Sexual Harassment at Work: A Case Study of Working Women in Contemporary Vietnam

By

Huong Thi Nguyen

Master of Laws, Master of International Development and Social Change, and Bachelor of Law

Thesis
Submitted to Flinders University
for the degree of

Doctor of Philosophy

College of Humanities, Arts and Social Science

Date 14th March 2023

Table of Contents

ABSTRACT

Workplace sexual harassment (SH) has been addressed in global literature as a form of gender discrimination. SH undermines gender equality at work and adversely impacts workers' dignity and well-being. In Vietnam, traditional social norms of sexuality and gender roles have led to a biased conceptualisation of SH as a 'personal and sensitive topic' that is largely not considered within the workplace context. Furthermore, the absence of legislation on workplace SH prior to 2019, unavailable national statistics, and limited academic research have added to the silence on this topic in Vietnam. There has been little analysis concerning what constitutes workplace SH in Vietnam, how SH is culturally constructed, and what socio-cultural, organisational, and legal factors contribute to the workplace SH issue. This thesis aims to fill these gaps, addressing the question, 'How has sexual harassment been a workplace issue in Vietnam, and how do Vietnamese working women conceptualise SH at work?'

Informed by socio-cultural and organisational theoretical approaches, the thesis investigates workplace SH produced by the interrelation of socially constructed gender inequality and organisational power at work. It examines the extent to which SH has been portrayed as a workplace issue, how the socio-cultural structure of gender relations and social norms inform workers' perceptions, experiences, and responses to SH at work, and whether workers convey a sense of legal consciousness in addressing the issue at work. To understand workplace SH from working people's perspectives, the thesis analyses a survey of 342 working people from several employment sectors and 72 interviews conducted online in 7 cities and provinces in Vietnam in 2020. The secondary data analysed in this thesis draws on an eclectic body of global scholarship and academic literature, research reports, social media, and legislation documents.

This thesis argues that SH is a complex workplace problem in contemporary Vietnam. This issue is mutually constructed and reinforced by unbalanced organisational power relations and unequal gender relations, governed by traditional gender social norms attributed to men and women, which spill over from society into the workplace. These interconnected forces significantly inform the entire process, starting from workers' conceptualisation of workplace SH to how they frame and disclose their experience and

respond to it. The findings suggest the relationship between workers' perceptions, experiences, and responses to workplace SH is entrenched in traditional cultural narratives that position women in subordinated roles and push them to conform to conventional norms. The thesis results and analysis imply that the Vietnamese laws on promoting gender equality at work, particularly the recent law on SH, have not yet sufficiently emphasised on and dealt with challenging and shifting the deep-seated traditional cultural justification for gender disparity which are a cause of gender-based violence and SH.

The thesis makes an original contribution to identify and fill gaps in knowledge about workplace SH in Vietnam and demonstrate the importance of examining sexual harassment in contexts beyond the West. It examines how working women in Vietnam conceptualise and make sense of SH in the workplace environment, which underscores a variety of perspectives people hold about what constitutes SH. Working people's understanding of SH does not necessarily correlate with the way they label their incident as SH or seek formal institutional support from laws or organisational policies. Employees' sense of fairness in addressing SH at work is driven by cultural norms and expectations of proper workplace behaviours and morality rather than legal consciousness or understanding of the law.

The thesis centres on unpacking socio-cultural and organisational factors giving rise to SH, including differential workplace power and the roles of gendered norms operating at work. It furthers the cultural dimension of understanding SH and brings together historical, cultural, structural, and legal factors that shape workplace SH, offering a new conceptual and theoretical inside of examining the phenomenon in interconnected aspects. The thesis deepens understanding of workplace SH from intertwined socio-cultural and organisational perspectives by revealing SH at work that has been obscured by long-lasting Vietnam’s Confucian blending with a socialist-communist gender regime. It demonstrates that in the contemporary society of Vietnam, the tension of unwritten gender norms remains and is carried over to the workplace, making the case of SH at work a highly complex issue. The thesis broadens the literature on the role of social norms as potentially putting brakes on or providing accelerators to promote women's voices and organisation power to tackle SH in the workplace. The thesis provides evidence for influencing gender norms to support women's advancement, employment participation, and workplace equality and safety.

CERTIFICATION

I certify that this thesis:

1. Does not incorporate without acknowledgement any material previously submitted for a degree or diploma in any university.

2. and the research within will not be submitted for any other future degree or diploma without the permission of Flinders University; and

3. To the best of my knowledge and belief, it does not contain any material previously published or written by another person except where due reference is made in the text.

Signed:

Date: 14th March 2023

ACKNOWLEDGEMENT

In the successful completion of this thesis, I owe a great deal to many people and institutions for their professional and generous support. Any shortcomings of this thesis remain my own.

I foremost wish to express my sincere gratitude to the chair of my supervisory panel, Associate Prof. Yvonne Corcoran-Nantes, for her intellectual guidance, professional advice and supervision, and commitment to my thesis. Her expertise in gender and women studies, involving research and cultural understanding of Vietnam, has provided invaluable research guidelines, critical comments, and inputs into my study. Yvonne's encouragement and support have been a part of my success in achieving the Endeavour Leadership Scholarship Award for my PhD program in Australia. She has always stood by me in all my applications, from entry to the doctoral degree to ethics clearance, and ensured that my PhD milestones went smoothly. I am deeply grateful for her and her family's kindness and warmest care to my family on my first arrival and settlement in Australia, including many references for my job- and housing-related applications. My PhD journey has not been easy, and I encountered many academic and emotional challenges and disruptions when Flinders University was restructured, and Yvonne left Australia and moved to another country in 2020, and the COVID pandemic. However, Yvonne's steadfast commitment to my thesis has helped me overcome those challenges.

I am incredibly thankful to Prof. Susanne Schech, my associate supervisor, for her research expertise, professional working manner, sympathy, and patience and for constantly pushing me to develop my research skills and achieve the thesis milestones. Her meticulous supervision and editing have helped transform my ideas and writing, boosted my understanding of key issues, sharpened my critical analysis, and encouraged me to overcome many challenges during my studying program. It would be impossible for me to complete the thesis on time without Susanne's professional support and kindness to an international student like me. Susanne offered her support to me during a difficult time of Flinders' restructuring, in which my supervisors left Flinders. Susanne is my only on-campus supervisor

who stepped in to help me address many University and HDR-related procedures, HASS college support funding, and other applications.

I would also like to kindly thank Associate Prof. Janet McIntyre, who used to be my associate supervisor and became an adjunct supervisor. Her commitment, advice, and mentorship are meaningful for my candidature and publication skills. I have jointly published an article and two book chapters as a co-author with Janet and Yvonne. Janet also involved me in other gender and sustainable development projects between Vietnam and Australia to broaden and apply my work and studying experiences in intervention projects. I sincerely thank Janet for her generous editorial assistance and as a proof-reader in my final thesis completion.

I would like to thank the Australian Government for the privilege of receiving a PhD Endeavour Leadership Fellowship Award, which helped turn my dream of further research and professional goals to come true. I have developed my professional knowledge and skills through interdisciplinary learning, participating in diverse academic networks, and connecting with others Endeavour fellows. I express my gratitude to Endeavour case managers at Global Scope for their management and assistance with all needed procedures for my travel, commencement, and completion of the research program.

During my last four years, I have also been indebted to various support from people other than my supervisors. I thank Associate Professors Udoy Saikia and Catherine Kevin, HDR coordinators at Humanities, Arts and Sciences College (HASS), for connecting PhD students like me to various university conferences and events. Dr Helen McLaren's advice helped me adjust my research methodology and collect online data to obtain sufficient data during the COVID-19 pandemic. Associate Prof. Noore Siddiquee for his willingness to offer support and for helping me obtain teaching and tutoring experience at Flinders University. His understanding and sympathy for international PhD students motivated me. Kate Willson and other HDR officers at the Office of Graduate Research at Flinders and administration staff at the College of Humanities, Arts, and Social Sciences assisted me with PhD related candidature advice throughout my research program. I express my gratitude to Ms Cara Ellickson at Flinders Gender Consortium - my role model since I first arrived in Australia in 2010 as a scholar of the Australian Leadership Award under her supervision. Cara has inspired me to

further my education and career pathway on gender issues and engaged me in various activities on gender and 'women's leadership to grow my professional knowledge. Peter Lumb, a friendly reader, and listener, helped me edit my first chapters. Peter and his family have also become great friends of my family. I also extend my thanks to Prof. Vivienne Moore at Adelaide University, who kindly connected me with other professors to build my academic network.

Other academic colleagues and friends in different universities in Australia and Vietnam have contributed valuable thinking and suggestion to my research through discussion and conversations. I thank Dr Tu Phuong Nguyen, lecturer at Adelaide University, for discussing and sharing her thesis and other related articles conducted in Vietnam, suggesting a socio-legal and legal consciousness approach to my research. I thank Dr Quang Anh Le, lecturer at Flinders University, for offering his editing and writing tips on some chapters of my thesis, and Dr Kim Anh Duong, Deputy Director of the Vietnam Women's Academy Institution, for sharing her research and other publications.

In addition, I have benefited from attending and presenting research and articles on various online and offline conferences and workshops in France, America, Sydney University, Adelaide gender conferences, Flinders post-graduate conferences, the Philippines, and Vietnam. The 2021 Regional Gender Equity, Disability or Social Inclusion (GEDSI) Leadership Summit was valuable in learning diverse approaches to GEDSI and connecting with researchers, scholars, practitioners, gender activists, and policymakers. The workshop in Vietnam to share research findings supported by Aus4skills and the Centre for Research, Training and Consultancy for Local Development provide further inputs to my final research findings. Comments, feedback, and participants' questions from conferences and workshops have helped sharpen my research analysis.

It has been an honour to conduct research and spend my PhD program at HASS College at Flinders University. I thank my current and past PhD and post-graduate fellows: Sandra Kearney, Roksanna Tarannum, Yunia Mkmoer, Iriana Freitas De Jesus Ximenes, Kieu Nga Nguyen, Gabriell Jones, and others. I kindly thank Ena Tripura - my PhD fellow from the beginning who shared many joys and challenges throughout the research journey, and Francis Darko - a new PhD office mate, for their help at my final stage of thesis completion. You all

have made my life more meaningful for research-related matters, and your friendship warmed me up and made my office days joyful.

Crucial to my thesis is the fieldwork data collection obtained in Vietnam across seven cities and provinces, involving many people in helping approach research participants. I sincerely thank my research survey respondents and interviewees. Their perspectives on the research topic are incredibly crucial and precious, offering much thought-provoking information to unpack a hidden workplace issue of sexual harassment. I truly treasure and thank my professional network in Vietnam, including my colleagues in previous employment organisations: CARE International, Vietnam's Women Union, and CWS America, and working partners at a wide range of government agencies in ministries, Trade unions, VWU, UN organisations, NGOs organisations, Law University in Hanoi and Ho Chi Minh, and working groups which offered support and kept me updated with ongoing discussion on gender issues at work. I kindly thank my ex-manager, Ms Le Kim Dung, a Country Director of CARE International, for supporting my research interview and various reference inquiries. Ms Dang Huong Giang, a manager and ex-colleague of mine at VWU, for her friendly sisterhood and support in recruiting research participants. I thank many other colleagues, friends, and American Ford Foundation alumni and Australian alumni, Hanoi Law University alumni, whom I cannot name here, for their multiple forms of support: approaching interviewees, sharing the survey, being my research interviewees, and engaging me in the regional and national workshops. I also thank Aus4skill in Vietnam for supporting my research initiative and a workshop on sharing my research findings in Vietnam with related partners of Government, NGOs, research institutions, and working people.

Last but not least, I wish to express my heartfelt gratitude to my big family in Vietnam, my parents – bố Nguyen Huu Uy and mẹ Ngo Thi Toan, my two brothers – Nguyen Huy Cuong, and Nguyen Huy Phuong, and my sisters-in-law for their selfless love, encouragement, and belief in me. I am indebted to my dearest lovely family: my husband – Ha Tuan Giang, two daughters – Ha Hong Anh and Ha Minh Anh, and nephew – Nguyen Huy Thanh, for their countless love, dedication, support, and encouragement to build my strength and confidence through my PhD journey. They are my passion, motivation, inspiration, and meaning; without their unconditional love, I could not have overcome many challenges to accomplish my research.

LIST OF TABLES

LIST OF APPENDIX TABLES

LIST OF FIGURES

LIST OF ABBREVIATIONS

SH	Sexual harassment
GBV	Gender-based- violence
VB	Victim-blaming
SB	Self-blaming
ILO	International Labour Organisation
CEDAW	The Committee on the Elimination of Discrimination against Women
MOLISA	Ministry of Labor, Invalid and Social Affairs
VWU	Vietnam Women's Union
VGCL	Vietnam General Confederation of Labour
VCCI	Vietnam Chamber of Commerce and Industry
CDI	Center for Development and Integration
GBV net	Gender based-violence network in Vietnam

CHAPTER 1: BACKGROUND TO THE RESEARCH

1.1. Introduction

Workplace sexual harassment (SH) is a notorious aspect of workers' lives worldwide; it undermines gender equality at work and adversely impacts working people's dignity and well-being. While the issue has been investigated in global literature and postulated as a form of gender discrimination, Vietnam has just recently introduced the term SH in the Labour Code revision. The few existing studies on SH in Vietnam indicate that SH is considered a 'sensitive topic,' and the Vietnamese traditional gender social norms of sexuality and gender roles have led to a biased conceptualisation of SH as a personal and out-of-workplace matter. This can be seen in the absence of legislation on SH before 2019, in the lack of national statistics, and in the neglect of the topic by academic researchers.

However, in recent years, workplace SH has become a growing concern of the Vietnam government, researchers, organisations, and employees. Public condemnation has been increasing, leading to the 2019 revision of the Labour Code, which includes the SH definition and provisions for dealing with SH. The legislation focuses on addressing workplace SH from a legal perspective. However, it does not tackle inequality rooted in socio-cultural beliefs and norms that inform an individual's consciousness and responses to workplace SH. In Vietnam, there is little understanding and analysis concerning what constitutes workplace SH, how SH at work is culturally constructed, and what socio-cultural, organisational and legal factors contribute to this phenomenon. This thesis aims to fill these gaps, addressing the question, 'How has SH been a workplace issue, and how do Vietnamese working women conceptualise SH at work'?

The thesis reports on empirical research to understand workplace SH from working people's perspectives. This research exposes the hidden SH at work in the Vietnam cultural context of Confucian and socialist-communist gender regimes. At an academic level, it seeks to demonstrate the intertwined relationship between the cultural construction of workplace gender relations and workplace power relations that constitute SH at work. It broadens the literature on the role of gendered social norms as brakes on, or accelerators to, women's voices within organisations and workplace settings to tackle at work. Findings from the

research reveal the tension of unwritten gender norms in shaping the way gender power and organisational power is distributed to conceptualise work SH. The thesis, thus, sheds light on understanding workplace SH as social gender and workplace power issues and advances the way we understand SH in Vietnam and similar contexts. Furthermore, the thesis investigates workers' legal consciousness in conceptualising workplace SH and their responses to the issue. It raises a critical question about understanding that women's rights need wider support to ensure that policy is more than 'window dressing'. Workplace policy on SH can be implemented in practice without the whistle-blowers paying the price.

1.2. Research Context

Vietnam is an Asian country led by the Communist party, which tailored the nation's development around a socialist-oriented market economy strategy. The country's Renovation - '*Doi Moi*' - in 1986 paved the way for impressive economic growth, social change, human development, and international relations (Diez, 2016; Teerawichitchainan et al., 2015). Socialist-communist gender regimes place gender equality as a development goal and posit women as agents of change in the country's prosperity. Vietnam's reform has opened the door to western values, greater mobilisation of diverse cultures and significant increase of women work force. Although the context of gender relations and norms has changed in some ways, norms of masculine dominance and inferior femininity remain persistent and give rise to sexual and violence against women (Lewis et al., 2022). The Vietnamese gender construction reflects the entrenchment to the traditional gender ideology of Asian patriarchy, the Three Teachings (Confucianism, Taoism, and Buddhism) that attribute distinctive gender roles and norms to women and men. While Vietnam's gender equality policy aims at eliminating backward traditional gendered social norms, it also reinforces the conventional norms of gender roles and relations. By extolling women's pivotal role in the workforce and family, it creates a collision between the demand for economic development and aspirations for gender equality in both spheres.

Current research in Vietnam argues that gendered social norms are the leading cause of gender inequality and discrimination (Hoang, 2020; Institute for Social Development Studies, 2020; Khuat, 2004; Kwakwa, 2015; Phạm et al., 2021). Gendered social norms of women's domestic roles and upholding traditional moral expectations limit the extent to

which women seek employment, leadership roles, and work-life balance and raise their voices against sexual violence and harassment (CARE International Organisation, 2020; CARE Vietnam, 2019; Phạm et al., 2021).

While neither national statistic nor comprehensive research on SH at work is available, some studies show that Vietnam is not an exception to the global workplace SH phenomenon. Recently, a CARE (2020) project baseline survey carried out with 107 workers in four garment factories found that 44% of the workers experienced at least one type of SH in the last 12 months (CARE International Organisation 2019, ii). More than 70% of employees working in companies of CARE project had heard of someone experiencing SH at their workplace. Meanwhile, the CARE survey also showed that very few incidents had resulted in formal reporting to factory management. In another employment context, an online study of 'Women and Journalism in Vietnam' conducted by the Fojo Media Institute in Vietnam in 2018 found that more than 27% of 247 local female journalists experienced SH during their professional life (Vo, 2018). However, the actual number is likely to be higher because many female journalists interviewed did not include verbal communication in their definition of sexual harassment. Vo (2018) claims that SH in the 'newsroom' is persistent, with harassers usually being managers, but the issue only came to light in April 2018, when the 'MeToo' movement arose in the country's journalism, starting with the report of a respected newspaper's journalist intern in Ho Chi Minh city whom her boss had harassed (Vo, 2018). Even though the Fojo survey is one of the rare studies on SH, conducted at the peak of the 'Me Too' social movement in Vietnam, and while the Labour Code revision was underway, it was not widely disseminated and cited. Another research project on violence and SH against workers was conducted by the Fair Wear Foundation (FWF) with 763 female workers in some garment factories in 2018. I was involved in the design phase of this research. However, the report result has not been fully published because data on sexual harassment is considered 'a sensitive topic' at work. This implies that SH is not considered a workplace or a worker's legal rights issue, as it should be, but it may rather be a threat to a company's reputation.

While there is a lack of formal statistics, social media platforms, and online newspapers have started to bring SH to the public's attention in the wake of the 'MeToo' movement and the Labour Code revision. Hence there is an increase of voices from victims, researchers,

experts, and policymakers on the issue of workplace SH. The issue received public attention again in 2022, under various aspects of ethics, morals, law and justice, when a female journalist shared her story of accusing her boss of sexually harassing her 23 years ago. The serious harassment led her to get pregnant and miscarry, resulting in her suffering from mental and physical trauma for over two decades. When she reported the incident and reached out to a lawyer 23 years ago to seek justice, her case was not resolved as SH. Instead, it was considered a personal conflict and workplace problem, and the manager moved to a higher management role (Hieu Dong, 2022; Nguyen, 2022). In another case, a young employee reported coercion and harassment from a university law lecturer, which continued for a long time. However, the case generated contradicting views from people who expressed their doubts and associated her appearance with exchanging sex for job benefits (Tuong Van, 2022).

Individual case studies in the social and news media reveal how loopholes in existing legislation fail to help identify SH behaviours, and the administrative handling of SH is ineffective, failing to deter the violation. They also indicate the influence of inequality, gendered social norms, gender stereotypes, and prejudice toward victims. Gender norms concerning women's responsibility to save the family's reputation and dignity and the persistent patriarchal power hierarchy present obstacles for working people to understand, identify and respond to SH. SH is often unreported, invisible, and taboo; thus, there is little effective response to the problem (France 24, 2019). The issue is primarily met with a resounding silence within Vietnamese society resulting in ineffective law implementation. There are no lawsuits of SH, and the few reported cases were addressed at the organisational level through internal procedures or in the form of reconciliation. Most information about SH is in the form of fragmented stories in public and social media or NGO project reports. All of this leads to the conclusion that the issue of workplace SH has gained inadequate attention, although it persists in Vietnamese society and the workplace.

What makes workplace SH a silent issue in Vietnam? Research in Vietnam shows that the term SH did not exist in Vietnam in its full sense until Vietnam integrated deeply into the world economy and adopted international instruments concerning gender equality. For a long time, words like teasing, wooing, courting, and flirting were used to describe SH behaviours of violating cultural morality norms. SH is largely culturally constructed and reinforced by

traditional gender norms of gender inequality, and workplace power imbalance constitutes SH (ILO, 2013, p. 25; Khuat, 2004, p. 126). In the workplace, harassment often happens within work relations characterised by unequal power between those in positions of authority and their subordinates, demonstrating gender inequality at work. SH at work appears to be affected by occupational features and occurs in all corners of the workplace, both inside and outside organisational spaces (ILO, 2013, p. 8). However, reporting to organisations or authorised people rarely happens unless it escalates to serious forms of sexual assault (ILO, 2013, p. 9). The impact of SH on employees and organisation is immeasurable, ranging from health, psychological, and social harm to economic loss. Until recently, SH was not considered a form of gender violence threatening a person based on their gender or sexual orientation, nor was gender discrimination at work. As an ILO study put it, the lack of legislation on SH indicated a deep reluctance of formal institutions to address workplace SH (ILO, 2013, p. 9).

The Labour Code revision on SH provision in 2019, which takes effect on 1st January 2021, and the supplementing legislation document, Decree 145/2020/NĐ-CP, lay out the legal foundation for tackling workplace SH. However, experience in many countries shows that while legal provisions are necessary, they are insufficient to address SH. Equally important is establishing and shifting the social and cultural understanding of what constitutes SH at work in various settings. How SH is defined in the blurred line of cultural influences and within workplace power relations and how working people perceive, experience, and respond to the issue are not automatically shaped by the law. The law itself cannot tackle inequality rooted in socio-cultural beliefs and norms that inform people's perceptions, legality, and consciousness of SH. These issues raise the need to understand workplace SH at deeper levels to provide evidence-based research for appropriate legislation, public action, socio-cultural education, and workplace-based measures to effectively combat gender-based violence in Vietnam.

In the global context, workplace SH is painted as a prevalent issue entrenched across cultures and in various employment industries and environments. SH happens in all employment contexts, from schools to offices, from factory workers to government officers to celebrities, and from the workplace to the journey between work and home (Haspels et al., 2001). UN Women (2020) reveals an alarming figure of 40-50% of working women in

European Union countries experiencing unwanted sexual advances, physical contact, or other forms of SH at work (UN Women, 2020). In the United States of America, workplace SH targets 33 million women in work-related incidents (Langer, 2017). In Australia, 33% of employees were sexually harassed between 2014-2018, affecting approximately 4.4. million people; in total, 39% of female employees have been sexually harassed at work (Deloitte Access Economics, 2019, p. 24). In most reported cases, the perpetrators are supervisors, managers, or senior co-workers (Australian Human Rights & Commission, 2020, p. 92).

SH rates in Asia are similarly high. According to one UN study, 30% - 40% of women across Asia, including Japan, Malaysia, the Philippines, and South Korea, reported suffering from workplace SH (UN Women, 2010). A Singapore study in 2008 reported that 54.4% of 500 research participants experienced SH at work. Of these, nearly 60% were women, but men also reported being harassed (AWARE, 2008, p. 18). Research conducted with 255 female Chinese journalists in 2017 found a high rate of 80% of research participants experiencing workplace SH (Halegua, 2021, p. 11).

In the Mekong region, export-oriented industries with a predominantly female labour force, such as textiles, garments, footwear, and electronics, are recognised as places of workplace SH. In Cambodia's garment industry, research with 1,287 workers revealed that nearly one in three female garment factory workers experienced SH at the workplace during the previous year (CARE International, 2017, p. 5). Research conducted in Myanmar with 271 working women in universities, government agencies, and the private sector reveals that SH is a widespread workplace issue. 58%, 55%, and 14% of women reported experiencing at least one form of SH in general, gender harassment, and unwanted sexual attention, respectively (Nilar & Kanai, 2003, p. 215).

Studying SH in Asian countries presents a challenge due to SH's sensitivity to culturally specific Asian contexts and values (Cheung et al., 2018, p. 1468). For example, in China, which shares a similar socio-cultural background of Confucianism with Vietnam, the high rate of SH reflects a societal context where women are subordinated to men and traditionally viewed as the root cause of all evils. Women are often blamed for their husbands having a mistress or if she is sexually harassed (Srivastava and Gu 2009, 43). This means that the discussion of SH is repressed, and scholars are uncertain about the extent of SH prevalence (McDonald, 2012, p.

3). According to McDonald (2012), the changing socio-cultural understanding of SH and political factors also influence the reporting of SH (McDonald, 2012, p. 3). The variation of SH reporting across cultures is also related to the scope of the definition of SH defined by national laws (McDonald, 2012) and a lack of a universal definition of SH (Timmerman & Bajema, 1998, p. iii). The lack of agreement on what constitutes sexual harassment has led to diverse perceptions and understanding of SH.

1.3. Sexual Harassment: A Multifaceted Phenomenon

Given the difficulties in defining SH, it is perhaps unsurprising that there is no single theoretical framework or the best way to conceptualise the multiple faces of the SH issue. This section will briefly discuss some widely accepted approaches to SH, focusing on socio-cultural aspects, organisational contexts, sex-role spill over, and natural/ biological explanations of SH. The socio-cultural approach examines SH as a social institution that manifests gender inequality, sexism, and imbalance in power relations existing within the broader social and political context (Gutek, 1986; MacKinnon, 1979; Thomas & Kitzinger, 1977; Uggen & Blackstone, 2014). The organisational theory positions SH within the organisational power relations and highlights multiple organisational factors of power imbalance, unequal status, and working cultures attributed to the workplace (Gruber, 2003; Tangri et al., 1982). Sexual harassment is perpetrated by individuals and institutionalised in the organisation and workplace culture (Gelfand et al., 1995; Welsh, 1999; Williams, 1998). Sex-role spillover theory attempts to integrate contextual characteristics and individual gender-based beliefs to explain sexual harassment at work (Burgess & Borgida, 1997; Gutek, 1986).The approach emphasises that the culturally-based gender stereotypes institutionalised in the workplace lead to the differential treatment of women and men with similar organisational roles (Stockdale, 1993, p. 97). Meanwhile, the natural/biological approach considers SH as an expression of sexual attraction and a natural element in mate-seeking (Browne, 1997; Tangri & Hayes, 1997). This approach to SH explains sexual harassment simplistically without considering the complex factors of social and personal characteristics as a social construction (Pina et al., 2009, p. 133). Of these theoretical approaches, the socio-cultural and organisational approaches are most relevant to inform my conceptual research framework, which I will further discuss in chapter 2.

Despite many attempts to define SH, no universal definition of SH at the international level has been agreed upon to date (Herrera et al., 2018; Pina et al., 2009). The common consensus in the literature is that SH involves any physical, verbal, or nonverbal sexual behaviours that are unwanted, unwelcome, or offensive to recipients and interferes with the integrity of all sexual orientations (Australian Human Rights & Commission, 2020, p. 16; Cantisano et al., 2008; Dyer et al., 2019; Gutek, 1992; Herrera et al., 2018; Ineson et al., 2013, p. 1; Ranganathan et al., 2021, p. 1). Defining unwanted sexual conduct is critical to distinguish between inoffensive and unacceptable behaviour to help prohibit workplace mistreatment and permit consensual sexual behaviour (McCann, 2005, p. 3).

A pioneering feminist study in the 1970s categorised two forms of SH: *quid pro quo* and hostile environment (Farley, 1978; MacKinnon, 1979; McDonald, 2012; Whaley & Tucker, 2007). Q*uid pro quo* happens 'when sexual compliance is exchanged or proposed to be exchanged for an employment opportunity' (MacKinnon, 1979, p. 31). In other words, it occurs when job-related benefits depend on the victims acceding to demands for some form of sexual behaviour (McCann, 2005, p. 18). The second form arises when 'SH is a persistent condition of work', whereby unwelcome sexual behaviours, which can happen in physical or verbal forms, create a hostile environment (Johnson et al., 2018, p. 24; MacKinnon, 1979, p. 32). The distinction between the *quid pro quo* and a hostile environment is that the former involves a one-on-one relationship in which powerful people take employment control over the target. The latter involves many perpetrators, and many targets and co-workers present a pattern of hostile sexist behaviour toward multiple targets (Johnson et al., 2018, p. 24).

In another approach, researchers conceptualise SH as a psychological construct (Fitzgerald et al., 1995, p. 443) and classify SH under the behavioral categories of gender harassment, sexual coercion, and unwanted sexual attention (Fitzgerald et al., 1995, pp. 430–431; Johnson et al., 2018, p. 18). These dimensions of SH were purposely developed to classify and measure sexual behaviours. Gender harassment includes harmful or illegal SH that is not necessarily sexual activities or motivated by sexual desire (Johnson et al., 2018, pp. 24–25). This type of SH stems from negative views of women and general gender hostility (Keplinger et al., 2019, p. 2). It can be defined as violating cultural gender stereotypes held by harassers (Johnson et al., 2018, p. 24). Thus, gender harassment represents the basis for more egregious

forms of SH and reflects broader gender inequality- ties in society and is also the most pervasive and can have particularly profound adverse effects on women (Keplinger et al., 2019, p. 2). Sexual coercion involves sexual advances and, in some instances, makes some form of sexual cooperation a condition of employment in the form of sexual compliance (Gelfand et al., 1995, p. 168; Johnson et al., 2018, p. 25; Lim & Cortina, 2005, p. 484). Sexual coercion involves threats toward women who will not comply with sexual requests or bribes in exchange for sex (Keplinger et al., 2019, p. 2). It is noted that sexual coercion is always undesirable, nonconsensual and involves power relations (Karantzas et al., 2016, p. 1054; O'Sullivan & Allgeier, 1998, p. 234). Meanwhile, unwanted sexual attention includes sexual advances, but it is unnecessary to add professional rewards or threats. It expresses sexual interest that is unwelcome, unreciprocated, repeated requests, and offensive to the target (Gelfand et al., 1995, p. 168; Glomb et al., 1997, p. 316; Johnson et al., 2018). It is distinguished from sexual compliance as it lacks job losses or benefits and is not tied to job-related outcomes (Gelfand et al., 1995, p. 168; Glomb et al., 1997, p. 316).

Psychological explanations contribute to measuring SH behaviours, while legal definitions constitute the legal framework to address SH. Together, these approaches help define and classify various sexual behavioural forms at the workplace and how the law and organisational policy can be formulated in responding to SH. Regulations to prevent SH at work may reflect different theories of SH. According to UN Women (2019), the law may treat SH as gender discrimination, an offence against dignity, or an issue of workers' health and safety. For example, in the United States, labour law defines SH as discrimination in employment and can lead to employer liability. In many European countries, SH law incorporates discrimination, dignity, and health and safety perspectives. In many developing countries, SH is an offence against dignity that results in criminal punishment for the perpetrators (UN Women, 2019).

The diagram below displays the parallel between the two concepts.

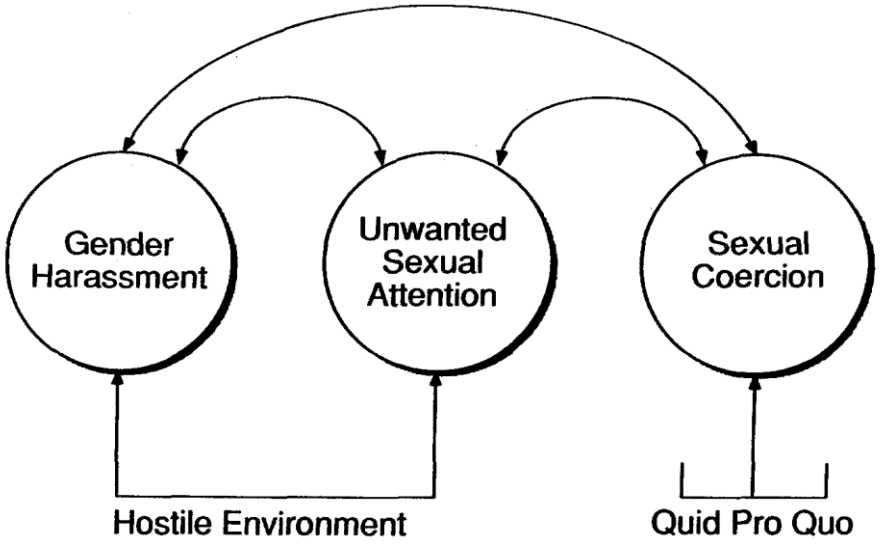


Figure 1.1: Defining Sexual Harassment: The parallel of behavioural categories and legal concept

Source: L. F. Fitzgerald, Gelfand, and Drasgow 1995, 431

In the international policy framework, SH is defined under the category of Gender Based Violence (GBV). The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and ILO's CEACR (Committee of Experts on the Application of Conventions and Recommendations) affirm that SH is a serious manifestation of gender discrimination. The CEDAW's General Recommendation No. 19 (11th session, 1992) characterised 'gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms, as discrimination' (CEDAW 1993, paragraph 7). Recently, the International Labour Organisation (ILO) convention 190 of Eliminating Violence and Harassment in the World of Work recognises that gender stereotypes, discrimination, and unequal power relations are 'underlying causes' and 'risk factors' of GBV at work, including SH (ILO, 2019). Recommendation No. 206 highlights that violence and harassment threaten equal opportunities, are unacceptable, and are incompatible with decent work (ILO 2019). The recommendation states: 'Violence and harassment encompasses a range of behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, including gender-based violence and harassment' (2019, article 2). SH in the world of work, thus, needs to be addressed within independent policies on gender-based discrimination at work.

Understanding workplace SH also involves understanding how individuals perceive SH, experience, and respond to the issue at work and what factors impact this process (Bitton & Shaul, 2013; Foulis & McCabe, 1997; Gowan & Zimmermann, 1996; Hamada, 1995; Mazer & Percival, 1989; McCabe & Hardman, 2005). Individuals' attitudes and consciousness influence their definitions of SH and their labelling of the SH experience. In turn, (frequent) experiences of sexual harassment may shape people's definitions and attitudes toward sexual harassment (Gowan & Zimmermann, 1996, p. 721; Mazer & Percival, 1989, p. 137). However, the relationship between people's perceptions and experiences of SH is contradictory. Some studies find that past experience of SH (including the type of SH and severity of behaviours) strongly influences employees' conceptualisation of SH (Gowan & Zimmermann, 1996; Mazer & Percival, 1989; Powell, 1983). Other studies indicate no clear relationship between past experience and people's perception of SH because people become habituated to SH behaviours and tend not to label those behaviours as sexual harassment (Konrad & Gutek, 1986, p. 432). People who experienced more sexual harassment and those who experienced less sexual harassment demonstrate a similar consciousness and perception about the severity level of sexual harassment (Mazer & Percival, 1989, p. 144). Studies indicate that various individual and organisational factors are involved in determining people's perceptions and experience of SH, including age, gender, gender role, past experiences of sexual harassment, gender ratio, sexual harassment policies, and the role of employers (Amick & Sorenson, 2006; McCabe & Hardman, 2005).

Regarding working people's exposure to SH, several studies have shown that women are more likely to be affected and experience more frequent sexual harassment at work than men. This is due to unequal gender relations and power distribution in many societies, cross-employment sectors, and patriarchal traditions (Australian Human Rights & Commission, 2020; Cortina & Berdahl, 2008; Fitzgerald & Cortina, 2018; McDonald, 2012; Sojo et al., 2016). Adult, young and disadvantaged women remain the most frequent subject of expected unwanted sexual conduct (Australian Human Rights Commission, 2018, p. 21; AWARE, 2008, p. 18; European Union Agency for Fundamental Rights, 2014, p. 81; Uggen & Blackstone, 2014). Women with a lower education level, temporary contracts, and women in subordinate positions are reported to be harassed more than other groups (Breant, 2017, p. 29,36; McCann, 2015, pp. 5–6; Timmerman & Bajema, 1998, p. 5). Besides, migrant workers,

unregulated workplaces, and workers in the private sector are more vulnerable to sexual harassment. This is because their status depends on employers' sponsors, guardians, and contracts (Puri & Cleland, 2007; Welsh et al., 2006). Workers on casual and limited tenure work are at high risk of sexual harassment regardless of their position in the organisation (Deloitte Access Economics, 2019, p. 45).

Interestingly, women in authority and leadership positions and women in male-dominated employment are also found to be at risk of being sexually harassed at work (McCann, 2015; McLaughlin et al., 2012; Romito et al., 2004; Watts, 2007). Nonetheless, Beltramini et al. (2020) argue that it is unclear whether women in powerful positions are more likely to be targeted by sexual harassment than employees in lower-level positions or whether their positions make them more likely to define sexual harassment behaviour and more comfortable reporting them (Beltramini et al., 2020, p. 407). These findings contribute to the general knowledge that sexual harassment is a means of social control and expression of hostile gender power to thwart women who venture beyond traditional roles of subordination (Beltramini et al., 2020, p. 407).

In regard to responding and reporting SH, scholars have offered multiple models, drawing attention to critical responding strategies at individual, organisational, and social levels (Cortina and Wasti 2005, Gruber and Bjorn 1986). Gruber and Bjorn (1986) suggested socio-cultural, organisational, and personal resource models. They explain that social power, workplace power and position, and self-esteem are key factors determining sexual harassment and response strategy. People tend to respond to sexual harassment similarly regardless of their socio-cultural power resources position. Women who hold more significant power sometimes do not utilise their power sources to respond assertively to sexual harassment (Gruber & Bjorn, 1986, pp. 820–821). Coping strategies vary from passive to assertive (Cortina & Wasti, 2005; Knapp et al., 1997; Wasti & Cortina, 2002).

Coping strategies are important to research because most workers who experience workplace SH do not admit to or label their experience as SH (Burgess et al., 2018, p. 398). Common responses to SH are avoidance, denial, negotiation, advocacy seeking, and social coping (Knapp et al., 1997; Wasti & Cortina, 2002, p. 394). The silence on SH is attributed to socio-cultural beliefs that encourage submissiveness and underpin the victims' powerlessness

(Kalra and Bhugra 2013, 245). Victims of SH experience a sense of blame and cultural shame, while perpetrators are more likely to consider SH normal or acceptable behaviour (Haspels et al., 2001, p. 36). The issue is a pervasive but hidden form of gender-based violence (Latcheva, 2017, p. 1821).

The above literature, mostly reporting on SH in Western societies, has illuminated various aspects related to the workplace. As research on workplace SH in Vietnam is limited, this broader literature is worthwhile considering when examining SH against working women in Vietnam.

1.4. Research Rational and Research Problem

The present research focuses on workplace SH of working women in contemporary Vietnam. Although men are increasingly recognised as victims of workplace SH, this research specifically focuses on the issues faced by working women, which has, as already stated, received little academic attention. Meanwhile, the significant studies on workplace SH are mainly conducted in Anglo-Western countries and are informed by Western experiences(McDonald, 2012, p. 2), which may differ from the case in Vietnam. Vietnam is one of the success stories in Asia in translating equal educational attainment into gender equality in the labour participation rate (Banerji et al., 2018, p. 17). However, there remain challenges to female participation in the workplace, including gender inequality at work, despite the fact that Vietnam has greater female labour force participant rates than other developing countries in the region (Cunningham et al., 2018, p. 2). An increase in female employment is associated with high risks of gender vulnerability to violence, including harassment. Jobs can increase women's agency, which is the ability to make one's own choices and act upon them. Still, a lack of agency and freedom from violence will limit women's employment opportunities (World Bank Group, 2014, pp. 2–3). Women cannot fulfill their potential economic opportunities if the critical constraints on women's agency are not well addressed (2014). The changing economy and labour division that increase the number of women participating in the workforce contribute to unequal power distribution that must be considered when seeking to explain the associated factors of SH at work. While other related GVB issues have been well-addressed in Vietnam, workplace SH remains a hidden issue with a lack of empirical research.

Vietnam’s policy and legal evolution over the country's development history have demonstrated immense progress in respecting human rights and attempting to liberate the people from the traditional Confucian-based doctrine of men's dominance and women's subordination and domestic roles (Teerawichitchainan et al., 2015, p. 61). Anti-discrimination legal frameworks are necessary to tackle institutional and individual gender discrimination (Nguyen & Simkin, 2017, p. 609). However, policy development often does little to challenge and eliminate traditional cultural justification of gender disparity which are a cause of gender-based violence and sexual harassment. Gender mainstreaming into development programs and laws has not well focused and amply addressed the construction of gender relations at work and shifting workplace culture and public attitudes that reinforce gender norms.

At the same time, the government of Vietnam has demonstrated its commitment to the global goals of promoting gender equality and the ILO Convention 190 on the Elimination of Violence and Harassment in the World of Work (ILO Convention 190) to create a zero-tolerance environment toward GBVH at work. Vietnam enacted the Labour Code revision in 2019 that harmonises the country's law with the convention. The law and the convention provide complementary and mutual reinforcement of national and international standards to tackle workplace SH.

Given this current context in Vietnam, along with my experience in contributing to Vietnam Labour Code revision advocacy, this research on contemporary workplace SH is very timely. Vietnam's specific social, cultural, economic, and legal environment makes it an intriguing workplace SH case study. This thesis contributes to the argument in the existing literature that SH manifests gender inequality and a form of GBV and is a persistent and pernicious issue of workplace discrimination in the changing employment context. SH is positioned in the intersections of society's cultural norms attributed to women, gender relations and values, class, and power relations at work. Workplace SH toward female employees begins with unequal gender relations, gender stereotypes, discrimination, and unequal power relations in society and at the workplace. This thesis also considers the workers' consciousness of legal rights to explore whether the legal terms capture what constitutes SH in reality and what factors inform working people's legality of addressing workplace SH. The impact of existing cultural and gendered social norms on workers' legal

rights consciousness creates challenges in addressing workplace inequality and SH. It poses the need to promote a social and cultural understanding of SH and policy implementation to ensure women's agencies and power are presented in policy, the workplace, and society.

Workplace SH in Vietnam should be understood in the broader context of women's participation in Vietnam employment and the socio-cultural contexts in which women's image, roles, and contributions have been portrayed. Under the Vietnamese socialist-communist gender regime, women have been recognised early on as an important labour force and encouraged to participate in all social strata. However, the era of Vietnam's economic development and globalisation reintroduced and reinforced some traditional Confucian gender roles with double standards toward women. Economic development also manifests some problems commonly seen in a capitalist society, where gender inequality manifests in low-paid jobs, unequal pay for equal work, and limited leadership roles. By bringing to light the complex cultural narratives that are reinforced by workplace power, the thesis expects to contribute distinctive empirical and theoretical insights into the socio-cultural and organisational construction of SH into workplace gender issues in Asian country contexts.

1.5. Research Objectives and Questions

The research seeks to examine the multifaceted workplace SH from employees' perspectives and the underlying factors that construct the issue. Thus, it investigates the socio-cultural and organisational factors that shape how individuals conceptualise, experience, and respond to the workplace SH. The research also explores the extent to which laws and regulations reflect working workers' legal consciousness and identifies the gaps between legal terms and workers' deployment of legal languages to address workplace SH.

To answer the main research question posed above, this thesis focuses on the socio-cultural, organisational and legal factors underpinning working people's perceptions, experiences, and responses to SH. It addresses the following sub-questions:

Research Questions

1. How has sexual harassment been conceptualised and defined at work?

2. To what extent are working women's perceptions, experiences and responses to workplace SH shaped by the socio-cultural constructions of gender relations and organisational power?
3. To what extent do working women's responses to SH draw on a sense of legal consciousness to demand justice or on other values and expectations?

The findings of this study will inform feminist interventions to appropriate public action, socio-cultural education, shifting gendered social norms, and workplace-based measures to combat gender-based violence in the Vietnam workplace effectively. The research will also contribute to academic and feminist research on gender equality and women's human rights in Vietnam. Understanding people's perceptions, experiences, and responses to SH is essential for recommending laws and procedures to remedy the problem.

1.6. Research Methodology

The research employs a mixed methods approach combining quantitative and qualitative data collection. The research methodology was changed from qualitative to mixed methods considering travel bans during the height of the COVID-19 pandemic to achieve similar outcomes and to ensure sufficient information was collected. The benefit of mixed-methods research is that quantitative research findings are further investigated and cross-examined through the qualitative method (Creswell, 1999, p. 460).

I developed a survey in Qualtrics and a semi-structured in-depth interview questionnaire to obtain data. The survey allows the researcher to reach a greater number of participants to gain a broad understanding of the prevalence and patterns of SH in the workplace. Interviews collect specific, detailed 'stories' from participants to get in-depth information about the research issues. Qualitative research emphasises the significance of each participant's story and how their perspectives on the research issue had influenced by their situation and experiences. Both the survey questionnaire and the interview questions were developed in three sections, of which the first covers participants' demographics, including age, gender, marital status, occupation, and work position. The second section examines people's understanding and perception of SH in general and at the workplace. The

last section focuses on people's experiences of SH, how people respond to SH, and their knowledge of policy on workplace SH (see Appendix 2 and 3).

