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SEXUAL HARASSMENT

Violence is a very big problem in our times. It has a universal character. Any person can be victim of this problem, regardless of their social status, standard of living, place of residence. Violence is one of the leading causes of death worldwide among people between 15 and 44 y. o.

Today we would try to explain rather confusing term for Ukrainian citizens, as a «harassment». Harassment is a general term for a whole list of actions that offend or humiliate a person, create an unfavorable environment, cause shame or scare. The list is very long: mockery, jibes, psychological harassment, molestation, vulgar hints and threats – these are all different forms of harassment. Moreover, harassment is not only sexual: one person can pester to another due to age, nationality and skin colour, religion, sexual orientation, physical or intellectual characteristics. For example, if one of your colleagues all the time scornfully comments your religious views, it is also a harassment.

This is a legal term, that exists not only in the United States. The first lawsuits concerned racial harassment on the workplace in America was first recognized as a form of discrimination in 1970s.

May seem that any acts of a sexual nature at work, flirting and vulgar jokes in the USA are considered harassment, but it isn't right. There is a clear set of rules defining what exactly is sexual harassment and what isn't; these rules were drawn up by the American Equal Employment Opportunity Commission (EEOC) in 1980s.

Various unwanted actions of a sexual nature are considered as harassment, but only quite significant and repeated as a rule. Although some serious actions are considered to be a harassment. For example if your boss inclines you to sex, hinting that you'll have problems if you'll say NO to him.

The American National Law Bureau Bloomberg BNA even publishes a special methodology for the prevention of sexual violence and other forms of violence in the workplace for employees of American companies. It clearly states that «unwanted actions» is something that a person has not initiated and doesn't perceive as offensive or unpleasant.

As a rule, sexual harassment in the workplace in the United States is considered a civil offense for which the employer is responsible. Therefore, the task of employers is preventing such cases: to enhance corporate culture, prohibit discrimination (including harassment) by internal company rules, investigate complaints of harassment from employees and take measures if these complaints are confirmed. This may be a warning, reprimand, work

with a staff psychologist or consultant, demotion, suspension, or even dismissal. Violators may also be required to pay compensation.

In the United States, a whole system of formal actions has been developed to prevent harassment: it is necessary to send a notice to the offender about the inadmissibility of his actions, after which either a labor or school commission will be convened, based on which disciplinary measures are applied. Criminal prosecution is also possible. In addition, schools often use student codes and guidelines for a variety of situations, including bullying and harassment. Schools may explicitly prohibit student-teacher relationships.

In order to resolve this problem in Ukraine it will be better to use the experience of other countries and develop a bill that would contain an administrative responsibility for a harassment in the form of a fine, which should not be «symbolic». One of the biggest problems in adopting such a law is to explain the meaning of harassment, how to define this line between harassment and a compliment from a colleague. It is necessary to fix the clear concept of «harassment».

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COUNTERACTING VIOLENCE: THE ROLE OF THE NATIONAL GUARD

The National Guard of Ukraine is a military formation with law enforcement functions, which alongside with the National Police is designed to conduct public safety function and provide protection of citizen's lives. Therefore, counteracting violence belongs to the field of combat and service activities of the National Guard of Ukraine and makes a topical issue for the research.

Violence is the physical force or psychological pressure used to destroy or cause harm to someone. There are different types of violence including physical, psychological and sexual. Recognizing the type of violence helps identify the causes of its origin, which in its turn determines a number of factors aimed at both counteracting violence and its prevention, specifying the way, amount and structure of capabilities to be involved.

The problem of prevention and counteracting violence in the society goes much further beyond the integrated efforts of work of law enforcement agencies, the result of which makes the tip of the iceberg. It must be tackled on several levels simultaneously, covering the issues that go deep into the social and cultural paradigm of the nation, spreading a culture of non-