could be reduced if the courts endorsed a more subjective standard, especially if diversity training programs support the standard by training workers on the meaning of taking the complainant's point of view. However, the effects of enhancing the reasonable woman standard were short lived. In the second case, which did not repeat the standard enhancement exercise, men who had reflected on the reasonable woman standard in the first case and used that standard in the second case found less evidence of harassment than did their female counterparts. One interpretation of these results is that if the courts or legislators adopt a subjective standard, perhaps a reasonable victim standard may not be sufficient to offset gender differences in hostile work environment cases. However, our results suggest that adopting a subjective standard for the severity or pervasiveness test coupled with diversity training on the meaning of that standard offers a promising possibility for equalizing the gender differences found in hostile work environment cases. A conclusion regarding this possibility awaits a study that manipulates standard enhancement in both a first and second case. Another important variable that we have not yet included in this work is the timing of the standard. It may be that presenting the standard earlier, before the workers observe social sexual misconduct, may have different and perhaps stronger effects than presenting it at the time of the judgment. In fact, diversity training programs at work would likely include training on legal standards well ahead of any exposure to potentially hostile conduct. Although the current study did not test either of these factors (repetition and timing of the legal standard manipulation), we are currently planning these investigations in our research labs in Nebraska. ⁹

Still, this work and other studies (Wiener et al., 2002; Wiener & Hurt, 2000) show that in an incident of first impression, the effects of hostile sexism in lowering judgments of hostile work environment harassment are moderated when people apply a subjective standard. That is, whereas the judgments of people applying the objective reasonable person standard show an association between elevated hostile sexism and finding less evidence of harassment, the reasonable woman standard disrupts that association. We advocate that courts and legislators take notice of this replicated effect before deciding on the best approach to endorse in discrimination cases. The effects of the standard may be most important not for the courts' own decision-making process but instead for workers' perception, evaluation, and understanding of social sexual conduct at work.

Limitations

Admittedly, our use of simulations and samples of volunteer participants who have little at stake in the experimental task, like much of the social science in this area, could limit our conclusions. Still, we recreated the video scenarios to resemble the fact patterns of realistic cases, and we did present the two sets of materials to full-time workers who are likely to encounter the kinds of social sexual conduct that we reenacted for them. Nonetheless, we would be more confident in our conclusions if they replicated in field studies that asked real workers about their own experiences with social sexual conduct at work and that used several different fact patterns. Furthermore, our work does not address directly the impact of prior

exposure to harassment incidents irrespective of the behavioral tone of the alleged victim. To do so, we would have needed a control group of participants who had no exposure to prior harassment incidents. An interesting and important factor to include along with that variation would be a self-report measure of prior experience with harassment complaints. We are currently engaged in developing some of these studies and hope to reinforce our early results with converging findings that speak directly to the impact of any prior experience with harassment judgments. We invite other researchers to join us in moving this work closer to capturing the totality of the circumstances embodied in the law as it interacts with the totality of people's experiences at work. The product of such sustained work will undoubtedly have important implications for policymakers as they try to rid the workplace of illegal discrimination.

Footnotes

¹ The full instructions and the full scripts are available from Richard L. Wiener.

² Participants also answered the severity and pervasiveness test from their own perspective (the self-referencing item). They were told, "Put yourself in the place of Suzanne Farell [Kathy Reynolds] and respond to the following statements as if you were Suzanne Farell [Kathy Reynolds]." "If you had been treated like Suzanne Farell [Kathy Reynolds], how likely is it that you would have been the victim of hostile work environment sexual harassment?" These questions were not analyzed for this article. Similar questions were asked for the Reynolds case, which were not analyzed either.

³ The *MSE* of 2.20 was the same for all the *F* tests for this linear model and is not repeated for the other *F* tests with this model. Furthermore, the model produced a significant three-way interaction between legal standard, enhancement, and case, $F(1, 435) = 5.07, p < .05, r = .10$, which we did not predict and which did not qualify any of the other observed main effects or interactions.

⁴ Note that all means reported in this article are adjusted for the covariates in the linear model.

⁵ The *MSE* of 2.70 was the same for all the *F* tests for this linear model and is not repeated for the other *F* tests with this model.

⁶ This analysis also produced a marginally significant interaction between legal standard and case, $F(1, 435) = 3.70, p = .055, r = .09$. Follow-up tests showed significantly stronger evidence of harassment in both legal standard conditions for Farell as compared with Reynolds.

⁷ The *MSE* of 0.79 was the same for all the *F* tests for this linear model and is not repeated for the other *F* tests with this model. The *MSE* for the benevolent sexism as dependent variable linear model was 0.91.