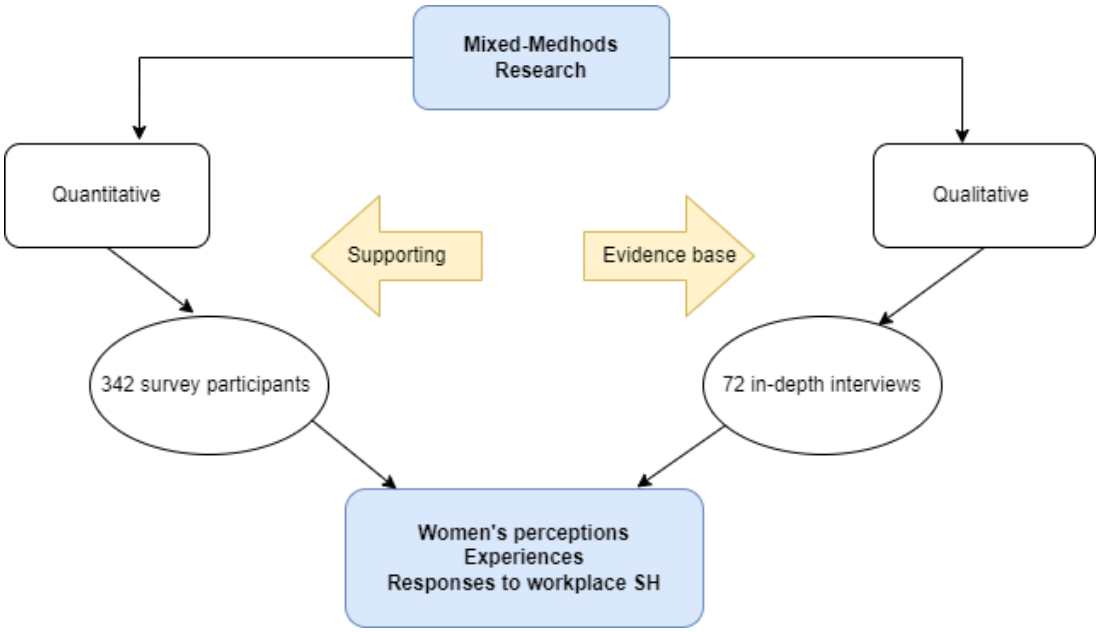


Figure 1.2: Mixed-methods Research

In designing these research instruments, I drew on existing tools such as the Sexual Experiences Questionnaire (SEQ) developed by Fitzgerald et al. (Fitzgerald et al., 1988) and the socio-legal approach by Ewick and Silbey (1998). The SEQ seeks to capture SH through three dimensions: gender harassment, unwanted sexual attention, and sexual coercion. The term SH does not appear until the end of the questionnaire to avoid prejudging the respondents' subjective experiences, given the ambiguity surrounding the concept of SH (Fitzgerald et al., 1995, p. 427). Similarly, the legal research approach proposes a method in which the research questions do not imply or enforce a conventional definition of law and legality (Ewick & Silbey, 1998, p. 24). Instead, the method invites interviewees to start with a depiction of their daily experiences at home and work. Interviewees are asked more structured questions when they mention events or experiences that relate to SH. This approach is useful for this research study because it helps people to disclose the interactions between socio-cultural factors, workplace contexts, and law, and how consciousness of SH and language to describe it frames their understanding and response to the issue.

Based on these methodological approaches, I provided the respondents with a list of behaviours drawn from the U.S. Equal Employment Opportunity Commission (*Part 1604*

Guideline on Discrimination Because of Sex, 1980) and Code of Conduct in Vietnam (VCCI. et al., 2015) and paraphrased to be culturally understandable (See appendix 6). With the help of this list, I aimed to capture how people define and label their experiences as SH and disclose them. This allowed survey respondents to define which behaviours, in their view, constitute SH, and to add other conduct or behaviours not listed that they considered to be SH.

In interviews, I also did not use legal terms or ask direct questions about whether they had experienced SH. Instead, I tried to analyse whether and how respondents used words that have a similar meaning to legal terms describing SH. It should be noted that at the time I conducted the interviews, the law on SH was not well-established, and there were no guidelines available on how to implement it. The Code of Conduct (2015) addressed SH, but it was not binding. Therefore, it was important to ask questions that did not assume knowledge of legal terms and to give respondents space to define SH behaviours based on their own understanding and experience within their social contexts and organisational environments. This also helped to overcome people's hesitance to label their experience as SH, which remains a sensitive issue.

Identifying and selecting participants and interview locations

The Qualtrics survey was completed by 342 employees working in state organisations, factories, and private sector industries such as banking often have a high proportion of female employment. The survey recruited employees across various employment sectors of state-employment - organisations, service sectors, and private-sector manufacturing plants, allowing me to obtain a broader picture of SH at the workplace. The survey targeted workplaces where women constitute a significant proportion of the workforce, such as garment factories, wherein nearly 80% of the industry workforce are women (Vietnam General Department of Census, 2020). Every employee willing to join the research had access to the survey, which explains that although the research mainly targets female workers, workers also participated (See Appendix 8). In the survey, two main groups are distinguished: 'white-collar'- office staff and blue-collar- factory workers. Office staff comprise more than half of the participants, most of whom work in the banking industry. This industry was included in this survey as it employs a young, educated working population and a high proportion of female staff. Their work often involves diverse relationships with managers, co-

workers, and customers. Because of these factors, it was suggested that SH might be common in the banking industry (Giao et al., 2020, p. 2). Managers and team leaders constitute a quarter of the survey participants, mostly in banking and trade unions. In factories, very few women occupy leadership roles, even in those workplaces where they account for the majority of the labour force.

The key interview population of 72 comprises female officers in state agencies, female factory workers, and key informants. Of these, 17 interviews were conducted with female officers in state agencies, 42 with female and two with male factory workers, and 12 with key informants, including four men (See appendix 4 and 7). Of the 72 interviews undertaken in this study, 60% were conducted with factory workers and 40% with office staff and managers. I attempted to collect diverse voices from the different kinds of factories, including garment, textile, footwear, and electronics, in various locations in the North, South, and Central regions of Vietnam. This allows the research to explore whether workplace characteristics, locations, and local culture may contribute differently to workers' understanding, experiences, and responses to sexual harassment.

Government employees and factory workers were targeted because it can be assumed that they have different educational and social backgrounds, job opportunities, and working conditions that impact on their perception and response to SH differently. White-collar work in public service often involves workers with higher levels of education and more experience living in urban, more cosmopolitan settings. In comparison, factory workers tend to have lower levels of education and, in many instances, more rural backgrounds. This research design is carefully developed to enable comparison to be made on the perceptions, experiences and responses to SH of working women with different life and work experiences. To date, there is no research examining workplace SH in state organisations, which poses a gap in understanding the workplace issue in different employment sectors. Some research discusses the SH of factory workers (CARE 2020), but many questions related to workplace SH remain unanswered. Factory workers participating in this research outnumber state officers because I tried to reach out to workers in different factories and regions to obtain diverse voices. Among workers, some participated in and received training on workers' well-being projects funded by CARE International and legal aid training from the Center for Development

and Integration (CDI). Therefore, they were more knowledgeable about workplace SH and related laws and policies. While the research mainly targeted women, some male employees participated in surveys. Engaging men helped to see the situation from different perspectives. The third group of interviewees are 12 key informants, including the representative of policymakers, researchers, lawyers, trade unions, women's unions, managers and NGO representatives, of those four are male. They were included among the research interviews because they work on gender, worker issues, and policy. Given the accessibility to recruit participants and the labour nature of more women working on gender issues than men, their dual views- as experts on the working areas and as male staff provides critical insights into to the research.

The research sample presents indicative views of working women in the target population and organisations about SH in Vietnam workplace with careful research steps undertaken for recruiting participants. Snowball sampling was applied to recruit interview participants. This technique allows me to discover characteristics of research populations that I may not be aware of before conducting the research. Since existing international and Vietnamese literature has indicated the common issues of SH in all sectors of employment, this research sample provides indicative insight of workplace SH that Vietnamese women face.

Female staff in the research mainly come from state-employed organisations of two unions and one ministry, as well as other central and local government offices. These research organisations work on the mandates of gender and workers' rights. However, this group of female staff are currently absent Vietnam's research on gender issues in Vietnam, and thus, their views on SH help to uncover the under-research areas. The interviews with workers were conducted in three main regions of Vietnam, North, Middle and South and at foreign and local owned companies. In addition, the survey reached out to female labour-intensive employment sectors and opened to everyone, including staff or managers, male or female, who were interested in the research.

I attempted to collect diverse voices from different kinds of factories, including garment, textile, footwear, and electronics, in various locations in Vietnam's North, South, and Central regions. This allows the research to explore whether workplace characteristics,

locations, and local culture may contribute differently to workers' understanding, experiences, and responses to sexual harassment. With this research design-based on a saturation sample and survey, I do not intend to make statistical generalisations.

The research locations were Thanh Hoa, Hanoi, Vinh Phuc, Hai Duong, Hai Phong, Dong Nai provinces and Ho Chi Minh city. Thanh Hoa is the largest province with the third biggest population in central Vietnam and an increasingly important location for garment and textile factories. Hanoi is the capital of Vietnam and the second-largest city. It is the country's centre of politics, economy, culture, science, and technology and hosts all ministries and state agencies, VWU, Trade Union, MOLISA, and other government organisations, as well as research institutions, were the key informants of this study work. Workers in factories located on the outskirts of Hanoi also participated in this research.

The other five provinces and cities were suggested by staff in a local NGO organisation, the CDI, to reach more factory workers. Vinh Phuc, Hai Duong, and Hai Phong are in the north of Vietnam and Dong Nai provinces and Ho Chi Minh city are in south of Vietnam. These provinces have foreign and locally owned factories that attract many workers. Interviewing workers from different factories in various locations and regions of Vietnam allowed me to gain a more nuanced understanding of diverse workers' views and how they reflect local socio-cultural values and backgrounds, shaping their perception, experience and response to SH. Including international and locally owned factories which also helped to understand how the organisational context contributes to workers' experiences and actions.

Data collection

Given the COVID-19 pandemic that barred travelling to Vietnam, my data collection was conducted online over four months, from January to May 2021. The survey participants were invited through trade union staff in factories, leaders in state agencies and networks of family, relatives, colleagues and friends. Most research participants were recruited through my professional and personal networks developed over 20 years of working in Vietnam. These networks helped to build trust with participants and contributed to the honest sharing of information. I contacted managers who were my colleagues and friends, the scholarship alumni network, the factory trade union staff, and NGOs' staff to help disseminate the survey

to their staff, colleagues, and friends. Many of these workers invited their peers to join the survey through snowballing.

Those willing to participate in the survey gave written consent on the first page of the survey before entering the main questionnaire (See appendix 2). The survey ran for more than two months in February and early April 2021. About 60 people who signed the consent form but completed less than one-third of the survey were removed from the survey count because their responses did not provide enough information to meet the research objectives.

To recruit interviews, I applied snowball sampling, starting with members of my professional network (also called network sampling) (Sarantakos, 2005, p. 139). Working people who agreed to participate in an interview contacted me with their contact details. Interviews with working women focused on understanding workplace SH from employees' perceptions, experiences, and responses to workplace issues. Key informants were asked about their perspectives on SH as a workplace problem and their views on current policies and legislation to address SH in Vietnam. All interviews were conducted via telephone, and participants gave verbal consent before the interview started. Interviews lasted an average of 50-60 minutes, with some shorter interviews of around 40 minutes and some longer ones when interviewees had a lot of information and interest in the topic. Most interviews were conducted from my home office in Australia, and some were conducted from office space at Flinders University. Interviews were organised based on a participants' availability and comfort. Interviews with Vietnamese workers often occurred in the evening, after they finished their day shift and completed their domestic work, which was often late Australian evening time. Interviews were conducted at participants' homes to ensure their privacy, confidentiality, and comfort. Interviews with state officers and informants were often conducted from their office or a spare office and during working time.

Care was taken to ensure that no paper trail would disclose the research participants' identity or evidence of sharing information with me. All interviewees were given pseudonyms in accordance with the Flinders University research ethics approval (See appendix 1 and 5 for the ethics approval and consent form). I took notes of all the in-depth interview information and later coded it in NVivo software.

Data analysis

The Qualtrics survey was analysed in SPSS to produce descriptive statistics to map factors like gender, age, education, employment, and position positions. Cross-tabulation was used to relate these factors with the perceptions and experiences of SH. The text responses to the survey's open questions shed light on the underlying causes that shape SH and people's responses to the workplace issue. Frequency helped me gain a deeper look at the survey's issues to describe SH at work. Interviews transcripts were thematically coded in the NVivo program under the themes following the structure of the research questions. I read the transcripts and identified key themes that responded to the research and interview questions. The relevant information was organised and categorised under these key themes and later analysed.

1.7. Research Significance

This research is one of the first empirical academic studies in contemporary Vietnam to explore SH as a workplace gender issue rooted in gender discrimination, gender inequality, and workplace power relations. The research positions SH within workplace settings to tease out underlying socio-cultural and organisational factors underpinning workers' perceptions, experiences and responses to SH in the workplace. The research produced empirical data to understand workplace SH from the working people's perspectives – not only as the SH target but also as agents of change in tackling workplace SH. The research addresses workplace SH as a process that consists of working people (1) conceptualising, (2) experiencing, admitting and disclosing their SH incidents, and (3) responding to SH. This process is investigated in the intersection of organisational power relations and the socio-cultural construction of workplace culture.

The research identifies existing and emerging power dynamics at workplace SH that contribute to workplace SH and informs workers' legal consciousness. In doing so, the research seeks to enrich the theoretical understanding of workplace SH by delving into the cultural constructions of gender and power relations, which manifest the embodiment of traditional unequal gendered social norms existing in society and extending to the workplace. The research indicates that workplace SH illustrates the entanglement of the organisational and cultural power of the gender construction in the context of the Vietnam workplace. These

power sources exhibit the hallmarks of Vietnamese patriarchal ideology and practices of male dominance in the organisational hierarchy. Power at work is not separate from the organisational system and cultural influences; instead, they reinforce each other. Within this context, sexual harassment maintains the gender inequality of women and discourages them from working and confronting harassers.

In addition, the study illuminates how law and organisational policy shape the organisation's legal environment that informs workers' legal consciousness of (in)justice and options to address SH. It examines whether the legal terms capture what constitutes SH in reality. In turn, the empirical research findings provide the basis for recommendations to address factors that constrain the implementation of the law to address workplace SH. While policy-making on women's rights in Vietnam has made progress in addressing the harassment of women at work, there is great scope addressing remedy through implanting more legal and structural changes. Such measures would help protect women and shift the mindset of 'male entitlement' and the notion of what constitutes normal or acceptable behaviour in the workplace. The research is conducted at a critical time in Vietnam as new legislation is established and the country moves towards ratifying the ILO convention 190. The findings serve as an evidence base to advocate for strengthening Vietnamese legislation on SH and harmonising it with the ILO convention 190.

Furthermore, his research adds a detailed examination of SH in Vietnam's unique cultural and social context to the existing social science literature. The country has moved from low economic development and a Confucian patriarchal culture-influenced society to a more open and fast-developing country with a diverse culture and values, leading to changes in socio-cultural beliefs and gender norms. Research findings provide evidence for influencing gender norms to support women's advancement, employment participation, and workplace safety. Vietnam's economic and human development also requires the government's commitment to implementing international human rights and gender equality conventions.

By investigating in the research themes above, the research, thus first makes an original contribution to identifying and filling gaps in knowledge about workplace SH in Vietnam and extends our understanding of the issue in the context beyond the West. The Vietnamese context is nuanced and complex, bringing together historical, cultural, structural, and legal

factors that shape the phenomenon of sexual harassment. The second contribution centres on examining sociocultural and organisational factors giving rise to sexual harassment in the context of Vietnam, including differential workplace power and the role of gendered norms operating in workplace contexts. Some of these same sociocultural and organisational factors also serve to limit responses to sexual harassment, leading to individualised responses that may further harm working women. It deepens our understanding of sexual harassment in Vietnam through examining how working women conceptualise and make sense of SH in the workplace environment, and underscoring the variety of perspectives people hold about what constitutes SH.

Moreover, the research offers a cultural dimension of understanding SH, revealing SH at work has been obscured by long-lasting Confucian influence. At the same time, it reflects the gender values of socialist-communist gender regime, which at some points, reinforces the traditional culture norms. The working people's perceptions are coloured by many layered cultural influences, including global media, knowledge of women's rights, as well as a sense of the brave roles of women in Vietnam's history and the need to provide and care for family by making sacrifices.

The case of research in Vietnam contributes to feminist debates on the construction of gendered social norms in relation to SH, raising argument of persistent bias gendered social norms of inequality between men and women in a changing gender relations context. It demonstrates while the Vietnam contemporary society welcome more elements of Southeast Asian culture and Western values, there is tension of shifting the unwritten norms and balance women's roles and position at work. Together, these factors make SH is highly complicated gender and workplace issue. The research points to that while SH at work is a global common issue, it is also culturally specific construction. Findings from the thesis help to broaden the literature on the role of social norms, which are not fixed but changeable across time and space, as potentially putting brakes on or providing accelerators to promote women's voices and organisation power to tackle SH in the workplace. The research provides evidence for influencing gender norms to support women's advancement, employment participation, and workplace equality and safety. By using a mixed methods approach that includes qualitative and quantitative data collection, and multi- feminist approaches of SH, the research brings new conceptual and theorical insights of examining SH from

interconnected approach of socio- cultural, organisational and legal consciousness to SH. Finally, the research, encourages academic research on SH in Vietnam, and adds to the body of feminist research on workplace SH in Asian countries.

1.8. Research Outline

This thesis is organised into eight chapters. Chapter one has presented an overview background of the research, reflecting the country's research context and global workplace SH issues, research rationale, objectives, research questions, and methodology and research significance. Chapter two discusses critical theories conceptualising workplace SH within gender and organisational contexts. This chapter sets out my conceptual research framework, grounded in the tangible correlation of socio-cultural, organisational and legal consciousness approaches. Chapter three focuses on unpacking workplace SH in Vietnam to understand how the issue has been conceptualised from social, academic, and cultural perspectives and legal lenses. The chapter demonstrates the link between traditional cultural expectations and practices that inform workplace SH and how the law reflects the need to address the workplace in a more effective legislative framework. Chapter four examines working people's conceptualisation of SH, showing the various perceptions, understandings, and definitions of SH, and reaffirming the common characteristics of sexual behaviours that constitute SH. Chapter five positions SH within the workplace setting to reveal the multiple socio-cultural and organisational factors contributing to workplace SH. The chapter highlights that workplace power, as a core driving of workplace SH, consists of organisational power relations and cultural relations and is governed by traditional gendered social norms. Chapter six seeks to understand how working women experience SH at work, pointing out multiple cultural narratives and organisational factors that influence the forms and likelihood of experiencing workplace SH. The chapter also indicates different exposure levels of workplace SH to female working groups, in which white-collar workers and female managers experience higher incidents than blue-collar workers and staff positions. Chapter seven presents various coping strategies and tactics female employees mobilise to respond to SH, of which individual response is the most frequent while formal reporting is rare. It reveals that working people’s cultural interpretation informs their responses and legal consciousness of gender roles, social expectations, and workplace cultures. Chapter 8 presents the thesis conclusion, including the

leading findings, research contributions, limitations, future research suggestions, and recommendations.

CHAPTER 2: THEORETICAL APPROACHES TO EXPLAIN SEXUAL HARASSMENT

This chapter explores how SH has been conceptualised as a gender issue in feminist theory and related explanatory models. In this chapter, I show that SH is a multifaceted phenomenon that cannot be fully captured and understood by a single theoretical perspective, such as Radical, Liberal, or Socialist feminism. Key works written on these theories do not directly address SH but inform conceptual approaches to SH, particularly socio-cultural and organisational approaches, and show the relevance of legal consciousness in examining SH.

The chapter overviews feminist theories and different explanatory models on SH at work. Using a feminist lens and understanding the socio-cultural, organisational and legal consciousness dimensions is critical to workplace SH and informs my research framework. Undertaking theoretically informed research on this topic adds to the existing academic literature on SH in Vietnam, which thus far has been lacking in explicitly articulating the theoretical framework in which SH was researched. This has resulted in a missing appreciation of how specific cultural and organisational contexts contribute to workplace SH and distinguish SH as a workplace gender issue and SH in general.

First, I show that the Radical, Liberal, and Socialist feminist schools of thought provide a foundation for conceptualising SH as a broader issue of gender and inequality. I discuss a few widely accepted models and approaches to workplace SH, namely the socio-cultural, organisational, and legal consciousness. Finally, I synthesise the findings from sections 2.1 and 2.2 to conceptualise my research framework on workplace SH.

2.1. Feminist Conceptualisations of Gender and Sexual Harassment

Feminist theories have significantly focused on conceptualising gender inequality, sexuality, and the system of oppression in which gender identities construct women's lives. This section briefly discusses some important feminist theory contributions by radical, liberal, and social feminists to SH. I demonstrate that the feminist lens views SH as nested in a broader issue of unequal gender relations.

Radical feminist theorists view a patriarchal society as a societal structure in which men's dominance is the root cause of gender inequality and women's oppression (Atkinson, 2000; Rowland & Klein, 1990, p. 275; Walby, 1990, p. 3). This oppressing structure of male dominance perpetuates women's inferior position through the socialisation process to make sure that women's and men's behaviour and belief systems match the respective powerful and powerless groups they belong to (Rowland & Klein, 1990, p. 277). The patriarchal belief system posits men as the 'natural owners of intellect, rationality, and the power to rule while women by "nature" are submissive, passive, and willing to be led' (Rowland & Klein, 1990, p. 278). As Tong (2009) argues, patriarchal societies use 'rigid gender roles to keep women passive and men active' (Tong 2009, p. 51). This school of feminist thought states that sexuality is neither a private matter nor the features of individual preference or psychological processes (Atkinson, 2000, pp. 85–86; Rowland & Klein, 1990, p. 273). Thus, Radical Feminism makes male control visible and emphasises that the control of men over women's lives is present in both private and public spheres (Rowland & Klein, 1990, p. 273). Radical Feminism calls for eliminating men's dominance in society to address the imbalance of power relations and gender inequality. This offers theoretical foundations for understanding SH.

Like other forms of gender-based violence, SH is socially constructed by the patriarchal gender inequality system under this view. Reflecting on SH in Vietnam, Radical Feminism positions the gender ideology of equality and gender relations in Vietnam as a problem of patriarchal oppression. However, at the time this theory was coined, many emerging factors of changing contemporary society were not reflected in its argument. The approach ignores the factor of women as agents of change and the relational aspect of individuals' power differential and structural power. It also fails to consider the diversity of women and the structural foundations of subordination shaped by the organisational and formal institutions of policy and capitalism. Challenging the patriarchal gendered social norms and unequal roles of men and women is vital to achieving gender equality. The Liberal feminist approach challenges unequal gender relations as socially constructed and proposes ways to promote gender equality and social justice.

The liberal theory emphasises the critical role of the state in providing and protecting individual rights and equality. The primary goal of Liberal Feminism is gender equality in the

public sphere, and legal changes will make the goal possible (Jaggar, 1983, pp. 27–40). Liberal Feminism pursues changes through legislative reform and anti-discrimination laws, in which the state has a critical role in establishing gender equality (Arat, 2015, p. 676). Such legislation aims to promote women's freedom and rights to equal opportunity in employment, including access to jobs that are traditionally seen as men's (Tong, 2009, p. 36). Liberalism emphasises individual autonomy, freedom, and personal choice. However, women's choices are largely constrained by maintaining gendered roles (Levey, 2005, p. 127). Women's choice reflects their understanding and perception of their roles and values, which is socially and culturally constructed. Mill and Mill addressed this view:

> Men do not want women's obedience solely; they want their sentiments […]. They have therefore put everything in practice to enslave their minds […]. All women are brought up from the very earliest years in the belief that their ideal of character is the very opposite to that of men; not self-will and government by self-control, but submission and yielding to the control of others. All the moralities tell them that it is the duty of women, and all the current sentimentalities, that it is their nature, to live for others, to make complete abnegation of themselves, and to have no life but in their affections (Mill & Mill, 2009, p. 28).

This quote presents the view that women are socialised to have compliant or subordinate preferences matching men's and society's expectations and references. Laws and policies also regulate how unequal relations are portrayed by society. Mill notes, 'Laws and systems of polity always begin by recognising the relations they find already existing between individuals' (Mill & Mill, 2009, p. 28). Thus, their gender references are shaped by social forces (Levey, 2005, p. 130).

However, Liberal Feminism is criticised for predominantly emphasising Western liberal thought (Jaggar, 1983, p. cited from Tong 2009, 38). It views the issues faced by white, Western women as universal and does not systematically address what factors contribute to maintaining patriarchal attitudes in particular places (Tong, 2009, p. 37). This may pose a limitation in understanding gender inequality in non-western countries where various traditional cultural values shape gender equality differently. Liberal Feminism differs from Radical Feminism in that it conceives women's subordination as the summation of numerous small-scale deprivations rather than resulting from an overarching social structure (Walby, 1990, p. 3). However, both theories have stressed that gender inequality is not an individual matter; it is deeply ingrained in the structure of society and is socially constructed (Lorber,

1997, p. 10). Liberal Feminism contributes to my research with an argument of the state's role in providing the legal framework to ensure individual rights and justice. The state plays a vital role in policymaking to define SH as a workplace gender inequality issue. The policy is indispensable to ensure that the legal framework creates a safe working environment free of violence and harassment against women. Women's voices and participation in policy agendas are vital to formulating effective laws and policies.

Another feminist school of thought, Socialist Feminism, is influential with respect to gender ideology in socialist-communist Vietnamese society, both in politics and social science. Socialist Feminism draws its analysis from understanding women's subordination in a 'coherent and systematic way that integrates class and sex, as well as other aspects of identity such as race, ethnicity or sexual orientation' (Holmstrom, 2003, p. 38). In other words, class is viewed as central to women's societal position and intersects with other social structures, such as gender and race. According to Holmstrom (2003, p. 47), the 'brutal economic realities of globalisation make it impossible to ignore class' because rapid economic change places a greater burden on women and makes them vulnerable to sexual violence (2003, p. 39). Regarding class oppression, Reed (1970) explains that capitalist economic forces and social relations are fundamental creators of the oppression of one class by another and one gender by another. Capitalism is the key driver of women's oppression and inequality because money is most often power (Reed, 1970, p. 41), and thus gender inequality is an integral part of the class struggle.

The Socialist gender regime focuses on capitalism's dominance over labour and classes rather than the patriarchy. Vietnam's economic development since the shift to a market economy promotes diverse financial and business sectors that have changed the patterns of class and society that shape social and gender equality at work. In particular, the working class is increasing in industrial zones and due to urbanisation, has deepened the development and gender gaps among the social classes. The COVID-19 pandemic in Vietnam has impacted differently on the diverse social classes in which workers are in disadvantaged groups. Thus, Socialist perspectives of the class suggest the approach to understanding the relationship between gender equality and class to explain SH issues at work. An analysis of feminist approaches to women's subordinate position and oppression constructed within the capitalist

and patriarchal system is beyond this thesis's scope. However, it is important to emphasise that feminist theory has provided a fundamental understanding of gender and women's position in patriarchal and capitalist societies. The theories point out the interaction of gender with other identities within the totality of social relations, which helps understand the cultural construction of gender that shapes perceptions of inequality and workplace SH. These approaches confirm that SH needs to be understood in a broader socio-cultural context. My understanding of women's subordinate position and oppression and the feminist revolution to liberate women is informed by the theoretical approaches discussed above. Workplace SH manifests not only social power but also organisational and institutional influences. This brings the chapter discussion to the second part of the literature below.

By examining these different feminist approaches, I posit the issue of workplace SH within radical and liberal feminists' perspectives to argue that SH is a form of gender inequality shaped by socio-cultural constructions, not biological ones. It is a product of gender inequality resulting from unequal power between men and women. The unequal power is shaped either by men's dominant system of patriarchy or an unequal world of work where women are viewed as incapable and the majority occupied in low-paid jobs. SH at work manifests workplace power created by organisational structures, position power and gender relation at work, where gendered social norms and stereotypes reinforce women's disadvantages. In addition, the liberal feminist view of the state's role in addressing gender inequality and preventing SH in the workplace is critical to my research approach. It provides arguments for the important roles of state policy, organisation regulations and women's participation in policymaking, which make the theoretical link of addressing SH from a socio-legal lens, emphasising workers' legal consciousness. Socialist Feminism's emphasis on class will extend my research by looking at working women as a class in different industrial sectors and how occupational factors link to SH at work. The mixing of traditional patriarchal social norms and a Socialist ideology of gender equality offers a compelling context from which to examine SH in Vietnam. Still, little research emphasises the cultural construction of gender relations and gendered social norms that shape people's perceptions, experiences and responses to SH at three levels: individual, society and organisation. The rigid patriarchal gendered social norms which oppress women in traditional roles in any part of patriarchal

society like Vietnam appears to play a role in maintaining unequal power and shaping gender-based violence and SH.

2.2. Analysing Sexual Harassment: Three Theoretical approaches

The second strand of literature examined here is the explanatory models of SH. As I have briefly introduced in chapter 1, there are many approaches to analysing SH. This section discusses relevant theoretical approaches that inform my conceptual research framework, including socio-cultural, organisational, and legal consciousness approaches.

The socio-cultural approach

The model examines SH in the broader social and political context that creates and maintains SH (Pina et al., 2009, p. 131). It posits that 'SH is the product of a gender system maintained by dominant and normative forms of masculinity (Uggen & Blackstone, 2014, p. 66). SH is a social institution rooted in gender inequality, sexism, and the existing unequal power relations (Gutek, 1986; Malovich & Stake, 1990; Thomas & Kitzinger, 1977). The socio-cultural model explains the occurrence of SH in unequal power relations where women are inferior and have subordinate positions (Pina et al., 2009, p. 131). SH is associated with the sexist male ideology of male dominance or male superiority that takes power over women (Matchen & DeSouza, 2000, p. 303). This explains why men possibly harass women even when they are in lower positions and status than women.

Sexual harassment reinforces gender inequality (Matchen & DeSouza, 2000, p. 296) and maintains the existing gender stratification by stressing traditional gender role expectations (Gutek, 1986; Pina et al., 2009; Schacht & Patricia, 1993; Tangri & Hayes, 1997). SH intimidates and discourages women from pursuing work opportunities, thus maintaining men's dominance occupationally and economically (Tangri et al., 1982, p. 40).

MacKinnon contributes to socio-cultural explanations by pointing out that workplace SH is discrimination on the basis of sex. She maintains that SH is a social problem shaped by the social and political context where it occurs and exists. Women's inferior position in the workplace and society is both a consequence and a cause of SH (MacKinnon, 1979). MacKinnon officially coined the term SH and argued for the legal recognition of SH as sex discrimination in employment in her pathbreaking book *Sexual Harassment of Working*

Women (MacKinnon, 1979). MacKinnon's book is, according to Siegel, 'a stunningly brilliant synthesis of lawyering and legal theory' (Siegel, 2004, p. 9). Using the case of SH of working women in American society, Mackinnon highlighted

> men's control over women's sexuality and capital's control over employees' work lives […] Women historically have been required to exchange sexual services for material survival in one form or another. Prostitution, marriage, and SH institutionalize this arrangement' (MacKinnon, 1979, pp. 174–175).

Although the immediate concern of MacKinnon in this book was with the sex discrimination law in America, it gained classic status as bringing together legal specialists and feminists (Brant & Too, 1994) and thus raised the need for how the law operates when recognising discrimination. Uggen and Blackstone draw from the insight of legal consciousness and gender relations to further support MacKinnon's argument that workplace power and gender relations influence SH (Uggen & Blackstone, 2014). The authors redefine SH as a gendered expression of power, and power and masculinity are strongly linked to harassing behaviour and perception of harassment (Uggen & Blackstone, 2014, p. 64).

The feminist socio-cultural approach of SH reviewed above is close to Radical Feminism in explaining women's oppression under the patriarchal system of male dominance. According to Brant and Too (1994), the theory's strength is introducing a logical synthesis of gender issues, patriarchy, and dominance to explain SH. As a result of anti-discrimination legislation, workplace SH has become increasingly visible in Western public discourse and legal debates since the 1970s. It continues to raise the attention of social science research on this gender issue in developing countries because workplace SH has been raised as an issue in the world of work. For example, in contemporary Vietnam, the social movement 'MeToo' and the legislation changes have influenced cultural perceptions of SH and that steps to address global legal changes laid out by the ILO Convention 190 have been taken.

The feminist socio-cultural approach explains that male dominance significantly impacts how men and women are socialised in the idea of existing gender roles, beliefs, and stereotypes. SH becomes justified and acceptable given the expectation that women will manage emotional and sexual interactions between men and women (Gruber & Smith, 1995, p. 543). This expectation may be carried over to the workplace and result in SH unless workplace policy is effective. SH is also viewed as a consequence of cultural experience

because of culturally legitimate power and status differences between men and women and within gender relations (Whaley & Tucker, 2007, p. 21). Women and men perceive and experience SH differently because of gender inequality and culturally prescribed expressions of sexuality (Uggen & Blackstone, 2014, p. 67).

The organisational approach

This approach uses various organisational-related issues, including power and status inequality, to explain SH (Pina et al., 2009, p. 131). The organisational model emphasises that structural or formal power inequality in an organisation results in harassment (Welsh, 1999, p. 176). Inequality and a power imbalance typically place women at particular risk of being sexually harassed; therefore, SH results from inequality within organisations. Organisational power refers to the power distribution pattern within the organisation (Stockdale, 1993, p. 95). It is defined by the construction of the occupation system and access to vital resources within the organisation (Cleveland & Kerst, 1993, p. 52). The way an organisation's formal personnel structure treats women perpetuates structural segregation and tends to exclude women, for example, from leadership roles (Kanter, 1997). Consequently, women face challenges in gaining power through personal strategy or organisational structure (Cleveland & Kerst, 1993, p. 52).

The organisational power position is the best prediction of some primary forms of SH (Stockdale, 1993, p. 95). SH that involves supervisors presents obvious power issues, as supervisors can determine, reward, and possess coercive control over their staff (Cleveland & Kerst, 1993, p. 55). Men tend to harass, and women are more likely to be harassed because men are often in higher power positions, and women are usually more subordinate (Cleveland and Kerst 1993, 52). Gender inequality and power hierarchy create opportunities for men to hold higher positions while women occupy jobs that lack power and have little opportunity to exercise their power in the workplace (Stockdale, 1993, p. 95).

Organisational power is considered an extension of social power in the workplace. Power comes not only from the formal differences in authority but also from relative influence on workplace social norms. The gendered social norms and stereotypes of masculinity, presented as goal-oriented, assertive, and aggressive, and femininity, presented as more passive-receptive and family-oriented, spill over into the workplace and expect

subordinates to comply. People in higher roles may believe they have the right to make demands over their subordinates' behaviour and misuse their power to harass them (Whaley & Tucker, 2007, p. 23). However, SH is also used as an attempt by peers or subordinates to gain power or equalise the different power between perpetrators and victims within an organisation (Pina et al., 2009, p. 132). Although co-workers, as perpetrators, appear to engage in less serious forms than supervisors do (Cleveland & Kerst, 1993; Gutek, 1986; Welsh, 1999), power differences in positions between perpetrators and victims of harassment cannot fully explain SH (Cleveland & Kerst, 1993, pp.49-50).

Thus, SH is perpetrated by individuals and institutionalised in the organisation and workplace culture (Fitzgerald et al., 1995; Welsh, 1999; Williams, 1998). Fitzgerald and his colleagues assert that SH arises mainly from the organisational conditions that facilitate its existence, not from individual deviance. While individual differences in the propensity to harass do exist, the main problem is the organisational environment in which conditions and social norms allow or encourage unwelcome sexual attention (Fitzgerald et al., 1995). As such, SH is an organisational-level phenomenon, and organisational attributes link to the severity and forms of SH (Chamberlain et al., 2008). In the same vein, Johnson et al. argue that a potent predictor of SH is the organisational climate (Johnson et al., 2018, p. x). Key factors creating organisational conditions of SH include an organisation's perceived tolerance for SH, the environment of male-dominated work settings, the hierarchical power structure, and uninformed leadership that lacks effective measures to address SH (Johnson et al., 2018, pp. 3–4). Other factors or conditions within the organisation, such as the gendered occupation structure, gender ratios, ethics, norm, and policy, may also influence SH. A strong recommendation from the organisational model is that the organisation should move beyond legal compliance to address culture and climate (Johnson et al., 2018, p. 6). This is because basic legal compliance and policy cannot rely solely on formal reports made by targets. SH must be addressed as a significant problem in the organisational culture and climate. This argument is important in examining SH in Vietnam, given that the legal context of SH is recently established and currently under enforcement. Meanwhile, organisational cultures is heavily influenced by social and cultural norms of tolerance and blaming associated with male dominance.

Legal consciousness approach

In addition to the two theories above, legal consciousness is a relevant concept guiding my research in examining the formulation and implementation of a legal system to address SH in Vietnam. Legal consciousness builds on the ground-breaking work of Ewick and Silbey's socio-legal approach to explore the relevance of laws in an individual's pursuit of justice and the power of law within society (Ewick & Silbey, 1998; Merry, 1990). It draws attention to an individual's awareness and understanding of law and legality as addressed in Ewick and Silbey's book:

> Legality refers to the meanings, sources of authority, and cultural practices commonly recognised as legal regardless of who employs them or for what end. In this rendering, people may involve and enact legality in ways neither approved nor acknowledged by the law (Ewick & Silbey, 1998, p. 22)

Thus, the approach examines a broader perspective of the social dimensions of law and the relationship between formal institutions and everyday perception of the law (Blackstone et al., 2009, p. 632). It sheds light on how the law may shape individuals' behaviours and norms relating to social interactions (Nguyen, 2017, p. 14). Legal consciousness illustrates the interaction process whereby people understand, experience, and respond to the law and legality.

Blackstone et al. (2009) deploy socio-legal, feminist, and criminological theories in their conceptual model that 'treats experiencing SH and mobilising in responses as interrelated processes' (Blackstone et al., 2009, p. 631). Like Ewick and Sibley, Blackstone et al. focus on understanding people's responses to SH through their interaction process whereby they understand, experience, and respond to the law and legality (Blackstone et al., 2009, p. 632). Their research contributes in several ways to legal consciousness and SH literature. First, the authors use legal consciousness to explain the interrelated SH target and mobilisation process. They suggest that 'SH target and mobilisation are best understood as interrelated processes. Targets appear to be selected, in part, because they are less likely to mobilise the law to respond' (Blackstone et al., 2009, p. 665). Second, the authors incorporate individual social interactions and experiences of SH to examine their subsequent responses; as stated, 'participants' legal consciousness was shaped by their SH experience and other social interactions, and these, in turn, shaped their feelings about the subsequent experience' (664).

These arguments help to explain the diversity of people's deployment of mobilisation strategies in addressing SH in the workplace. They also suggest a way to understand how workers' legality is socially and culturally constructed by social interactions and norms related to SH.

Another important piece of literature supporting legal consciousness research is the work of Brant and Too, *Rethinking Sexual Harassment* (1994). Most relevant for my research is their question: 'has the language of sexual harassment gone as far it can or in the direction that it should' (Brant & Too, 1994, p. 1). The reason for raising this concern is whether the term SH describes unwanted sexual attention clearly and how it has become entangled with other contentious issues (Brant & Too, 1994, pp. 1–2). Thus, the contribution of this book to my research is, as the authors state:

> […] offers an opportunity to reflect upon how we think about, speak about and deal with pressing issues […..]it aims to raise consciousness about the discourse of sexual harassment and the adequacy of practices based on this language […] consider what is specific to harassment in a different context, whether institutional, geographical or historical. They show how simplified narratives and explanations of harassment disguise complexity for particular social reasons (Brant & Too, 1994, p. 2).

By drawing attention to the language used to talk about sexual harassment, Brant and Too (1994) highlight the importance of considering the specific context in which SH is culturally conceptualised. Understanding workplace SH from working people's perspective in Vietnam thus requires careful attention to language through which they express their consciousness of the issue and how these ways of talking relate to broader socio-cultural views and interactions.

Another important point made by the authors is recognising the law as a powerful force in determining what SH is. The law provides not only a means of redressing SH, but it can also be a form of social discourse where social attitudes to SH can be tested and challenged (Brant & Too, 1994, p. 19). This indicates that law is not a fixed term, but rather, it is the process of social interaction and legal consciousness to integrate society's needs into the legal framework. Legal consciousness is a part of the law. Thus, the law can vary from culture to culture and between historical periods. As such, contemporary challenges to the cultural construction of gender relations and the legal changes in Vietnam to harmonise national law

with international instruments for gender equality must be considered in understanding workplace SH.

Reviewing the literature on theories/approaches to SH shows that the diversity of views illustrates the interaction of multiple factors that shape SH and how people understand it. SH is a multifaceted social issue which a single theory or approach cannot sufficiently explain. Each theory has examined SH from a different angle and has added understanding and knowledge to social sciences. Each view has independently looked at the issue and focused on either aspect of power, sexual behaviour at work, or perpetrator characteristics. By themselves, these approaches lead to over-simplistic analyses of SH. For example, the socio-cultural approach to SH is criticised as being over-inclusive and simplistic because it lacks a profound explanation for gender role socialisation that involves more than stereotyped expected gender behaviour (Pina et al., 2009, p. 131). According to the authors the organisational theory does not examine power differentials in-depth as gender-specific and how people's differences affect SH (2009, p. 131). In addition, few theoretical models have been empirically tested and have considered a multifactor analysis encompassing several variables' impact simultaneously on SH's perceptions (Amick & Sorenson, 2006, p. 52).

Thus far, I have discussed some brands of feminist theories and specific theoretical approaches to explaining SH. This allows me to draw the theoretical link to conceptualise the research issue of workplace SH in broader gender issues and how it is conceptualised within a socio-cultural context involving organisational and legal factors.

2.3. Research Conceptual Framework

The research is constructed under the feminist theoretical explanations of SH, including socio-cultural and organisational models and legal consciousness. The first two theories explain SH as gender discrimination, gender inequality at work, and organisational-related issues that create inequality and an imbalance in power relations in organisations and society. The legal consciousness approach addresses how people's perceptions of SH are shaped and the likelihood of subsequent responses. These three approaches are important to comprehensively investigate workplace SH as a social gender and workplace issue. These

issues always happen within organisation settings which settle in societal contexts and cultural backgrounds and involve law and policy to protect workers' rights.

The first point taken away from the socio-cultural model to conceptualise my research is*:* that SH is an expression of gender inequality and a gendered expression of power (MacKinnon, 1979; Uggen & Blackstone, 2014). SH is a part of social stratification that is produced by the interaction of social structure (institutions, practices) and social meaning (stories, reasons) (Siegel, 2000, p. 82, 2008, p. 10).

The second point of this theoretical contribution to my research is that workplace SH is gender discrimination at work. Mackinnon addresses this point 'Sexual harassment of women at work is sex discrimination in employment […] Sexual harassment is seen to be one dynamic which reinforces and expresses women's traditional and inferior role in the labour force' (1979, p. 4). Thus, the legal system importantly recognises unlawful sexual harassment as discrimination and recognises women's right to work free of unwanted sexual advances. It is suggested that the law of SH does not simply address SH but aims at ending inequality and discrimination (Siegel, 2004; Uggen & Blackstone, 2014).

Drawing from the organisational model, my research framework adopts an argument highlighting the influence of power and inequality as a core factor within an organisation that increases the likelihood of SH (Tangri et al., 1982). SH manifests not simply power in the workplace but also gender power dimensions and societal gender hierarchies displayed within organisations (Houghton-James, 1995, p. 35; Samuels, 2003, p. 470). SH is 'the result of certain opportunity structure created by organisational climate, societal gender hierarchies hierarchy and specific authority relations' (Tangri et al., 1982, p. 34). The model also underscores the organisational foundations of work power, workplace culture, and gender composition to help explain workplace SH at work (Chamberlain et al., 2008).

In conceptualising the research framework, I adopt a legal consciousness approach to explore working people's mobilisation in responding to SH. The legal consciousness approach allows for examining working people's experiences of SH and their mobilisation of responses as an interrelated process (Blackstone et al., 2009). This approach offers an argumentative discourse on SH and whether the language use provides sufficient meaning to define the issue concerning other contentious problems within the Vietnamese workplace cultures (Brant &

Too, 1994, pp. 1–2). It also affirms the importance of the law on SH as a powerful force to define SH behaviours and workplace mechanisms to address the issues. The role of law, under this approach, is not only to provide a formal institutional means to address SH about the legal languages, and the law is also a process of integrating social needs and reflecting the public legal consciousness in law formulation and implementation. It addresses the social interaction of law and other socio-cultural and organisational factors attributed to workers' legal rights consciousness in mobilising law to protect their rights from HS.

The review above shows that socio-cultural and organisational approaches are distinct but correlated and provide a broader concept of explaining SH as a social and organisational phenomenon in the Vietnam workplace context. Legal consciousness also indicates its relevance in offering the social and legal dimensions of addressing SH. These theoretical approaches will help uncover gender factors associated with organisational-related issues that culturally shape and influence the rise of SH.

The conceptual research framework is represented in the diagram below:

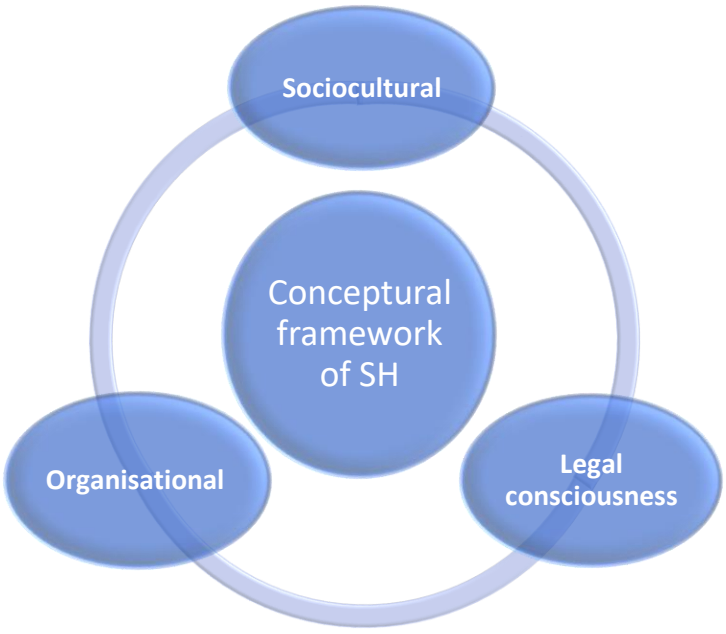


Figure 2.1: Research Conceptual framework

While adopting the models of socio-cultural and organisational theories and legal consciousness above to conceptualise my research framework, I acknowledge some limitations. First, these models were developed primarily in Western societies where social

power structure highlights racial inequality, which is different from Asian patriarchal society. The organisational power structure also focused on understanding SH with respect to poorly paid women and subservient female jobs rather than other women's groups. In fact, recent research shows that women in leadership and supervisory positions experienced SH more than other employees (Picchi, 2020). The employment sectors in contemporary society, when liberalisation contributes to women's advancement, have led to an increase in women's participation and leadership in non-traditional industries. This change needs to be considered when examining SH at work. In addition, the legal consciousness approach addresses the issue of law that was well-established in developed countries like America. The case in Vietnam is different because the law on SH has just been formulated recently.

My research approach makes a difference by aiming to reveal the socio-cultural factors that underpin unequal power and reinforce it in the workplace to make SH possible. In other words, I delve further into the socio-cultural argument of the link between men's patriarchal dominance and privilege operating within family and society to explore how it translates and operates in the workplace. The gendered social norms constitute working people's perceptions, experiences and understanding of SH which is the focus of this research. The research investigates two main employment sectors of state-employer organisations and factories, which have been labour pillars attracting high volume of female workforce. This is the distinction between my research and the existing research conducted in other countries.

A promising approach for this research is to incorporate the traditional rigid gendered social norms, the gendered nature and power relation of the workplace, and legal consciousness toward workplace SH to discuss the case of Vietnam. My research will extend an understanding of gender relations and gendered social norms to seek an account of how socio-cultural construction shapes working people's defining and label their experience and whether they deploy legal consciousness in responding to SH. Since SH is multidimensional, it is essential to examine the interaction of various factors that potentially result in different causes, definitions, detection, types, and severity of SH that working women define, experience, and respond. To do so, I also adopt the psychological construct of SH behaviours to explore the definitions of SH by working women in Vietnam. At the same time, I consider

the legal definitions to reflect Vietnamese law on SH and whether it adopts other legal standards to formulate legislation on this workplace issue.

2.4. Conclusion

In this chapter, I have aimed to draw the link between feminist theories and theoretical explanatory approaches to position workplace SH in broader gender issues and how it informs my conceptual research framework. While feminist theories address the systematic structure of gender inequality, which is a cause of SH, the explanatory approaches address how SH relates to the specific cultural constructions of gender and power relations in society and at the workplace and how the law addresses the issue.

The key argument of Radical Feminism that inspires my research is that it centres on the analysis of gender inequality and women's oppression as a product of a patriarchal power hierarchy and men's dominance. Radical Feminism argues that violence against women is socially and culturally constructed. As such, the theory contributes to my research approach by examining SH at work as a social institution within a broader social and cultural context. However, Radical feminists focus mainly on patriarchal power and thus fail to consider organisational structure and the formal institution of policy and changing society. In contrast, Liberal Feminism emphasises individual authority, freedom and choices and the role of state law in promoting individual rights through shaping formal legal frameworks and organisation institutions to address gender inequality in general and gender inequality at work in particular. Although Radical and Liberal Feminism has different approaches to addressing gender inequality, the two theories consider gender inequality not as a personal matter but as a socially constructed issue within a social, cultural, and political context. Socialist Feminism addresses women's oppression and inequality issues through the class dynamics of capitalist society, and the economic exploitation of one class over another. This offers a critical analysis of SH at work as a struggle of female workers in a hierarchical organisational structure. It also helps to understand working women’s position in the context of a growing capitalist economy and the Vietnamese government's commitment to gender equality under the socialist gender regime.

My analysis of the above shows a critical link between the feminist theories and the theoretical approaches to deconstructing SH, which has not been pointed out in existing literature on SH. The socio-cultural approach to SH links closely to Radical feminism as it addresses the cultural construction of gender. Meanwhile, the organisational and legal rights consciousness relates strongly to Liberal feminism and Socialist – communist feminism in emphasising laws and organisations' policies as legal instruments to address workplace inequality and workers' rights.

Overall, this chapter shows that SH is multifaceted and needs to be understood from different perspectives. SH is socially constructed within the social system and maintains and reinforces women's inequality by emphasizing traditional role expectations. In an organisation, power comes from formal institutions of job positions and informal relations of workers' social networks and workplace social norms. Thus, it suggests that addressing SH needs to go beyond policy and compliance procedures to tackle organisational culture and climate. The law needs to evoke working people's legality and consciousness as a part of its formulation and implementation. Drawing on this conceptual framework, the following chapter will investigate SH in the context of country research- Vietnam to discover how the issue has been conceptualised under socio-cultural and legal perspectives within the workplace context.

CHAPTER 3: SEXUAL HARASSMENT IN VIETNAM: FROM SOCIAL, CULTURAL, AND LEGAL PERSPECTIVES

Vietnamese academic literature on SH is very limited and does not clearly distinguish between SH in general and SH in the workplace. Knowledge of the issue comes from a handful of academic research studies, reports, and the media, and these sources often discuss the issue in specific contexts. This has led to a patchy understanding of how workplace sexual harassment comes to be defined and understood in the Vietnamese community and workplace settings.

In reviewing the existing information about SH in Vietnam, the chapter begins by examining how the academic literature and public media understand the key issues of workplace SH. In the second part, the chapter turns to the societal context of workplace SH. It seeks to understand the Vietnamese cultural construction of gender relations and social norms that influence the conceptualisation of SH. The third section describes the Vietnamese laws and policies on SH and argues that the Vietnamese legal system has adopted the global policy discourse on SH and international labour standards in formulating a legal framework for SH. Together these three sections lay out the Vietnam-specific context and the groundwork for understanding SH in the workplace. The aim is to understand SH through the cross-relationship of the traditional cultural construction of gender relations and social norms, SH practices, and the state's efforts to address SH as a workplace issue.

3.1. Existing knowledge of Workplace Sexual Harassment in Vietnam

While scholarly attention to the issue of SH has been limited in Vietnam, a pathbreaking study on SH was conducted almost two decades ago by Khuat (2004). In this research, Khuat examines the relationship between gender relations and SH in general and goes on to explore the issue in workplace and high school settings (Khuat, 2004, p. 118). Her research documents the issue in urban areas of Vietnam based on interviews with almost one hundred men and women in government organisations and private enterprises. This research contributes to academic knowledge about SH in Vietnam in several ways.

First, the research shows that SH has been a long-standing issue in society and the workplace; there was no specific terminology to identify and label it. SH was understood and

described through everyday terms like teasing (*choc gheo*), wooing (*ve van*), and courting (*tan tinh*), rather than understanding its full sense as an offence against women's dignity, equality, and well-being (pp. 119, 121). Some SH behaviour, like telling sexual or lewd jokes, was considered by Khuat's research participants as an intrinsic part of the culture and working-class entertainment (Khuat, 2004, p. 121). This limited conceptualisation meant that SH was rarely reported as a problematic issue at work.

The second contribution of Khuat is to position SH as a social problem culturally constructed by patriarchal social norms (Khuat, 2004, pp. 117, 121). She argues that gender relations and attitudes toward sexuality in Vietnam were shaped significantly by a combination of gendered ideologies, such as Confucianist ideology of women's roles which include responsibility for upholding morality. When women become victims of SH because they are deemed passive and naturally inferior to men, they face social discrimination because they are unjustly blamed for encouraging sexual behaviour and marked as 'damaged goods' (Khuat, 2004, p. 131). Khuat suggests that Vietnamese people frame their attitudes and perceptions of SH in reference to social ethics and moral values. Women internalise gendered social norms and accept the stereotype of men holding power over them in conceptualising the definition of SH (123). This is more recently confirmed in CARE's research finding that traditional gender social norms remain unchallenged in shaping people's attitudes and perceptions of SH (CARE Vietnam, 2019, p. 30).

Another pioneering contribution of Khuat's research is that it analyses SH at the workplace and brings awareness to its commonness before the term workplace SH was defined. Khuat's research indicates the pervasive gender inequality in workplaces, revealed in the frequency of SH committed by male colleagues, schoolmates, or customers (p. 123). She suggests that the changes in people's socioeconomic status and greater freedom of sexual expression since *Doi Moi* contributed to increased SH at work. She bases this analysis on the finding that workers in the growing private sector experienced more SH because the sector's power structure tends to give absolute authority to executives (pp. 125-126). At the same time, government officers were also experiencing more SH at work, although most of Khuat's respondents believed that government workplaces have better working conditions and that employees' behaviours are more tightly controlled. However, there was no law or policy on

SH at the time of Khuat's research, illustrating that SH was not defined as a form of violence against women and a workplace problem of gender inequality.

Khuat's research powerfully connects socio-cultural context and gender power relations to promote understanding (workplace) SH in Vietnam. The research contributes to my literature review to identify some gaps that were not addressed when it was conducted. Firstly, the difference between the concepts of workplace SH and general SH was not explicitly analysed. In other words, factors that constitute SH as a workplace issue, for example, organisational power, have not been examined. Secondly, the scope of the SH definition used in the research was narrowed down in some forms, which does not reflect the multiple manifestations of workplace SH that are imbricated with workplace power. Finally, although the research focuses on examining the relationship between gender relations and SH, the unique socio-cultural aspects of Vietnamese culture that significantly shape SH at work were not pointed out. These gaps will be addressed in my research more comprehensively, which will also address more recent developments, such as the increased use of online communication and the growing number of women in middle leadership positions.

Most recent new insights into workplace SH have come from policy papers and reports by international and non-government organisations and gender consultants (CARE Vietnam, 2019; ILO, 2013, 2017; MOLISA & UN Women, 2019). These reports provide more data to understand SH prevalence in the context of Vietnam's current employment structure and workplaces. The ILO and MOLISA report (2013) conducted focus groups with one hundred participants, including key informants in government agencies, representatives of trade unions, researchers, employers, and students. The research by CARE highlights SH prevalence in garment factories based on a similar number of research informants (CARE Vietnam, 2019). Both studies were designed to focus on informing policy making, in which the ILO report examines Vietnam's legislation on SH while CARE's research seeks to understand the current workplace SH in garment factories and workers' attitudes and perceptions of SH.

The findings from these reports confirm the key arguments of Khuat's research. First, workplace SH is socially constructed in that individuals' perceptions of SH are shaped by gendered social norms attributed to men and women in economic and social life (CARE Vietnam, 2019, p. 30). Their perceptions vary depending on whether they are positioned in

the gender hierarchy (ILO, 2013, p. 8). It is argued that because women are predominantly in low-ranking positions and subordinated to men, they are the majority of SH victims (ILO, 2013, pp. 8, 20). But there is a common acceptance that women are naturally the target of flirting by men, and this allows men to justify their sexual harassment of women (MOLISA & UN Women, 2019, p. 20).

Moreover, the reports reiterate Khuat's finding regarding the narrow definition of what constitutes SH behaviours due to the lack of a legal framework for workplace SH. Workers tend not to consider sexual jokes, sexual gestures and other verbal sexual behaviour as SH. Unclear definitions of SH behaviours could pose significant difficulties in handling reported SH cases (CARE Vietnam, 2019, p. 45). This, in turn, confirms people's conceptualisation of SH as a sensitive topic governed by traditional gender roles and gender relations between men and women (MOLISA & UN Women, 2019, p. 9). And thus, SH remains a hidden issue at work and under-reported in organisational landscapes (ILO, 2013, p. 8,22). Under-reported SH is explained with reference to workers' perceptions, company climate, gendered social norms related to reporting, and knowledge of organisational grievance mechanisms. Fear of losing face and dignity and breaking working relationships constrain reporting SH at work. SH is considered a personal matter and a personal business to prevent. Co-workers were not willing to step up to intervene; instead, they often advised victims to resolve it themselves.

This research has contributed to the field of knowledge by shedding light on SH in workplace settings and extending arguments on the key characteristics of SH and its definition. The literature conceptualises SH within the broader context of gender inequality and workplace discrimination (ILO, 2013; MOLISA & UN Women, 2019). This leads to a recommendation to adopt a broad definition of SH as not just physical but also non-physical and verbal sexual conduct in and around the workplace:

> SH is any act of a sexual nature and other conduct based on sex or gender stereotypes by a person, including verbal, non-verbal, or visual deeds, gestures and actions aimed at another person who does not desire and/or feels discomfort with such an act. Such act can be humiliating, create a problem of health and safety, or cause disadvantages to the victim relating to the benefits of his/her employment, including recruitment and promotion or creating a hostile working environment'; and the term 'at the workplace' denotes any location where the acts of harassment occur and where the employee is situated because of the working position he/she is assuming or for his/her performing the assigned tasks (ILO, 2013, p. 11).

This recommended definition significantly advances the conceptualisation of SH at work by identifying a range of sexual behaviours. It extends the concept of 'workplace' to include any location related to work and gestures towards two legal approaches to SH: a gender discrimination issue and a violation of workers' dignity and health. However, even though the definition mentions the targets' feelings of discomfort, it falls short of providing an account of the behavioural characteristics that constitute sexual behaviour as SH.

Discussing the relationship between working people's perceptions and responses to workplace SH, the reports reveal that while there are different levels of people's understanding of SH, there is a discrepancy between perception and response (ILO, 2013; MOLISA & UN Women, 2019). Regardless of their understanding of SH, most victims choose to remain silent because they believe nothing can be done about it. People often put up with SH for fear of losing jobs, negative appraisal or deduction of work benefits, and moral blaming (MOLISA & UN Women, 2019, p. 9). Employees only seek help if SH escalates to sexual assault; even then, no legal case is filed. Victims refrain from seeking social support from family and friends out of shame and embarrassment (ILO, 2013, p. 9; MOLISA & UN Women, 2019, p. 8). From the employer's side, the issue is often ignored if employees are silent. If the case is reported, it will be addressed as a warning to modify behaviour rather than filing a legal claim. These processes result in a hostile environment where SH occurs behind the scenes and is hidden from employees and employers (CARE Vietnam, 2019, p. 42).

The third source of information discusses workplace sexual harassment gleaned from mass media and social media. These platforms provide opinion pieces without statistics. However, they remain a significant source of information to understand the widespread SH at work and the change in public awareness of SH as a social and gender issue. Many SH incidents revealed on social media posts show increased public attention and suggest that social media can offer a place of disclosure that is both anonymous and supportive (Hieu Dong, 2022; Kieu, 2018; Tuong Van, 2022). More importantly, these social media sources contribute to understanding SH at work through various voices and perspectives and quickly reach out to a broader public. Social media in Vietnam has demonstrated its ambiguous role in popularising SH at work. On the one hand, it provides a space for gender activists and the

public to call out SH. Conversely, it can also play down the seriousness of the issues when people interpret their cultural perceptions to either blame victims or tolerate harassers.

For instance, a notable post by Hoang Tu Anh, a gender activist and researcher, on her Facebook has pointed out a new context of workplace SH. She argues that SH metamorphosised through the organisation's teambuilding activities. Rogue staff retreat games are the source of SH in the workplace. This is because it allows people to touch other people's bodies freely for one reason: Team Building is 'playing hard and is for everyone' (https://www.facebook.com/khuat.t.hong). In effect, such teambuilding activity can be a starting point for other inappropriate activities in the office. In one example, a jovial boss puts his arm around the employee's shoulder and pats their bottom. While men's colleagues slapping a woman's backside may be considered SH, a woman slapping a man's bottom is fun, joking, and nothing serious. Other serious jokes about sex, even crude ones like flat chests or comments on body sizes, can come from participating in perverse games that allow people to feel free to touch each other's bodies (https://www.facebook.com/khuat.t.hong).

Another example of public media is the In-Depth webpage published in the context of the new Vietnamese law on SH (Vu, 2021). The article comments on the culture of silence, blunting the impact of the new Vietnamese law on SH (Vu, 2021). It argues that as long as there is a broader social acceptance that men can 'tease' and 'touch' women, implementing the law remains a daunting challenge (Vu, 2021). This suggests that there is increasing awareness of the cultural factors that persist and translate into workplace socialisation and interaction in the public discourse.

The discussion above has reviewed different sources on SH in Vietnam. The key theme through these sources is that workplace SH in Vietnam is primarily culturally constructed and reflects gender relations and norms. Traditional cultural and gendered social norms embrace people's attitudes, perceptions of SH, and their views of experience and response to this workplace issue. This argument of the persistence of unequal gendered social norms in changing the context of gender relations is reconfirmed in recent research (Lewis et al., 2022, p.360). There is a shared view that SH strongly relates to law and organisational policy in forming people's understanding and responding to SH. However, the existing research has been patchy and unclear on how serious workplace SH is, given the limited empirical academic

research. It also has not analysed the socio-historical and cultural context constructs of gender relations and norms related to workplace SH. These points bring attention to Vietnam's cultural construction of gender relations and legal framework, which I will discuss in the following sections.

3.2. Socio-cultural Gender Ideologies in Vietnam

The discussion of global literature and Vietnamese studies show that SH is culturally constructed, of which gendered social norms significantly influence people's framing of SH and labelling of their experiences and response to it (CARE Vietnam, 2019; Khuat, 2004; MacKinnon, 1979). In Vietnam, there has been increased research on the relationship between gender social norms and other issues related to women at work, revealing the close influential relationship between traditionally gendered social norms and gender equality at work. However, the cultural construction of sexual harassment, illustrated through the link between SH and gender power relations and gendered social norms, has gained little attention. This is despite widespread acknowledgment that the construction of gender, gender relations, and gendered social norms are socially determined by culture, religion, or socially acceptable ways of thinking or being (Cislaghi & Heise, 2020, p. 142; West & Zimmerman, 1987, p. 129). Debates about gender relations and gendered social norms revolves around the fundamental question: what are the relations between men and women? and what roles, values, and positions do men and women have in society and are expected to perform? In other words, what do societies view and desire for women and men?

The discussion of gender equality and gender relations in Vietnam often goes back to the fundamental Vietnamese socio-historical and cultural roots that shape public perceptions of women in today's society (Phạm et al., 2021, p. 13). Vietnam's socio-historical and cultural context derives from the influences of Confucianism patriarchy, Taoism and Buddhism proposed in the Three Teachings (Grosse, 2015; Le & Yu, 2021; Vuong et al., 2018). This cultural context shapes ideas of hierarchy, gendered family roles and responsibilities, and gendered behavioural expectations, which influence Vietnamese society (James-Hawkins et al., 2019, p. 4423; Vuong et al., 2018). Although there are many sociocultural forces driving the construction of gender in contemporary Vietnam, research shows the significant footprint

of Confucian traditional culture on public perception of gender values and norms (Nguyen, 1998, Gao et al., 2012; Tho, 2016, Phạm et al., 2021).

This section explores how gendered social norms construct SH and shape workplace issues. It sheds light on understanding the relationship between Vietnamese socio-cultural gender ideology, social norms, and (workplace) SH. The section will address the main issues: (1) Confucian gender ideology grounded on the Three Teachings that institutionalise traditional gender norms; (2) socialist gender ideology to understand the interweaving and contradiction of the traditional and socialist gender regime and how these impacts on the conceptualisation of SH.

Confucian gender ideology

Confucian philosophy highlights the critical focus of obligation to the family and attributes unequal power to men (Hoang, 2020; Nguyen, 1998; Pease, 2019; Schuler et al., 2006). It defined unequal roles for women and men based on their positions in the family and social practices. Men were considered superior to women, whose predominantly domestic roles were considered inferior (Le & Mai, 1978, p. 33). This gave men unlimited rights and authority in both private and public spheres. 'Men are to be respected, and women disregarded' is the basic principle through which Confucianism introduced and maintained an unequal division of labour and gender discrimination (Le & Mai, 1978, p. 42). The heritage of men's dominance and external power in labour division and public duties creates male-favored conditions in the workplace. At the same time, it prevents women from participating on equal terms in Vietnam's labour market and gaining leadership positions in the workplace. Consequently, workplace inequality contributes to increased risks of SH.

Conforming to social standards is a deep-seated gender inequality in Vietnam's patriarchy, which forms women's compliance and obedience (Nguyen, 1998, p. 154). Confucianism requires people to live up to and comply with the expectation of high responsibility for family and society (Gao et al., 2012; Tho, 2016, p. 92). Confirming social principles was a means of controlling people within Confucian ethical boundaries. Violence may be used to maintain social order in the family and reinforce men's power in society. Fear of violence is often strong enough to prevent women from challenging their traditional roles or leaving their subordinated position (Wendt & Zannettino, 2015, p. 9). SH and other forms

of violence against women thus arise from and are maintained by such a socio-ethical foundation. Understanding these cultural influences will help to explain why most Vietnamese women keep silent to protect their family's dignity and reputation when coping with violence and harassment.

Confucianism, along with the ideologies of Taoism and Buddhism, jointly make up the Three Teachings that largely shape gender-based values and expectations in Vietnamese culture (N. H. Nguyen, 1998; N. T. Nguyen, 2016; Q. T. N. Nguyen, 2016; Vuong et al., 2018). Taoism emphasises the critical concept of harmony, which is close to the Vietnamese desire to sustain balance and harmony rooted in traditional agricultural cultivation. The tenet of harmony and a social order based on the natural order leads to conformity to a social hierarchy expressed in obedience and reverence to superiors and men regarded as holders of incontestable virtues (Le & Yu, 2021, p. 4). Harmonious interaction manifests in Vietnamese characteristics of tolerance and moderateness in all social relations (Q. T. N. Nguyen, 2016, p. 36; Tho, 2016, p. 647). As a result, the 'shortcomings of Taoist doctrines are resignation and inaction' (Q. T. N. Nguyen, 2016, p. 34). Women are expected to accept the arrangement of their roles and duties as their destiny. Taoism's influence on Vietnamese characteristics may explain why many victims of violence and SH choose to tolerate and even cooperate with harassers so as not to damage their family and work relations. While Confucianism and Taoism outline the principles of social conduct, Buddhism is considered the Vietnamese religion that promotes the spirit of sympathy, tolerance, benevolence, and warm-heartedness (Q. T. N. Nguyen, 2016, p. 36). The Buddhist concept can be viewed in the philosophy and practices of morality, social and political relations, equality, sacrifice, good deeds, and life directions. It offers people a pathway to escape from life's predicaments and release them from pain (Vuong et al., 2018). These Buddhist values have been acknowledged and accepted as Vietnamese characteristics and inform the construction of gender relations, in which women are expected to be sacrificing, tolerant, and benevolent.

The Confucianist and Three Teachings' principles continue to have a deep-seated influence on shaping Vietnamese culture and remain instructive in modern life (Le & Yu, 2021; N. H. Nguyen, 1998; N. T. Nguyen, 2016; Q. T. N. Nguyen, 2016; Phạm et al., 2021; Schuler et al., 2006). It sets the criteria for good men to meet Three Moral Bonds' (*Tam cương*) and

'Five sets' or 'Five Cardinal Virtues' (*Ngũ thường)* (Cao & Schafer, 1988, p. 769). In this regard, men are expected to carry heavy duties that require physical strength, are labour-intensive and involve external interaction (Nguyen & Simkin, 2017, p. 612). It implies that men are a 'strong force' *(Phái mạnh*)- - and more powerful and intelligent to undertake their expected roles as family breadwinners or financial backbone (Nguyen & Simkin, 2017, p. 610). The expectation centred around men's ability to financially support the family and gain a social position in public (Nguyen, 2015, p. 150). The hierarchical power of men's dominance also allows men to assert authority over women and impose their patriarchal power on the family. These powers are carried over to the workplace to reinforce men's dominance. In another circumstance, the increase in women's leadership and higher education qualifications may threaten men's power in the workplace and the family.

In contrast, women are to be guided by 'Three Obediences' (*Tam tòng*) and 'Four Virtues' (*Tứ đức*). Three Obedience relegates women to subordinate and domestic roles within the family's hierarchical structure. Women are expected to perform the Four Virtues of moral conduct (*đức)*: diligent work (*công*); fair appearance (*dung*), proper speech (*ngôn*), and proper behaviour (*hạnh*). The first means that women should be skillful and resourceful in their work, and women's greatest career is caring for their children and keeping the family happy and harmonious. The second, *dung*, stipulates a women's duty to observe her appearance through elegant, appropriate, and modest dress. *Ngôn* requires women to know how to speak gently and skilfully and avoid profane or chaotic communication. Lastly, *hạnh* is a woman's essential virtue: knowing how to educate her children and maintaining harmonious relationships in the family.

These moral teachings establish clear hierarchical relationships of filial piety between father and son and between husband and wife. They create gender inequality norms that reinforce women's domestic roles while prohibiting their social opportunities. Individuals who behave differently are considered to act against the natural order and the accepted social and ethical norms and standards. Gendered social norms are an underlying cause of inequality and gender-based violence in Vietnam, and they continue to impact on people's perceptions of sexual harassment, as the section below will argue.

Gendered social norms

Gender norms are an element of the gender system and often go along with gender roles, gender socialisation, and power relations (Cislaghi & Heise, 2020, p. 410). Gender norms are also determined as the prescription of gender roles, and they are social rules and expectations to maintain the entire gender system and keep it intact (Cislaghi & Heise, 2020). Gendered social norms towards women and men influence individuals' perceptions and behaviours (UNFPA, 2010, p. 2). This section identifies gendered social norms that potentially shape people's views toward SH at work.

Drawing from the Three Teachings tradition, gendered norms in Vietnam define women's roles and values assigned to primary family functions and domestic duties (Bélanger & Khuat, 2018; Le & Mai, 1978). To comply with these norms, women are expected to be good wives, mothers, charming, elegant, beautiful, tolerant, and family caregivers. The proverb 'men build houses; women build a home'-(*Đàn ông xây nhà, đàn bà xây tổ ấm)* - is a common saying expressing this. It is a word-of-mouth educational and moral message passed from generation to generation to educate people about men's and women's roles, responsibilities, and socialisation. Women internalise gendered social values and are willing to compromise their well-being, advancement, and interests (Institute for Social Development Studies, 2015, p. 11).

The women's domestic role is also associated with having a family, a goal for women to achieve and a measure of their worth. 'Not yet having a family' *'chưa lập gia đình'* is a Vietnamese saying that implies that the natural order is for people to get married and set up their family as a nucleus of society. This powerful expectation ties women and men in family relationships of heterosexual marriage (Bélanger & Khuat, 2018, p. 93). Thus, unmarried women are devalued in the family, and any deviation from the traditional family structure is considered a personal failure. As discussed by Pease (2021, pp. 93-94) and Bélanger and Khuat (2018, p. 93), the Confucianist ideology explains why family and marriage are such strong normative expectations in Vietnamese life.

Family is important for both men and women, but it is women who are expected to do their best to keep their families and marriage together regardless of violence or harassment. Family duties limit women's representation in public spaces and restrict their voices, participation, and contributions to society. As a consequence of bearing the burden of

domestic chores, women are often economically disadvantaged. Women's normative roles in the family as wives and daughters reinforce women's obedience and compliance to men. Vietnamese women are held accountable for maintaining the four virtues -diligent work, appearance, faithfulness, and dignity. It is unsurprising to find widespread victim-blaming and women's silence about domestic violence and harassment. Furthermore, men are in positions of power in the workplace, and women are not. Thus, men have the power to engage in certain behaviours, including SH, that many see as a consequence of unequal power relations. Many of my research participants explained men's SH toward women based on the cultural and gender norms of men's strength and privilege and women's feminine characters (see Chapter 5).

Secondly, gendered social norms result in the expectation that women are submissive to men and that good women are considered obedient, compliant, enduring, and devoted (Khuat, 2004, 2016; Le & Mai, 1978, p. 91). Women are portrayed as of lower status, powerless, and mainly in charge of domestic work. The Vietnamese language reflects this gender hierarchy through terms for male and female (*đàn ông – đàn bà*), not only being used to distinguish men and women but also to illustrate how society judges them. '*Đàn ông*' means manly and has the connotation of respect and performing the social expectation of male gender traits, while '*Đàn bà*' means womanly and often carries a negative connotation.

Finally, women are traditionally associated with beauty, charm and grace, not only in outward appearance but also in their inner beauty. While the expectation of beauty in women is not unique to Vietnam, the saying of 'Flowers are for picking; girls are for teasing' - *(Làm hoa cho người ta hái, làm gái cho người ta trêu)* illustrates a dark side by implying that women also a subject of teasing and flirting. This perception tolerates men's harassment of women as a customary and acceptable practice to comment about women's appearance.

The concept of beauty challenges women because they have to take care of their appearance and cultivate proper behaviours that are not against the traditional norms of faithful and loyal women (Khuat, 2016, p. 116). Women are judged on their beauty, but at the same time, they must be proven to be a 'good woman' who is patient, obedient and willing to make sacrifices (Hoang, 2020, p. 304). Thus, the myth of female beauty and 'good women' places women in the complex position of being judged and even harassed.

The Confucian patriarchy and the Three Teachings are not the only factors shaping gender perception and gendered social norms. As mentioned earlier, the Communist gender equality ideology plays an integral part in constructing gender-related standards, practices, and institutions in Vietnam. The Communist system and its social, cultural and political movements have contributed to promoting gender equality while also reinforcing traditional gendered social values and gender values.

Socialist-communist gender equality

The Vietnamese Communist Party was established in February 1930 and quickly endorsed the Marxist-Socialist idea of liberating women. The Declaration of Vietnam's Independence in 1945, under the leadership of the Communist Party, spread and promoted gender equality and liberty to the people. In contrast with Confucianism, which prescribes gender-specific roles, the focus of communist gender ideology is to promote economic and political equality for both men and women. Vietnam's socialist-communist gender regime is aligned with the pursuit of national independence and socialist ideas of equality (Barry, 1996, p. 2; Werner & Bélanger, 2018; Wisensale, 1999, p. 605). Women's liberation and participation in politics were driven by a genuine ideological imperative to improve the position of women. Women's rights were recognised as a cross-cutting issue for both upper and lower classes because they all endured suffering from the discriminatory practice of Confucianism and exploitation of colonialism (Turley, 1972, p. 796).

Communist gender ideology considered that most sufferings and constraints of women were due to the backward Confucianist ideology, as discussed in the previous sections. The Communist Party maintained that it was necessary to abolish all religious and moral customs that fettered women to draw women into the ranks of the proletariat (Ho Chinh Minh National Academy of Politics, 2008). The significant achievement of the Vietnam Communist Party is that it has argued and strived for the emancipation of women from oppressive feudal social structures and Confucian social principles to establish and promote equality (Turley, 1972, p. 793). With women considered a latent social force, the Vietnam Women's Union was created as the extended political arm of the Communist Party to pursue gender equality. The organisation presents women's interests at all strata and classes and commits to improving women's lives and eradicating backward, feudal, superstitious, and generally unfair treatment

(Drummond & Rydstrom, 2004, p. 3). However, the implementation of the socialist-communist gender regime has created a contradiction between promoting gender equality and reinforcing traditional women's gender roles through national social campaigns organised by VWU, VGCL, and other state organisations.

Contradictions in the Socialist-communist gender ideology

Current research in Vietnam has argued that the socialist-communist gender regime sought to re-traditionalise women's gender roles despite increasing women's economic and professional achievements (Hoang, 2020; Rydström, 2016; Schuler et al., 2006). It puts women under immense social pressure by reinforcing traditional Confucian notions of womanhood and motherhood (Hoang, 2020; Phạm et al., 2021; Schuler et al., 2006). The VWU's gender approach poses a paradox in emphasising both women's role in the workforce and domesticity and marriage. Several national campaigns organised by VWU and VGVCL, like 'Happy family'- (*Gia đình hạnh phúc*) and Cultured Family' (*Gia đình văn hóa*) and 'Accomplished in public work, adept at housework', have shaped the ideal family and women's domestic roles alongside expectations that women contribute to household finance and in the workplace. These regulate women's gendered lives in the way traditionalised Confucian womanhood and motherhood (Hoang, 2020; Rydström, 2016).

The ideal family continues to be confirmed as the cornerstone of national development. Women play a pivotal role in building the integrity of the family structure and maintaining family harmony (Hoang, 2020; Schuler et al., 2006). In socialist societies, women are acknowledged to contribute to nation-building through their household income and holding the 'heavenly mandate' of childbearing and raising. However, such perception and expectation of womanhood might undermine the goal of 'equality between men and women', which is the key focus of Socialist-Communist and VWU's goals (Rydström, 2016, p. 220). The duties and capacity of a mother are stipulated as pertinent features of womanhood, and thus motherhood becomes a demand and expectation rather than an option for women (Rydström, 2016, p. 220). This perception is close to the Confucian concept, which is anti-individualism and promotes family as the core success of women. It is, therefore, not surprising that Vietnamese women in contemporary life still prioritise family and domestic care (Cunningham et al., 2018, p. 7). Family, marriage, and domesticity continue to be

emphasised in the state's discourse, and this helps to explain why marriage remains almost universal in Vietnam (Hoang, 2020, p. 301). As marriage is viewed as central to womanhood, women are inevitably subjected to enormous social pressure, including moral integrity concerns for unmarried or divorced women (Hoang, 2020, p. 305). Such strong social pressures to conform to prescribed gender roles help explain the findings in existing studies on sexual harassment that women do not wish to identify as victims of sexual harassment. Doing so would undermine their social status and may lead to being denied marriage or being divorced; thus, they are considered women who have failed to live up to social and moral expectations.

In the context of employment, the normative definitions of a good mother and universal ideals about a good worker also pose inherent conflicts (Cuddy et al., 2004, p. 701). When workers are primarily seen as mothers and wives, the evaluation of a woman's performance at work is likely biased. This stems from women being traditionally assigned domestic care duties, unpaid work that is undervalued, and expected to perform dual roles at home and at work (Hoang, 2020, p. 303). As a result, family and motherhood become a constraint in assessing women's competency at work and promotion opportunities. The association of worker and mother attributes causes gender inequality at work, where women occupy fewer authority and leadership roles than men in many work settings. It is worth noting that despite a growing female workforce in countries like Vietnam, the gender gap in unpaid care work has barely changed over the years (Cunningham et al., 2018, p. 7). Other research points out that women adjust to their double burden by trying to find a job that does not require long working hours, and thus, women trade less travel and lower pay for more family-friendly policies - a choice that men are not forced to make (Chowdhury et al., 2018, p. 23). In the case of Vietnam, the campaign of ‘Good at work and work at home’ extols both motherhood and gainful employment as normative roles for women. The obligation of holding a job to support the family's income helps to explain the silence around workplace SH as complaints may lead to the victim losing her job.

The traditional gendered social norms have also had long-lasting impacts on men and shaped perceptions of men's masculinity fundamentally. The gender belief of superiority is central to men's attitudes and practices, roles, and functions in the family and society. Over

time, men maintain these norms and develop new ones through cultural interaction. The ‘true man’ depicts men's roles as the family's pillar or breadwinner. Men's power is associated with superiority and decisive mannerisms; therefore, they consider themselves capable of and strive for leadership or decision-making roles. A ‘true man’ is also associated with a strong physical body and sexual desire, ability, and experience. These masculinity norms create harmful gendered behaviours in men. For example, patriarchal power can lead to violence at home, and exposure to violence by young boys may lead to violent behaviour in men's later life. Witnessing women as the victims of domestic violence in the family also leads to the perception that it is normal for men to use violence against women. Women must accept it because they are wives and daughters who should be obedient. Thus, violence against women persists in domestic and public spheres and spills over to the workplace. Workplace SH results from inequality in gender norms and men's privilege displayed at work. As a result of male gender norms, it is acceptable for men to have affairs outside marriage, have multiple sexual partners, and flirt with women. Men must try harder to be the breadwinner and maintain men's power in the context of increasing women's economic status and authority positions. Women's presence and rise in the workplace threaten male power, and SH is a way men assert their power over women and express their masculinity.

Another pressing challenge in Vietnam's contemporary life is the upholding of traditional gendered social norms that women hold domestic roles and men are the breadwinners (CARE International Organisation, 2020; Grosse, 2015; Hoang, 2020; Institute for Social Development Studies, 2020; Khuat, 2016; Phạm et al., 2021; Vietnam News, 2016). These traditional family roles have not changed much despite the increasing number of women in the labour market and societal roles at all strata. Women must balance their work commitments by improving their education and career pathway and taking care of the family. The belief that women can perform multiple tasks simultaneously creates the standard for success in their professional and domestic work (Phạm et al., 2021, p. 48). In many cases, the success of women is viewed through the lens of gendered identity, social norms, and stereotypes. Pham. et al. (2021) point to women's characteristics as ‘gentle, soft,’ ‘tender,’ ‘sympathetic,’ ‘calm,’ ‘persistent,’ ‘subtle,’ and ‘sensitive’ as women's positive traits which contribute to their success. These female norms were drawn from traditional Confucianism.

Many interviews with successful women in the media emphasise the gender identity of women that has made them successful (Phạm et al., 2021).

Traditionally gendered norms that expect men to be breadwinners are the underlying cause of pressure and burden on contemporary young men. Pham et al. (2021) argue that young men are also at the crossroads of maintaining the conventional perception of men's roles and modern parts of men and being squeezed by traditional and contemporary pressures. On the one hand, men are educated to be the family pillar. On the other hand, evidence shows that women are increasingly becoming economically independent. Thus, a modern 'good man' should acknowledge and support a woman as an equal economic contributor to a family and society (Kieu, 2018; Phạm et al., 2021, p. 49).

In a nutshell, 'vestiges of Confucianist ideologies existing in contemporary Vietnam are still strong enough for men and women to feel torn between their ideals and their current practices causing suffering for both genders.' (Institute for Social Development Studies, 2015, p. 20). The discussion of Confucianism needs to be contextualised as a way to enable understanding of the historical context of women's socialisation upbringing. The urban-based, more highly educated women would be able to consider/ reflect on the context of wider understanding of women and the impact of global media and working in a cosmopolitan city. As discussed earlier, SH at work involves socio-cultural constructs and the legal framework to address workplace issues. The development of the law on SH demonstrates the state's progress in promoting gender equality in general and gender discrimination in employment in particular.

3.3. Vietnam Law and Policy on Sexual Harassment

Since the Vietnamese Communist Party led the nation to independence, gender equality has become a central goal, and steps have been taken to achieve women's liberty and equality (Grosse, 2015; Q. T. N. Nguyen, 2016; Teerawichitchainan et al., 2015). This involves eliminating the traditional Confucian-based doctrine of men's dominance in public life and women's subordination and their relegation to domestic roles (Teerawichitchainan et al., 2015, p. 61). The principle of discrimination has been translated into practical legislation and the legal system, formulated through key laws like The Law on Gender Equality in 2006

and the Labour Code in 2012, amended in 2019. The goal of gender equality is central to the policy to eliminate gender discrimination, create equal opportunities for men and women in socioeconomic development and human resources development, and move toward equitable gender relations in all dimensions of social and family life.

The Labour Code revision enacted in 2019 regulates the provision of gender equality in employment. This is the first time SH is recognised and fully provisioned in employment law. This indicates the legal approach of the Vietnamese Government that SH is a gender issue at work and a form of discrimination in employment. However, before 2019, Vietnam's law on SH was scattered and regulated by many different laws, including the Labour Code, Civil Code, Criminal Code and the Code of Conduct (Duane Morris Vietnam, 2018, p. 4). The law considered SH as a general legal issue in various legal documents.

The term SH was first mentioned in the Labour Code 2012, known in the local language as '*quấy rối tình dục.'* The law prohibits discriminating against female employees on the grounds of gender or abusing their honour and dignity (ILO, 2013, p. 9). This law was a step forward in ensuring safer and healthier working environments. However, the law fell short of providing workable definitions of SH to define what sexual behaviours constitute SH and the places where SH occurs. The protection methods (individual identity and information confidentiality) and grievance mechanisms were not mentioned in any legal documents (Duane Morris Vietnam, 2018, p. 5). Vietnam's Civil Code deals with individual moral rights, specifically the right to protect honour and dignity and compensate for damage when these rights are violated. However, these legal codes deal with discrete aspects of SH without connection to other legislation. The Criminal Code provides legislation in relation to sexual acts that are dangerous to society, such as rape, sexual assaults, and statutory rape and details provisions and corresponding punishment. If serious forms of SH happen in the workplace, it will be handled by the Criminal Code.

In 2015, The Ministry of Labour, Invalids and Social Affairs, the Vietnam General Confederation of Labour, and the Vietnam Chamber of Commerce and Industry jointly developed the Code of Conduct 2015 on SH in the Workplace in Vietnam (VCCI, MOLISA and VCGL 2015) (the Code). The Code provides guidelines and recommendations to employers, employees, and trade union representatives to address SH at work. However, the Code is only

a recommendation, not a binding document. Consequently, it is ineffective in protecting employees from SH, and many organisations, including state-employed and state-own enterprises, do not have regulations on SH.

In this context, the Labour Code revision enacted in 2019 and taking effect in 2021 is a significant legal development that provides the first legal definition of SH. According to the Labour Code, SH in the workplace means 'any sexual act of a person against another person in the workplace against the latter's will', and 'Workplace means any location where an employee is actually working under an agreement with or as assigned by the employer' (*The Vietnamese Labor Code*, 2019, p. article 3). This definition underscores that any sexual act that causes an individual to feel offended, humiliated, manipulated, or adversely affected can be SH. The provision of SH in the Labour Code is expanded upon on Decree 145/2020/NĐ-CP, which details the definition of SH and its grievance mechanism. The Decree specifies and defines categories of SH behaviours, encompassing three types of misconduct, specifically in article 84:

1. SH, defined by Clause 9 Article 3 of the Labour Code, may occur in the form of a request, demand, suggestion, threat, use of force to have sex in exchange for any work-related interests; or any sexual acts that thus creates an insecure and uncomfortable work environment and affects the mental, physical health, performance and life of the harassed person.
2. SH in the workplace includes:

   a) Actions, gestures, and physical contact with the body of a sexual or suggestive nature.

   b) Verbal SH: sexual or suggestive comments or conversations in person, by phone or through electronic media

   c) Non-verbal SH: body language; display, description of sex or sexual activities whether directly or through electronic media.
3. The workplace mentioned in Clause 9 Article 3 of the Labour Code means any location where the employee works in reality as agreed or assigned by the employer, including work-related locations or spaces such as social activities, conferences, training sessions, business trips, meals, phone conversations, communications through electronic media, on shuttles provided by the employer and other locations specified by the employer (*Decree: Elaboration of Some Articles on the Labor Code on Working Conditions and Labor Relations*, 2020, p. article 84).

This article expands the definition of SH and workplace settings that fall under the Labour Code. It specifies acts undertaken on a quid pro quo basis, including a request, demand, suggestion, threat, or use of force to have sex in exchange for work-related interests and acts that constitute a hostile environment which creates an insecure and uncomfortable

work environment. Decree No 145/2020/NĐ-CP also clarifies that sexual harassment includes physical, verbal, and non-verbal acts and broadens the definition of 'workplace,' as regulated in term 3, article 84. By extending the definition of the workplace, the new legislation makes employers liable for the acts of their employees wherever they are performing work duties. SH is listed in regulation as grounds for workplace dismissal, which activates the grievance mechanism that allows employers to dismiss employees for committing an act of sexual harassment in the workplace without the necessity to prove the act resulted in financial damages. It also allows employees to terminate a labour contract without prior notice due to SH. They can also claim damages and monetary losses based on the denial of employment-related benefits due to sexual harassment in which they refuse to comply with the sexual harasser's requests. Compliance with SH regulations have been listed in the items of labour inspection by the Labour authority governed by MOLISA. Thus, SH regulation must ensure the handling of complaints to protect the victims' and the accused's privacy, dignity, honour and safety.