⁸ There was an interaction between the behavioral tone of the first complainant and whether or not the workers participated in the standard enhancement exercise, $F(2, 475) = 3.29, p = .05, r = .12$. However, because this interaction did not involve the legal standard itself, it was not predicted and any interpretation would be speculative at best.

⁹ We are thankful to an anonymous reviewer who pointed out the importance of the timing for future research.

Table 1
Manipulation Checks: The Effects of Behavioral Tone Manipulations for Complainant Ratings for Reynolds and Farrell When Each Was Viewed First

Measure	Tone			<i>F</i> (2, 249)/ <i>MSE</i> / <i>r</i>
	Aggressive	Submissive	Neutral	
Reynolds				
<i>n</i>	85	89	78	
Aggressive	7.69	5.06	6.62	41.02/3.45/.50
Meek	2.81 _b	5.51 _a	3.31 _{a,b}	42.10/3.95/.50
Competent	6.95 _{a,b}	6.47 _b	7.26 _a	3.84/3.35/.17
Likeable	4.91	5.91 _a	5.70 _a	5.91/3.94/.21
Passive	3.04 _a	5.46 _a	3.66 _a	30.56/4.19/.44
Forceful	7.29	4.37	6.46	48.86/3.74/.53
Hostile	6.05	3.97 _a	4.26 _a	23.72/4.45/.40
Kind	4.56	6.18 _a	5.53 _a	15.02/3.60/.33
Farrell				
<i>n</i>	78	84	82	
Aggressive	5.20	3.50 _a	4.18 _a	13.19/4.57/.32
Meek	4.02 _a	5.68	4.3 _a	17.12/3.69/.35
Competent	7.46 _a	7.19 _a	7.67 _a	1.62/2.85/.11
Likeable	6.67 _a	6.76 _a	7.13 _a	0.74/2.68/.11
Passive	4.11 _a	5.93	4.63 _a	17.47/4.17/.36
Forceful	4.93 _a	3.43	4.55 _a	12.54/4.02/.31
Hostile	3.83	2.64 _a	2.81 _a	8.20/4.14/.25
Kind	6.18 _a	6.81 _a	6.37 _a	2.41/3.57/.14

Note. Means in rows share subscripts if they are not significantly different at the .05 level of significance using the Newman–Keuls test. All *F* values for Reynolds are significant at or below the .001 level except for competent, $p < .05$, and likeable, $p < .05$. All *F* values for Farrell are significant at or below the .01 level except for competent, likeable, and kind, which were not significant.

Table 2
Gender by Complainant Behavioral Tone Interaction for Severity or Pervasiveness Test Scale in the First Case

Sex	Tone		
	Aggressive	Submissive	Neutral
Men			
Mean	6.56 _a	7.18 _b	6.96 _{a,b}
<i>n</i>	82	81	79
Women			
Mean	7.39 _c	7.19 _{b,c}	7.48 _c
<i>n</i>	86	83	88

Note. Means within rows or columns that do not share a subscript are significantly different at the .05 level of significance using the least significant differences method of post hoc analysis.

Table 3
Gender by Legal Standard by Enhancement for Severity or Pervasiveness Test Scale in the First Case

Enhancement	Legal standard			
	Reasonable person		Reasonable woman	
	Enhanced	Unenhanced	Enhanced	Unenhanced
Men				
Mean	6.57 _a	6.95	7.41 _a	6.67
n	60	59	62	61
Women				
Mean	7.38	7.41	7.11	7.52
n	63	62	65	67

Note. Means within rows that share a subscript are significantly different at the .05 level of significance using the least significant differences method of post hoc analysis.

Table 4
Gender by Complainant Behavioral Tone Interaction for Severity or Pervasiveness Test Scale in the Second Case

Sex	Tone		
	Aggressive	Submissive	Neutral
Men			
Mean	7.02 _a	7.04 _{a,b}	6.72 _a
n	81	79	78
Women			
Mean	7.47 _{a,c}	6.90 _b	7.47 _c
n	86	80	87

Note. Means within rows or columns that do not share a subscript are significantly different at the .05 level of significance using the least significant differences method of post hoc analysis.

Table 5
First Complainant Behavioral Tone by Legal Standard by Enhancement for the Hostile Sexism Scale

Legal standard	Tone		
	Aggressive	Submissive	Neutral
Reasonable person			
Enhanced			
Mean	1.85	1.76 _a	2.23 _{a,b}
<i>n</i>	42	43	38
Unenhanced			
Mean	1.96	1.84	1.72 _a
<i>n</i>	40	41	40
Reasonable woman			
Enhanced			
Mean	2.06	1.90	1.79 _b
<i>n</i>	41	40	46
Unenhanced			
Mean	1.71	1.91	1.97
<i>n</i>	45	40	43

Note. Means within rows or columns that share a subscript are significantly different at the .05 level of significance using the least significant differences method of post hoc analysis.

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