The Labour Code revision and its related documents show the country's policy progress, making Vietnam among the first Southeast Asian countries to lay the first brick for a legal framework to combat SH. According to the law, SH is gender discrimination at work and is prohibited. It defines the clear responsibility of employers, employees, Trade Unions, and other related stakeholders in implementing SH policy in workplaces. SH is subject to administrative sanctions and criminal prosecution depending on the severity of the harassment.

The provisions of SH addressed in both the Labour Code and Decree No 145 are aligned with the international Labour Convention no. 190 on Violence and Harassment (Convention 190), which was adopted in June 2019 by the International Labour Organisation (ILO), which Vietnam is a member. The three types of SH mentioned above are relevant to the commonly defined behavioural categories in various legal feminist literature on SH. Clause 1 of this article covers the nature of misconduct in two forms quid pro quo and hostile environment.

However, the behavioural categories defined in the decrees are still broad. The law gives each employer the right to define behaviours as SH and the process of addressing workplace SH in place appropriate to their business context. The employers are responsible for 'Detailed and specific descriptions of what is considered SH in the workplace according to

the characteristics of the works and the workplace' (*Decree145/ND-CP: Elaboration of Some Articles on the Labor Code on Working Conditions and Labor Relations*, 2020, p. clause 1, article 86). This regulation makes it challenging to internalise national law into organisational policies if employers fail to define unacceptable conduct at work. Such shortcomings of the Labour Code have triggered social and legal debates about the possibility of developing a new Code of Conduct on SH at work. Nonetheless, the introduction of new legislation on SH indicates Vietnam's efforts in addressing gender equality issues in employment. It is also the result of adopting international legal standards to solve problems previously excluded as an illegal issue within cultural narratives governed by gender social norms.

3.4. Conclusion

In this chapter, I have discussed Vietnamese literature gathered from different academic research sources, working papers, and institutions' reports and press to understand how SH has been studied and conceptualised in Vietnam under the socio-cultural perspective and regulated in Vietnam legislation. I then addressed the cultural construction of gender by examining the patriarchal gender ideology and Socialist-Communist gender perspective, drawing on the gendered social norms associated with explaining SH. Thus, the chapter helps to develop a cultural understanding of SH in the specific context of traditional and contemporary gender ideology. By discussing Vietnam law and policy on SH, I aim to position the legal issues within a socio-cultural context and demonstrate the progress in legalising SH as an illegal issue to address gender inequality at work.

The findings in this chapter show that although SH is a long-standing workplace issue in Vietnam, it has gained little attention from academia and has just been established as a legal term in the current legal framework. This can explain the lack of official statistics on SH prevalence in public and social science. These gaps need to be filled by more rigorous research in the field that can contribute solid evident- based information to understand the workplace issue. Vietnam's unique gender construction and social norms towards women and men blend conventional social and cultural values and Socialist-Communist gender ideology. Despite social change and economic development, the gender perception of the Vietnamese people is still very much tradition-bound, imposing tremendous burdens on women and placing pressure on men in modern society.

The discussion of gender construction reveals how traditional gender relations and social norms that define expected gender roles and women's characteristics may construct SH at work. However, unlike other forms of gender-based violence, little attention has been paid to SH in the workplace. Although the new SH provision in the Labour Code 2019 has provided a legal framework to address the issue, there remain challenges in establishing the basis for comprehensively workable definitions and detailed categories of SH behaviours. Furthermore, the law has not addressed the cultural aspect of gender inequality that governs workplace attitudes toward SH. Public education on socio-cultural change to eliminate gender inequality and improve working people's legal consciousness is as important as implementing the law. Building on this contextual understanding, the next chapters will aim to unpack the persistence of gendered social norms and stereotypes of gender roles and how changing perceptions about gender equality can be harnessed to address SH at work.

CHAPTER 4: WORKING PEOPLE'S PERCEPTIONS OF SEXUAL HARASSMENT IN VIETNAM

4.1. Introduction

This chapter seeks to understand how working people conceptualise sexual harassment within socio-cultural and employment contexts in Vietnam. How individuals perceive and define SH has been explored, particularly in Western countries (Amick & Sorenson, 2006; Bitton & Shaul, 2013; Foulis & McCabe, 1997; McCabe & Hardman, 2005). However, there is a lack of empirical data from developing countries like Vietnam, where women increasingly enter the workforce and encounter numerous workplace issues. Recent research studies and media reporting on workplace SH in Vietnam provide compelling evidence that workplace SH is a widespread and persistent issue (CARE Vietnam, 2019). Still, defining SH comprehensively is challenging because the legal definition in current Labour law is very recent, and there is no shared understanding of SH in Vietnamese society. Many social myths, gender stereotypes, and misconceptions surrounding SH may hinder people from readily identifying SH and framing their consciousness.

This chapter addresses this gap by examining the phenomenon of workplace SH from Vietnamese employees' perspectives. Qualtrics survey data and in-depth interviews will be used throughout this chapter. Understanding SH from the perspectives of working people is vital in developing empirical knowledge of the issue. The chapter consists of three main sections. The opening section provides a brief overview of the research participant demographics to contextualise the findings. The following section explores how working people conceptualise SH in general, and the last section unpacks what SH makes sense to working people.

4.2. Contextualising Research Participants

As signalled in the introduction, the principal aim of the study was to collect information from people working in various industries, including the state- employed- organisations, service sectors, and private-sector manufacturing plants. To contextualise the findings, it is relevant to note that almost three-quarters of the survey participants were between 28- 45

years of age (See Appendix table 8.1), which is similar to the age structure of the Vietnamese workforce in general (Vietnam General Department of Census, 2020, p. 2). Female respondents comprise 70% of the survey population (See Appendix table 8.1 and 8.3). Married workers in the survey and interviews accounted for most participants (around 80%) (See Appendix Table 8.2). This means that most survey participants are likely to bear many duties such as income-earning, childbearing and child-rearing, domestic work, and caring responsibilities for elderly family members or family members with a disability. These roles are generally regarded as the primary roles of women in Vietnam (Bélanger & Khuat, 2018; Hoang, 2020; Khuat, 2016; Le, 2002; Le & Mai, 1978). Balancing domestic and community roles and paid employment may contribute to how women conceptualise and respond to workplace SH. In addition, the dominance of married status in thesis demographics indicates the strength of normative views around marriage and, by extension, gender roles in the household (Bélanger & Khuat, 2018).

Table 4.1: Survey Participants by employment sector and work position

		Current position at work					
		Manager	Office Staff	Team leader	Factory Workers	Other	Total
Current Employment	Government organisations	9	5	1	0	1	16
	Unions	15	23	6	0	2	46
	Banking	27	125	2	2	1	157
	Education	6	18	1	0	7	32
	Factories	2	6	5	41	0	54
	Other	13	16	2	0	3	34
Total	Count	72	193	17	43	14	339
	%	21.2%	56.9%	5.0%	12.7%	4.1%	100%

Source: Qualtrics survey conducted from February- April 2021

This chapter draws on 22 interviews to present the views of different interview groups (workers in different factories and locations and state organisations) and workplace positions. The quotes cited in this chapter were selected to represent the most frequently mentioned views on SH emerging from the interviews.

4.3. Conceptualising Sexual Harassment Behaviours

Two foci of this section are the forms of sexual behaviours and the behavioural characteristics that determine people's framing of SH. The research data shows a variance in the perception of SH, and working people also frame their definitions of SH differently. However, many forms of SH behaviours were excluded from their definitions.

Table 4.2: Employees' understanding of SH based on the behavioural description

No	Sexual Behaviours	Percentage %
1	Unwelcome touching, hugging, or kissing	91
2	Staring or leering at your body that made you feel intimidated	62
3	Sexually suggestive comments or jokes, commenting on the attractiveness of others in front of an employee	53
4	Sexually explicit pictures, screen savers or posters, gifts that made you feel offended	80
5	Repeat or inappropriate invitations to go out on dates	72
6	Requests or pressure for sex or other sexual acts	74
7	Intrusive questions about your private life or physical appearance that made you feel offended	61
8	Unnecessary familiarity, such as deliberately brushing up against a person	58
9	Insults or taunts based on sex	61
10	Sexually explicit physical contact	68
11	Repeated or inappropriate sexually explicit emails or SMS text messages, social networking websites	34
12	Actual or attempted rape or assault, physical assault, indecent exposure, sexual assault	82
13	Sexual compliance is exchanged for a job or other benefits	84

Source: Qualtrics survey conducted from February- April 2021

Research participants were asked the survey question: 'Which behaviours below do you consider SH?' and provided a list of behaviours. The table above shows what participants selected as behaviours that they considered SH. In addition, an open question was asked, 'How do you define SH?' to further examine the characteristics of sexual behaviours employees use to define SH.

The data shows that SH is defined in three main forms: unwanted physical conduct, non-physical and verbal sexual conduct, and sexual coercion. Firstly, SH is overwhelmingly perceived as unwanted physical conduct and constitutes unwanted sexual attention by the majority of survey respondents. Unwanted physical conduct is displayed in the common forms of inappropriate 'physical contact of touching the body' (kissing, hugging, pushing, fondling, stroking, putting arms around shoulders) and, in its most serious forms, attempted or actual rape and sexual assault. Most survey participants recognised SH behaviour as 'Unwelcome touching, hugging, or kissing' (90%). 'Sexual compliance is exchanged for a job or other benefits' is the second ranking on the list. 'Actual or attempted rape or assault, physical assault, indecent exposure, sexual assault' (82%) is the third most frequently selected SH behaviour (Table 4.2). These behaviours are broadly identified as SH because their 'sexual ' or 'physical' nature describes offensive behaviours that are easy to recognise and feel.

Still, nearly 20% of survey respondents do not consider 'actual or attempted rape or assault' as SH. A possible explanation is that this behaviour goes beyond the participants' definition of SH because rape and sexual assault are criminal acts regulated under Vietnam Criminal law. Also, the term 'attempt' may not be explicitly understood as it will lead to SH. 10% of respondents did not consider unwanted touching as SH, even if these acts pose a physical threat that denigrates or shows hostility or aversion.

The findings from the interviews below provide more insight and explanations for the quantitative data above. As one interviewee elaborated: 'SH are many obvious behaviours: trespassing on the body, touching hands and feet, stroking hair and cheeks, and stroking hair and cheeks and putting arms around the shoulder' (Ms Hai, union officer, aged 45). This confirms other research findings that obvious physical advances and unwanted sexual attention are the most recognisable forms of workplace SH (CARE Vietnam, 2019, p. 40).

Research participants tended to describe SH in general physical acts rather than identifying details of the behaviour that would constitute SH. When asked to give some examples of unwanted touching, they were hesitant or needed to think for a while before providing explanations like 'Excessive touching or too intimate' (Ms Vi, union manager, aged 52) or 'Physical acts like touching and stroking' (Ms Diu, worker, aged 27). For example, Ms Nhi, a state officer aged 36 expresses her confusion: 'SH is to screw/ grope/ molest (*sàm sỡ*). Honestly, I do not understand what harassment means and what behaviours of harassment are.' In conversation, she later revealed that she was a victim of workplace SH a few years ago and still suffered trauma and stress. Struggling to find words to describe SH, she finally concluded, 'SH is about touching or asking you about sex that makes you feel offended.' This highlights the individual's feeling of being offended as a critical aspect of the SH definition.

Research participants pointed out that the recognition of SH depends on the consequences. As one interviewee suggested, conduct may not be viewed as SH unless the consequence or impact is visible harm. 'People often think SH is rape or something more serious. If other behaviours cause no harm or do not lead to serious consequences, they are not SH' (Ms Gi, state officer, aged 49). Another worker added that context and relationship matter: 'If taunting and bantering with sexual hints come from friends or someone close, it is ok; from a stranger, it is indecent' (Ms Tra, worker, aged 27).

Workers' experience of SH influences their conceptualisation of SH. To identify what sexual harassment is, people often refer to incidents they experienced. State employees are more likely to recall their experience of SH at work. One interviewee said: 'Once we were on a business trip, a man sitting next to me put his hand on my leg when I fell asleep' (Ms Lan, union officer, aged 42). Alternatively, 'when I was in an elevator, a man suddenly put his arms around my waist and shoulder' (Ms Hao, state officer, aged 33). As can be seen, the experience of SH plays a significant role in shaping working people's perception of sexual harassment. However, experiencing SH does not necessarily lead to their labelling/recognition of being harassed, as will be discussed in the next chapter. Factory workers often draw examples from social interaction with friends, colleagues, media (Television or social media), and online newspapers to explain SH. A part of this is because

they reported less experience of SH at work than a state officer, which I will analyse in chapter 6 of working women's experience workplace SH.

Contrary to Western literature, formal terms such as 'unwanted sexual attention' were not used by most of the research participants. Instead, they used common words of touching, kissing, hugging, taunting, and bantering as examples of SH. As this narrowed range of words refers mainly to specific behaviours, the definition of unwanted sexual attention might be limited as it potentially overlooks other behaviours of unwanted sexual attention. For example, in interviews, several correspondents only recognised SH in more severe forms (rape or assault), and 40% of survey participants did not see 'insults or taunts based on sex' as SH. This means that verbal sexual conduct is often under-consciousness of SH, although it conveys the nature of the offence. These divergent views of what constitutes SH may cause mistreatment or tolerance of SH at work. However, taken as a whole, the various behaviours defined by research participants reflect the main forms of unwanted SH discussed in the existing literature (Fitzgerald et al., 1995; Leskinen et al., 2011). This suggests that language may create a variance in describing SH, but the defined concept of SH is quite common across cultures.

The second important point emerging from the survey is that most participants perceived non-physical and verbal sexual conduct as gender harassment, which may not be considered serious but creates a hostile work environment. Behaviours that a large majority of survey participants identified as SH to include 'Sexually explicit pictures, screen savers or posters, gifts' (80%), 'Requests or pressure for sex or other sexual acts' (74%), and 'repeated or inappropriate invitations for a date' (72%) (Table 4.2). Participants gave numerous examples of non-physical sexual conduct in interviews, including catcalling, whistling, yelling sexually suggestive comments, and unwanted flirting. Jokes referring to sexual acts and sexual orientation, verbal sexual requests, and repeated requests to share telephone numbers were also mentioned.

Significantly, sexual behaviour via online platforms was less likely to be perceived as SH. Worldwide coverage of the internet and web provide an environment to consider and define SH in non-traditional spaces. Enabling virtual networks and communities with social media support has become a pervasive feature of the employment relationship in contemporary employment (Mcdonald, 2019, p. 4). Yet, in my survey, nearly 70% of the participants did not

consider ‘repeated or inappropriate sexually explicit emails or SMS text messages’ to be SH. Online communication is a popular platform for conveying social-sexual communication in contemporary society. Online social-sexual communication among young employees may reduce people's awareness of the potential of social bantering to escalate into SH. It is considered a facilitator to initiate romantic and sexual relationships (Solomon & Williams, 1997, p. 197). People differ in the way they perceive SH on online platforms and how they interpret messages (Biber et al., 2002, p. 34). SH online via email and mobile phones may be perceived as less threatening than face-to-face contact, and the consequences are not visible, but at the same time, they can also be more pervasive. An example of both the pervasiveness of online SH and its perceived impact is provided by a young factory worker about her female manager:

> My manager, Mai, a single mom, usually receives messages from her foreign line manager. He sent her sexually explicit pictures and asked something using inappropriate language, but she often ignored it. When I asked her why she did not report his behaviours or she did not try to stop him, she said, 'oh, he just said something; it does not matter’ (Ms Diu, worker, aged 27).

Diu's story of her female manager can help explain how participants may exclude this SH behaviour from their definition. According to Mai these activities had not caused her harm and were still within her capacity to control. Thus, she chose to ignore them as ‘it does not matter’. Deciding not to respond to the incidents does not mean that she did not perceive them as SH, but perhaps she preferred not to acknowledge them publicly to avoid any potential risks to her work. The literature suggests that in the workplace, perception of the severity of SH often increases with the message initiator's position. Supervisors have direct power over subordinates, and thus the worker avoids the cost of reacting to SH (Solomon & Williams, 1997, p. 199). In addition, power influences one's ability to control reward or cost; in this situation, the worker can still exert agency by not responding to the SH perpetrator. However, Mai’s case raises an important issue about how power relations at work affect perspectives on SH.

On the one hand, Mai’s perpetrator is her manager, and thus it could be her assumption that he has more authority to request whatever he wants. This leads to Mai’s acceptance of the manager’s power. On the other hand, Mai’s decision not to respond and label behaviour as SH could lead to a culture of tolerance for such behaviours. Since Mai was a team leader in the factory, the way she defines SH or refuses to act on it may give an example of

misunderstanding about SH dissimilated among their staff. Her staff may experience similar SH and accept it as 'it does not matter.'

Another type of sexual behaviour frequently encountered in Vietnamese workplaces is 'sexually suggestive comments or jokes, commenting on the attractiveness of others in front of an employee that made you feel offended' (see table 4.2). Although this behaviour is common, it is often excluded from interviewees' perspectives. Sexual jokes may be viewed as social-sexual communication that contributes to relaxation and humour at work. As one interviewee points out, 'No, sexual jokes are part of life, and just for fun, they should not be considered SH' (Ms Gi, state officer, aged 49). Since sexual joking is considered part of the workplace culture and everyday communication, people tend to normalise it and exclude it from their definition of SH. A union officer shared:

> Sexual jokes are quite familiar and happen everywhere. When you are on business trips, and people are making sexual jokes, it is not SH. Sexual jokes are just for people to entertain and distract themselves from the tiredness of travelling. I was annoyed by these jokes when I was a young staff member, but gradually I felt it was Ok (Ms Nhu, union officer, aged 41).

These comments connecting sexual jokes with humour, fun and friendly relationships are similar to findings in other studies (Dowd et al., 2003; M. Johnson, 1991). More recent literature argues that sexual joking can constitute SH when it is unwelcome, and while someone may enjoy sexual jokes in their work environment, others may feel offended (Johnson et al., 2018; Mcdonald, 2019). Nhu's comment indicates that she was offended when she was young and a new staff member but may have chosen to tolerate or participate in the behaviours to 'get along by going along.'

Identifying which types of sexual jokes and comments are inappropriate behaviour at work is difficult, as seen in Nhu's and Gi's narratives and other similar interviews. The remarks above indicate the way sexual jokes and social-sexual messages, and non-physical sexual behaviour is perceived as SH depending on an individual's attitude, workplace environment, and culture, which are discussed in other existing research (Dowd et al., 2003, p. 149; Solomon & Williams, 1997, pp. 207–208).

Sexual comments on people's appearance and dress are another behaviour that very few employees identify as SH at work. Some people targeted by such comments even appreciate them as a compliment on their beauty. One research participant revealed, 'When people

commented about my appearance or dress, I would think it is their compliment to me and that I am attractive' (Ms Ngoc, state officer, aged 32). Such comments do not constitute SH because it is not 'unwelcome' as Ngoc perceives. However, it shows how entrenched the cultural norms and expectations of women's appearance are in the workplace as one of the four Confucian virtues, which makes Ngoc and other female workers fail to realise the potential sexual escalation of such comments. The way participants conceptualise SH behaviour has some implications. First, it reflects traditional cultural norms' influence on women's beauty, of which women are expected to be responsible for their good looking. Second, the absence of a law on SH and a legal definition to define SH behaviours may lead to workers' simplification of defining SH. These together can contribute to mistreat SH at workplace.

Similarly, sexual comments on a colleague's personal life are not deemed as SH. Interview findings show that cultural interpretations of comments as SH or not are based on individual circumstances and how such comments are delivered. For example, Nhu refers to cultural norms to conceptualise this behaviour as non-SH. Nhu explained that 'asking about privacy, in the Asian culture, is normal. It is not SH' (state officer, aged 41). However, Ms Ha perceived it differently, stating, 'Talking or asking about a personal issue … can be SH' (Ms Hai, union officer, aged 45). As a single mother, such questions about Hai's personal life caused her discomfort. As can be seen, individuals' cognition differs from their cultural background, and personal circumstances shape people's understanding of SH. In addition, Vietnamese cultural socialisation in which people express their care about others by asking personal questions may obscure verbal intrusions as forms of gender harassment. Therefore, nearly 40% of survey participants did not view 'Intrusive questions about your private life or physical appearance that made you feel offended' as SH (table 4.2).

Very few employees consider showing pornography, taking pictures of workers or invading their personal space during their break time at work to be SH. This finding supports CARE's (2019) research that workers did not define such behaviours as sexual insults or sexual hostility (CARE Vietnam, 2019, p. 41). However, at the time of writing this thesis, the Vietnamese press, Vnexpress, publicised a case where a foreign manager took photos of workers in toilets and their private break rooms and posted them on the company's portal,

claiming that these workers were undisciplined. When workers complained about the manager, they were fired for a contrived reason of not acting appropriately at work. Meanwhile, their pictures and information continued to spread (Le, 2022). This case is not only about the violation of workers' rights related to labour relations but also the case of workplace SH. However, most public attention and condemnation focused on the issue of breaching labour relations, and there was little concern about SH. This indicates that SH in the workplace receives inadequate public attention and is defined in narrow terms.

A lack of clarification in law and workplace codes of conduct gives people space to excuse their SH conduct, like sexual comments, jokes, and suggestions. A manager in a Gender Equality Department stressed that 'the great challenge is how to define wanted or unwanted behaviour' (Mr Tran, state manager, aged 60). Similarly, another male manager in a Legal Department raised his concern 'it is difficult to recognise and define SH behaviour, except some cases are explicit' (Mr Thien, state manager, aged 44). I would argue it is a grey area that can be addressed by clearly identifying sexually suggestive comments and jokes and asking about private life as SH. Legal practices from other countries show that if SH is enacted in the law, for example, in the US EEOC, sexual jokes or humour can be considered SH in the workplace (Dowd et al., 2003, p. 149).

The third behaviour category that research participants define as SH is sexual coercion. Sexual coercion can take various forms, including physical and verbal coercion and as a threat of sexual advances. Working people conceptualise sexual coercion as rape, sexual assault, and coercive sexual intercourse. Nhu shares her view: 'SH can be in any form. Rape and sexual assault do happen' (Ms Nhu, state officer, aged 41). Another participant further explained her definition of SH as sexual coercion of sexual compliance: 'Threatening a person that they submit to sexual demands without any capacity to fight back' (Ms Mai, union manager, aged 46). According to Ms Mai, SH can be verbal or nonverbal threat acts that force individuals to engage in sexual activity. Sexual coercion, in this instance, involves power abuse and sexual activity in the absence of sexual desire. It also reflects the vulnerability of victims in facing verbal sexual coercion under workplace power.

Sexual coercion can also involve psychological manipulation that threatens and compels the target person to engage in sexual activity. Another staff member working in a state organisation at a provincial level revealed one way SH occurs based on partner manipulation:

> The woman was financially and emotionally dependent on the man. The man manipulated this situation to keep the woman in the ongoing relationship. He threatened her when she tried to end the relationship, so she could not leave (Ms Li, state officer, aged 36)

Li brings her understanding of SH from an actual case of two high school classmates who became working partners. Their case illustrates a behavioural shift from harassment to consensual sexual relations that end with sexual coercion. This complicated case of SH demonstrates the psychological and partner manipulation aspect of maintaining SH relationships to please their partner's sexual desire (Barron, 2010; Karantzas et al., 2016).

Verbal sexual coercion targets people in every working position, regardless of the leadership or staff positions. A female manager at a Union commented: 'After lunch, a male manager asked a staff member to come to his office, closed the door, and asked her about sex' (Ms Hoang, Union manager, aged 54). In this case, sexual coercion was a verbal request for sexual intercourse but not for employment conditions or job-benefit exchanges. The unequal power relationship between managers and staff, reflecting the workplace power hierarchy, turns this question into sexual coercion.

Although many respondents refer to sexual coercion between managers and staff, sexual coercion also happens between co-workers. In this situation, sexual coercion does not necessarily involve the working power, and instead, SH at work manifests unequal gender relations between men and women. The same person quoted above, Ms Mai, adds a story she knew from her work duties of women's protection.

> A man in the local government organisation was reported to allegedly harass his female colleague. He was using force to hug, hold, kiss and bite her on the lips and touch the 'sensitive' body parts of the victim without the act of intercourse with the woman. He said it was not rape, just touching, teasing and groping (Ms Mai, union manager, aged 46).

This man's sexual attention was claimed not to aim for intercourse or rape, but it was tantamount to assault in the form of unwanted sexual attention and sexual coercion. This example shows that different forms of SH overlap and interconnect. Although the perpetrator was fined, the case was seen as less severe because he did not intend to rape her and

addressed upon his excuse. It implies confusion among organisational leaders in defining the type and level of SH severity to punish adequately at the organisational level.

Sexual coercion and harassment may eventually end in intercourse by starting with a less serious form of flirting or teasing; as a worker noted: 'when a male wants to have sexual intercourse with a woman, he may start flirting with her' (Ms Thanh, worker, aged 39). This case may involve consent to achieve the initiator's intention to have sexual relations with the target. Thuong provides this example: 'The man will probe the woman's opinion, and he thinks you may like him if you do not react at first. He then will increase his sexual attention' (Ms Thuong, worker, aged 37). This sexual conduct begins with a less serious form, but it indicates the danger of ignoring or not responding to it because SH can escalate to more complex sexual activity.

By including psychological and power manipulation to define SH, the interview participants' responses above suggest a more inclusive definition of SH. SH, perceived by interview participants, indicates the construction of gender relations between men and women and workplace power relations. In many cases, gender relations and workplace power intertwine to shape SH and thus explain the shifting forms from non-consensual to consensual SH and vice versa.

Another form of sexual coercion is sexual compliance which is recognised by over 80% of survey respondents, as shown in Table 4.2. Regardless of working positions or employment sectors, sexual compliance is perceived similarly among diverse groups of state officers and factory workers. Interview data also reveals no difference in perception between factory workers and state officers to define sexual compliance. Their general perception seems to be based on actual workplace observation or hearing from colleagues, friends, and media.

The interview describes how sexual coercion for job-related benefits happens in various working situations. Hoa gave an example of the kind of scenario in which this occurs: 'When a boss wants to target his sexual advance toward a staff member, he will send a message to that staff promising better work conditions or salary in exchange for consent' (Ms Hoa, worker, aged 29). In Hoa's view, sexual compliance consists of verbal coercion for sexual activities and potential rewards. This quote has some implications. First, it reconfirms the escalation of SH from a less severe message, which people often ignore, to sexual compliance.

Second, the term ‘consent’ is a trick of a perpetrator to get a sexual target involved in sexual affairs without being accused of harassment.

In a factory of 1.500 workers, sexual coercion occurs as part of a factory-wide program. Mu gave an example of the garment company where he works:

> Our company organizes annual beauty contests to promote workers’ social life. Some winners are promoted to work as office staff or managers’ secretaries instead of working on production lines. I heard from my friends that if women agreed to go with the boss, they would get a raise; if they refused, they would be forced to quit a job or given a hard time and increased production quota. My friend was offered a promotion but quit because she disagreed with the boss's conditions (Mr Mu, worker, aged 31)

Mr Mu did not define what sexual compliance constitutes as a form of sexual coercion. In his words, sexual compliance is a response of ‘acceptance' or 'non-acceptance' to a manager's request. However, his story conveys a significant case of explicit sexual exchange: employment conditions for a salary increase, better working conditions or position promotion, or not losing one’s job, and avoiding negative appraisals and difficult working conditions. Such activities as the beauty contest may create conditions to expose SH at work easily. Sexual coercion for a job exchange is not uncommon in workplace settings, including state or union organisations, as reported by different interview respondents. To explain this issue, Ms Hang listed different reasons: ‘Sexual coercion as an employment condition happens because of unsafe working environments and unequal power relation distribution. For example, leadership positions are mostly occupied by men who have power over those with career ambitions’ (Ms Hang, state officer, aged 35). While Hang relates workplace SH with power relations and the working environment, she also indicates the notion of victim blaming when associating power relations with people having career ambitions.

Nonetheless, this research suggests that sexual compliance is not always occurring in exchange for job benefits. Why do victims comply with sexual advances even when they are not promised any benefits? The below interview quotes provide examples of sexual compliance in which victims had to engage in sexual activities with no exchange for job benefits.

> A warehouse manager has the power to nominate factory workers to be his assistants in the warehouse, where work conditions are easier than on the assembly lines. He made lots of demands on those he nominated. This unscrupulous and shameless man forced his female subordinates to work late when he would make all sorts of sexual advances, even groping. For

> cosy work conditions, they have to yield to him. If they refused and reacted, they would have to quit their job (Ms Than, worker, aged 22).

As this case shows, victims were threatened or forced to have sex with the perpetrator to keep their job and working conditions or to avoid losing their current job under management power pressure. Sexual compliance occurs so employees can avoid punishment, maintain their careers, or remain in good positions. Thus, sexual coercion, in these contexts, is not an exchange but a means to an end, and compliance does not necessarily mean consent but an obligation. The findings from the research underline the extension of the existing concept of sexual compliance that does not always involve benefits or job advantages but always involves power at work. This type of sexual coercion is often referred to as '*quid pro quo*' (MacKinnon, 1979).

Thus far, I have discussed how working people define SH and which sexual behaviour constitutes SH. The findings of this research show that the perception of SH varies among research interviewees and may depend on their working relations, organisational contexts, personal interpretation of cultural understanding, and gender norms of sexuality. In addition, the interpretation of verbal or non-physical advance varies depending on an individual's conceptualisation of SH, their relationships with the people involved, the workplace policy, national law, media influence as well as a culture of SH tolerance, which are addressed in literature also (Leskinen et al., 2011; McCann, 2005; Solomon & Williams, 1997). People tend to tolerate and do not label sexual behaviours caused by friends or peers. However, the literature shows that most cases of SH at work are someone that victims know, like friends or co-workers (Brown et al., 2019, p. 844; Puri & Cleland, 2007, p. 1363).

The interview narrative descriptions suggest that people's framing of their definition is based on their social knowledge and previous experiences of SH at work. In the absence of a legal definition and lack of formal statistics, their knowledge of SH is not based on an understanding of the law or organisation's policy. Instead, people seem to rationalise their cultural perspective of gender social norms and cultural morality to define and distinguish sexual behaviours as SH. Although most interview people did not conceptualise SH in the formal terms largely discussed in western literature and legal framework, of unwanted sexual

attention, sexual coercion, gender harassment or *quid pro quo* and a hostile environment. However, their descriptions provided similar opinions to prevailing views of SH in the existing literature (Barron, 2010; Beltramini et al., 2020; Cooper, 1981; Fitzgerald et al., 1988, 1995; Hoang et al., 2018; Leskinen et al., 2011). In the following section, I seek to understand how working people define behavioural characteristics that constitute sexual conduct as SH.

Sexual Harassment: Unwanted and Offensive

As the section above shows, SH is defined subjectively as individuals experiencing or observing various behaviours and forming their own conceptualisation. Defining the determinant element of sexual conduct allows recipients to distinguish general sexual behaviours from sexual harassment. According to Hamada (1995), the victims' perceptions, emotions, and reactions to SH are the most important in determining SH, regardless of the offender's intention. She stated:

> Laws on SH focus primarily on the victim's perceptions rather than the offender's intention. What is important is not the intent of the message being sent by the offender but what emotions and reactions it stirs in the victim's mind (Hamada, 1995, p. 163).

This points to a targeted person's perception as vital to defining whether a behaviour is SH. Hamada's question raised a few decades ago is still critical in understanding SH in the contemporary workplace. This way of defining SH underscores the subjectivity of SH in which victims perceive a personal engagement to be SH or not, regardless of a perpetrator's intentions or the behaviours' outcome. In fact, people tend to define behaviour as SH more directly to adverse outcomes rather than the behaviour itself, as discussed in the literature (Amick & Sorenson, 2006, p. 51).

Data from my research shows that most respondents consider 'unwanted' and 'offensive' as key characteristics of behaviour that they would define as SH. In this section, I use 'unwanted' to describe people's conceptualisation of what behavioural's characteristics constitute SH, while 'offended' refers to people's feelings when they distinguish SH from other general sexual acts. The words people used to describe the unwanted behaviour were 'unwelcome and inappropriate.' The words 'uncomfortable,' 'uneasy,' and 'scared and fearful' were used to express offence and feelings of psychological distress caused by SH.

The interview data provides more detailed explanations about an individual's subjective feelings of offense. Regardless of the person's level of understanding and recognition of SH forms of behaviour, they stress the importance of unwanted behaviours and offended feelings to characterize SH. A staff remarks:

> I am very offended when some female workers in my factory sometimes touch their female colleagues' chests or slap their butt. It could be a kind of SH, but people keep laughing about this as they are ok with it, but I am not (Ms Cam, worker, aged 43).

By saying, 'I am not,' Cam highlights her subjective feeling of being offended, which means she is being harassed, regardless of whether other people consider these acts humorous. Other interviewees use more explicit and direct terms to describe their subjective feeling about SH:

> Sexual behaviour can be words, looking at sensitive body parts, or talking about a personal issue. It can also be tricking, seducing, filming, and taking pictures of someone. Most importantly, such behaviours make us feel uncomfortable or unwanted, such as SH (Ms Hai, union officer, aged 45).

Hai's remark emphasises the importance of her sense of SH as 'unwanted.' 'Unwanted' often accompanies feeling 'uncomfortable' when targeted by SH. The feeling of being unwanted was stressed by many other interviewees in this research, as suggested by Diu: 'SH is unwanted. If the conduct like flirting, soliciting, touching, and asking for a date is voluntarily made and among friends, it is not SH' (Ms Diu, worker, aged 27). Diu's comment suggests that the relationship among people involved in sexual behaviour may shape their subjective sense of defining SH. Even if such sexual behaviours are unwanted, people tend to exclude them from harassment forms when they occur amongst friends. This finding supported the argument made by Rubenstein (1992) and was further supported in McCann's (2015) work:

> Within these broad objective parameters, SH is essentially a subjective concept: it is for each individual to decide what does and what does not offend them. Any other standard would amount to an intolerable infringement of individual autonomy (Rubenstein, 1992, p. cited in McCann 2005, p. 3).

Interview data shows that psychological distress is one indicator that employees use to define sexual behaviours as SH. In other words, adverse psychological reactions illustrate victims' evaluations of the SH behaviours and their consequences that cause a threat, loss, and ambiguity to their life and employment. Ms Lan, a state officer, aged 42, said, 'SH is unwanted, non-consensual and creates fear and scares us.' Another interviewee, who was

sexually harassed, uses the same words when she recalled: ‘It is this fear and anxiety. I was stunned with fear. Even now, I am too afraid to recall my experience.’ (Nhi, state officer aged 36). This type of distress is commonly found among research respondents. However, less serious forms of SH that create less psychological distress may not be viewed as SH or ignored by many. People often find it difficult to express their feelings, and it becomes more challenging when victims and harassers are in a working relationship. As explained by an informant who holds a leadership position in the Labour Relations Department: ‘Dependent workers may be harassed by a manager for sexual advances, soliciting, and exchange sex. Although they feel offended, they cannot dare to respond or speak out’ (Mr Quang, manager, aged 55).

The discussion above shows that ‘unwanted behaviour’ is the most important characteristic that working people frame their definitions of SH. This critical dimension of SH is discussed widely in studies by psychological and legal feminist researchers (Fitzgerald et al., 1995; O’Hare & O’Donohue, 1998; Schultz, 2019; Shaheen & García, 2020). Defining SH as conduct the recipient views as unwelcome and unwanted distinguishes between inoffensive and unacceptable behaviours. It draws the line between welcome and unwelcome behaviour and the context in which it happens. Findings from this research further suggest another characteristic which frames people's perception of SH: the subjective feeling of being offended or uncomfortable, resulting in psychological distress for recipients. In most cases, unwanted and unwelcome behaviour and feelings of offence go hand in hand with psychological distress. However, psychological distress is not required to define sexual behaviour as harassment; it is sufficient that the sexual behaviour is unwanted to the recipient to determine that it constitutes SH.

Different levels of understanding of sexual harassment

People's understanding of SH appears to vary. One group of interviewees demonstrated a moderate and good understanding of SH by being able to describe various forms of SH. Another group expressed confusing or contradictory views when defining SH. For example, Nhu expressed her confusion in this remark: ‘People comment about women (appearance and characters) and make up a personal story. Is this behaviour SH?’ (Ms Nhu, union officer, aged 41). Nhu expressed her wonder in defining what behaviour SH is. One reason for the

confusion is that people perceive SH based on the work context and the positions of the harassed target and the harasser. Certain behaviours were deemed acceptable, and people did not label it as SH if that conduct was associated with their nature of work. 'Our work involves economic business and meeting with partners, so it depends on each situation to consider if their behaviours are SH' (Ms Gi, state officer, aged 49). Confusion about what constitutes SH was commonly found among those who had experienced SH and those who had not. For example, Ms Nhi, who was introduced earlier, expressed confusion despite being a victim of protracted sexual harassment. Other workers who stated that they had not experienced SH had similar difficulties in defining what behaviours constitute SH: ' I can imagine SH as enticing messages or flirting' (Ms Tham, worker, aged 31).

The survey data show little difference between age groups in the capacity to define SH (Figure 4.1; for legend, see Table. 4.3).

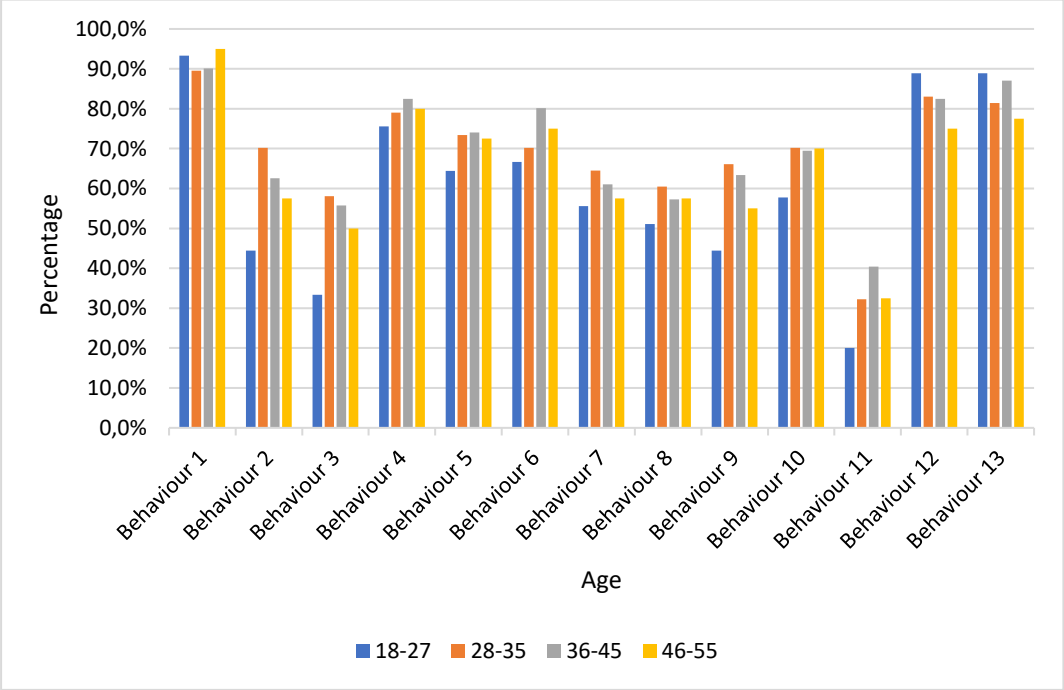


Figure 4.1: People's understanding of SH by age

The youngest and oldest survey participants had similar views in defining unwanted physical behaviour as SH. However, young people were much less likely to define inappropriate sexually explicit emails or SMS text messages as SH than middle-aged participants (36-45 years). This may occur due to the popularity of social media usage among

young people, which has led to the communication of a sexual nature daily and the normalization of SH messages online.

Employment sectors appear to significantly affect working people's perception of defining some form of SH (Figure 4.2; for legend, see Table 4.3). For example, Union staff were twice as likely to label 'sexually suggestive comments or jokes, commenting on the attractiveness of others in front of an employee' as SH than government staff. Even though unions in Vietnam are also a part of the political system and subsidised by government funding, union staff identified SH at a higher rate than the other employment groups. It may be that union staff are more sensitised to sexual harassment as a workplace issue because they work closely with their target population of women workers. The unions in this research, including the Women's Union and Trade Union, are working towards women's and worker's rights and gender equality. In addition, most union staff are women, and their daily duties often involve working and travelling with different partners, exposing them to the risks of SH.

Table 4.3: Legend for the Figures 4.1 and 4.2

Sexual Behaviour	Behavioural Explanation
Behaviour 1	Unwelcome touching, hugging or kissing.
Behaviour 2	Staring or leering at your body that made you feel intimidated
Behaviour 3	Sexually suggestive comments or jokes,
Behaviour 4	Sexually explicit pictures, screen savers or posters, gifts that made you feel offended
Behaviour 5	Repeated or inappropriate invitations to go out on dates
Behaviour 6	Requests or pressure for sex or other sexual acts
Behaviour 7	Intrusive questions about private life or physical appearance that made you feel offended
Behaviour 8	Unnecessary familiarity, such as deliberately brushing up against a person
Behaviour 9	Insults or taunts based on sex
Behaviour 10	Sexually explicit physical contact
Behaviour 11	Repeated or inappropriate sexually explicit emails or SMS text messages, social networking websites or internet chat rooms by a work colleague
Behaviour 12	Actual or attempted rape or assault, physical assault, indecent exposure, sexual assault, stalking or obscene communication
Behaviour 13	Sexual compliance is exchanged for a job or other benefits

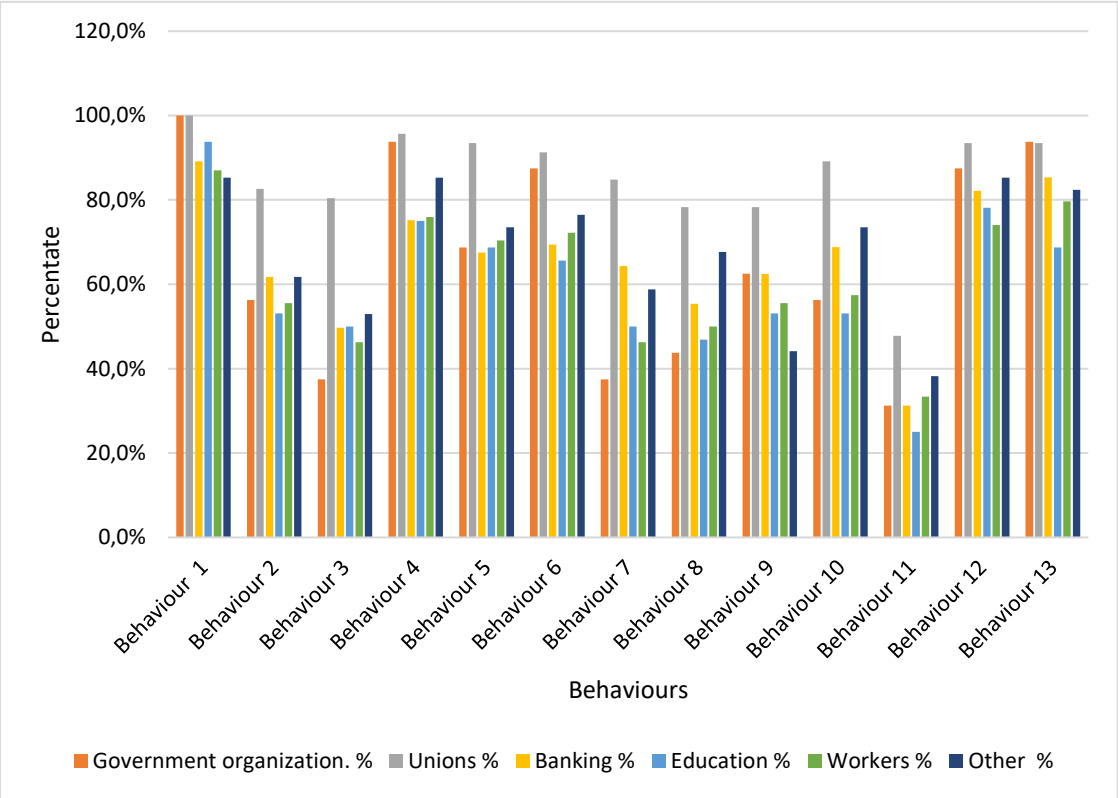


Figure 4.2: People's understanding of SH by type of employment

Source: Qualtrics survey conducted from February- April 2021

Interviews with union staff confirmed that most people demonstrate a good understanding of SH and the ability to identify different forms of SH. The conceptualisation of SH as perceived by research participants is nuanced, and it comprises full continuum from being made to feel uncomfortable to being diminished by innuendo and inappropriate comments or behaviour to a range of physical harassment. The differences in participants' perceptions and understanding of SH can be understood from the intersectional differences across social groups. It relates to the education level and life experiences of more sophisticated urban women and more recent migrants with a lack of social networks and family support. The working conditions and culture where workers show solidarity can express more assertiveness of understanding and respond to SH. In addition, women value conforming to the feminine view. Thus, it raises the need for more legal, cultural, and structural changes to address workplace sexual harassment. These issues will be discussed in the subsequent chapters.

4.4. Conclusion

This chapter explored working people's perception of SH. Workplace policy and public education have not addressed workplace SH extensively in Vietnam, so it is important to understand SH from working people's points of view. Vietnamese employees who participated in this study demonstrated various viewpoints on SH and different levels of understanding. Most employees agreed that 'unwanted touching' – unwanted sexual attention and 'sexual compliance for job exchange' – sexual coercion were widespread forms of workplace SH. These behaviours are widely discussed in early literature (Fitzgerald et al. 1988; Lăzăroiu, Rowland, and Bartosova 2018; Holland et al. 2016; Uggen and Blackstone 2004; Bowes - Sperry and O'Leary- Kelly 2005; Grossman 2015). Finding these same forms of behaviour identified by workers in Vietnam suggests that SH is perceived not much differently across societies and cultures (Dyer et al., 2019; Sorenson et al., 1994).

According to the survey data, this chapter shows little difference between the ways factory workers and state and union officers conceptualise the definition of SH. However, the interviews show that factory workers tend to describe mainly unwanted physical and sexual attention as SH because of the apparent demonstration of SH in nature. Workers who have higher education (graduated from college and university) and participate in workers' social and education activities often describe a wider range of SH behaviours than those who do not. In contrast, female state and union officers are more likely to define sexual coercion as the main form of SH, of which sexual compliance is more frequently perceived in the context of unequal power relations between managers and staff and power manipulation among co-workers.

In addition, the research found that some forms of gender harassment, like sexual jokes, flirting, or sexually suggestive comment, are less likely to be perceived as SH. Middle-aged employees in state agencies are less likely to define these behaviours as SH because they are customised at work. Meanwhile, junior factory workers tend to define SH as causing harm and are less likely to include these harassment behaviours in their framing definitions. The overlap between workplace social culture and social-sexual communication activities may obscure the prevalence of workplace SH and result in excluding various SH behaviours that produce a hostile environment.

This chapter adds to the body of work on SH by analysing a distinguished identification of two critical elements of 'unwanted' and 'offensive' that constitute SH behaviours. In this research, the former refers to the behaviour itself- the latter reflects an individual's subjective feelings to determine whether sexual conduct is SH. However, a remaining challenge in conceptualising SH is that people may not be aware of or dare to disclose their feelings and reaction to SH. In addition, the chapter argues that employment sectors and working conditions play a role in shaping people's understanding. People who are more educated on gender equality and have more connections with working people have better knowledge about SH. People tend to accept some forms of SH as everyday acts that frequently happen to them and others. This implies that when the wrong thing happens with no consciousness or condemnation may become a right or acceptable, creating a culture of ignorance or tolerance of SH.

Overall, the chapter revealed that people define and understand SH based on their social and cultural knowledge and workplace contexts rather than referring to laws or expressing their legal consciousness of SH. Findings from this chapter raise questions about what factors shape individuals' common and different perceptions of SH and how the phenomenon is culturally conceptualised in workplace settings. These questions will be addressed in the following chapter 5. Another question suggested from the data analysis in this chapter is how workers' understanding of SH may inform their experiences; how they disclose workplace SH and respond to it will be addressed in Chapters 6 and 7.

CHAPTER 5: WORKPLACE, ORGANISATIONAL POWER, AND CULTURAL NARRATIVE OF SEXUAL HARASSMENT

This chapter positions the workplace setting at the centre by seeking to answer from an empirical perspective the following questions. Firstly, how do working people conceptualise workplace sexual harassment from an organisational power perspective? Secondly, how do socio-cultural gender relations and norms influence workplace SH?

Workplace SH is a relatively new field of study in Vietnam's public and organisational understanding, legal formulation, and academic research. Few or no empirical studies have looked at the socio-cultural construction of workplace SH from an organisational perspective, especially when such a perspective is intertwined with cultural elements (e.g., Confucianism). The theoretical approaches of the organisational and socio-cultural shows that power drives workplace sexual harassment. This power is generated within socio-cultural contexts where gender inequality is maintained and reinforced through hierarchical organisational power structures and cultural norms.

Building on the discussion on working people's perception of SH in the previous chapter, this chapter delves deeper into their conceptualisation of SH as a workplace issue. Drawing from the corpus of interviews, the chapter argues that workplace SH demonstrates the interconnection of an organisation's power and socio-cultural constructions of gender relations and equality at work. In Vietnam's cultural and employment contexts, SH at work embodies the socio-cultural norms and the conformity to the organisational structure that working people carry to the workplace. This argument is first exemplified by a case study of a Vietnamese state officer, Ms Nhi. This case study reflects a common recurring theme of how SH is facilitated by organisational power and endorsed by gender norms simultaneously, thereby suppressing women's voices. Section 5.2 accentuates SH as a workplace issue constituted by the dynamics of organisational structural power and employment position. Section 5.3 addresses the cultural narratives of sexual harassment by arguing that traditional gender norms of men and women are a significant factor in the worker's conceptualisation of sexual harassment extended to workplace settings.

5.1. An Employee's Struggles and Vulnerability to the Workplace Sexual Harassment

The interconnectedness of organisational structure and socio-cultural norms constituting SH at work is exemplified by Nhi's story, which also demonstrates some commonality among other stories I collected through interviews with different Vietnamese working women in 2020. Nhi's story portrays how a vulnerable female staff member could be exposed to multiple forms of unwanted sexual advances and gender harassment in the hostile environment of a state-owned company. Nhi's case shows the way SH is facilitated by workplace power and endorsed by gender norms, thereby suppressing women's voices. Her perception and experience of workplace SH are simultaneously (i) conditioned by the inherent organisational structure and (ii) constructed socially through her view of and interactions with culture, gendered social norms toward women, and workplace justice. The power dynamics prevalent in Nhi's case are organisational power, particularly employment position power, and the power of traditional cultural narratives pertaining to the organisation.

Case study: H Nhi is in her late 20s and had just been through a divorce when she took a different job and moved from a rural area to a big city. Nhi is also the sole caretaker of a chronically ill three-year-old daughter.

Nhi reported that she was often subjected to physical and emotional/verbal harassment by her line manager and later by another high-profile figure at her workplace, a state-owned company. Nhi feels lonely and disoriented and rarely confides in others. At the time of the interview, Nhi was unaware of what SH meant and struggled to conceptualise her traumatic experience.

Her line manager is 20 years older than her. As her workplace is culturally and traditionally oriented, she addresses her manager as 'uncle' *(chú),* a respectful honorific title commonly used in Vietnamese culture to address seniors socially and professionally, typically those more than ten years older. However, her HR officer and colleagues advised her to call her line manager 'brother' (*anh*) to create a more 'friendly' and conducive work environment. *Anh* is used to address someone less senior professionally (typically five years older), and honorifics are also used socially to address an older brother or a male romantic partner.

Nhi was at first uncomfortable addressing her superior informally; however, she got used to it later as everyone around her did the same.

The manager started helping her at work, but soon Nhi encountered jealousy from her colleagues as they believed the manager favoured her. Her colleagues spread rumours behind her back that the two of them indulged in a romantic relationship. As time passed, her relationship with her manager turned abusive. She recounted:

'Being a young and new staff member, I always listened to my manager for work instructions and feedback. He was very kind to me, and I appreciated it. However, later he started patting my cheek whenever we were alone in the elevator. I tried to be assertive and pushed his hand away, expressing my discomfort. After this, I often ignored him whenever possible. Since he was my manager, even though I tried to avoid him as much as possible, I still needed to talk to him for work-related purposes. Sometimes I went to his office, and he touched and stroked my arm inappropriately. I then expressed my displeasure and left. It was not his first time being inappropriate with his employees. I had overheard my colleagues talking about my manager harassing a former female colleague. I did not know what constituted SH as I did not understand the meaning of it. In my opinion, harassment only meant kissing or sexually assaulting.

After constantly ignoring his advances in the office, he turned to harass me verbally and mentally. He sent me about 200 emails over three months, including love poems. He often emailed me out of office hours at midnight and would expect me to reply immediately. Respecting our working relationship, I responded to him if the emails were work-related to the best of my ability. If I did not reply to the emails immediately, he took my responses as a way of me fighting back, and he would call me names. He had different ways of putting pressure on me. In one instance, he would complain and ask me to come to his office the next day and wait for him for a long time without having any assigned work. He also asked me to move to another department, then changed his mind and asked me to remain in the office to help him. All of this was stressful, resulting in me being physically unwell.

As I had to support myself and my daughter, I could not quit, and I stayed in the same department under his supervision. When all this did not work, he started bad-mouthing me at work and reduced my working hours. I was lonely, embarrassed, and had lost all my

hopes. Most of the staff members in my organisation believed him. They would not confront me directly, but I felt how they looked at me. I felt it when they gradually isolated me at lunch. I had to pretend to ignore everything and reluctantly let people spread whatever rumours they wanted about me. That was why I did not report to the HR or the Trade Union. I thought they would think it was a personal matter and convince me to resolve it informally. I did not dare share this with anyone, as most had already made presumptions. I did not talk to my parents as there is a huge generational gap, with their mindset that women should endure hardship and suffer in silence.

Everything was worsening by the day. One day I was asked to be a receptionist for the organisation's senior manager for a major organisational event. When there was no visitor to greet, the senior manager then confronted me about the rumours about the line manager and me. What I had originally felt as empathy immediately turned to further harassment when this senior manager then proceeded to kiss my cheek and stroke my arm. It happened so quickly that I did not have the chance to process it; I was offended and ran out of his office. This did not stop there. Once again, everything seemed like it was repeating itself. On one of my work-related trips, this senior manager touched my hand and whispered, 'please come to my room tonight'. I did not respond to it. Later, I received a text message saying, 'come to my room, my room number is ….'

Recalling these encounters still gives me goosebumps. Being a single mom, I can be a target of their sexual desire. The world seems so unfair to me. They are managers who are supposed to lead and be a role model, yet they abuse their power and authority.

Having finally confided in a close friend, I decided to take a step forward and formally reported this. She advised me to collect and keep all evidence of my manager, including his emails and messages. I collected evidence and reported it to the department's HR. Having all the evidence, the HR officer believed me and understood that my manager had made up all the stories. The HR officer asked me if I wanted to move to another department. I eventually chose to move, but the accused manager remained in his position until he retired. Of course, I did not report the incidents to the organisation's senior manager. I just try to forget it.'

The power dynamics inducing Nhi's traumatic experience of SH at work include employment position and socio-cultural expectations. On the one hand, situations such as

being asked to come to the manager's office, participating in work-related trips, and responding to emails, are unavoidable when Nhi's position at work is junior to that of the line manager. The organisational structure dictates that employees comply with requests from seniors, even if the requests are work-related on the surface but have turned into non-work-related requests. For example, when Nhi was asked to wait in the manager's office without any assigned tasks or when she was sexually harassed on business trips.

On the other hand, there are situations governed by socio-cultural expectations. First, the linguistic nature of honorifics is malleable when considering 'unwritten' rules in traditional, typically state-owned, workplaces. Nhi was indeed asked to address her much-older senior colleagues by *anh* ('brother' or 'dear'), which is highly unusual in social settings, rather than the conventional *chú* ('uncle'), which is often more acceptable for someone who is 20 years older. Second, jealousy induced by female colleagues is also an unavoidable norm, and this atmosphere of jealousy contributes directly to her silence with respect to workplace SH. Third, her parents' mindset that women are expected to endure hardship and suffer in silence is another example of cultural norms dictating women's response to harassment. This represents a generational tension between older and younger generations in complying with or surpassing traditional gender norms (Nguyen 2016, Phạm et al., 2021). Fourth, female staff are often expected to take the role of receptionists in Vietnamese and other cultures. In particular, good-looking women are often objectified as the 'face' or the representation of the company that is believed to assist strategic relationships with other working partners (Crockett, 2015; Williams, 2017). Attractive female employees are often expected to greet guests. This implies the persistent norms and gender stereotypes on women's appearance as an object to satisfy others' taste of beauty.

It should also be noted that a staff member's marital status (single and divorced) is often made known by HR or unethically revealed among senior staff members, although it should remain confidential. This is possibly why Nhi was more vulnerable to sexual harassment by senior staff. At the same time, making a woman's marital status known in the office encourages her fellow female colleagues to spread rumours about the romantic nature of her relationship with her manager because Vietnamese women are expected to be married (Bélanger & Khuat, 2018).

The case study of Nhi has revealed several intertwined factors of organisational power and cultural power in framing female workers' vulnerability to SH. Sections 5.2 and 5.3 will elaborate on how employees conceptualised workplace SH from organisational and cultural perspectives.

5.2. Working People's Conceptualisation of Workplace Sexual Harassment

This section draws from participants' narratives to answer the question of 'why and how sexual harassment happens in the workplace.' Two themes emerge from interview data that characterise how working women perceive workplace sexual harassment. One is that workplace SH is a manifestation of power at work. Secondly, SH is a common issue in the workplace where sexual conduct shifts from non-consensual to consensual and vice versa, creating a working environment in which ambient sexual harassment is rife, and workers find it difficult to identify and challenge SH behaviours.

Workplace sexual harassment manifests power at work

Workplace SH is distinguished from general SH because it involves and manifests power at work. Two manifestations of an organisation's power stand out from the interviews: formal organisational power and the informal power of gendered social norms and stereotypes of women's employment and women's leadership at work. Interviewees view organisational power as an illustration of the traditional structure of unequal power distribution and the power relationship of work positions. These two types of organisational powers reinforce each other within the organisation, putting women in lower positions with subordinate status. Informal power distinguishes itself from organisational power. However, it is an inherent part of the organisation's power structure of inequality justified by gendered social norms, prejudices, and discrimination against women at work.

There are several ways power at work creates the space for sexual harassment. First, the organisation's power structure traditionally attributes leadership positions to men. Vietnam's top-down bureaucratic administration structure, in which power is distributed from higher to lower levels, continues to reinforce men's leadership and dominance in the system. Bureaucratic power operates within an organisation and extends to working relations with external working partners. Research in Vietnam shows that women leaders face more

challenges to being promoted due to their ascribed female roles of taking care of the family, which limits them from attending after-work events (eg. dinner meetings and welcome parties) to build social networks. Meanwhile, these events can potentially be risks of harassment because women leaders are often a minority group than their men counterparts participating in such events (Maheshwari & Nayak, 2020).

In this research, this strand of power is more typical in state-owned organisations than in private businesses. In a privately-owned company, the power structure is less hierarchical. However, the system inherently leaves little room for women to participate in management roles regardless of business type. Therefore, managerial positions are occupied mainly by men, and women are more often in low or middle-managerial roles. This gendered structure leads to the second strand of power relations that constitutes workplace sexual harassment; that is, sexual harassment at work is construed as a means to confront and challenge women who are in leadership roles or pursued to be promoted at work.

Regarding these strands of power and how they intersect, a key informant who is a manager of the Labour Relationship Department in the Trade Union explains:

> [..]. In our common organisational structure, there are upper management and lower management levels, and the majority of people in management are men. High-level managers tend to assume they have power over everything and the right to make any decisions and requests. SH at work always happens with regard to power relations in which perpetrators have power over victims. They apply this perception in justifying sexual advances upon their subordinates and think there will be no consequences. (Mr Quang, union manager, aged 55).

Mr Quang's comments reflect some issues related to institutional workplace power: men in leadership positions and how this structure gives them the power to ask for 'anything' and enable SH at work. Firstly, men's traditional leadership dominance at work demonstrates gender inequality within an organisational structure. Secondly, inequality in the workplace creates an opportunity for managers who are men to use their power in exploitative ways, resulting in a culture of abuse to satisfy their self-interest - manifested in the form of sexual advances. SH, in this sense, exhibits the transferring of working position power into personal power.

Second, power relations in working positions, inseparable from the organisational power hierarchy, is another source of sexual harassment. Power relations demonstrate gender inequality at work embedded with gender social norms and stereotypes of men and

women. Many employees in the interviews show that this perception of working position power conditions their views of workplace SH.

Ms An, a female manager and a victim of workplace SH, elaborates on workplace power as an extension of unequal social power in the workplace. Her expression illustrates that sexual harassment is an individual's intention to use work power to manipulate working relations sexually.

> In general, men are given more power. Their power dominance is present in society and every workplace agency. Men often hold more managerial positions and higher authority than women at work. When they work with us as colleagues, they treat us ruthlessly. They do not care about the consequences of their sexual harassment behaviours because they are managers in influentially powerful organisations, and no one would care when they exhibit misconduct outside their workplace (Ms An, union manager, aged 36)

Ms An's statement suggests that workplace power is often interpreted through the cultural ideology of male dominance permeating the workplace. Although in this An's cited quote, there is no word of Confucian, she highlighted the overwhelming influence of Confucian in society and at work through the interview with me. Like Mr Quang's idea above, men in leadership positions hold extended power over others, including masculine power and workplace power, allowing them to make demands from others. Additionally, this ideological conceptualisation of workplace power also implies the failure of organisational policy to address and solve sexual harassment. When the perpetrators give themselves the right to misbehave without judgment from within and outside the workplace, the organisations' SH regulations do not change leaders' perceptions. It may also indicate that workplace SH's policy has not addressed the cultural norms of gender inequality that constitute workplace SH. For Ms An, being a female manager still feels powerless compared to her male counterpart.

Similar to An, Hien, a 37-year-old female worker, conceptualises SH as a combination of unequal power positions and gender social norms toward women. Her remark below illustrates that women are significantly entrenched in gender stereotypes to make assumptions about women's femininity characters associated with SH.

> SH often happens between managers and subordinates from the management level and above. Because the manager and the subordinate frequently interact, the man takes advantage of this working relationship. The woman is beautiful but might not be an effective worker, so the man takes advantage of her weakness and wants to 'own' her (Ms Hien, worker, aged 37).

There are two implications from Hien. Firstly, although Hien did not directly use the

term ‘power’ to describe how sexual harassment happens at work, her description highlights the power relation between superiors and subordinates. Power itself does not cause sexual harassment, but sexual harassment occurs due to the way power is used by superiors. Second, Hien’s narrative also alludes to the notion of gender stereotypes toward women’s beauty and women’s incapability. This notion illustrates another type of power, not from the formal organisational structure but from a cultural perspective. This gender assumption may narrow the definition of SH from workers, leading to the exclusion of SH in workplace reality.

Position power is often exhibited as sexual coercion for employment or employment-related benefits, which is not uncommon in Vietnamese workplace settings. A union officer said:

> They use their status and work power to force subordinates to exchange sex and flesh for material gains. It is all about those with power. SH in the workplace often involves a material exchange where men are in control and women are harassed (Ms Hai, union officer, aged 45).

Hai explicitly mentions work power and how it is deployed to facilitate sexual harassment through a material exchange - sex for employment. Other factors contributing to the workplace SH are the unequal distribution of benefits, which may result from unequal organisational structures that place women in fewer employment opportunities. It also involves an individual financial situation that puts employees at a greater disadvantage. Ms Ngoc, a state officer aged 32, commented:

> Workplace conflict of interest and unfair benefit distribution exist, which create opportunities to be exploited by the boss to grant favours to subordinates. The subordinates' career ambitions may make them consensual party to the sex exchange, and economic disadvantages or emotional issues may put the subordinates in a position vulnerable to exploitation.

Ngoc’s comment illustrates that there are many dimensions of inequality, including gender inequality at work that reinforces the subordinate position occupied by most women. One implication that stands out from Ngoc’s view is the organisational power structure in which women lack equal employment opportunities. Thus, those who want to advance their career are labelled as ambitious women and targeted for sexual harassment as the price for career development. Ngoc’s point brings up the informal power in the organisation that is culturally constructed. However, Ngoc is not a single voice speaking about this problem, other interviews also back up this observation. This may imply that, regardless of enhancing women’s agency in women workforce, they still have to challenge the traditional gender power and new emerging gender barriers at work, including SH.

Workplace sexual harassment also derives from informal power governed by traditional gendered social norms toward women and stereotypes of female leadership in the organisation. This perception is an unsurprising norm-governed consequence that positions women's career ambition with sexual harassment. A woman in a leadership position is assumed to have got there by exchanging sexual services for career moves. This undermines her authority to lead which is supported by other respondent's views below:

> A manager of a powerful department in my province was beautiful, charming and excellent in her professional management […] When the department encountered problems, people turned on her to blame her management incompetency. They rumoured that she was promoted because of her attractive appearance and a bureaucratic system to increase female personnel in the state apparatus (Ms Li. state officer, age 36).

Li's comment reveals a form of verbal harassment at work that is constituted by the imposition of gender stereotypes on women's appearance and ability. This stereotype reinforces the traditional norms of women's incapacity as leaders. Although women are under-represented in positions of authority, the traditional beliefs and cultural ideologies of women's natural ability persistently shapes the perception of their job performance. This highlights women's difficulties in gaining initial entry into a management position and having equal authority at work. When women can attain leadership roles, they must confront questions about their leadership capacity and gender stereotypes of women's leadership. In this regard, the traditional culture of gendered social norms is an informal driving force in conceptualising workplace sexual harassment. It explains why harassment happens between managers and subordinate staff and between male and female co-workers. This shows the intercorrelation of formal power organisation and informal cultural power, in which the former reinforces the latter while the latter governs the former through gendered social norms and stereotypes toward women at work.

These findings reflect the key arguments addressed in the socio-cultural and organisational theoretical approaches that workplace sexual harassment is intrinsically conditioned by organisational power. The issue, at the same time, is socio-culturally constructed by gender relations at work. Drawing from this analysis, I argue that workplace SH illustrates the entanglement of the organisational and cultural power of the gender construct in the context of the Vietnam workplace. These power sources exhibit the hallmarks of Vietnamese patriarchal ideology and practices of male dominance in the organisational

hierarchy. Power at work is not separate from the organisational system and cultural influences; instead, they reinforce each other. Within this context, sexual harassment maintains the gender inequality status of women and discourages them from working and confronting harassers. The next section analyses how working people describe the issue of SH in their workplace and whether SH is a workplace problem.

Sexual harassment is a common workplace issue

This section demonstrates that SH is a commonly encountered workplace issue. Despite the confusion in defining what behaviours constitute SH, interviewees express no doubt that SH is a problem in their organisations. Responding to the interview question, 'Do you think SH is an issue at your workplace?' Mr Mu answers without hesitance: ' Oh, SH frequently happens at my organisation' (Mr Mu, worker, aged 31). According to Mu the most typical situation was the suspicious Miss Workers Contest organised annually in his factory. From which winners are promoted to factory departments with more favourable working conditions. However, some of his female friends had to quit their jobs because they rejected their managers' sexual advances. Although the institutionalised SH happened publicly in his company, no case was formally reported.

Other interviewees also observed the systemic nature of SH. A worker who changed her job several times described:

> I knew that SH was a concerning problem in some of the companies I worked at, and it happened everywhere and quite frequently. However, managers and workers trivialised the issue and thought that SH was not a 'big deal'. But it was a big issue, particularly in our rural areas (Ms Ha, worker, aged 33)

The interviewee's response reveals several issues. First, SH is an existing but suppressed issue in the workplace. When managers do not know or pay attention to the issue, there will be no policy to address it. At the same time, employees may be exposed to frequent SH without being adequately equipped to recognise and report it.

The pervasiveness of SH can be found in different work settings, from small enterprises to government organisations. However, it appears that SH happens more commonly to employees in government-employer sectors because such organisations manifest bureaucratic power. Below are the comments by a union leader:

> SH is quite common in state administration organisations or state agencies. However, its severity is low, and both victims and harassers are confused about defining SH behaviours. The line between unwanted SH and sexual behaviour, such as sex jokes or comments, is unclear. We do not have a report of official data. However, SH is problematic (Ms Hoang, union leader, aged 54).

This quote suggests SH may be prevalent and acceptable because employees are unsure about identifying and classifying behaviour as SH. Because of this confusion, the severity of SH may be underestimated. Second, it also reveals that the government workplaces that are often believed to have a safer working environment are no exception to SH. Further analysis of SH by the employment sector will be addressed in chapter 6.

Supporting the point above, a key informant, who is a manager of a Ministerial Legal Department, expresses his concern about the workplace sexual harassment issue as follows:

> SH is a matter of concern in the workplace. Although we have not yet had official reports of workplace incidents, several disputes and complaints about workplace SH were reported to us [...]. This does not mean that other workplace SH cases were reported or that the issue was not serious (Mr Thien, manager, aged 44).

Hoang and Thien, both managers, suggest that the absence of reports does not mean that SH is not occurring. Instead, underreporting and unclear definitions of SH prevent people from identifying the incidents and the severity of SH in their workplace. In turn, being unaware of being exposed to SH limits the reporting data on SH in the workplace.

Interview data reveal some factors involved in employees' conceptualisation of this workplace issue. These factors include the gender ratio at work, the harassers' gender and working position. For example, a few factory workers shared that their workplace, with 90% of female employees, has no reported cases of sexual harassment. Ms Thuy, a worker aged 31, says: 'There is no SH at our organisation because most of our workers are women.' Thuy's response could be based on her perception that workplace SH can only happen between men and women and within the working space. Possibly, her definition of SH excludes some forms of gender harassment, as Hoang mentioned above. Another employee had a different view: 'Female employees are about 95% of staff, so SH did not happen among our colleagues and at the workplace. However, SH still happens in working relationships or contexts when we were on business trips or conferences' (Ms Chi, union officer, aged 41). By including SH's experiences while performing work duties outside the office space, Chi could see sexual harassment as a workplace issue.

Other interviewees expressed their strong belief that SH exists in their organisation, but it was hard to prove. This can explain why SH remains an under-reported and under-documented issue. A possible interpretation might be a lack of organisational policy and guidelines that enable employees to understand and collect evidence of SH. This inadequacy encourages workers' widespread acceptance of SH, whereby workers know that SH happens but do not seem to condemn it.

Regarding the harassers, most interviewees refer to men as the main perpetrators. When asked to give examples of SH, interviewees responded with comments such as: 'Men talk about women's issues or a woman's body in public or in front of a group that makes her feel uncomfortable'. Or 'When women wear something attractive, someone (men) will comment as 'Look yummy' – '*Trông ngon thế*' (Ms Thanh, worker, aged 39). 'Looking yummy' is slang for a woman being attractive and sexually desirable. This is a form of verbal harassment, and harassers use derogatory language to degrade women. Although men were always the first mentioned as perpetrators, the existence of female harassers was noted by some interviewees. For example, a union officer said, 'women are also perpetrators of workplace SH' (Ms Hai, aged 45), and another worker mentioned that her female peers often touch her and other workers' sensitive body parts. However, they do not think they are harassing others while she feels offended (Ms Tram, worker, aged 44).

In this research, interviewees reveal that a new aspect of workplace SH is the shifting behaviours from SH of non-consensual to consensual and vice versa. The fact that working people experienced sexual harassment as a continuum of unwanted to so-called consensual sexual acts complicates the definition of SH. Power or relationship manipulation is often involved in these shifting conducts. In some cases, interviewees recounted a romantic relationship that ended with SH, as indicated in Li's quote (state officer, aged 36). Psychological manipulation was used to maintain sexual relations through coercion. More importantly, Li raised the point that SH and consensual sexual relationships are not mutually exclusive, and a relationship can shift from one to the other. As such, this phenomenon has become more complicated to define. Ms Hue, a factory worker, described the following observation in her workplace:

> They had been in a loving relationship when working together. Later, when the relationship

> broke down, the man kept threatening the woman for sex and money even though she got married. The woman was terrified of him (Ms Hue, worker, aged 31)

Another interviewee offers a similar story:

> A team leader and a female worker ended up with a child together in an illegitimate relationship. It started as non-physical sexual harassment with repeated attempts from the team leader, an already married man. She tried to push off his advances but, in the end, gave in (Ms Hoa, worker, aged 37).

The two cases mentioned above represent two different beginnings related to harassment and the two ways of behaviour shifting. In the first case, a person began a consensual relationship and later finds herself being sexually harassed on ending the relationship. The second was aware of her harassment situation but gave in to the sexual relationship. However, both ended up with the same result of being sexually harassed and unable to get out of the situation. This finding shows that SH behaviour shifting operates through work power and gender relations and involves financial or psychological dependent factors. It highlights the complexity and confusion of defining and addressing SH. Sexual harassment behaviour may shift around given the context and relationship, and personal feelings are essential to consider.

Another research finding in this chapter is ambient SH. Ambient SH describes indirect SH that occurs by witnessing someone experiencing SH, making the witness subject to ambient stimuli, consequences and responses similar to those experienced by the target (Glomb et al., 1997; Parker, 2008; Schneider, 1996; Sorenson et al., 1994). Ambient sexual harassment has not been discussed in the literature on sexual harassment in Vietnam, but studies in other parts of the world highlight it as another form of SH. According to Glomb et al. (1997, 309), 'Ambient SH is defined as the general or ambient level of SH in a workgroup as measured by the frequency of sexually harassing behaviours experienced by others in a woman's work group.' As elaborated by Parker (2008), ambient SH may happen to every person in a group, but no one is singled out. This happens when there is no specific target, like pornography exhibited in a shared workplace area. Instead, the target is a workforce group, and the SH aims to create a hostile environment for this group (Parker, 2008, p. 947).

Interview participants were asked: 'Is observing/ witnessing SH at the workplace like being subjected to SH'? Some interviewees said they felt offended when observing SH

happening at their workplace, even though they were not a direct target. This is because this conduct can trigger a hostile working environment and complicate their work relations. Several quotes from respondents below express working people's notion of ambient sexual harassment. 'It is an indirect experience of SH when you feel uncomfortable witnessing sexual behaviours at work' (Ms Can, union officer, aged 44). Extending this concept, another worker stated: 'when SH happens next to us, and in the workplace, it creates offensive feelings and pressure on others' (Ms Tam, worker, aged 46). According to these respondents, although they were not a target of direct sexual harassment, they did not feel safe around the workplace and in some working relationships. 'Pressure' in Tam's message meant people had to stay alert around harassers and thus feel uncomfortable and unproductive at work. They also worry that they could be a subject of SH in the future.

Ambient harassment is a concern of working people, and it is an issue of workplace SH. However, the current law has not yet considered ambient harassment in the regulations. Defining ambient harassment as workplace SH could broaden the current term of SH that Vietnam's legislation should consider. This is because workplace SH often happens in organisations and workplace settings, and the impact of SH may go beyond the harassment target (Glomb et al. 1997; Parker 2008). Bystanders, coworkers, and colleagues may experience similar negative impacts when observing and witnessing SH (Schneider, 1996; Sorenson et al., 1994). It is even more important in the context of the Vietnamese workplace, where people's understanding of SH may exclude many forms of harassment and downplay it as cultural jokes. Thus, other workers may become indirect victims of workplace SH but cannot confront harassers or report them to the organisation because of a lack of understanding about what constitutes SH.

This section has analysed SH from working people's perspectives, arguing that workplace SH is best described in relation to power relations at work. The following section will examine the cultural construction of workplace SH, reflecting the influence of workplace-gendered social norms on working women.

5.3. Cultural Constructions of Workplace Sexual Harassment

This section discusses the cultural conceptualisation of workplace SH in two aspects. It first draws from empirical data to conceptualise the cultural narrative into two main pathways. This section will use the cultural pathways to address two themes: (1) The cultural narrative of conceptualising and justifying workplace SH and (2) Upholding feminine norms in perpetrating SH.

How interviewees conceptualise and justify workplace sexual harassment

Interviewees provided diverse cultural accounts of SH in their organisation and in the workplace setting in general. It stands out that many respondents used more general references to SH as a representation of culture and gender norms to explain SH. This cultural narrative of SH contemplates normative expectations and gendered social norms attributed to women and men in a society that spills over to the workplace. Distinctive patterns of how working people describe the cultural construction of SH are identified. The diagrams below conceptualise two cultural narrative pathways of how gendered social norms manifest in workplace SH. It is noted that these narratives are not shared by all research interviewees; rather, the narrative represents a prevalent conceptualisation of SH among interviewees drawing on cultural norms and perspectives. Other interviewees provided specific explanations of SH that differ from the two pathways of the cultural narrative. Nevertheless, these narratives are explained below because they normalise a notion of femininity that informs many employees' and workers' understanding of SH.

The first narrative pathway describes sexual harassment as inevitable and inherently associated with women's nature, such as women being beautiful and sexually attractive (Figure 5.1). It explains that women present the beautiful side of the world, and their beauty is worth showing. As women are conditioned to display their beauty, it is natural that women are subjected to male flirting and teasing. Women are considered sexual objects, meaning they are sexually attractive and thus get abundant male attention. Moreover, women are also believed to be physically and emotionally weak, meaning they cannot protect themselves from men, and their emotional life is more dependent on men.

Thus, these social norms result in the perception that women must accept men's SH behaviour as natural. The dilemma is that women are expected to be beautiful and should uphold their feminine attractiveness, which exposes them to victim blaming (VB) when they are sexually harassed. This culture of VB is associated with gender social norms of degrading women and shifts the responsibility to victims instead of harassers. At the same time, women may blame themselves for not being able to fight back or keeping modesty and integrity to avoid creating attraction to men. A culture of self-blaming also originates from the pressure of upholding women's femininity.

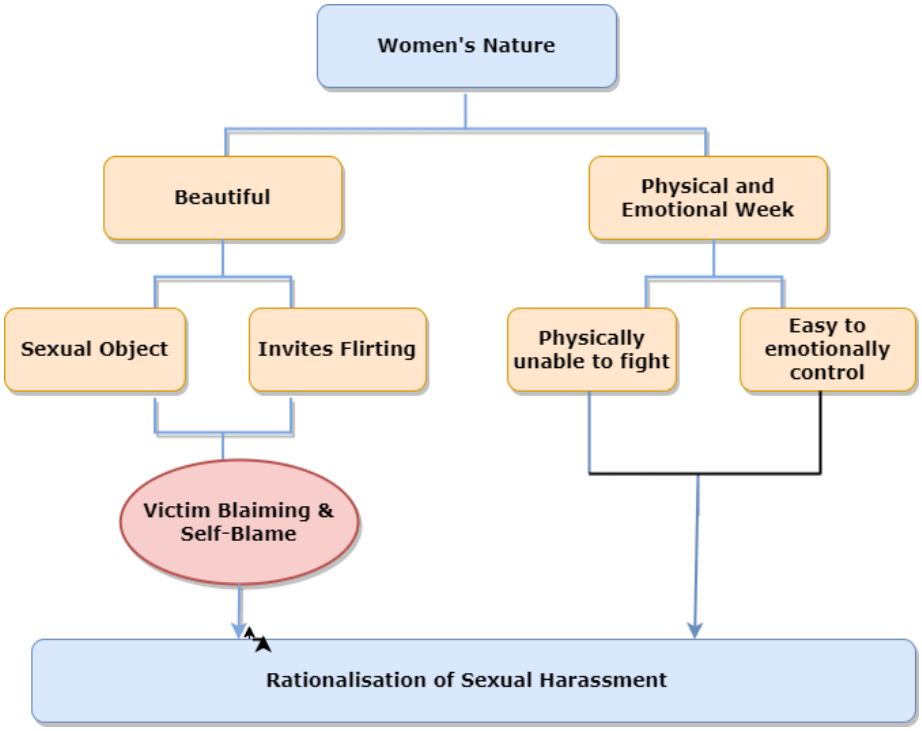


Figure 5.1: Rationalisation of Sexual Harassment

In contrast, men are often perceived as naturally strong and having an innate strong sexual desire. SH is the way men use to express and maintain their physical and manly strength. Surprisingly, many female respondents use this narrative to justify men's sexual behaviours at work as inevitable. It implies that, to some extent, women accepting men having mistresses is natural. Despite the shifting perception toward women and men's traditional gender norms, this cultural narrative remains influenced by the majority.

The second pathway of the cultural narrative framework is focused on women's duties to uphold feminine norms and values grounded in Confucian ideology (Figure 5.2). Women

are family-oriented and expected to be role models of good wives and mothers; young girls are associated with charm, faithfulness, obedience, and compliance. Above all, women are responsible for preserving their dignity and family honour. A woman victim of SH might be blamed for failing to preserve their and their family's dignity and honour. This prevents victims from disclosing incidents and encourages them to accept SH as a part of their working life, eventually leading to normalising workplace SH. Harassers might take advantage of this narrative to expect women to comply with their demands, including sexual advances. Women refer to this narrative when they blame themselves for being harassed because they did not act appropriately to avoid harassment.

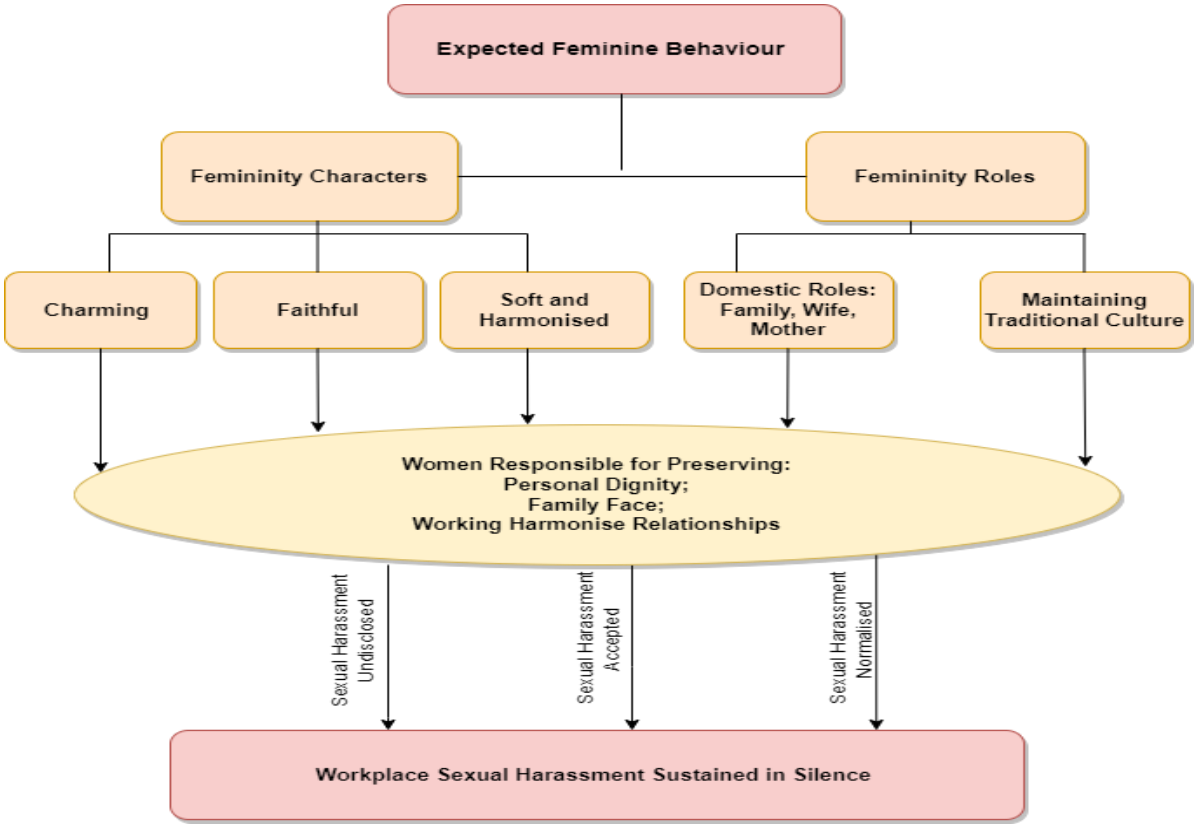


Figure 5.2: Upholding feminine norms and workplace SH silence.

These two pathways may not be mutually exclusive but interconnected and may co-occur to shape workplace SH and influence harassers' and victims' perpetration of SH. The sections below present working people's conception of workplace SH referring to the cultural narrative.

Cultural narrative 1: Rationalisation of Sexual Harassment

The cultural perception of women as a sample of beauty was a predominant explanation of SH among interview participants. The saying ’flowers are for picking, girls are for teasing’ was reported by more than 30 respondents, including female and male workers, state officers and informants, and both groups who experienced and did not experience workplace SH. This proverb encapsulates the idea that beauty is the normal confines of women, and SH is attached to the normal confines of gender identity and behaviour. A young male worker said, ‘When I (we) see a woman that looks beautiful, we may stare at her or tease her to express our impression of her or to get her attention’ (Mr Bac, worker, aged 21). Catcalling is quite common in the workplace, and most men would not see it as a form of SH. This comment suggests that men often normalise their behaviour as something natural and acceptable in daily life and at work.

Perhaps surprisingly, some women also share the same notion of considering this sexual behaviour acceptable. Several quotes reveal this: ‘When people comment about my appearance or dress, I would think it was their compliment to me and that I am attractive’ (Ms Ngoc, state officer, aged 32). And: ‘They saw you look beautiful and commented on your appearance and attractions. Honestly, I was partially scared, but I like it. It is like a compliment’ (Ms Nhu, union officer, aged 41). These remarks indicate that women's social and cultural norms are broadly entrenched in people's mindsets to shape people's perceptions of SH behaviour. Some respondents even narrow their explanation of SH to women's beauty. For example, a worker, Ms Thu aged 27 said, ‘She was sexually harassed because she was beautiful.’ Women internalise this norm as a common standard of femininity which puts them under unwritten pressure to meet social expectations of being good-looking, charming, and decent women. Notably, these narratives constrain working people's definition of identifying SH at the workplace.

These comments above help explain why people, both women and men, may not view sexual comments, sexual jokes or sexual suggestions as SH. Sexual comments about appearance and dress can be received by targeted women as compliments on their beauty, confirming that they have achieved expected cultural standards of femininity.

Li also raises her concern about a workplace where cultural norms of women's beauty are reinforced through the performance of daily duties, and this is directly related to workplace SH:

> In our province, many organisations, particularly business enterprises, have a female reception team of young and good-looking staff who can sing and drink well to welcome visitors or working partners in dinner or after-work activities. In such events, it is not avoidable that male colleagues may touch, flirt, stare at, or catcall the female receptionist. Alcohol may be an indulging factor and is normalised as excusable male SH behaviour (Ms Li, state officer, aged 36).

This remark indicates that cultural conceptions of women's nature and SH go hand in hand. What Li tries to highlight is also seen in Nhi's case (section 5.1) that the organisation embodies traditional norms in its working culture, reinforcing the stereotype that women are the object of pleasure. This cultural narrative also reveals oversimplifying explanations of the working context that gives rise to SH. When female workers are assigned to work in an environment where SH happens more frequently, they could perceive it as normal in their daily work.

In addition, the cultural perception of 'women with weak legs and arms' contributes to workplace SH. This Vietnamese saying is commonly interpreted as not only referring to physical weakness but also implying that women are powerless and have no resistance. Based on this saying, harassers assume that women will not confront them. Even women have low expectations of being strong enough to resist harassers and therefore opt for standing back and letting it go. Many of the interviewers endorse this narrative to explain the issue of SH at work and why nothing is done about it. For example, a worker says, 'as women, we are physically weak and cannot confront men powerfully. Men know that[…] we would not try to fight them or can fight them back' (Ms Tran, worker, aged 35).

On the one hand, this cultural perception discourages women's resistance to harassers. On the other hand, if women confront harassers, they are considered to counter their feminine characteristics of being soft and charming. A worker stated: 'If a woman strongly resists harassers, she may be deemed too unladylike (Li, state officer, aged 36). Thus, cultural norms contribute to workplace SH by imposing traditional gender stereotypes on women in one way or another.

Behind the notion of women's beauty and weakness is the culture of disregarding women, which strongly relates to workplace SH. As a union manager says:

> Feeling contempt for women is a form of violence. Women are evaluated for their beauty rather than competence. Women are traditionally often marginalised as minor characters next to men, which means they are overlooked. Claiming that women are weak is to dismiss their capacity to protect themselves and assume they are easy to attack. These cultural norms are an issue of gender discrimination and directly link to workplace SH. (Ms An, aged 36)

This quote connects gender inequality and discrimination toward women with SH. Reducing women to their physical appearance devalues women and makes them more marginalized. Gender inequality increases the vulnerability of women at work and directly contributes to the likelihood of women experiencing SH.

Equally important is how men are conceptualised through this cultural narrative. Gender norms maintain men's masculinity through daily cultural narratives. Men's use of alcohol is one of the associated factors of SH that is frequently referred to among female interviewees. Alcohol consumption in Vietnamese culture is associated with masculinity as an expression of men's character (James-Hawkins et al., 2019, p. 4430). A trade union staff member recalls her experience of SH relating to men's use of alcohol:

> We had lunch together. When we returned to the office, the manager fell onto me, embraced my front body tightly in front of other colleagues, and laughed. I was unsure if it was his deliberate intention to do so, but I could not react directly to it. Men may easily make excuses because of drunkenness or even pretend to be drunk. (Ms Chi, aged 41).

Ms Chi's comment suggests that SH, in a broader working context, is tied to masculine norms of misusing alcohol and using it as an excuse and as a way of expressing power. It reveals that men see instances of harassment at work as somehow normal, and easy to dismiss the excuses. Since masculinity intertwines with the position of power, it prevents women from understanding or acting on SH at work. For example, one male interviewee stated: 'Women are more likely to be harassed because they are weaker, shy and feel shame' (Mr Bac, worker, aged 21). This indicates how men carry the traditional view about women to frame their understanding of SH. Mr Bac's reference to women's shame suggests that women are responsible for SH and thus bear the shame of being harassed. Some female interviewees shared this perspective: 'Women also internalise inequality norms and put themselves in lower positions and weaker side' (Ms Bich, union officer, aged 42). As such,

‘women's resistance was lower than men’ (Ms Mo, union officer, aged 35). Both comments referred to the way women culturally conceptualise their position as inferior, and this perception makes women more disadvantaged in workplace SH.

In contrast, male nature is believed to be strong, having stronger sexual desire, and being attracted by the opposite sex, while women are more passive and family oriented. Both female and male interviewees chose this as a reason to justify SH at work. According to Nhu, ‘Men were physically strong and believed to be active in leading sexual relationships’ (union officer, aged 41). Thus, ‘Men are not morally judged for SH in the workplace. But it is not similar if women are harassers’ (Li, state officer, aged 36). Li’s statement suggests that the culture of tolerance to men is based on patriarchal men's dominance and privilege. In one way or another, the cultural narrative is focused on explaining why women are predisposed to SH.

Cultural narrative 2: Upholding feminine norms and workplace SH silence

Interview data reveals that working people tend to associate SH with women's responsibility to uphold traditional femininity expectations. Nearly 50 out of 72 interviewees stated that conventional patriarchal gender norms in Vietnam influence their daily practice at home and work in several ways. These are linked to the way people conceptualise SH and the likelihood of experiencing SH. Gendered social norms of women's values and roles, encompassing the traditional four virtues and domestic role, shape working people's labelling and defining SH. The common saying that many interviewees referred to when expressing the gendered social expectation of women is ‘Men make houses, women make homes’, ‘a woman is the crown of her husband’, or ‘a child’s misbehaviour is the mother's mistake’. Those sayings imply the triple burdens placed on women's shoulders, including family, husband, and child duties while balancing their simultaneous tasks as family carers and workers. The sayings also signal that women are responsible for their family's honour and respect. The cultural interpretation of these gender norms is linked to the possibility of workplace SH in several ways.

> The target of SH has viewed a woman's failure to preserve feminine values and women’s moral codes. It is because women traditionally were tied to and expected to comply with specific moral values, like loyalty, charm, faithfulness, softness and harmony. Thus, women may be stigmatised as breaking women's modesty and expected femininity when involved in SH. This suggests that SH at work is not separate from the issue of gendered social norms of women at home and in society. Women (in) equal roles and positions at home contribute to develop women’s agency of confidence or

low self-esteem at work. This relation may lead to the attitude of women's resistance or acceptance of SH. To illustrate this point, a female worker comment: Our Vietnamese cultural point of view is that a good woman must be decent, faithful and charming […]. Being harassed may mean you are not modest or decent. To save face, victims would rather keep silent; others could be the next victim when you are silent (Ms Hoan, worker, aged 28).

More than half of the respondents expressed views similar to Hoan. She identifies the moral boundaries and cultural norms of women's characters and proper behaviours that pressure women to stay silent in the face of SH. In this cultural narrative, SH threatens women's dignity by abusing gender social norms. At the same time, she suggests that women embrace these norms to act upon social expectations. Therefore, many women did not see themselves being harassed but instead viewed SH as somehow happening within the normal confines of gender identity.

The gendered social norms that bind women to moral patterns continue to govern their identity and shape their understanding and response to SH. According to a union officer:

> Women often identify themselves as the weaker sex, being endured, subject to reputation and moral integrity. Not many women could dare to speak up about SH, and harassers took advantage of women by manipulating these norms to sexually harass them (Ms Hai, aged 45).

The influence of gendered social norms on gender equality practices is best seen in how women self-identify. In this regard, women contribute to maintaining gendered social norms. Further explaining the relationship between embracing gendered social norms and SH at work, Ms Lam, a researcher aged 33, states:

> To preserve an individual's face and working relations, women often avoid talking about their SH experience. This creates conditions for SH to continue exposing in the workplace and targeting others without alerts or condemning gestures from victims. People tend to watch others' reactions to follow. When none of the victims reacts, others will take similar action of doing nothing.

Preserving 'face' and harmonious working relations become barriers to holding workplaces accountable for SH issues, and this perception contributes to the culture of silence that prevents people from speaking out. In the workplace, people's reaction to SH is often silent, grounded on cultural norms of saving 'face.' Lam's observation about people mimicking others to assess how other people react to SH suggests an aspect of the workplace in which individual roles and decisions are important to break or maintain the normative boundaries

that give rise to SH. This account implies the irremovable influence of cultural norms carried over into the workplace and shaped the passive response to SH among many working people.

On the one hand, SH is viewed as threatening the family's reputation. This emerges from respondents' responses to my question: 'how do you think women's domestic roles relate to SH?' First, it is expected that as the primary role of 'women make a home,' women hold responsibility for their family's reputation. Domestic roles also imply that women should be quiet, obedient and compliant. Ms Hang, state officer, was very confident to share that 'it is women's role, of course, we were born and raised in the countryside, and what we learned from childhood is to be a good woman at home and taking care family' (Ms Hang, aged 36). What Hang meant by 'taking care of family' refers to domestic and caring labour for family members. Holding domestic roles also means that women must secure earnings to feed the family. In many circumstances, victims choose to be silent in order to secure their job. Ms Nhi (section 5.1), in the case study, show a clear link between workplace SH and women's financial responsibilities. Being a sole family carer and earner, Nhi had to comply with work requests in which she was exposed to SH by the line manager.

On the other hand, gender inequality at home influences women's attitude and self-esteem at work, which can lead to heightened vulnerability to SH at work. Interviewees suggested that women who suffer inequality at home and domestic violence are more likely to be sexually harassed at work. This is because occupying a submissive position at home or in the community can lead to a lack of confidence and trust at work. For example, Ms Hong shares: 'I am divorced, so, at work, I am not confident to confront the harasser, or whether people would believe me or believe that it was my mistake' (Ms Hong, worker, aged 33). Her status as a divorcee means that she is subject to stereotypes for having failed at marriage which can be a source of shame. Hong's sharing simplifies the influence of gender norms that a good woman should be married. However, it also reveals a fact that a woman like Hong holds low self-esteem to define and position herself within the gender stereotypes that make her easily vulnerable.

In contrast, women's equal gender role can enhance their confidence and self-esteem at work to avoid SH or confront the issue. One example is: 'At home, my husband and I make decisions and share household chores. So, at work, I feel quite confident' (Ms Lan, union

officer, aged 42). Lan also referred to how being in a marriage enhanced her confidence at work. It also means to Lan, like other women, that being married protects her to some extent from SH because she is no longer a 'flower ready for picking.' In addition, sharing domestic labour with her husband at home empowers her to expect equality at work. These responses by interviewees suggest that gendered norms in the domestic and work spheres are not distinct but interconnected. In effect, these norms operate in the family, society and work and govern working people's perspectives and practices.

Drawing from the discussion of cultural narratives above, other apparent findings to emerge from empirical data of the cultural narrative above is the pervasive nature of victim blaming (VB) and self-blaming (SB). VB can be understood as placing responsibility on the victim and shifting the perpetrator from accountability for their misconduct to the victims (Mansour et al., 2021, p. 979). SB is the way victims blame themselves for not defending themselves (Forster et al., 1994, p. 744).

Although VB is common across cultures (Bongiorno et al., 2020; Lucarini et al., 2020), the findings of this research show that in the case of Vietnam, the tendency to blame victims comes from both outsiders such as colleagues, family, and friends, managers, and victims themselves. It begins with questions such as: 'why does the harasser target someone but not others? Why am I not harassed, but she was?' (Ms Tam, worker, aged 46). This kind of questioning seems to question the victim about her role in SH rather than the harasser. Common interview comments include, 'I heard people say that the girl must do something wrong, so that man harassed her' (Ms Xuan, worker, aged 35). 'Something wrong', as she interpreted, maybe wearing revealing clothes, showing attraction to the man. These interpretations lead to judgements about the victim's lack of decency and modesty. VB is often based on the victims' appearance, age, dress, actions, gregarious character, and marital status. For example, a worker said: 'She was young and dressed in 'revealing' clothes. A man likes to look at such a good-looking girl. Not sure it was a mistake of the girl or the man' (Ms Nguyen, worker, aged 34). As these comments show, victims are blamed for the harm inflicted upon them by the perpetrators of SH. People often attribute responsibility to victims based on their personal views dominated by ethical and cultural notions about women. Why is this the case? The main reasons are a patriarchal culture that subordinates women to men's

desires and the social expectations, influenced by Confucianism, about women's decency and demeanour, as discussed above. This culture also is maintained by the workplace power dynamic and the organisation's gender-blind policy that does not address gender discrimination at its root.

Although interviewees expressed empathy with victims when responding to the question, 'what is people's attitude towards workplace SH victims?' many also suggest that victims play a part in the leading up to or provoking SH incidents. Here are some related comments expressing the view: 'If a girl did not give a hint or "turn on the green light," a man would not come forward' (Ms Thuong, worker, aged 37); or 'no flame, no fire' (Ms Hang, state officer, aged 35). The way people used popular sayings to describe sexual harassment shows a profound influence of traditional norms in assuming and justifying women's failure to act appropriately. Blaming victims not only places responsibility on victims and shifts responsibility from the perpetrator to the survivor but also reinforces gender discrimination toward women. This VB culture reinforces the SB culture that creates an enabling environment for the perpetrators of SH and an unsupportive/antagonistic work culture for the victims.

Examples of self-blaming are also found in the interview data, and the grounds for SB are similar to those that justify victim-blaming. SB is similarly associated with traditional gender norms and binding moral codes that women have embraced and deeply internalised. Although SB could convince victims that they should do better or take corrective actions, it reinforces gender social norms of women holding accountability for protecting themselves and being responsible for being harassed. For example, Ms Nhi (Section 5.1) connected her single status with her inability to be confident and strong enough to stop her line manager's misconduct, effectively blaming herself for the serious harassment she suffered. Another issue from Nhi's story was the organisational culture where HR considered her SH incident to be a personal matter and her co-workers rumour about a romantic involvement with her manager. This implies that VB and SB are not only an issue of traditional gender culture but also an issue of workplace culture. Since VB and SB link individual perceptions to traditional moral beliefs and gendered social norms, VB and SB reinforce an organisational culture that protects the harasser.

Thus far, I have investigated SH from a cultural perspective, in which the two cultural narratives explain how working people conceptualise sexual harassment. VB and SB often relate to how women culturally position themselves. In effect, women may refer to prevailing gendered social norms and their position in the patriarchal social structure to conceptualise their understanding of workplace SH and respond to it (Chamberlain et al. 2008, 265). The cultural narrative presents a common shared cultural perspective that equates femininity with SH and how it translates into the workplace. However, the dual pathway framework of the cultural narrative mentioned above does not fully capture the diversity of perception or factors that result in the perpetration of SH at work in Vietnam. Other interviewees interpreted the cultural narrative of workplace SH differently. These interpretations reflect shifting traditional gender norms associated with changes in Vietnam's contemporary society and employment. For example, some employees mentioned how women's responses to SH have changed:

> In the past, women were quiet and too passive to react to SH, and they let it go. Now, they are more ready to fight back [...] to increase condemnations of SH […] people are more ready to speak up to defend or support harassed persons (Ms Bich, union officer, aged 42).

Women's increased participation in the labour market and economic independence contributed to a break from the Confucian ideology of women's endurance and obedience and shifted their behavioural attitude toward SH. Thus, this societal progress provides more support for individuals to challenge workplace SH.

> Women like me that have a job are more independent and thus more confident. We are different from our parent's generation, which believes that women need to follow the traditional four virtues of Confucianism (Ms Hoa, worker, aged 29).

Moreover, the global feminist social moments MeToo and Vietnamese social moments on gender equality influence public understanding of SH. In addition, the Vietnam government's commitments to international legal instruments that impact on policy formulations have contributed to the socio-cultural change that connects with addressing SH at work.

> Previously, women were considered an embodiment of beauty and sexual objects under male-centric culture. Teasing women was common sense, not SH. Five years ago, the Code of conduct on SH was first introduced. Although it is not a binding document, SH is being talked about and, more recently, discussed in the media. People started talking about SH and reporting it instead of hiding it as a personal matter, I think (Ms Hang, state officer, aged 35)

The quotes above indicate that despite the entrenchment of traditionally gendered norms that limit women's development opportunities, women's employment and changing perspectives on gender relations have contributed to a different narrative of SH. This point can be futher seen in a view of an NGO's director as : ' The most challenge to gender equality and the issue of workplace SH in Vietnam is gendered social norms toward women's inequality roles. But we have seen the social change in shifting public attitudes and law formulation.' (Ms Kim, NGO director, aged 51). The social changes are recognised in the formulation of the new policy and highlighted by the ministry's manager of the Legal department:

> We understand that SH is an issue of gender equality at work. We also know that this is a problem that has not been inadequate attention to by employees, employers and policymakers. That is the reason the Labour Code revision enacts SH provision to address the changing society and workplace which address the life demands' (Mr Thien, state manager, aged 44).

These remarks by the NGO and the policymaker indicate the change in society and policy progress to address SH as an issue of gender inequality at work.

5.4. Conclusion

This chapter has focused on analysing SH as a workplace issue in Vietnam and provided a deeper insight into understanding the phenomenon from organisational and cultural perspectives. The findings reported here shed new light on conceptualising workplace SH in the tangible interconnection of organisational and socio-cultural backgrounds. They support the argument that workplace SH is an issue of power which stems from the hierarchical organisational structure and working position power intertwined with socio-cultural power. In the case of Vietnam, workplace power reflects Confucianism's specific cultural features of traditional male leadership dominance reinforced through the gendered social norms of women's subordinates and unequal roles at work. The work organisation's power comes from the hierarchical, bureaucratic management system where women gain fewer managerial roles and often lower leadership levels. This type of power is more likely to be displayed in state-owned organisations than privately owned companies. Hierarchical employment positions give unequal power to men and women, and this causes the most frequent harassment incidents at work. When women are in leadership positions, SH is a means to

confront women's leadership in the workplace. This explains the higher rate of women managers experiencing SH than rank-and-file employees and the common explanation of SH as the consequence of women's careers ambition. Workplace SH in the Vietnam context emerges from this research as complicated by the sliding scale of non-consensual and consensual conduct and the prevalence of ambient SH. These features are also conditioned by the power at work. Another source of workplace power within the organisation is socio-cultural power governed by gendered social norms pertained to the organisational power structure.

The findings of this chapter seem to challenge a general assumption that those with higher levels of education and more exposure to diverse views on the roles and rights of women were more likely to assert their rights. However, the many narrative themes drawn from interviews show that women value conforming to the feminine view of what a 'good wife and mother and loyal citizens of Vietnam ought to be or how they ought to behave. This involves a sense of duty and respect for elders and concern for the welfare of their family (particularly if they need their income to survive). Many women who were concerned about maintaining their employment (and aware of the power differences) between them and their (mostly) male bosses, chose to be cautious in keeping their jobs. Furthermore, the predatory behaviour of male bosses with a sense of entitlement (higher up in the organisational structure) is one issue within the context of the subtle (and nuanced) culture of knowing women's rights but being careful not to jeopardise job prospects as well as surviving within their place of employment. Enduring the competitive culture amongst women employees was one reason that give rise to workplace SH. Women could be subjected to rumor and innuendo by other (possibly jealous) colleagues, ignored or shunned. They often suffered in silence if they felt threatened because there was insufficient solidarity to support them. In addition, this chapter analysed workplace SH through respondents' cultural narratives. Interview data suggest two cultural narratives of SH, indicating that people's conceptualisation of SH is embodied and governed by traditional gendered social norms toward women. Findings from this chapter reveal that the gender norms' emphasis on women's domestic roles and moral expectations of women contribute significantly to workplace SH. There is a strong link between women's gender equality at home and the likelihood of workplace SH. The culture of victim blaming and self-blame is a part of workplace SH features and is found to be rooted

in the Confucian ideology. However, the situation in Vietnam also indicates that women's employment participation to broaden their social and economic roles have positively changed the cultural construction of gender relations. This conceptualisation will help to analyse how working people experience and admit their workplace sexual harassment, which I will address in the next chapter.

CHAPTER 6: WORKING WOMEN'S EXPERIENCES OF WORKPLACE SEXUAL HARASSMENT

6.1. Introduction

This chapter investigates working women's experience of the workplace SH to provide a better understanding of the issue in Vietnam. It aims to throw light on the prevalence at work and explore the relationships between people's perceptions and experiences and how they disclose or label SH experiences. The chapter highlights the types of SH that female employees are more likely to be vulnerable to and who are more likely to be targeted, thereby indicating the factors of employment sectors and positions that contribute to workplace SH.

Working women's experience of workplace SH has recently been investigated in some working reports in Vietnam, such as CARE international organisation's research (CARE Vietnam, 2019, p. 52). However, the issue is still under-discussed, and little data is available. Yet, literature outside of Vietnam, particularly in Western countries, indicates that people label SH depending on the scope of definition, legal concept, and the change in socio-cultural factors that influence people's understanding of the issues (McDonald, 2012, p. 6). Tracking SH experiences have been challenging when conflating the actual incidents with societal changes associated with socio-cultural understanding (p.3). Meanwhile, the likelihood of being sexually harassed depends on an individual affirming or denying their experience.

This chapter presents the empirical evidence to unravel the picture of working women's experience of SH. The chapter addresses research gaps in this area in Vietnam. The correlation between the perception of SH and people's experience will help identify the underlying causes of SH at work and suggest solutions to address the issue in the workplace. The chapter is divided into four sections. The first section, section 6.1, describes the overall prevalence of employees' experience of sexual harassment. Section 6.2 identifies the most common types of SH at the workplace. Section 6.3 discusses SH in relation to workplace settings and identifies the environment with more likelihood of experiencing sexual harassment. Section 6.4 discusses SH by employment positions, emphasising that hierarchical

organisational power and gender inequality at work contribute to a higher experience rate in female leadership positions.

6.2. Experiences of Workplace SH: Prevalence and Labelling

Getting accurate information to draw an overall picture of SH is a challenging task. This section presents findings from the survey data to establish how prevalent SH experiences are. To gain more insight into the phenomenon of workplace SH experienced by female employees, the survey data is supplemented by interview data which can shed light on the factors that influence people's reporting of their experiences of workplace SH.

The survey data responses to the question 'have you ever experienced SH at work?' show that a proportion of respondents were unsure whether they experienced SH or not, while some chose not to answer the questions (Table 6.1). The survey suggests that the prevalence rates of SH experience vary by the types of behaviours, employment sectors and work position. Physical unwanted SH and gender harassment are more common than other types of SH in workplaces.

Table 6.1:The prevalence of SH experiences by survey participants

SH experienced		**Per cent**	**Valid Per cent**
Valid	Yes	16	22
	No	51	69
	Not sure	7.0	9
	Total	75	100.0
Missing	System	25	
Total		100	

Source: Qualtrics survey conducted from February- to April 2021

Government workplace settings (state and union organisations) are the environment in which SH experience is more prevalent than in factories (Table 6.2). Over one-fifth of the survey respondents answered, 'yes' to the question, 'Have you ever experienced SH at the workplace?' Let us compare SH experience prevalence to similar figures in other countries.

For example, a report in Australia found that 33% of research participants experienced SH at the workplace (NOW Australia, 2019). The prevalence rates of 22%, 25%, and 54% were found in China in 2009, Hong Kong in 2007, and Singapore in 2008, respectively (ILO, 2013, p. 7). Research in low and middle-income countries shows a significant variation in the rates of SH prevalence depending on the research method and question structure (Ranganathan et al. 2021).

Nevertheless, the prevalence in my research aligns with the findings discussed in the previous literature, indicating that SH is a significant workplace matter and cross-cultural workplace issue. As one Union leader commented: 'SH is a workplace issue. I experienced one or another, and my friends in other organisations also share the common SH they face during their work.' (Ms An, union leader, aged 39).

In addition to the 22% who have experienced SH, nearly 10% of participants were unsure whether they had experienced it or not; thus, the boundary between sexually flirtatious behaviours and SH is not always clear. Respondents struggle to identify when the line is crossed and may struggle to define what behaviour constitutes SH they experience (Kim et al., 2018, p. 384). In addition, people hesitate to label a behaviour as SH, or make SH accusations, to maintain harmonious working relationships, which originates from the traditional Vietnamese notion of harmony (Cuc, 2011, p. 70). Being unsure or confused about understanding SH could contribute to a high number of respondents who answered 'No' in the survey (69%). One interviewee shared her experience with people's reluctance to report their SH experiences:

> One research conducted with factory workers in industrial zones in 2016 found that only 2-3% of the participants reported they experienced SH [...]. However, this number did not reflect the actual incidents workers experienced SH because, in our later lunch conversation, many said they did not report their incidents in the survey. They expressed concerns and worries about confidentiality even with anonymous surveys. The incidents must be much higher than reported (Ms Lam, researcher, aged 33).

Confidentiality concerns connect with employees' worry about potentially losing their job and jeopardising working relationships and their reputations when revealing sexual harassment experiences. Cultural norms make the topic taboo because SH is a sensitive and hidden issue from a cultural perspective (Hoang et al., 2018). In-depth interviews reveal numerous incidents of workplace SH. 28 out of 65 interview respondents, equivalent to 43%, reported SH experiences at the workplace. This high rate recorded the incidents directly to

the respondents and their colleagues or friends. Meanwhile, the survey recorded only people who personally experienced SH. Of the 28 people mentioned above, 22 directly experienced SH. Six reported that their colleagues or friends were exposed to SH at the workplace. Notably, 12 out of 15, meaning 80% of state and union officers, reported exposure to SH at different levels, from less serious to serious. This rate is significant in terms of SH in the employment sector. However, only seven disclosed the nature of their experiences. Two of them clearly identified their experiences as SH at the beginning of the interview. The other five interviewees only realised that what they experienced was a form of SH during the interview when they recalled and described act they encountered at work. This research found that the state and union officers expressed a high level of understanding about SH and were also exposed to the highest rate of SH. Undoubtedly, higher awareness is not associated with a lower experience of SH.

In terms of disclosing sexual experiences, research data demonstrates that it is difficult for victims to reveal and is also a challenging research issue to portray. This is largely attributed to the fact that discussing sexuality in a work context may involve social stigma and potential loss of face and working relations. This results in women's reluctance to reveal their experience of harassment (Fitzgerald et al., 1995; Siddiqi, 2003). In Vietnam, 'saving face' of individuals and families and maintaining harmonious relationships are traditional values influencing people's behaviour (Nguyen & Simkin, 2017). The interviews below gather information from diverse perspectives of state and union officers, workers, and those who directly or indirectly experience SH.

Take the case of Ms Gi below; she commented on several points, including working climate, age of an employee, and self-assessment of SH severity and harms that shape individuals' consciousness and labelling of their experience:

> At first, as a junior staff, I did not think I was sexually harassed because everything around me sounded ok (the organisational climate, good managers). Nevertheless, I later realized I had experienced several forms of SH, including verbal or non-verbal harassment from my managers. In my current work, I encountered SH incidents that involved my colleagues and working partners. However, it was not serious, and I am ok (Ms Gi, state officer, aged 49).

Gi's case story shows several factors involved in people's conceptualisation of their SH experience. These factors include working environment, age of an employee and self-

assessment of SH severity and harm. People who perceive their working environment as safe are less likely to be aware of SH and react to it. Gi had experienced SH since she was a young staff member, as she lacked understanding about the issue. However, the issue does not change or stop through her career progression, regardless of her increased understanding of SH. It emerges from Gi that when SH occurs more often, people seem to be accustomed to and accept it less cautiously. Normalising SH happens when people consider SH not serious, and there is no condemning gesture on the part of the organisation.

The working environment can include the relationship between co-workers that can support or prevent victims from disclosing their experiences. Workplace attitudes, including peer jealousy, could make workers confused and normalise an acceptance of SH and not to report it. Ms Nhi's (section 5.1) remarks illustrate this point as:

> None of my colleagues knew my line manager had sexually harassed me. How dare I share because they thought the manager favoured me; they were jealous. I felt like everyone looked at me and spread rumour about me (Nhi, state officer, aged 36)

Ms Nhi was one of the few interviewees who was open and willing to share her story of being sexually harassed with the researcher. She suffered harassment, ignorance, curiosity from colleagues, and loneliness. The narrative interview shows that ignorance, excuse, and acceptance will normalise the culture of SH in the workplace as part of everyday life. Thus, normalising SH is associated with a higher prevalence and frequency. These factors resulted in Nhi's consecutive harassment by another senior manager, which she mentioned during the interview.

Workplace jealousy is one reason why people suffer in silence. Several respondents disclose that jealousy in the workplace can be a reason for victims to keep quiet and for female colleagues to fail to support victims. Jealousy may emerge among employees, particularly in female groups, when one member is more advanced in their career or working relationships. In a serious manifestation, jealousy at work is the root cause prompting employees to act out inappropriately toward associates with whom they feel uncomfortable or threatened. This issue may lead to various forms of workplace harassment. Jealousy can cause workplace neglect toward SH and keep a victim silent, which happened to Ms Nhi.

Furthermore, working people's perceptions and attitudes strongly relate to their labelling workplace SH experience. While some people were confused about admitting to their experience, others personally tended not to want to label their experience as SH. Many research respondents describe sexual behaviour they encounter, like touching, flirting, leering, and receiving sexual messages and invitations that make them uncomfortable. However, they either consider this sexual conduct SH or label their experience harassment. Under-assessment of sexual severity is a reason that people often use to ignore the SH they encounter. For example, Ms Mo says, 'There were some situations when someone flirted and put their hands on my shoulder and back. I felt uncomfortable, but I just gently expressed discomfort. It is not SH because such acts are not very serious' (union officer, aged 35). Other interviewees also share the same view as Ms Mo. Because target people subjectively define SH, one may assess sexual conduct as serious, but another may not. This makes it more challenging to capture SH at work, but it is not an uncommon issue. Early literature also argues that people tend to ignore SH and do nothing or pretend the incident is not happening and is not harmful (Fitzgerald et al., 1995, p. 119).

An interview with a lawyer further explains why people hide their experiences of SH. Based on his research paper on SH and conversations with people in enterprises and factories in industrial zones, he concludes that:

> It is a common perception that sexuality is something sensitive and taboo issue. It is not a pleasant topic to talk about, and people do not want to be a magnet to attract others' gossip. It is perceived that being a woman means you need to be a good woman who keeps dignity and properly behaves as expected by culture. Women are easily blamed if something wrong happens regardless of men's mistakes (Minh, a lawyer, aged 44)

The lawyer's comments give more thought concerning the absence of reporting SH. He articulated the traditional norms of viewing sexuality as a private matter and the shame of speaking in a public space about sensitive topics. SH is associated with losing honour. Hiding experience is how workers cope with traditional norms of 'saving' face and maintaining honour. The lawyer narrative brings up a concern of a paradox in understanding workplace SH. Suppose that SH is an objectionable topic that should be eliminated from the workplace; it happens persistently to workers as inevitable. Women are vulnerable to not only SH but also under pressure of public adjustment and blaming culture, which shifts responsibility from harassers to women.

These findings show that although individuals may understand SH, they do not always relate it to their experience (Burgess et al., 2018, p. 398). It can suggest that people who do not admit SH suffer from false consciousness, which prevents them from perceiving the true nature of SH and admitting their victim' status (Cheung et al., 2018; Froberg, 1990; Williams et al., 1999). Nonetheless, interview correspondence suggests that the prevalence of SH in the workplace needs to be understood in its broader socio-cultural context of individuals and organisations that shapes people's perceptions. The following section will investigate workers' experience of workplace SH to identify the types of harassment they commonly encounter.

6.3. Types of Sexual Harassment Experienced in the Workplace

Survey data indicate that the rates of experiencing SH vary by the type of sexual behaviour (Table 6.2). Physical unwanted sexual attention and gender harassment are common. The most frequent type of SH people experience at work is ‘unwanted touching, hugging or kissing’, which 30% of survey respondents reported (Table 6.2). These physical acts are most predominant, easy to define and remember as they are visible and often cause long-lasting psychological, emotional, and physical impact on the victims. The second most frequently experienced harassment is ‘staring or leering at the body that makes you feel offended’. More than one-quarter of respondents experienced verbal SH. Non-physical sexual acts such as staring are experienced as intimidation, causing offence and threat. About one in ten survey respondents (12%) experienced 'Actual, or attempted rape or assault’ or 'Sexual compliance exchange for jobs.' This is an alarmingly high rate for such a serious incident. It is indicative of the hostile environment female workers face. The lowest rate was 7% for ‘other forms’, such as ’renting a shared room during the business trip without asking consent‘ (Ms Chi, union officer, aged 41). Non-consensual room sharing can put workers in a vulnerable situation where rape or coerced sex may occur. The SH risk associated with business travelling will be discussed in more detail in section 6.3.

Table 6.2: Experienced SH categorised by behaviours

No	SH Behaviours	%
1	Unwelcome touching, hugging or kissing	28
2	Staring or leering at your body that made you feel intimidated	26
3	Sexually suggestive comments or jokes, commenting on the attractiveness of others	16
4	Sexually explicit pictures, screen savers or posters, gifts that made you feel offended	13
5	Repeat or inappropriate invitations to go out on dates	12
6	Requests or pressure for sex or other sexual acts	10
7	Intrusive questions about your private life or physical appearance that made you feel offended	9
8	Unnecessary familiarity, such as deliberately brushing up against a person	16
9	Insults or taunts based on sex	9
10	Sexually explicit physical contact	16
11	Repeated or inappropriate sexually explicit emails or SMS text messages, social networking websites	10
12	Actual or attempted rape or assault, physical assault, indecent exposure, sexual assault	12
13	Sexual compliance is exchanged for a job or other benefits	12
14	Other	7

Source: Qualtrics survey conducted from February- April 2021

Since renting a shared room is not explicitly SH, it considers a non-sexual form of harassment. These behaviours undermine victims but do not expressly reference sexuality (Cortina & Berdahl, 2008, p. 473). According to the authors, non-sexual forms of SH may vary and discriminate based on gender but do not always entail sexual advances. However, most interview respondents in my research did not perceive non-sexual forms as SH.

Many behaviours that constitute SH are not considered harassment by several interviewees. Depending on the context, verbal SH, like sexual comments and whistles, may be deemed compliments or expressions of friendship or desire for a closer relationship. Other quasi-sexual touching acts like hugging or putting an arm around the shoulders and requesting dating can be considered joking, as Gutek points out (Gutek, 1992, p. 346). Similarly, sexual jokes may offend someone but are not reported as SH because they did not target a particular person directly. For example, a researcher in a Trade Labour Institution mentioned:

> In government administration organisations, there is definitely SH. SH happens frequently but with a low level of severity. Even harassers may not realise that their behaviours cross the line of SH, and the victims are unsure of their harassment experience (Ms Lam, researcher, aged 33).

This quote elucidates that victims and harassers do not consider some sexual acts as harassment in the workplace. Both factory workers and state union officers (state and union officers) experience a high prevalence of unwanted physical and non-physical harassment regardless of working position and labour contract status.

Unwanted physical touching is the most common SH experience. Some of the typical quotes from factory workers and state officers illustrate this:

> Unwanted physical touching on sensitive body parts is quite common. When we are in lifts or elevators, men try to stand close to women and touch their bodies, shoulders, or bells (Ms Hang, worker, aged 31).

Mrs Hang indicates that unwanted physical harassment between female and male co-workers exists as part of their daily working life. However, such incidents in organisational spaces like elevators and lifts might be out of other employees' and employers' caution. The situation is no different in state or union organisations, where unwanted touching is frequently experienced. As one union shared, ‘unwanted touching is common and easy to detect compared to other sexual behaviours’ (Ms Nhu, aged 41).

Non-physical harassment targets female employees more frequently in state-employed organisations and factories, as recalled by the same participant.

> I experienced non-physical SH several times. It can be commenting on my appearance, flirting and teasing, or being sexually suggestive. I feel uncomfortable and offended (Ms Nhu, union officer, aged 41).

Nhu recalls experiencing various non-physical workplace SH types, including verbal, nonverbal and sexual gestures. She distinguishes SH from sexual behaviour by pointing out feeling uncomfortable and offended. However, in my other interviews, correspondents seemed not to consider this distinction of personal feeling in labelling their experiences. Therefore, many non-physical harassment behaviours were not regarded as workplace SH.

Notably, experiencing nonphysical harassment is not different between female managers and staff. Union leaders from two organisations assessed that: 'verbal harassment like flirting, unwanted sexual advances, sexually suggestive comments are quite common at work, and particularly are more frequent in work events like meetings and business trips' (Ms Van, union leader, aged 52; An, union leader, aged 36). The observations from two separate interviews suggest that nonphysical SH is an undeniable workplace issue.

Of the non-physical HS, verbal SH is the most reported type of non-physical harassment. Verbal SH may come in the simple and less severe form of sexual jokes, flirting, or comments but then escalate to more serious forms of SH. This also demonstrates the nature of workplace SH escalation and harassers' tactics. They may start the usual teasing to probe the victim's reaction, and if the victim does not recognise or ignore it, they will encroach on more severe or more frequent SH behaviours. The remarks recalled from interviewees illustrate this point.

> A male colleague stared at me and flirted: 'we finished the shift early; let us have a coffee and then overnight in a hotel. The incident also happened to other workers and was not just one-time (Ms Ly, factory worker, aged 31).

Another worker added: 'In my factory, male workers often sexually leer, stare at or comment on our appearance. For example, they said: "oh, you wear a short dress today and such a curved butt" ' (Ms Thao, worker, aged 26).

In these encounters, the line between SH and a joke is blurred, making it difficult for the woman to identify if it constitutes SH and responds appropriately to such situations. Ly stressed that if a male's behaviour was deemed harassment, men often used the excuse that they were joking, with no intention of SH. The implication behind the scenes is that workers

see the issue as something unpleasant but have no reaction to it. This way SH is normalised, and workers get accustomed to it.

The quotes above represent the most repeated narratives many respondents shared during the research interviews. They indicate several aspects of workplace SH. First, in almost cases of experiencing SH, non-physical harassment did not involve position power. However, it demonstrates gender power and the imposition of masculinity to disempower women. Verbal harassment often conveys offensive messages and causes workers negative feelings, thus contributing directly to a hostile environment. Second, women's appearance and dress code can be subjected to male sexual misconduct. The illustration of women's experience affirms that SH is a gender issue culturally constructed within the social and organisational context in which SH occurs.

It is noted that when people experience SH, they may encounter more than one form of SH. Ms Nhi, quoted earlier, shared a distressing experience:

> At first, my direct manager sent me consecutive messages and romantic poems expressing his care for me […]. He then asked me to come to his office several times a day but did not give me any task […] I had to wait long times without doing anything […]. He patted my cheek whenever we were alone in the elevator […]. In another instance, the organisation's senior manager kissed my cheek and stroked my arms (Ms Nhi, state officer, aged 36).

Another form of non-physical SH that arises from Nhi's narrative is ‘repeated long waits in the manager's office.’ On the surface, waiting is not SH because the manager did not make a sexual advance by requesting her to come and wait in the office several times. However, it is a non-sexual form of SH in a series of the manager's behaviours, leading to a daily threat to Nhi at work and constitutes intimidation. Nhi's experience with SH did not stop there. Her situation worsened because she suffered another non-physical harassment from more than one manager, a most senior one.

Nhi’s case shows that a woman is more vulnerable to other incidents when being a target of SH at work. Consecutive harassment happened to Nhi because of her previous unresolved harassment experience. Reporting did not help her avoid harassment; instead, it resulted in another consecutive harassment because it revealed her vulnerability. The authorised person took advantage of her situation to misbehave with her. Meanwhile, she was a single mother, and the cultural interpretation of this status is that you do not belong to

anyone. This perception is traditionally grounded in the Confucian concept that women are men's possessions. Ms Nhi's case imposes numerous layers of workplace power, cultural power, and individual agency, disempowering individuals to deter harassers. This workplace power takes workplace SH to another form of sexual compliance encountered by working people.

Sexual compliance in exchange for jobs is another form of SH that employees often experience at every workplace and employment status. Sexual compliance refers to engaging in unwanted consensual activities (Impett & Peplau, 2003, p. 88). In this research, interviewees reveal that sexual compliance often happens in working power relations and between managers and staff. Research respondents express the complicated reality of sexual compliance that cannot be easily captured in the survey. Several workers shared typical cases of sexual compliance that happened sophisticatedly through company public events - the Workers' Miss Contest. Here is one of the worker's remarks to describe this workplace SH:

> My friend was an office secretary. She won the Miss in our company beauty contest and was promoted to be production foreman. After a holiday trip, she was demoted to a worker on a production line. She later shared that the senior manager asked her to have sexual intercourse; when she refused, the manager said, 'you cannot work in the same position' (Mr Mu, worker, aged 31).

This story illustrates the sophistication of workplace SH. This beauty contest does not explicitly relate to SH. Nevertheless, behind the scenes, female workers are targets of SH and may have to engage in sexual exchange to keep their job or gain benefits. A female worker in Mu's story experienced sexual coercion for sexual compliance. Although she refused to engage in sexual activities, she was still a victim of workplace harassment, resulting in her loss of job benefits.

Another factory worker shared an incident that her friend experienced:

> A manager in the OTK unit (quality checking) usually has shady behaviours with workers. He promoted a female worker to be his assistant. After a few months, he dismissed that staff without reason and nominated new staff. The manager deliberately requested staff to work late in the evening with him and offered a lift after the afternoon shift to approach staff closely. Workers refused his requests, so he consecutively changed assistant staff (Ms Nguyen, worker, aged 39).

Sexual compliance, in this case, posits sexual coercion in which the manager uses his power to demand sexual favours. The staff who wish to have benefited from work will have

to say 'yes' to a sexually interested manager even if she does not want to engage in sex with him. Significantly, the manager used the same manner to repeat his misbehaviours with many workers by dismissing one and nominating a new one.

Other workers unveil similar versions of sexual compliance in the factory working environment. This form of SH usually involves power relations between managers and staff. Ms Linh concluded, ‘how dare a worker can report SH if the harasser is the manager? You are in a subordinate position and will be put down by the manager’ (Ms Linh, worker, aged 35). Linh's response demonstrates the inevitable existence of SH in the factory workplace and the acceptance of workers' dues to the imbalance in power positions of workers and managers at work.

Sexual compliance is also known as no exception for state and union officers. Several interview respondents claimed that sexual compliance is not rare in the state working space, as they heard from friends or colleagues of other organisations. An officer said, ‘oh, in the state organisations, it is not an exception that someone may have to comply for sexual engagement if they want to be promoted’ (Ms Nhu, union officer, aged 41).

This reveals that serious sexual compliance is as common as other physical or verbal harassment forms. However, sexual compliance harassment is more tacit than other forms of SH reported in the survey. A possible explanation for this is that the organisation's bureaucratic power hierarchy grants too much power to the manager. Individual power is expressed in sexual demands from managers to staff or higher managers to middle managers. In state organisations, where long-tenured employment is common, workers avoid confronting SH to maintain their jobs. When sexual harassment becomes unbearable, a commonly found escape path is for the worker to quit her job. The following section discusses the survey and interview data to explore how SH is associated with specific employment fields and positions.

6.4. Sexual Harassment Experience Varies by Employment Sectors

Experienced sexual harassment has been a subject of research in various employment settings (education, academic or hospitality); however, there is relatively little research on SH at state agencies and union organisations. This section discusses workplace SH in state-employer organisations and factory settings. Findings from this section elucidate an

understanding of how SH may happen differently and what factors are associated with the likelihood of encountering SH in each setting.

Table 6.3: Experienced SH by employment sectors

Employment sectors	Yes (%)	No (%)	Unsure (%)	Total (%)
Government organisation	50	42	8	100
Union	53	36	11	100
Banking	12	77	11	100
Education	21	70	9	100
Workers	7	90	3	100
Other (please specify)	35	60	5	100
Total	22	69	9	100

Source: Qualtrics survey conducted from February- April 2021

The survey data show significant differences in the prevalence of SH experiences by employment sector (Table 6.3). Trade unions and government staff reported the highest rates of experiencing SH at 53% and 50%, respectively. Other employment sectors, including journalists, reporters, and NGO staff or students (recorded in the survey), were at the third-highest rate at 35%. Only 7% of factory workers experienced SH. This is a surprising result as there is an assumption that government and trade unions have a safer working environment and a code of conduct, thus posing a lower-risk environment for SH (Khuat, 2004). Other research has argued that factory workers with lower status, less secure jobs, and poor working conditions with an extensive female workforce managed by men may be more likely to be harassed (Siddiqi, 2003, p. 6,33).

Interview data identify four key factors contributing significantly to SH prevalence in the workplace: specific professional occupation characteristics, physical environment, mixed-gender workplaces, and employment status. Professional occupation characteristics refer to the nature of work and duties performed at work, while the physical environment refers to the construction and location of workplaces. Mixed-gender workplaces refer to a setting where male and female workers work side-by-side. Employment status refers to permanent and temporary jobs and the position in the job hierarchy.

It is noted that the four factors listed above have different manifestations associated with the possibility of workers experiencing SH in each employment setting. Therefore, I address the issue in each employment sector to reveal how these factors distinctively contribute to working people's experience of SH.

Sexual harassment in the state organisations

The high SH rate in the government employee is reported to be associated with occupational characteristics that require engaging in broader partnerships, extra-mural work and travelling. The nature of occupation that involves multiple partner meetings exposes female employees to high risks of workplace SH. A state officer exemplifies the nature of her work relates to her SH experience:

> Most of our working partners are business organisations dominated by male managers. My work involves many field trips and interactions with male colleagues […] business sector […] partners often invite us for a meal or drink after work. SH occurs in such working relations and situations (Ms Gi, state officer, aged 49).

Gi articulates her experience of SH as something normal and inevitable based on the nature of her work. Her quote suggests factors attributed to her SH experience: business organisations refer to the financial status of harassers, male managers demonstrate position power and gender relations, and drinking relates to traditional masculinity norms. These factors are intertwined and create conditions for SH that working women like Gi encounter more often. It is the process of normalisation SH at work, which lead to customising or ignoring the issue.

Conducting business trips and engaging in extra-mural work are factors that make experiencing SH more likely among state and union staff. Attending business dinners, staying

in the same hotel, drinking alcohol and singing karaoke after work provides opportunities for sexual harassment that would not exist in a typical nine-to-five office setting. A union officer points out:

> SH is strongly associated with characteristics of our professional work requirements, for which we often have business trips to local levels or attend meetings and conferences with male colleagues and engage in some work after working hours (Ms Chi, aged 41).

These activities are seen as a part of social networking and business trips that aim to enhance cooperation between organisations (Maheshwari & Nayak, 2020, p. 9). In addition, business trips always happen in new locations that are out of workplace settings, engaging with new partners and out-of-organisation oversight. This may lead to a mistaken impression that they are out of their organisation's oversight and SH prevention policy compliance (The Los Angeles Employee Rights Law Firm, 2022). However, female employees may find it difficult to exclude themselves from travelling and joining networking activities which are often seen as important to career progression and maintaining working relationships. Relating to this point, Lan, a union officer aged 42, explained:

> In our inter-sectoral business trips, we often join with partners from other organisations and share one transportation. One time, a men partner expressed his interest in sitting next to me and trying to talk during the trip; he then put his hand on my lap. On another training occasion, after finishing the training, some male participants kept sending messages, asking or inviting me for drinks, meals, or dating.

Work requiring frequent travelling for business was a matter of concern for most state and union staff participating in the research. Due to top-down administration management, extra-mural work and business travelling are quite common in Vietnam's government and union organisations. In this management structure, staff at senior administrative management levels undertake the field trips. When SH happens during business trips, it negatively impacts the targeted employees and can lead to a hostile environment at work and working relationship tensions. In many cases, SH started during a trip but did not end after the trip finished, creating an uncomfortable environment that negatively impacted employees and work.

According to the ILO, SH at work involves any event related to work, including extra-mural work settings and journey from work to home and vice versa, in which an unwanted sexual act happens (*Eliminating Violence and Harassment in the World of Work*, 2019). A

narrow definition of the workplace leads to the exclusion of incidents outside the working space. This could result in the organisation refusing to take responsibility for addressing SH or paying less attention to addressing these problems. This possibly explains why extra-mural work associated with SH at work is under-researched in the existing literature.

Physical workplace construction can be a factor that contributes to the high prevalence of SH in government organisations. Ms Chi observed: 'in the state or union organisations, we work in air-conditioned spaces with the door shut. […] Sometimes SH occurs behind closed doors' (Mrs Chi, union officer, aged 40). According to Chi, her day-to-day work behind closed office doors raises the potential of SH. When the door is closed, victims cannot escape, and there is less likely to be a witness to SH. To further explain how SH happens behind the closed door, a union leader gave this example: 'After a lunch break, a manager asked a female staff to come to make a cup of tea in his office. When she came, he closed the door and suddenly hugs her or try to hold her hand tightly' (Ms Hoang, union leader, aged 54). An office with a closed door becomes less safe regarding SH issues and functions to hide SH acts. Working spaces in a closed office are common in Vietnam, contributing to workplace SH remaining unreported.

Beyond these factors, an imbalance of gender power exists between male and female employees in a patriarchal society, and unequal power between managers and staff contributes to the likelihood of SH in such bureaucratic organisations (Uggen & Blackstone, 2014; Webber & Spitzer, 2010). This brings back the argument of legal theorists about sex-based harassment, in which SH occurs due to gender discrimination. Thus addressing SH has more to do with gender than sexuality issues (Cortina & Berdahl, 2008; MacKinnon, 1979).

Sexual harassment in manufacturing factories

Workers reported a lower rate of SH experiences in factory settings than state and union officers. However, they faced more SH incidents when travelling to work and renting accommodation. Some factors contribute to workplace SH in factory settings, including ample physical open spaces, workplace dress code, worker gender rotations, employment (casual or permanent), and immigration statuses. For factory workers, the physical workplace environment refers to the factory location in the local community and the space within the

factory compound. Workers describe their occupational environment as a busy working pace on production lines and strict factory discipline. One worker explained:

> Working at a busy pace in a factory, we must focus on the production line and products; no one can do it differently. We have a short break, and people just chat and make jokes for fun, not harassment (Ms Van, worker, aged 33).

According to Van, the manufacturing work discipline with strict productivity rules limit the possibility of SH during working time. The short break between shifts is time for workers to rest, and it is not long enough to create a condition for SH. As Ms Van elaborates, 'Our company is Japanese-owned, and they have a high demand for concentration at work. Workers cannot talk or gossip during their shift'. She suggests that strict rules and limitations on social interaction can be a way to reduce the possibility of SH. Thus, the working regulations applied by foreign management may limit forms of social interaction like jokes and flirting that could blur the line between harmless fun and unwanted sexual attention.

In addition, the industrial occupation characteristic of working in ample open space and crowded workers seems to be a factor in preventing SH. 'It is the production lines where everyone can see each other and know what you are doing' (Ms Tuyen, worker, aged 36). The open space makes the workplace more transparent, and workers can alert each other if sexual harassment happens. Moreover, workers explained that infrequent encounters with power hierarchy also help to reduce SH: 'There is no SH at work because we rarely meet the managers' (Ms Hoa, worker, age 29).

Dress codes can contribute to SH in the factory, where workers often have a work uniform. Some workers raised this concern, and here is an example that one worker shared during his interview. Mr Mu mentions a requirement for office workers to wear short dresses to work.

> Our company is a garment factory, and office staff are encouraged to be well-dressed. All company office staff must wear a short dress from Tuesday to Thursday. It should be workers' individual right to wear whatever they are comfortable. However, it seems the company imposes a dress code on workers. I feel suspicious about this regulation which possibly creates SH. I have heard some colleagues complain that they were harassed when wearing short dresses (Mr Mu, worker, aged 31).

This comment articulates how power management is used, through imposing dress code, in the factory in ways that can encourage misconduct. Factory management uses its

power to mandate a dress code, making women more vulnerable to sexual abuse and harassment. Mr Mu also suggested that the dress rule can be a way of sexualising women and lead to victim-blaming. As other research has stressed, women's dress can be used to blame for any sexual incidents happening to them and thus make women more vulnerable to harassment (Beiner, 2007; Hutton, n.d.).

The gender and marital status profile of the workforce also impact on workers' experience of SH in factories differently. The predominance of female workers is considered a safety factor at work that limits the possibility of SH. Female-dominated occupations like garment factories allow fewer male employees and managers to interact with more female workers. Ms Van shared:

> Females are the majority of workers, and most are married. There are few men in our factory, and we usually tease each other for fun. There is no case of a manager using power to force workers for sex exchange- (Ms Van, worker, aged 33).

As Van explained, when women are the majority in a workplace, they can benefit from the women's collective presence. Marital status also benefits workers as marriage helps to inform women's maturity and value and that she belongs to their partner (Bélanger & Khuat, 2018). However, the implication of marital status as a protective shield also refers to the old traditional norms of women as their husbands' possessions while their independence seems not to be acknowledged. Furthermore, given the role of family values among Vietnamese people, 'saving' the face of the family and maintaining family income can prevent workers from reporting their incidents, per SH's cultural narrative.

In contrast to Ms Van, Ms Vi, a garment factory worker, believed that more risks of harassment happen in the workplace of predominantly female workers:

> The workplace where women predominate will have more possibilities for various SH behaviours. Male workers may tease and flirt with their female colleagues, while male managers may physically harass or force staff to comply for a better job or high salary sexually (Ms Vi, worker, aged 35).

Vi's observation of workplace SH implies a gender hierarchy at work and sex-based gendered discrimination. Often, men in female-dominated workplaces are managers or supervisors who can impose their power on female staff. Interviewees revealed high incidents in factories where women are the minority in their mixed-gender working environment.

> In my current production plant, men outnumber women and misbehave, like grabbing female workers' bottoms. It was not teasing or fun; it was a deliberate sexual approach. The working context is quite complex because men and women work together in one space and share many activities during shift breaks or after overtime. This is when SH may happen (Ms Ly, worker, aged 28).

In factory units where men form the majority of the workforce and dominate workplace culture, sexualised behaviour can create a hostile working space where female workers feel unsafe and vigilant toward their male colleagues.

Another factor impacting workplace SH in the manufacturing sector is employment status. Factory workers mostly have temporary contracts, which means they are insecure about their job and more vulnerable. Workers explained that their temporary employment led to a high frequency of experiencing SH. A worker noted, referring to employment insecurity:

> My friend told me that her company managers forced workers to have sexual encounters with them. If the workers refuse, they will be held back at work. Eventually, the workers must quit their job or move to another department. Because their contract is often casual, their job can be terminated at any time (Ms Vui, worker, aged 33).

Such practices contribute to the high staff turnover rate in low-skilled factory employment (Merkin, 2008; Ruth, 1998; Salman et al., 2016). The constant stream of new workers on insecure contacts enables managers to keep harassing with impunity. However, Ms Chi, a union officer, took a different perspective on the connection between employment precarity and SH. According to her, permanent employment is desirable because it provides security and better benefits. But this security can become a trap to keep them in workplace harassment, as Chi mentions:

> Having a permanent job in a government organisation is more secure for female employees. But it means they are reluctant to give up their job when sexually harassed. This could explain why SH may be persistent in the workplace. In contrast, factory workers with less secure jobs can easily change to another factory if SH escalates (Ms Chi, union officer, aged 41).

Ms Chi suggests that workers on temporary contracts may change jobs to avoid SH. Nonetheless, factory workers are generally more disadvantaged due to their employment status, and poor working and living conditions create the possibility of SH. The below discussion further provides factors relate to workers' experience of SH.

The research found that factories located in rural and close to workers' hometowns appear to create more physical safety to reduce the risks of SH. Fifteen interviews with factory

workers who work in their hometowns in central Vietnam found that no one had experienced SH. In contrast, interviews with migrant workers in other parts of Vietnam - Vinh Phuc, Hai Duong, and Dong Nai provinces - point to more incidents associated with workers' travelling and accommodation. Workers explained that the location associated with the local cultural values and a close-knit community around the workplace protects them against SH. A worker commented:

> We work for a local factory in our hometown, and all workers are from the same district or neighbouring districts. We know each other very well, so no one dares to misbehave toward people that are their neighbours or peers. In rural areas, the traditional norms of dignity and guilt are viewed and practised more strictly (Ms Thuy, worker, aged 31).

Thuy relates factory location to the local cultural norms, and she suggests that local workers often have strong and close relationships with each other and the local community. From the interviews' perspectives, rural life maintains stronger traditional norms and shared local cultural values, and community relationships can be a positive force in preventing SH. In other circumstances, cultural and gender norms seem to encourage SH. However, in urban factories, where cultural norms are less cohesive due to worker migration, workers also reported less experience with SH. Thus, the cultural context is not adequate to explain working people's experience SH; other factors I have addressed so far, including working status, occupation characteristics, workplace environment and power relationships, are correlated in continuing the issue.

Local factory location also offers short and safer travelling for workers from home to work and vice versa. Ms Tam, a worker aged 46, added: 'We live near the factory, about 5-7 km from home to the workplace. When we finish the shift, even in the late afternoon or sometime in the evening, most female workers go home on the same road and in a group. We feel safe on the way from work to home'. Tam's comments suggested the lower risks of SH when female workers travel in their familiar routines and as a group. A common way to protect women is to go in a group and not be alone, which is also discussed in other studies suggesting that women can organize as a social collective to protect themselves (Young, 1994). This also reflects a part of the Vietnam collective village culture in which people often gather as a group. However, the collective village culture also challenges the effort to address SH by reinforcing gender roles and traditional morals of women (see Chapter 7).

In contrast to local workers, short travel distance does not reduce the risk of SH for migrant workers who work in a factory far from their hometown. A worker mentioned: 'From my rented house to the factory is 1 km. I encountered SH once while walking home after finishing a late afternoon shift. A man was waiting on the road and approached to touch my chest' (Diu, worker, aged 27). For Ms Diu, the convenient walking distance was still unsafe, particularly when working evening shifts. They are harassed by strangers, other migrants or local people. A worker, Hang, aged 31, commented:

> My colleague was riding a bike on the way home. Then some young men rode a motorbike and approached to squeeze her chest. These men usually stand in a deserted place near the bridge where few people pass by to physically harass workers, particularly young girls.

These quotes expressed workers' high concern for work travelling associated with the risks of SH. SH may not occur during their shift hours but in remote and unsafe sites on the way to work or from work to home. Beyond the factor of travelling, migrant status adds to the risks of workers experiencing SH. The temporary immigration residence led to a lack of community connections and support. Migrant workers also rent accommodation separately for work convenience and saving costs. Thus, they hardly gather in a group when travelling to work and may be targeted individually by harassers.

Ms Chi, a union officer who has worked with many factories and workers, explained:

> SH happens more frequently in workers renting accommodation than in the workplace. There is no security monitor and no workplace policy in place, and people are free to act with impunity in rental housing. Meanwhile, most workers are single migrants, or their partners are not living in the same place (Ms Chi, aged 41).

Chi revealed many factors associated with SH workers' likelihood after work. Again, migration status puts workers at a disadvantage in preventing SH. SH at home may be excluded from workers' reports of experiencing SH at work, leading to a low reporting rate. A worker shared their experience in rental accommodation: 'We rent a small accommodation, and many workers live in this small residence. Some young men (colleagues, tenants or local people) sometimes came to our place, acted up, teased and flirted' (Ms Hang, factory worker, aged 31).

This type of SH is an invasion of private living space. Although it does not happen at work or on the way to work, it relates to the work context because victims and harassers have work relationships. From working relationships, harassers can harass victims when given the

opportunity at work, on-road, or in accommodations. As pointed out in other studies, SH at accommodations is not an uncommon threat for workers (Burgess et al., 2018). However, public understanding and the current definition of ‘workplace’ and ‘SH at work’ do not include this issue. As such, it may escape the attention of employees and employers about SH.

The findings above indicate a significant difference in experiencing workplace SH between state and union officers and factory workers; the factors attributed to their experiences also vary. The state and union employment sector recognised a higher prevalence than factory employment. Government organisations' occupational structure and patterns require extra-mural work, frequent business travelling, and regular communication with external partners and higher-ranked staff, creating a high possibility of SH. The flexibility of working hours and working environment for state and union officers extend the opportunity to encounter SH. In contrast, manufacturing occupations do not require extra-mural work, business travelling and external partner meetings. Their fixed shifts in the production lines in open spaces provide opportunities for collective observation and peers' alerts to prevent SH at work. The flat hierarchy in factories where most workers share the same position and have less contact with their factory management may reduce the prevalence of SH in the workplace.

The question in this section is whether the low rate reported by workers reflects the actual situation at the workplace. Although the survey data reports the lowest rate of experience SH among workers, the interviews presented above leave no doubt that this number has just captured the surface of the problem. On the one hand, SH in factory workplaces may be underestimated because the line is blurred between sexual jokes, humour, and harassment. The overlap of these kinds of behaviour confuses workers in identifying what SH is and whether they are experiencing SH at work. In addition, male workers appear to normalise less 'serious' SH acts like flirting and teasing as fun or friendly banter. Thus, victims may reject their experiences, and harassers deny their responsibility for causing SH. On the one hand, workers are reluctant to reveal experiences of a sexually exploitative nature. Their reluctance may stem from a lack of recognition and understanding to verify allegations of SH. Yet, the research finds it challenging to conclude that factory workers

experience less exposure to SH at work. However, the factors contributing to workplace SH apparently differ between staff in the state-employer organisation and factory workers.

To conclude this part of the discussion, I want to use the quote from a key informant- a lawyer who suggests that the issue is more complicated than what the survey numbers can present.

> SH happens frequently and commonly, but most workers are unaware of SH and are being harassed. It becomes tough to disclose this workplace issue. In particular, workers in local factories in rural areas have a limited understanding of SH. Their workmates may claim they are troublemakers, making things more complicated at the factory (Mr Minh, lawyer, aged 44).

Experience of sexual harassment varies by work position.

Empirical data from this research reveals that employees experience SH differently in their work positions. Significantly, managerial positions encounter a higher rate of SH than non-management roles (Table 6.4).

Table 6.4: Experienced SH by work positions

	Yes (%)	**No (%)**	**Unsure (%)**	**Total (%)**
Managers	33	53	14	100
Office Staff	19	73	9	100
Team leader (for a unit or production line)	25	59	17	100
Factory Workers	8	89	4	100
Other	50	50	0	100
Total number of respondents	55	175	24	254

Source: Qualtrics survey conducted from February- April 2021

The survey data indicates that over three out of ten people surveyed (33%) who are office managers in state and union organisations and banking experienced SH. Meanwhile, 2.5 people out of ten (25%) managers in the manufacturing sector reported their experience.

Still, 14% and nearly 17% of managers working in the office and non-office environments were unsure of their experiences.

It implies that employees in management positions are exposed to great risks of SH regardless of employment sectors. Nearly two office staff out of 10 admitted their experience at work, which is equal to two-thirds of the rate among management positions. These findings are against the traditional idea that women encounter more SH involving their low-ranking work position but are relevant to recent studies research (Folke et al., 2020).

Interviews with managers in the state and union organisation reconfirm the situation and offer an inside view of SH at work. Ms Gi holds a middle management role in a unit that belonged to a ministry and encountered different SH situations, as she described:

> Several incidents happened to me. A department manager moved to a new office and invited me to visit his office […] When I came, he closed the door and hugged me tightly. I refused him and went back my office; later, he sent me many messages asking for something. Recently, I was on a 5-day business trip, and younger man colleagues from other organisations kept looking at me and sending me several messages […] After three days, he eventually knocked on my door in a hotel (Ms Gi, state officer, aged 49).

Ms Gi repeatedly experienced verbal and physical sexual behaviours by managers in her organisation and working partners. Nothing happened when her working partners knocked on her hotel room, but such acts can threaten potential harassment. As she explained, she was easily targeted by males who deliberately undertook their misbehaviours without care. These female leaders expressed their experiences below:

> I received many phone calls and invitations for drinks and meals. During business dinners, male partners drank, put their arms around my shoulders, and hugged me in front of many people […]. In another situation, a working partner asked me to join him on upcoming business trips (Ms An, a union leader, aged 36)

Being a manager involves multiple tasks, including extra-mural work and business trips with external partners, creating the possibility of being harassed by her. This is because she is exposed to a new group of potential harassers, including subordinates and higher-ranking employees. Also, she may face the consequences like losing the working relationships with influential partners, which she mentioned in other cited quotes.

Harassment of female managers in a factory setting is no different from that in government and union organisations. A worker shared a case that happened to her female line manager:

> A male foreign manager in my factory usually texts suggestive pictures to my line manager through phone and apps, who is a widow. Because of the language difference, she did not respond to the man; thus, the man did not stop his behaviour (Ms Diu, worker, aged 27).

In a story shared by Ms Diu, her female manager was verbally harassed by a senior factory manager. Notably, the harasser is a foreigner who is assumed to have more power as a manager and a foreigner. Power relations and language barriers are two factors of harassment for the female manager. In this case, SH can be a weapon against women in power and is motivated by control, domination, and sexual desire.

The commonality in the three cases is that they are all female managers in lower or middle managerial positions. Holding a management role but being a woman does not change the risks of harassment associated with their gender status. In other words, women gain power at work to empower their professional strength. However, this power does not protect them from hazardous working relationships. Meanwhile, Gi and Diu's managers are single mothers, shaping their vulnerability to SH. The individual agency is also different in how these women perceive the incidents. The two female leaders in state organisations were more aware of their situations and had more space for their autonomy. In contrast, the factory manager hesitated to admit the incidents as the direct manager harassed her.

Ms Hai gave more thought to explaining why women managers encounter high risks of SH at work. 'Women are often in lower managerial positions than men managers, and thus they are likely to be harassed by senior management and working partners' (union officer, aged 45). Interview participants in this research similarly refer to gender inequality at work to explain the high rate of SH targeting female managers.

We can infer from the findings that SH is a work phenomenon that affects women from any employment or position. From the interview respondents' perspective, the harassment of female managers confirms the unchanged gender discrimination and unequal power at work. These patterns continue to be contributing to SH. Although women are empowered and have been advancing to organisation leadership, their positions are often in middle or deputy positions rather than as directors. This originated from the fact that women are not guaranteed equal authority and power with their male counterparts. While men can automatically gain respect from their staff, this does not happen easily to women leaders (Maheshwari & Nayak, 2020, pp. 7–8). Women leaders encountered more pressure from the

upper manager while handling the management relationship with their staff. Undoubtedly, this work pressure creates poor conditions for female managers to expose to SH likely. Given the attachment of individual circumstances like a single, widow, and young, SH becomes more visible to female managers.

Another factor that could make women managers more vulnerable to SH is the prejudicial social attitudes against women leaders. Several interviewees related SH to women's desire for a work promotion. Ms Trang assumed: 'a woman who has ambitions to gain work promotion or to be favoured in work may comply to sexual acts with managers' (Ms Trang, worker, aged 25). In other words, this perception views SH as gender discrimination against women who gain career advancement. However, it also evokes suspicions that SH is somehow a woman's compliance with sex to obtain power. This stigma pressures women managers and keeps them silent, resulting in more undisclosed workplace incidents.

These interviews and the survey data (Table 6.4) show that women supervisors are exposed more to workplace SH than other staff members, and women in low and mid-leadership roles are more vulnerable than senior management positions.

This indicates that authority does not protect women from SH at work. Vietnam employment's typical working context that involves a high frequency of extra-mural work and business adds more risks of workplace SH to female employees regardless their working positions. While managers in state and union organisations face greater risks of harassment by higher organisation managers and working partners, female managers in factories may suffer from direct managers and male co-workers.

The research finding is relevant to findings in existing literature outside and inside Vietnam (Cheung et al., 2018; Folke et al., 2020; Maheshwari & Nayak, 2020; McLaughlin et al., 2012). The greater likelihood of SH happening to women in management positions suggests a 'paradox of power': instead of reducing the possibility of SH, power in the workplace seems to place women at higher risks of SH (Folke et al., 2020; Picchi, 2020). There is a connection between the 'paradox of power' and the 'power-threat model' (Folke et al., 2020; McLaughlin et al., 2012). The latter explains that women in power positions are likely to face harassment because their attaining power threatens men's domination in the

workplace. Thus, SH arises in the workplace as a tool to maintain to women lead male power (McLaughlin et al., 2012, p. 627).

However, this research has not found significant support for the threat-power model discussed by McLaughlin and her colleagues (2012). Sexual desire, power control, and cultural socializing are associated with the likelihood of SH of female leaders in the cases of the interviews above. The traditional belief and clear-cut norms of women's domestic roles and the under-valued women's talent in leadership can be viewed as another sight of the threat-power model. SH in Vietnam manifests the exercise of traditional beliefs to maintain masculinity in the workplace. SH puts a greater burden on women's leadership to affirm their work competency and performance while dealing with SH possibilities in the working environment (Folke et al., 2020, p. 181). In these contexts SH often triggers victim blaming, considering the phenomenon as somehow a pay-off for those who want to challenge traditional boundaries. These findings support McLaughlin's (2012) research that women leaders are more likely to define their experience as SH. However, this research finds that women seem unwilling to report incidents, which is different from McLaughlin's research. This may be originated in the social and cultural perception toward women leaders and the barriers at work discussed above.

6.5. Conclusion

This chapter has examined Vietnamese working women's experiences of SH in the workplace. The online survey and interview data show that SH was common in the workplace regardless of employment industry, working positions, and labour contract status. The main type of SH experienced by research respondents is physically unwanted touching behaviours. Although common, verbal SH is viewed as less severe and an inevitable part of the work culture by most respondents who experienced it. Employees in government and union organisations encountered workplace SH at a considerably higher rate. It implies that having higher education backgrounds, more secure employment, and better working conditions do not protect employees from harassment. Thus, SH in these organisations is likely to relate to the organisational power structure and a working culture that does not address cultural gender norms of inequality.

The interviews reveal many factors contributing to this picture by showing how employees admit their exposure to SH and describe their experience. These factors include specific professional occupational characteristics, physical workplace environment, the gender mix of workplaces, and employment status. Mixed-gender workplaces often involve a power struggle between men and women, which seem to trigger SH. Men often hold more managerial positions than women within the organisational hierarchy and impose masculine power in the workplace.

SH happens differently according to employment sectors, work settings, and work positions in each sector. In government and union organisations, extra-mural work and business trips are typical professional risk factors associated with SH. In factory settings, the organisational risk factors are associated with workers' travelling from home to work and vice versa and rental accommodation. State officers' permanent employment status, which offers more secure and better working conditions, also increases exposure to SH. Permanent staff are reluctant to change jobs; thus, SH may happen repeatedly and become entrenched in such a working environment. Workers' casual and temporary labour contracts offer fewer protective conditions than does permanent employment.

Nevertheless, workers may have more freedom to move and change jobs to cope with workplace harassment, even though this may come at a financial cost to the worker. Community support and social connection act as protective factors. However, workers' migration status undermines their ability to prevent SH due to a lack of family and community support. Lastly, the research shows that women in leadership positions are exposed to a higher rate of SH than staff members in all workplace settings. This means that workplace SH adds more cost to women who want to pursue their leadership ambitions and in turn, reinforces gender gaps in employment. If a woman is a target of SH, they are often exposed to more than one type of harassment and by more than one perpetrator, who could be managers, working partners, or colleagues.

My analysis reveals that from less severe to severe forms, SH is shaped by unequal power and working relations that render women vulnerable. Literature on SH suggests that subordinate positions are targets of SH due to power relations at work (McCann, 2005). However, the increasing share of women in the labour force and leadership positions may

change the nature of SH associated with working positions. When women occupy more powerful positions in an organisation, it does not protect them from frequent harassment. This is because women tend to occupy middle and lower management positions, and the top management level remains predominantly male. The key findings from data analysis in this chapter stress the need to examine SH in its context, involving employment sectors and status, the workplace setting, and the social connection. The chapter suggests furthering the analysis of social, cultural and gender norms and solidarities, power relations and social-legal structures that inform SH occurrence and experience by employees. In many cases, social and traditional gender norms have a negative connotation. However, they can also act as a protective measure when workers from a village respect their cultural values and look out for each other.

The following chapter on workers' responses to SH discusses how the interweaving of gender relations, social norms and power relations construct opportunities and barriers to tackling SH in the workplace. This will help to understand whether law and policy have shifted perceptions of SH and offer pathways to address SH at the workplace.

CHAPTER 7: WORKING WOMEN'S RESPONSES TO WORKPLACE SEXUAL HARASSMENT

7.1. Introduction

This chapter examines working women's responses to workplace SH in Vietnam. It draws on the survey data to identify the most prevalent coping strategies and what factors determine people's reactions. The chapter seeks to understand why an individual would frequently employ a particular coping strategy over others. It also explores how the cultural construction of gender relations, organisational structure, and workers' legal consciousness influence coping strategies. This chapter draws on the conceptual framework and the analysis of the correlation between cultural and organisational power to argue that the intersection of socio-cultural and organisational significantly influences workers' consciousness and responses to workplace SH.

Responses to workplace SH have been grouped into three categories: individual, social, and organisational (Cortina & Wasti, 2005; Fitzgerald et al., 1995; Gruber & Bjorn, 1986; Gruber & Smith, 1995; Wasti & Cortina, 2002). The individual response strategy refers to individual behaviours to cope with SH at work. These coping strategies may adhere to traditional gender norms that underscore an individual's perception of a specific social and organisational context. The social response involves people mobilising social sources (friends and family, work colleagues, or community support) to address SH. Organisational response refers to using formal organisational channels, policies, and laws to report incidents (manager, trade union, human resources, police, or courts). In regard to understanding working people's response strategies, particularly at the organisational level, I refer to Blackstone et al. (2009) 's legal consciousness, which seeks to explain how individuals perceive law and translate their perception into responding action. As they point out, people express their perception of legality and shape its meaning and boundary to mobilise their responses (Blackstone et al., 2009, p. 633).

It has been argued that harassment victims' responses signify an important component of harassment processes, and coping varies with context and culture, involving many social and individual determinants (Cortina & Wasti, 2005, p. 182; Knapp et al., 1997; Wasti &

Cortina, 2002, p. 394). Organisations that are vigilant about SH must understand working people's responses and coping behaviours to develop better interventions to address it at work (Cortina & Wasti, 2005, p. 182). Shedding light on the patterns of responses is particularly important in Vietnam, where empirical research is lacking. This is an important gap to address because people's responses may be susceptible to socio-cultural and organisational influences. This chapter addresses this gap by examining employees' responses to workplace SH, revealing multiple patterns and levels of responses in individuals, organisations, and society.

The chapter is conceptualised in five parts. The first describes the types and prevalence of responses to workplace SH as found in the survey. The following part discusses the coping strategy adopted by individuals in response to SH. The third part addresses the social responsibility strategy in which workers seek support from their social network to address workplace SH. Section four discusses how employees deal with workplace SH and harassers at the organisational level. The final part discusses the role of workers' legal consciousness in shaping their responses and whether law and organisations' policies or other socio-cultural factors may inform workers' legal consciousness. In doing so, this chapter will contribute to understanding how working people's responses are culturally constructed within an organisation.

7.2. Types and Prevalence Responses to Sexual Harassment

This section provides data from the survey to identify the kinds of responses to SH used by working people who experienced or observed SH at work. It presents findings regarding two questions: 'What did you do when exposed to SH at the workplace?' and 'What did you do when you observed SH happening at your workplace?'. The two questions have some similar responding options to measure the responses of people who experienced sexual harassment at work and the responses of bystanders (Figure 7.1 and 7.2). This allows me to explore the similarities and differences in mobilising response strategies between these two groups.

I classify research participants' responses in this survey into three categories. Individual responses include 'keeping silent,' 'ignoring,' 'avoiding meeting harassed people and situations,' 'and doing nothing. Social responses refer to the behaviour of 'talking with your

family, friends and colleagues' or 'asking victims if they need help or listening to victims.' Organisational responses refer to behaviours when people mobilise organisational resources and report to an authorized person or organisation. The response option of 'asking people to stop their SH behaviours' may be enacted at any of the three levels, as victims may address the harasser directly on their own or seek support from social networks and organisations. Figures 7.1 and 7.2 offer a comparative overview of response strategies used by two groups: people who experienced and people who observed the SH incidents at work.

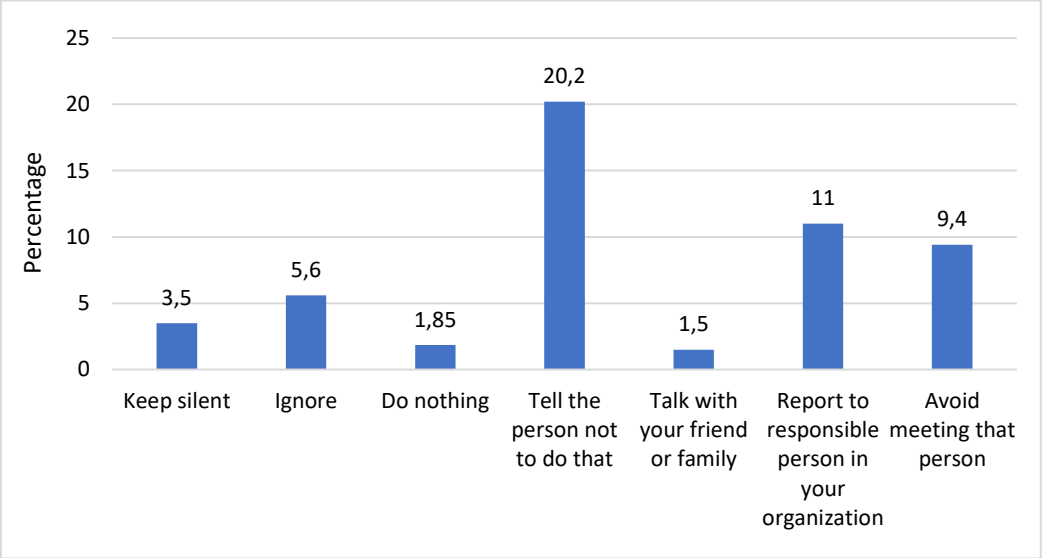


Figure 7.1: Responses by people who experienced sexual harassment

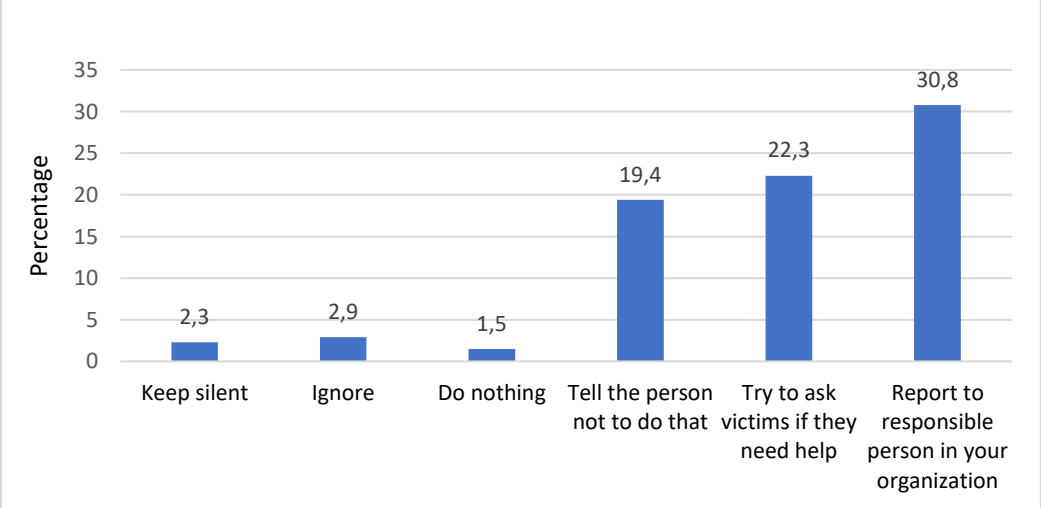


Figure 7.2: Responses by bystanders of sexual harassment in the workplace

Source: Qualtrics survey conducted from February- April 2021

The survey data indicate that targets and bystanders of SH adopt similar responses. However, those who have experienced SH are slightly more inclined to be silent or ignore it than those who only observed it. Nearly 10% of harassed respondents indicated that they avoided harassers (Figure 7.1). Avoidance is a tactic of people who do not want to identify themselves as SH victims to avoid the social stigma (Fitzgerald et al., 1995; Quinn, 2000). Avoidance is often associated with denial and endurance (silence, ignorance, and do nothing) as the main manifestation of individual self-focus responses. This coping response often proves ineffective in stopping SH. It is challenging for victims to avoid harassers in the workplace if the victims must maintain working relationships with them. When employees decide to keep silent, they do not address the harassers or raise SH as a problem in the workplace. They may choose to go along with the incident and pretend it did not happen or treat it as a joke and no harm. People are more likely to adopt silence or avoidance mechanisms in response to SH when they deem the incident less serious. While the survey shows that one-fifth of the harassed respondents opted for self-focused responses (avoidance, silence), the international literature found that silence and avoidance are more frequently used to respond to SH at work than other types of responses (Bingham & Scherer, 1993; Brooks & Perot, 1991; D.Baker et al., 1990; Fitzgerald, Gelfand, et al., 1995; Phillips et al., 2019; Welsh, 1999).

Individual confrontation is reflected through the act of 'telling the person (a harasser) not to do that,' and counts equally 20% by two groups of victims and observers. This indicates that employees who experienced and observed workplace SH are willing to confront harassers. Confrontation can involve demanding harassers stop or verbally threaten them with reporting their behaviour (Wasti & Cortina, 2002, p. 401). The findings in this thesis challenge existing literature on confrontation responses which were seen as the least common reaction (Fitzgerald et al., 1995, p. 121; Merav, 2010, p. 2). It also provides a different perspective to Wasti and Cortina's (2002) research which argues that in a hierarchical society and collective culture similar to Vietnam's, people often avoid confronting harassers and opt to suffer in silence to maintain harmonious interpersonal relations (Wasti & Cortina, 2002, p. 402).

Yet, fewer than 2% of the respondents who experienced SH sought support from their friends and family. This data indicates that people rarely utilise the social response strategy

of seeking support from their family and friends. This finding differs from previous research that found social coping as a commonly used strategy for responding to SH (Brooks & Perot, 1991; Cortina & Wasti, 2005; Fitzgerald et al., 1995). In contrast, observers of SH incidents expressed a higher willingness to offer social support to victims. More than 1 in 5 respondents said they would 'try to ask victims if they need help' (Figure 7.2). This finding of offering social support is relevant to the research in Australia, which reports that the most common action taken by bystanders to SH was to talk with or listen to the victim about the incident (Australian Human Rights Commission, 2018, p. 96).

The difference in mobilising social support of the two groups illustrates the coexistence of opposite social and cultural values in Vietnam that influence people's reactions to SH. In opposition, the Vietnamese tradition of cultural collectiveness embraces collective actions in the sense that people tend to provide and seek support from their community, friends, and family. It is evident that observers strongly prefer to offer social support to a high degree. However, patriarchy and its associated socio-cultural norms often overpower this impulse to offer collegial support to people needing help. The patriarchal social norm in Vietnam emphasises preserving family and individual reputation. Revealing workplace harassment experience can be sensitive and damage personal, familial, and professional reputation and status. Patriarchal influence manifested in SH responses is commonly seen across many cultures, and Vietnam is not unique. Research in other countries shows similar points: patriarchal social values suppress traditional women and prevent them from reporting SH, and women reporting SH are more likely to be blamed (Arslan et al., 2006; Barkley & Mosher, 2015; Wasti & Cortina, 2002). In addition, cultural and gender norms significantly influence people's social support mobilisation to deal with SH (Butzel & Ryan, 1997; Procidano & Smith, 1997; Taylor et al., 2004). Moreover, talking to family or friends is associated with an unsatisfactory outcome in addressing SH (Bingham & Scherer, 1993, p. 248). The lower number of people applying the social response strategy may imply people's concern about trusting their social networks. Unless they are in a serious circumstance, people would not necessarily feel compelled to share or seek support from family and friends.

Regarding organisational responses, there is a significant difference between the two groups of employees in mobilising the strategy to respond to workplace SH. The significant

differences lie in the extent to which organisational responses are mobilised by the two groups asked to respond to workplace SH. Only 11% of those who have experienced SH would make a report; in comparison, more than 30% of observers claimed they would do so.

This finding relates to the point discussed in Chapter 6 that people with direct experience often struggle to admit their experiences; seeking official support further challenges the victims. Direct harassment victims often encounter more barriers in demanding the rights that prevent them from reporting. These barriers can be a fear of social stigma, and retaliation, failure of trust and belief in the success of the outcome of the incident would be impartially investigated, fear of career disruption, confidentiality concerns, and lack of legal consciousness to use law and policy (Bowes-Sperry & O'Leary-Kelly, 2005; Fitzgerald et al., 1995; Human & Commission, 2018). Thus, they focus on other coping strategies, including individual responses, rather than organisational ones. In addition, observers' reactions to the SH often do not represent how people with direct experience of SH react, given the complexity of the organisational context (Fitzgerald et al., 1995). This probably explains the higher response rate at the organisational level reported by observers, but the lower rate reported by harassment victims.

Those respondents who merely observed SH at work are three times more likely to confront and report harassers than those who are victims (Figures 7.1 & 7.2). This finding could suggest strategies to empower bystanders as an alternative response strategy to control SH in the workplace. However, the literature points out that observers' reactions to scenarios do not often match how they will react in real life. Their action depends on the organisational context and potential peer retaliation (Fitzgerald et al., 1995; Hart, 2019). It also depends on their perception of harmful behaviours, the moral intensity of SH, social influence effects, and adjustment of the relationship between harassers and targets (Bowes - Sperry and O'Leary- Kelly 2005, 292). When observers decide to be excluded from the responsibility of responding, it can encourage SH in a hostile environment (Bowes-Sperry and O'Lear-Kelly 2005, 294, 296, 298, 304).

The low reporting rate at the organisational level is consistent with findings from other studies conducted outside of Vietnam. For example, the Australian Community and Public Sector Union reveals that only 18% of females and 11% of male survey respondents report

experiencing SH in their current workplace (Karp, 2021). Other studies show that only a small percentage of victims report their experiences to managers and organisations or lodge formal complaints/ grievances (Brooks & Perot, 1991, p. 32; Clarke, 2014). This means that under-reporting workplace SH is an inherent problem across cultures and in preceding and contemporary societies.

Individual attributes and situational conditions are determinant factors of the organisational reporting of SH (Fitzgerald et al., 1995; Gutek, 1986; Knapp et al., 1997). Women victims will only make a report if they consider and label their incidents as SH (Brooks & Perot, 1991, p. 32). Self-reporting women often face work penalties and biased perceptions of being less moral, warm, or socially skilled than SH victim women who were reported by bystanders (Hart, 2019, p. 1). Reporting an incident of SH in an organisation depends on many factors, such as a tolerant working environment of SH, organisational justice, trust in leadership, and co-workers' support. All these factors can influence or motivate the way a person would react to SH if the person would like to report it to higher management (Clarke, 2014, p. 52). The low rate of organisational response can invite an environment of tolerance, which in turn will encourage more passive responses such as endurance, denial, and avoidance.

The survey data shows that working people deployed different response strategies. Individuals' ignorance, endurance, and avoidance responses are less significant, while confrontation is more frequent among the two respondents' groups. Social support is more generously offered by bystanders/observers than willingly utilised by harassment targets. Similarly, formal reporting to organisations is far lower among people exposed to harassment than observers. Literature addressing people's responses to sexual harassment points out that the more complex and severe SH is, the more individuals employ diverse strategies to cope with and seek support from formal and informal sources (Hobfoll, 2004; Lazarus & Folkman, 1984).

The sections below analyse qualitative interview data focusing on working women's coping strategies in response to SH at work. The coping strategies can best be treated under three levels: individual, social, and organisational responses. By examining these coping strategies, the chapter uncovers the roles of gendered social norms, workplace power structure, and legal instruments in addressing workplace issues. Legal consciousness as a

process of social and legal interaction to construct people's understanding, experiences, and responses to SH will be considered in the context of the Vietnamese workplace.

7.3. Individual Responses: The Predominance of Individual Self-focused Strategy

This section discusses working people's responses to SH using an individual response strategy drawing on interview data to describe various strategies: such as endurance, denial, avoidance, confrontation, and negotiation (Knapp et al., 1997, pp. 691–692). These individual self-focused are low-level interventions and do not involve addressing the perpetrators directly or seeking outsider support. Although this coping response is ineffective in ending or preventing SH, it can assist the target in managing psychological effects. In contrast, confrontation and negotiation are high-level interventions focusing on addressing direct perpetrators and coping with SH more effectively.

Interviews show that individual self-focused responses are often the first attempt to address SH and the most frequently used response by working women. Nhi's case study in (Section 5.1) illustrates this strategy: silence, ignorance, and endurance were the first and most significant attempts. As Nhi explained, she felt helpless to stop the barrage of emails and requests from her manager and pretended that it was a normal workplace issue that happened to others similarly. 'Doing nothing' was, therefore, chosen carefully as a response strategy tactic to send a message to the manager that she had no interest in him. She hopes it could help solve the problem.

Similarly, a female manager who experienced harassment chose to ignore and deny the events. Ms An, cited in chapter 6, stated that she often ignored emails and messages sent by work partners. She pretended not to notice the sexual nuances of the message and responded in a friendly but professional manner. Letting harassment incidents pass without comment is another way of addressing the issue. She shares:

> In the circumstances, my work relies on partners' assistance and cooperation; I am at the receiving end of sex jokes, flirtations, invitations for dinners and drinks, and even unwanted physical touching. I often laugh it off […] After several weeks or months, they will not ask me again. Depending on the severity, I would pretend not to know to avoid aggressiveness […] I try to avoid situations where we both could lose face (Ms An, union manager, aged 36)

Ignorance and denial are more frequently chosen when SH is less serious and non-physical. One worker explained: 'if they just look at my body and do nothing, it causes no harm, so let it go [...] a joke that does not cause harm' (Ms Ly, worker, aged 31). Even though Ly may perceive these acts as SH, she lets them pass if no or only minor harm is caused to her. By considering SH a joke, Ly tried to ignore it and 'not to take it personally' to protect herself from greater damage that might arise if she called it out as sexual harassment.

To ignore SH, employees tend not to label incidents as SH and play it down. Diu's story (p.138) indicates that her line manager considers the foreign manager's verbal harassment as 'something not important... it does not matter' (Ms Diu, worker, aged 27). In doing so, the female team leader may want to distance herself from the problem to avoid losing her job and damaging the working relationship. This may also occur in situations of an imbalance of power positions between the harasser and victim. However, the (in)actions of the line manager can also influence how others respond to SH. By failing to name SH's experience, the line manager sets an example for passive responses to SH. Thus, when workers seek support from their organisation, they are often told to ignore SH instead of being encouraged to report it.

Avoidance is another common coping mechanism used by individuals who experienced or observed SH issues at work. Avoidance often happens when SH goes beyond what can be ignored. For instance, as mentioned before, Li works in a state organisation in a province, and she was exposed to SH on different occasions during business trips. She said she coped with the experience by avoiding meeting with the person. Li said:

> On the last day of a business trip, the leader of another delegation tried to approach me. I had been warned that he might misbehave with colleagues. So, I tried not to meet him. I often try not to look attractive to avoid unwanted attention from others. Depending on each situation, I try to reject and respond gently to the person to avoid damaging the relationship and save face for that person (Ms Li, state officer, aged 36).

This quote mentions different tactics an individual would use to avoid SH and harassers. For Li, this includes dressing in ways that do not attract male colleagues' attention. However, her attempt reflects the influence of victim-blaming social norms, which relate SH to outfits' dress codes and, at the same time, contradict social norms of women and beauty.

In addition, avoidance does not help stop SH when both victims and the harassers work in the same office or cannot avoid meeting. A female union officer summarises some

implications of using individual self-focussed responses reported by different respondents in this research:

> Harassers know they will not face any consequences because they know most women would keep silent, do nothing or ignore them. They know that women fear being blamed for 'sexy' outfits, sexually suggestive or attractive behaviours, and violations of moral conduct, […] they are afraid of damaging the family's reputation and careers... SH is a shame. They do not want to bring their SH experience to the public […] SH is normal (Ms Nhu, union officer, aged 41).

Nhu's comments make an interesting argument about how the culture of silence and endurance around SH is exploited by harassers who deliberately use SH as a weapon to control women. The harassers mostly believe and expect women to be faithful, charming, obedient, and quiet. Nhu suggests that women who hold on to traditional gender norms are likely to be more vulnerable to SH and easy prey for harassers because they do not want to publically reveal their experience or harassers to avoid potential negative impacts. From this perspective, gendered social norms have the power to influence harassers' behaviours and victims' responses.

While the survey finds that only a few participants adopt silence, ignorance and avoidance as a coping mechanism for workplace SH, the interviews suggest that these coping strategies are more commonly used. These mechanisms constitute a low-intervention strategy and are less effective in addressing SH. However, silence can also be a powerful response in certain situations. By refusing to respond, individuals may want to imply that they do not care or that the issue does not matter to them. Silence and refusing to respond may dissuade harassers' from repeating sexual behaviours, particularly sexually suggestive jokes (Quinn, 2000, p. 1163). Such a response can help discourage low-level SH, like jokes, flirting, and sexually suggestive comments. By ignoring harassers or behaviours, people express their lack of interest.

Thus, individual coping strategies are shaped by various factors. These factors include individual perceptions and consciousness of SH, assessment of SH severity, social norms of victim blaming and individual faces, the organisational environment and power hierarchy, and staff status and living conditions. The discussion of women's responses below will elaborate on these factors.

The case Nhi reported in Chapter 5 offers a further illustration of this. Nhi kept silent

initially because she was initially unsure whether she was experiencing sexual harassment or compliments from her manager. Being a new staff member in a lowly position and her family's dependency on her income increased her vulnerability to SH. Other reasons for keeping silent were societal:

> Most people will keep silent, ignore it, or let it go because talking about SH is still very sensitive. People do not want to be subject to public gossip and rumours. Public gossip or rumours can turn you from an innocent to a guilty person and a problematic one. It is shameful for you if you are harassed. You and your family are impacted when incident is publicly revealed (Ms Nhi, state officer, age 36).

This quote shows that traditional gender norms, beliefs, and expectations of women's dignity and family honour are very important factors influencing an individual's decision about how to cope with harassment. In addition, public attitudes and practices toward SH in her working environment shaped her perceptions about how to respond to SH. From her perspective, her silence was not unusual, and while it did not stop SH, it helped Nhi feel that she was not different from others. By remaining silent and disregarding harassment, women avoid being singled out as behaving differently from the rest. Nhi did not want to be labelled as a victim of SH, which may have subjected her to an even greater disadvantage.

Similar perspectives were found among factory workers. As Ly explained, 'Workers like me will not care about it (SH). I simply consider it as something normal ' (Ms Ly, worker, aged 31). Ly indicates that SH is normalised and played down as insignificant and not worthy of attention. This may be because workers struggle for a living and are more concerned about minimum wage and overtime benefits. As Mu said: 'the most pressing concern for workers is to increase their earnings to feed their family. Other issues like SH seem not to be important to them' (Mr Mu, factory worker, aged 31). This suggests that actions addressing SH at the workplace also need to consider other workplace issues, including living conditions and workers' livelihoods.

Fear of negative repercussions is another factor that keeps employees silent about SH. Lam, who worked in a research institution on worker rights, highlighted that the threat of work appraisals fosters silence when confronted with SH. She commented:

> They would not report to the organisation because of fear of potential poor annual work appraisal [… and] being blamed for being unproductive at work and breaking the harmonious relationship (Ms Lam, a researcher, aged 33).

Lam refers to government and union organisations where the annual appraisal process causes stress among the staff in the workplace. The problem is that the annual appraisal, instead of empowering employees, shifts responsibility for upholding harmonious relationships from the organisation to the victims, deterring them from seeking justice for fear of being labelled troublemakers and ineffective workers. This suggests that speaking out about SH is seen by employees as a risky strategy that is likely to backfire.

The interviews suggest that most employees deploy individual response strategies regardless of their employment sectors and working positions. The tendency to use the individual self-focussed response strategy express a cognitively oriented process. People utilise their understanding of socio-cultural factors, employment conditions and organisational environment in deciding their response strategy to SH. A significant influence on employees' decisions is traditional gender norms. Women are seen as the bearer of their individual and family reputations, so they do not want to ruin this reputation by bringing SH to public attention. They fear people would blame the woman and her family for the harassment. In addition, women also fear losing their job or damaging their professional careers, which are often the only source of income for the family. Hierarchal power structures in the workplace reinforce these norms and push women into being silent about the SH they experience or witness.

Turning to the next section, I will discuss the social responsibility strategy that employees mobilise social resources to cope with SH at work. It will be argued that the strategy was not effectively utilised as a good strategy to address SH and the various cultural and organisational factors involved.

7.4. Social Responses: The Contradiction of Mobilising Social Resources

Social responses refer to a coping mechanism in which victims of SH seek the support of outsiders and mobilise social resources to address SH or confront harassers publicly. This section identifies the circumstances, motivations and ways social response is used by people who experienced SH and the factors contributing to the use of this strategy. Survey data shows that the majority (64%) of the research participants who had experienced SH felt they needed help from others to deal with it. Moreover, 59% of these survey respondents said

they received help from people (Figure 7.3). These numbers indicate that seeking social support is an important coping strategy.

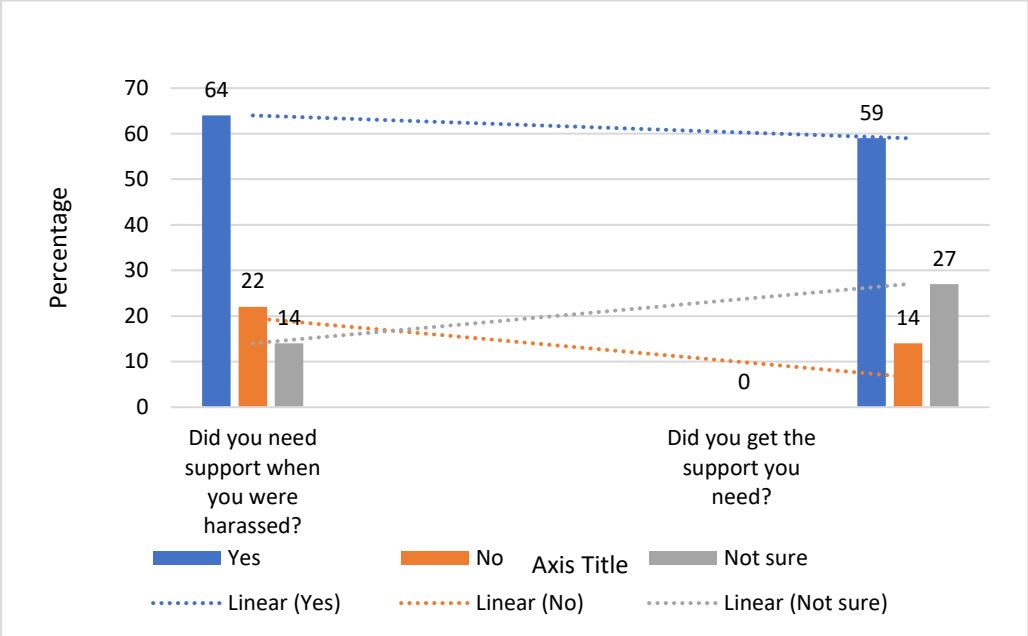


Figure 7.3: Seeking social support to address SH

Source: Qualtrics survey conducted April 2021

From the victims' viewpoint, the social response is valuable in order to get advice, sympathy, and understanding from others and to deal with rumours so that they cannot damage the victim's reputation. From observers' perspectives, social support is used to express their support to and warn other colleagues about the potential harassers or situations that can lead to SH. How often (frequency) the social response mechanism is used depends on the relationships between the victims and harassers, job positions, and trust in the network.

The insight from the interview data indicates that people often use social responses after individual responses were unsuccessful in addressing the issue. In Nhi's case, she only sought a friend's support after suffering repeated SH for three months, and her efforts to cope with SH in silence were unsuccessful. She explains:

> I silently suffered and endured the harassment for a long time […] I only shared with one of my close friends when the SH did not stop. I could not bear it anymore when the invented sexual story about me kept circulating.

It shows that seeking social support was not Nhi's first choice in dealing with SH stressors. Initially, she looked for support from neither family nor colleagues. She explained

that older people like her parents are influenced by the Confucian ideology of women's morality, which prevents them from understanding SH. Generational differences can limit the mobilisation of social support. In addition, social norms of sexuality and rumours among work colleagues pushed Nhi into loneliness and isolation in the office, which led to her losing trust in close people. She shared her problem with a close friend to simply seek sympathy, understanding and advice to overcome the emotional pain. However, such support from a friend encouraged her to collect evidence and eventually empowered her to react more assertively. Nhi's story indicates a growing understanding of the SH and its context gradually developed through a range of responses, including silence, ignorance, avoidance, and social responses. Several interviewees indicated that they sought social support from their network for sympathy rather than to address the SH problem. This suggests that social support works as a manner of psychological therapy, making victims more confident and transparent with their peers.

Social support is also utilised to warn their peers about harassment or harassment situations and becomes more effective when offered by observers. In describing the importance of social support in dealing with SH, Li mentioned:

> A leader's assistant told me in advance that her boss may engage in inappropriate behaviours, so I should know to avoid and keep silent when he asks something [...] You know, men may use alcohol to justify their bad behaviour. When I was invited to drink in business dinners, my colleague would help to take that glass for me (Ms Li, state officer, aged 36).

This quote supports the idea that people are willing to offer support if they trust the person, which, in turn, can encourage victims to respond more proactively to the SH situation they confront. It confirms the finding of Blackstone and co-authors that close work friends increase mobilisation to cope with SH (Blackstone et al., 2009, p. 656). It also suggests that a more effective social response is likely when organisations and their staff are more aware of and open about SH. Confrontation is a strong response in which harassment targets or observers directly address their issues with harassers. Confrontation can be an individual or a social response when conducted in front of colleagues, making them bystanders.

As mentioned earlier, the survey found that confrontation is more prevalent than other types of individual responses. In interviews, several respondents explained how they employed confrontation and the different tactics they used. Confrontation can involve verbal

requests to harassers to stop their behaviours and threats from making the harassers public. Thanh, a worker who shared experiences as an observer, gave one example of this:

> My friend who worked in the warehouse said 'No' to the manager's request to stay longer in the evening shift with him because she knew he would bother her during that shift. After that, she was fired. (Ms Thanh, worker, aged 39).

Rejection is a way of confronting the harasser by not complying with their sexual inquiry. However, Ms Thanh's friend resisted the manager's sexual advance at the cost of losing her job. Others used physical acts to address the harassers directly. Another bystander, Hue, told a story about her colleague who ‘slapped in a man's face because he kept making sexual advances toward her at work’ (Ms Hue, worker, aged 31). This was one of the rare examples reported where victims showed assertiveness using physical means.

Interview data suggests that people who have experienced SH are less likely to confront SH than those who have not. As mentioned in the previous section, most respondents who experienced SH were unlikely to confront harassers. If they did, they often chose to ‘gently react and ask them not to do that’ (Ms An, union manager, age 36 and Ms Li, state officer, aged 36). This points out that women who suffer from SH face challenges in defending themself, and thus, SH is still a hidden and underreported issue.

In contrast, respondents who have never been exposed to SH frequently claim that they would use a direct approach. ‘I have never experienced SH, but I would immediately fight them back if I were. I will kick or punch them to stop their behaviours’ (Ms Hang, worker, aged 31). Hang's statement may indicate that people confronted are less likely to be harassed because they dare to challenge the traditional gender norms, which is also discussed in the existing study (Herrera et al., 2018).

Numerous factors shape working people's confrontation responses. One of these factors is SH frequency and severity. People were more likely to say they would confront SH if it happened repeatedly and harmed them. For example, one interviewee said, ‘it depends on the harasser's behaviours. If I felt his behaviours are serious and harmful, I will ask him to stop doing so (harassment)’ (Ms Li, worker, aged 27) Li's interview). Referring to frequency, another interviewee said: ‘I would let it go if it was the first time. I definitely will fight back to embarrass a harasser if SH happens again’ (Ms Van, worker, aged 33).

In addition, the relationship with harassers impacts victims' willingness to confront them. Most workers indicated hesitance to confront harassers when in a power position over them. ‘Some people would react to a harasser directly and firmly, and however, they would not dare say anything if a harasser is a supervisor’ (Ms Duong, worker, aged 25). Duong suggests here that some victims are aware that confrontation is a more powerful act in response to harassment, but power relations limit who can act this way.

Furthermore, the organisational context affects people's willingness to confront harassment. Lack of trust and belief in the organisation's support and outcome when confronting harassers may discourage employees from addressing harassment in the organisation. As Ms An put it, ‘ The bottom line is, what do you get when you speak up? What will happen when you deal with harassers’ (Ms An, union leader, aged 36). In the interview, An expressed doubts about the outcome of such action. However, she indicated that gentle confrontation could help avoid more serious harassment and maintain work relationships with partners.

Fear of embarrassing others appears to impact on a person’s decision to confront a harasser. A female worker recalled: ‘It was not a pleasant business to bring the case to the public and address the harassers directly, and it is not worth it; better let it go if possible. Making a formal case is complicated and problematic’ (Ms Hoa, worker, aged 29). What Hoa meant by complicated and problematic was that the procedure would involve many parties and require extensive evidence. It also could cause trouble to victims when the outcome turns out not to be positive. As Mai, a union leader, shares that victims are sometimes blamed for disciplinary action against the harasser.

> A harasser was disciplined and fired when the female staff reported him. However, the female victim later became a target of rumours and public gossip in the workplace and public. Her colleagues referred to her not as a success in claiming justice but as someone who was harassed. She was even blamed for reporting and making the man lose his job (Ms Mai, union leader, aged 45).

This suggests that public attitudes toward harassers are more tolerant than toward victims. The above discussion suggests that female employees rarely use confrontation as a strategy to address SH. Their decision on whether to confront harassment or not depends on numerous considerations, including the frequency of the harassment, working relationship

with the harasser, and workplace position. When choosing to confront SH, professional women in state agencies and union organisations tend to seek more social support, possibly because they have broader social networks. However, women at the middle managerial level, like the female team leader in Diu's factory or An, are less likely to mobilise social support for confrontation responses. Having discussed individual and social responses, the following section discusses the organisational response strategy.

7.5. Organisational Responses: The Limitation of Using Law and Workplace Policy

This section discusses people's responses to SH that involve the workplace organisation, where employees seek justice by reporting to the organisation's authority, filing grievances, or consulting with the trade union. It analyses the factors that affect people's decisions to address SH through the organisation. It also examines whether workers referred to law and policy to address harassers at the organisation and seeks to establish whether the existence of regulation and policy impacts workers' legal consciousness of the issue.

Interview data provide consistent findings with the survey data, showing that people who experience harassment are less likely to report to organisations than their peers. Of 22 interview respondents who said they had experienced SH, only one person brought her case to her organisation's attention. Two other cases were reported by the union's staff, not by the victims. Evidently, most workplace SH incidents were unreported, and formal protection mechanisms were not utilized.

In contrast to the victims' responses, other interviewees, including those who had observed SH, expressed their willingness to report to an organisation. A worker's remark below represents the general point of view of some other interviewees: ‘I will report to a responsible person in my factory. If one person does not address it, I will report it to another person. I am not afraid of reporting’ (Ms Van, worker, aged 33). Another worker, Ms Thuy, was confident that she would step up and refer SH to Trade Union, as she said, ‘I would report to a trade union. Trade union in my factory is helpful and will address issues related to workers' concerns’ (Ms Thuy, worker, aged 31). Male factory workers were also willing to report because they knew about the policy. Mr Bac, a 21-year-old worker, said: ‘If SH happens,

I will report because it is within the worker's rights. The training by HR advised us to report to HR.'

It is noted that these responses came from workers who had not experienced SH but instead based on their speculation of how they would act. Nevertheless, it is interesting that in these speculative responses, reference is made to key people in the organisation that can support victims, including HR, organisation managers, and trade unions. This suggests an awareness that organisational support is needed because identifying as a victim of SH can bring social stigma, fear, and shame, preventing people from filing a report.

Reporting to the organisation happens as a last resort when the severity of the case is excessive, and the violation is harmful or has potentially detrimental consequences. In one case recounted by Ms Mo, a union officer aged 35, a local woman only sought legal aid from the Women's Union when she had fallen pregnant to a harasser who denied responsibility. These cases illustrate that the severity of SH contributes to a victims' willingness to report, which is discussed in various studies (Cortina & Wasti, 2005, p. 183; Gruber & Smith, 1995, p. 550; Knapp et al., 1997, p. 706). These studies also confirm that the duration of SH, the socio-economic status of the targets, and the status of harassers who are supervisors or peers influence reporting at organisations (Cochran et al., 1997, p. 212; Gruber & Smith, 1995, p. 558).

Having discussed various factors influencing working people to utilise organisational responses to address SH, the question remains: What makes some people report SH and others not? The interview data suggest some factors, including the support of co-workers, trade unions, and organisation managers. In addition, workers' understanding of the working environment, organisational policy and regulations, and practice of justice in the workplace can motivate or prevent employees from reporting through the organisation. However, gendered social norms often stigmatise and degrade women and affect workers' perceptions of justice, legality, and organisational fairness in targeting SH. In turn, their perception affects how they interact, believe, and use the organisation's institutions to formally address the issue. The interviews revealed that the organisation failed to evoke people's understanding of their rights and SH as a workplace issue. The law was mentioned by a few interviewees, but none of the SH victims interviewed for this study had used formal processes to report SH, and not one had filled out a form to report the SH incident.

The influence of co-workers and close friends as social resources positively and negatively impacts shaping people's reporting to the organisation. In the case study of Nhi, her colleagues were a discouraging factor preventing Nhi from reporting. Her officemates considered Nhi's sexual experience a personal matter and treated her as a source of jealousy. Other colleagues looked at her with curiosity and a troublemaker rather than sympathy and understanding. Co-workers' attitudes reflect Nhi's organisational climate and culture in which social norms and expectations concerning SH were not well-informed or supported through education and advocacy. Colleagues indicate tolerance of inappropriate practice by presenting SH as a personal matter rather than a workplace issue. However, the support from a close friend opened a new way for Nhi to address her problem. Such support helped Nhi know how to file a complaint by collecting evidence and encouraged her confidence to report directly to HR. Thus, social support from trusted sources is important to report SH at organisations.

The harasser's position is another crucial factor that may affect workers' formal reporting. Back to Nhi's case, when she encountered another harassment by the highest organisation manager, she decided not to report him. This is because she believed no one would trust her and the manager, a power holder, had the authority to make her guilty. This set an example of how fairness and justice are practiced in the organisation, where formal institutions shift responsibility to victims and harassers avoid being accountable for their misconduct. It also indicates that workers' perception of the harasser's position is inherent to the leader's trust and an organisational climate and determines their reporting to the organisation.

Similar to the social responsibility strategy discussed in the previous section, the organisation's action in response to an SH report affects workers' decisions on whether to make a formal report. There is no doubt that some female victims suffer more social stigma when reporting a harasser. Justice for a victim of harassment is not only to punish the harassers but also to remove the stigma toward women. The success of reporting is to shift public attitudes toward harassers and create an environment of trust within the organisation and with leaders.

7.6. Employees' Legal Consciousness and Reporting at the Organisation

This section examines whether employees are aware of informal institutions of law and organisational policy for reporting workplace SH and what factors contribute to informing workers' legal consciousness. Two interview questions asked employees about their legal consciousness regarding SH: 'Do you know any law in Vietnam that address SH?' and 'Do you know your organisation's policy or regulation on workplace SH?'.

The most salient finding from the analysis is that most interviewees expressed a limited knowledge of the legal framework and organisations' policy. Employees in state-organisations seemed to know more about Vietnamese law related to SH prevention than factory workers. A possible explanation might be that many state employee participants worked in policy-making or implementing bodies. For example, some interviewees mentioned criminal law, which deals with rape or sexual assault, the Code of Conduct (2015), and the Labour Code (2019). While very few can provide specific information about the legal mechanisms to address SH, some employees involved in work on gender equality or workers' affairs, or legal education programs, were aware of particular SH prevention regulations scattered throughout the legal documents. In comparison with state officers, factory workers had less knowledge about the laws, except for some workers who participated in legal aid training and workers' projects funded by NGOs. A possible explanation for this legal knowledge gap stems from the fact that SH was not adequately defined as a workplace issue. When conducting the interviews, the Labour code provision of SH had only just been enacted to provide a legal definition of SH. However, it was not yet well-established and lacked instructions for its implementation. Employees expressed difficulties in explaining how SH is defined in current law. A union officer highlighted the barriers regarding law formulation and enforcement.

> Different laws involve addressing SH; however, there is a gap between laws and workplace SH reality. The legal provisions do not sufficiently specify the types of SH in the workplace. .... In addition, implementation is ineffective as there is an inadequate supervision system to ensure the law is binding (Ms Hai, union officer, aged 45).

The 'gap' that Hai is concerned about may indicate other workplace issues that were not translated into regulations. In the interview, Hai speculates that the gap between law formulation and implementation is due to cultural norms of gender inequality that have not

been addressed in the current law. However, Hai's view of point cannot be extrapolated to all research participants because many workers were not aware of the law on SH.

Regarding the second question- 'Do you know your organisation's policy or regulation on workplace SH?' it was surprising that state employees did not know whether an organisational policy on SH existed. A state officer shared her confusion about law and organisation policy:

> I heard about the new labour law, but I do not know well or understand the law, honestly. I am not sure if our organisation has a policy on SH. I remember SH was one topic in a training I attended. However, it was not our organisation policy' (Ms Lan, union officer, aged 42).

Lan was aware that 'a new law' existed, but she did not recall the name of the law. Some other state officers could point to the Labour Code revision 2019; however, the specific regulations on SH remain unknown.

According to interview data with state employees, there seems to be no distinction between the organisation's policy and national law on SH. Here is one remark from an officer who worked directly on the organisation's policy and supervised the implementation through the trade union network within a corporation:

> The organisations/companies' regulations have not yet included regulations on SH. Only when problems happen do the employers begin to pay attention and consider them in the policy. But these policies imitate or copy the law without the adjustment to become regulations of the organisation's working nature (Ms Chi, union officer, aged 41).

Chi's view suggests that the organisations did not internalise the provisions of the law into the specific employment context. In this regard, the policy seems to develop to fix a problem instead of providing a regulatory framework to protect workers' rights. It also can infer that the lack of specific regulations or codes of conduct on SH at the organisational level will limit workers' understanding and access to legal resources. In the same way that organisations and HR tell workers, they should report harassment. However, if there is no apparent policy, then doing so is pointless.

While most of the workers indicated a lack of information, knowledge, and interest in the national laws, they seemed to be more familiar with organisation regulations or codes of conduct at the grassroots. This can be attributed to the fact that large garment and textile factories supplying international the brands must comply with the national law and brands' requirements in the export industry. Organisation regulations are essential tools at the

grassroots level to directly address workplace issues. A female worker's comment below shows how organisation policy contributes to an enabling environment: ‘There is a strict policy to punish harassers. The factory installs a camera system to monitor workers' behaviour. We are encouraged to report’ (Ms Tham, worker, aged 31). Tham points out that a policy's effectiveness is the promulgation of regulations and the tools to support the implementation. Workers will be encouraged to report their SH when they perceive the enabled organisation's policy.

In contrast to the finding above, Mu's articulation provides somehow contradicting views about the organisation's policy and ineffective enforcement of factory regulations:

> We have collective bargaining, but not many workers know about the agreement, and even some middle managers do not know. Our company supplies to some well-known brands and the customers require to have workers agreement signed every month, including the tracking of SH. But we often sign many monthly agreements at once to fill the checklist, not to implement it (Mr Mu, worker, aged 31).

Mu uses an example of organisational regulation on labour relations, not directly on SH, to illustrate that the policy implementation was poor. It would assume that policy on SH was not an exception. Mu's comments have some implications. First, the policy implementation is merely to fulfil the requirement checklist, not for binding action. Second, the company environment did not equip the manager with proper legal understanding.

One finding from interview data was that none of the victims interviewed referred to the law or organisation's policy as their starting point when thinking about reporting their experience. Those who referred to the language of labour law describing SH behaviours also did not adopt that word in their report. They attempt to express their impression of a moral case rather than a legal one, which is why no one pursued their case in court. Reporting to the organisation often results in negotiations to forgive the harasser. Even Nhi, the only reported case, did not file a formal report. Instead, she reported verbally, which meant that no record of her case would exist in her organisation. These findings can infer that a worker's decision to report was not motivated by their understanding of law or policy or the enabled working climate they perceived. Instead, a push for reporting to organisations originated on employees' cultural perspectives of women's morality to claim justice and dignity rather than understanding workers' rights. In other words, for workers, justice is to stop immorality that violates their reputation as 'good women' rather than seeking to punish harassers.

Nhi's case is an illustration of this point. Nhi struggled through shame, silence, and emotionally avoiding the issue before eventually reporting the harasser. Her main motivation was to stop being blamed by the harasser - her line manager and other colleagues. Her response strategies are shaped by consideration of her morality, face, and dignity, and the pressure she faced at work regarding manager relationships and colleagues' jealousy. As other victims pointed out, 'it is not pleasant to talk about your experience of SH' (An, union leader, aged 36). The unpleasant issue, meant by many workers, refers to the violation of women's modesty and decency. This illustrates that victims are not only self-framed in their reactions based on their culture but also swayed more by other people's perceptions toward SH and most especially to the victims.

Although the Vietnam Labour Code has not been utilised as a legal tool by participants in this research, the revision of the Labour Code 2019 constitutes significant progress in creating employment laws that address SH. Li suggests that there is a growing awareness among workers of the power of the law:

> We were in the lift with male colleagues, and one man said: 'do not stand close to Li; you may be fined 200.000 VN for SH'. Although it was a joke, it shows that people started paying attention to the issues (Li, state officer, aged 36).

Li's account has some implications. First, SH is still treated as a kind of joke, and the way people talk about the issue and law reflects this. The fine of 200.000 VND, equivalent to $AU12, is part of the joke because it does not represent a deterrent to harassers. At the same time, it also signals an increase in employees' awareness that SH is no longer an exception to the law. It is a workplace regulatory issue subject to punishment.

Interview data offers an intriguing insight to trade unions and workers' activities in evoking workers' legal consciousness on SH at the organisational level. They serve as social resources to support the implementation of formal organisation institutions to address SH. Several workers who attended trade unions and activities expressed their understanding and strategic coping using law and policy. Under the mandate regulated by the law (Vietnam Trade Union Law, 2012), trade unions in the workplace work collectively to promote workers' rights. However, the views are divided about whether trade unions are effective:

> Oh, the trade union in our factory has no role, no voice as I experienced [...] Trade union is quite close with workers. However, I do not think they can help solve SH because they are not a separate organisation from the company. The factory pays the salary for trade union officers; thus, their work lacks autonomy (Mr Mu, worker, aged 31).

As unions are not independent of the workplace, their ability to represent workers' interests is not guaranteed. Instead, there can be a bias in trade union justification of SH as a personal issue. Nhi recalled: 'No, I thought about the trade union but did not report to them. They would think it was a personal issue and negotiate for me to let it go' (Ms Nhi, state officer, aged 36). These comments indicate that the organisational structure inherently prevents unions from exercising their power to protect workers. Although the organisational justice practised through a formal institution like a trade union is important to workers' legal consciousness of rights, the implication from Mu and Nhi is that trade unions fail to act accordingly. Meanwhile, the existing literature argues that formal organisational justice and perceptions of organisational justice are important variables in reporting SH (Adams-Roy & Barling, 1998, p. 330). The former refers to perceiving the organisation's fair policy, and the latter indicates the perception of fairness in how organisations' laws and policies are implemented and complied with to address SH. An organisation's policy evokes workers' legal consciousness and the cognition process of developing their legality and mobilising formal institutions to address SH.

7.7. Conclusion

This chapter has presented employees' response strategies to address workplace SH and the factors involved in determining their responses. The common strategies across different Vietnam workplace contexts reflect similar individual, social, and organisational coping strategies discussed in prior literature outside Vietnam. The chapter argues that responding to SH is susceptible to cultural influences and hierarchical power relations of gender inequality at work. It reflects on the overwhelming usage of the individual strategy, displaying significant response patterns of silence, ignorance, and avoidance. Gender inequality in the workplace culture, hierarchical structures, and a bureaucratic management structure shape the passive responses of working women. In addition, various other factors influence people's determination to respond to SH at work, including perceptions of SH severity, working potions and relationships between victims and harassers, co-workers' support, workplace environment, law and organisation policy availability and enforcement. Many of these findings confirm studies undertaken in other countries.

This chapter distinguished itself from prior studies in some regards. First, it reveals that, as a part of the harassment process, responses to SH are culturally constructed and shaped by the Confucianism gender ideology of women's morality, family reputation, and harmonious workplaces. These deep-seated socio-cultural norms and values still linger in the contemporary workplace and are reinforced by a workplace hierarchy where its predominantly men that hold power. Additionally, social responses appeal to and relate to Vietnamese collective culture. The collective culture subordinates people's interests to the groups' interests and regards the individual as interdependent. Thus, family and workplace relationship considerations often impact on personal responses to SH.

Furthermore, there are differences in responses to workplace SH between those who experienced and those who have only observed SH and between government employees and factory workers. Victims primarily utilised individual coping, while observers tended to provide social support. Government employees often find it challenging to contemplate organisational responses to SH because doing so might jeopardise their permanent status and working conditions.

One issue that emerges from these findings is that workers' understanding of SH does not necessarily lead to a more effective response strategy. Being aware of SH does not mean that workers' legal consciousness is high or that they will use law and organisation policy to address workplace SH. In most cases, workers react to protect their honour and reputation rather than their rights under the law. Despite the diversification of social and institutional resources to address SH, workers' reporting practices and desires of reporting lack any reference to current law and policy. There are gaps in translating national law into organisational policies and regulations. While the research has tried to find out how organisations address SH, the interviews did not provide sufficient information to investigate. This is because few employees had the experience of reporting SH. Thus, a key finding of this chapter is that efforts to combat workplace SH need to address socio-cultural factors and organisational working environments to create conditions that enable workers to develop confidence. It also underscores the importance of workers' legal consciousness and legality.

CHAPTER 8: THESIS CONCLUSION

The fundamental goal of this thesis is to examine the workplace SH of working women in Vietnam. The thesis has sought to understand the nature of SH at work and the underlying factors that construct the issue. While workplace SH is by now widely understood and researched as gender inequality at work based on gender discrimination that undermines workers' rights to be free from workplace violence, Vietnam has just started to recognise SH in the new Labour Code 2019.

The predominantly Western academic discourses on SH provide a theoretical foundation but leave questions regarding their applicability to Asian countries like Vietnam, with its own specific cultural and economic contexts. Many existing SH-related issues of how the socio-cultural construction of gender and power relations at work inform workers' conceptualisations, experiences, and responses to SH have not been addressed sufficiently in other parts of the world. The Vietnamese traditional gender social norms of sexuality and gender roles have led to a biased conceptualisation of SH as a personal and out-of-workplace matter, leading to insufficient research and statistical information to capture the prevalence and insight of SH at work.

The thesis has addressed the central question: 'How has sexual harassment been a workplace issue, and how do Vietnamese working women conceptualise SH at work?' This central question has been broken down into sub-questions emphasising four main issues: How has SH been defined? How has the cultural construction of gender relations and social norms informed working people's conceptualisation, experience, and response to workplace SH? What and how do organisational factors constitute workplace SH? To what extent has workers' legal consciousness of SH been informed by the correlation of laws, organisations' policies, and other socio-cultural institutions? To answer these questions, I examined SH exposure at work as a process of related patterns, starting with the conceptualisation of SH, how people experience it, and how they address it at work. My objective has been to produce an empirical understanding first to capture the overview of workplace SH issues and then tease out factors that have constructed the SH process, including working people's conceptualisation, experience, and responses.

I conceptualise workplace SH as a social gender issue at work that is culturally constructed within the employment context. This issue is best investigated in the correlations of organisational factors located and informed by the socio-cultural backgrounds and conditions and the legal and social justice at work. Thus, the thesis draws on a conceptual research framework grounded in the intersection of socio-cultural, organisational, and workers' legal right consciousness approaches. This thesis argues that workplace SH is culturally constructed as an expression of unequal gender power relations intertwined with hierarchical organisational power structures that inform the whole process of SH and workers' legal right consciousness. The findings on this research suggest that the workplace culture in Vietnamese employment contexts reflects the embodiment of enduring traditional gender norms of women's conformity to traditional cultural values and domestic and subordinate roles associated with SH.

This research uncovers the hidden SH at work, which has been concealed by complex cultural narratives and reinforced by workplace power. The thesis contributes empirical and theoretical insights into workplace gender issues in the Vietnam socialist-communist gender regime and market-oriented economy. The following sections present an overview of arguments, significant findings, and original research contributions. The final paragraphs comprise implications for future research areas and recommendations to address workplace SH.

8.1. An Overview of Research Arguments and Core Research Findings

In addressing workplace SH in Vietnam, I have revealed the gaps within existing strands of literature. Vietnam's scant research has led to underestimations of the complexity of SH, and many socio-cultural and organisational aspects of workplace SH have not been explored. This is compounded by a lack of conceptual frameworks to position workplace SH in intertwining, blending, and contradicting patriarchal and socialist gender ideologies. Thus, none of the existing studies explicitly conceptualise SH at work as a social institution of gender inequality and workplace power relations.

In this research, I position workplace settings as key to the central empirical investigation into SH and examine the issue within the broader socio-cultural and organisational contexts. I have focused on understanding and analysing workplace SH as (1) a gender issue that is culturally constructed and governed by traditional gendered social norms;

and (2) involving workplace power that consists of organisational power structure and employment power position. My research posits that the relationship between the socio-cultural construction of gender relations and organisational power is fluid and intertwined. Contemporary Vietnamese society has seen the persistence of traditional gender social norms circulating between society and the workplace and informing the construction of organisational power through which SH occurs. In turn, organisational power maintains gender social norms at work and contributes to the likelihood of workplace SH. The research also investigates workers' legal right consciousness, which is inadequate in existing studies, to address the relationship between law as the formal institutions and other informal conventions of gender social norms which govern people's perception and reaction toward workplace SH. conceptualisation of the workplace SH enables me to grasp how the cultural construction of gender relations and organisational power unfold in working people's perception, experience and response to workplace SH.

The interviews in this study focused on the SH situations of two groups of employees: state officers in government organisations, and factory workers in the textile, garment, footwear, and electronics factories with a mostly female labour force. I have argued that workplace SH is not an emerging issue; it manifests in various forms and degrees of severity in work settings, and women are the main objects of harassment. Second, workplace SH is a form of gender inequality that is culturally constructed by traditional gendered social norms and stereotypes reinforcing women's subordination, domestic roles, and conformity to cultural standards. Third, the case of workplace SH in Vietnam demonstrates the interweaving and correlation of cultural and organisational power attributed to workplace inequality and informs working people's conceptualisation and experience of SH. Fourth, working people's responses to SH are shaped by organisational power hierarchies that embody socio-cultural gender relations and involves relations, including the inequalities between foreign and domestic workers, higher and low-ranking management positions, shopfloor, and office settings. Fifth, although new legal instruments have been established in response to workplace SH, the workforce largely conceptualises, justifies, discloses, and responds to sexual harassment from a cultural perspective rather than a legal one. Therefore, the law on SH and other organisational institutions has not played a role in informing and evoking workers' legal rights consciousness of addressing workplace SH. This indicates that the

legislation on SH needs to address gendered social norms at work and organisational factors that shape and sustain unequal workplace power.

Drawing on survey and qualitative interviews conducted online in 7 provinces in Vietnam, the following paragraphs present a set of findings. The first set of empirical findings addresses how working people define SH to unfold the concept of SH in Vietnam, a newly established term in the new Labour code revision 2019 but largely escaping public awareness. Understanding what SH means to workers is an integral part of the research to capture the nature of the issue, which is often indistinctively defined by cultural boundaries and interpretation. In chapter four, interviewees demonstrate various levels of conceptualising SH and provide different definitions of SH. To describe SH's meaning, interviewees refer to their own experiences or those of friends and colleagues or information from social media platforms. SH is depicted in terms of physical conduct and non-physical and verbal harassment. Of these, the most definable forms of SH are physical conduct, and interviewees deploy a common social language to describe them.

To distinguish SH from other sexual behaviours, interviewees point out that a critical characteristic of SH is the subjective feeling of ‘unwanted’ and ‘unwelcome’ sexual behaviour, which causes targeted individuals to feel offended and uncomfortable. Taken together, their explanations of SH demonstrate the exhibition of SH under the categories of unwanted sexual attention, gender harassment and sexual coercion, which have been relevantly discussed in Western literature. In addition, working people define ‘workplace’ broadly as referring to any place where people perform work tasks, which is relevant to the definition of Labor Code 2019. This allows applying the term ‘workplace SH’ to include incidents that arise outside the workplace but are related to work. However, most interviewees conceptualise SH within a narrow definition comprising some obvious sexual harassment forms and incidents that happen after working hours or outside the workplace but are still related to work performance or working relationships as SH.

The findings clearly show that most interviewees frame their understanding of SH from cultural and moral perspectives and interpret gendered social norms and traditional ethical standards to rationalise SH. This way of conceptualisation excludes many non-physical and verbal sexual harassment, such as sexual joking, flirting, sexual comments, suggestive, emailing/ images, pornography and other online sexual harassment, from SH's definition. This

is because the individual's perception is influenced by how they justify cultural values and expected gendered social behaviours, which normalise many non-physical forms of sexual harassment. Other factors contributing to people's conceptualisation of SH are the individual's assessment of severity, the frequency of SH, the relationship between harassers and victims, and the working environment of tolerance and policy absence.

Findings show little difference between factory workers and state officers in framing their definition of SH. Nevertheless, educational backgrounds and workplace power structure within each group can make a difference in working people's definition of SH. People with higher education backgrounds and whose work involves gender issues (trade union, VWU's staff) tend to provide a more explicit definition of SH. Meanwhile, people whose work involves power relations and state agencies are more likely to define SH in the form of sexual compliance for job exchange. In contrast, factory workers are more likely to define SH as physically unwanted touching as they are in obvious forms of SH.

The second set of findings unpacks the question of what underlying factors constitute workplace SH and to what extent SH is a workplace issue. The results discussed in chapter five show that workplace SH is characterised by an imbalance of power relations at work extended from traditional gender inequality norms and stereotypes and the organisational management structure. Interviewees conceptualise workplace SH as an apprehensive prevalent issue of power at work and place equality at the centre of the issue. Power at work consists of (1) organisational power, which derives from the management structure of traditional male dominant leadership and power relationships of the employment position, and (2) cultural power originated in traditional patriarchal gender construction, governed by gender social norms of women and stereotypes of women's employment and women's leadership at work. Empirical findings show evidence of the correlation between organisational power and cultural power governing the construction of workplace SH. Within the organisation, these types of powers overlap and reinforce each other.

These findings reflect the argument of socio-cultural and organisational approaches, which examine SH through the lenses of gender inequality in the patriarchal system and unequal power relations in the organisation. My research extends the analysis of the cultural construction of workplace gender equality by focusing on uncovering gender social norms and moral standards attributed to workplace power. While acknowledging the distinctive roles of

organisational power and cultural gender power manifesting at work, I argue that the two are inseparable. Cultural gender power is inherent in the organisation's power structure of inequality justified by gendered social norms, prejudices, and discrimination against women at work. In the case of Vietnam, the relationship between gendered social norms and organisational power is fluid and complex. The thesis argues that workplace SH manifests unequal power structure and agency distribution from the cultural and organisational perspective. SH is a means of confronting and challenging women's leadership positions to express and maintain male power at work.

Drawing from the empirical analysis of cultural power at work, I identify the distinctive patterns of cultural narratives through which most interviewees understood SH. This cultural narrative revolved around normative expectations and gendered social norms attributed to women and men in society and carried over to the workplace. There are two pathways to the cultural construction of SH. The first pathway describes sexual harassment as an inevitable result inherently associated with women's nature, such as women being beautiful and sexually attractive. An illustration of this can be found in the example of working women justifying sexual comments as compliments, or sexual jokes are simply the view that humour is the spice of life. The second pathway of the cultural narrative framework explains SH as women's failure to uphold feminine norms and values grounded on the Confucian ideology of four virtues or as women going beyond their traditional roles to pursue careers, particularly supervisory roles at work. This is best seen in case stories where SH is blamed on women's employment ambitions. It should be surprising that despite respondents' acknowledgement of gender equality in principle and the improvement in women's position, their explanations of SH occurrence often invoke cultural justifications. How people understand and exercise gender equality seems to transcend and go beyond traditional cultural boundaries. Still, deep down, they feel the invisible cultural pressure to conform to traditional norms. These norms continue to tie women in unequal gender roles and maintain traditional norms of men's masculinity. Victim-blaming and self-blaming are displayed as an apparent result of the imposition of gender social norms on women and are considered women's failure to conform to social expectations. Findings suggest evidence that women's unequal domestic roles in the household are associated with the likelihood of SH at work. The greater equality between women and men at home, the less SH risk they are exposed to at work.

Another finding relates to the prevalence of SH in the absence of official statistics. Without a doubt, responses from the interviews show that SH is a common workplace issue and exists in their organisation in one form or another. Interviewees also identify ambient sexual harassment and SH shifting from non-consensual to consensual behaviours as additional examples of workplace SH. The finding of ambient sexual harassment broadens the concept to include indirect SH conduct. Ambient harassment impacts may go beyond sexual targets and have similar victimising impacts on observers and bystanders by shaping the workplace acceptance culture of SH. Although well recognised in international research, ambient SH is an important finding in this study because the term has not yet been listed in the current Vietnamese law on SH. Meanwhile, shifting SH behaviour reflects the behavioural transformation in which workplace power may influence victims to conform to consensual sexual activities. Thus, these findings demonstrate the complexity of workplace SH and suggest that Vietnamese policy on workplace SH needs to address the issue of ambient harassment and consider the shifting behaviour to which stage the conduct constitutes SH and the responsibility of harassers.

Understanding how working people conceptualise SH and define workplace SH provides a foundation for understanding working people's experiences and responses to SH. In fact, workers' perception, experience, and response to SH is a continuing SH process in which the cultural construction of gender relations and workplace power is the prominent driver shaping people's labelling and coping with workplace issues.

The third set of findings addresses working people's experiences of SH, focusing on understanding the prevalence and type of SH that working women experience, how they label and disclose their experience, and how employment factors shape their likelihood of experiencing SH. This research found that one-fifth of survey participants experienced SH. Although this number may not fully capture the reality, the interviewees describe various forms of experiencing SH at work, of which unwanted physical harassment counts for the majority as SH, followed by verbal harassment. Some significant findings are emerging from this section. First, it is evident that working women's understanding of SH does not necessarily lead to their consciousness of experiencing SH. People often do not admit or label their experience as SH, not only because they are unaware of SH but also to avoid being labelled

as victims. Secondly, there is a significant difference in experiencing SH between employment sectors- factory and government organisations, and between female staff and managers. Staff in state-employer organisations experience far higher SH at work than factory workers. Female managers also encounter more SH incidents than female rank-and-file staff. The risk of experiencing SH is greater in lower and mid-level leadership positions because their work involves more potential perpetrators, including male managers and subordinate employees. This implies that having higher education and gaining a leadership position does not change the likelihood of being sexual harassment at work. Power in the workplace seems to place women at greater risk of SH rather than insulating them from SH. Thus, workplace SH can reinforce gender gaps, add more burdens for women, and threaten them to pursue leadership ambitions.

There are many factors involved in working women being exposed to sexual harassment, and these factors differ between the two place settings of state organisations and factories. In the state organisation, the employment nature of engaging in frequent extra-mural work (business travelling, meetings, workshops, after-work activities), partnership, and workplace settings of closed office doors contribute directly to the likelihood of experiencing SH at work. In contrast, factory workers are exposed to SH on the way to work, renting accommodation, and are vulnerable as migrant workers.

The fourth set of findings relates to working women's responses to SH to understand which strategies and factors determine the way working women cope and how individuals may select particular ways of coping. This research identifies and analyses three common response strategies of individual, social, and organisational responses. The overwhelming way of addressing SH recorded in this research is the individual response strategy, which demonstrates various coping methods, such as self-focus mechanisms, including ignorance, silence, and avoidance. These mechanisms illustrate women's adherence to gender social norms to frame their responses, which also creates a culture of silence, ignorance or avoidance around SH that men intentionally exploit to harass. Although individual self-focus constitutes a low-intervention strategy, working women can deploy some practical tactics to distance themselves from the problem and harassers, avoid greater damage to their honour and cost of employment or dissuade harassers from repeating SH. The research findings

present various factors that influence the frequent usage of the individual response strategy. Fear of losing face, family reputation, working harmony, and negative work repercussions are significant driving factors.

The social response often becomes the second strategy of choice to address SH at work when the individual coping strategy is unsuccessful. There is a difference between the two groups of victims and observers in mobilising social resources to cope with workplace SH. In which, the former is less likely to seek social support, while the latter is more generous in offering social support to others. This difference suggests that family and workplace relationship considerations, trust, and belief often impact individuals seeking and offering social support to respond to SH.

The findings suggest that employees seek social support not to claim justice but to seek sympathy and trust from others, which again demonstrates the cultural entrenchment of the need to preserve their personal reputation. It also implies that working people consider SH an issue of violating cultural values and failure to uphold traditional gender norms rather than a legal issue at work. Social support becomes more effective when offered by observers, and empowering bystanders can be an alternative to address workplace SH. However, this support also depends on the relationships between victims and harassers, job positions, and trust in the network.

Another coping mechanism is confrontation, in which victims address harassers directly by themselves, through social networks, or at organisations. Similar to social responses, observers are three times more likely to confront harassers than victims. These findings suggest several implications. First, confrontation is closely related to how individuals conceptualise and label their experiences. Victims tend not to consider themselves a victim and label their experience as SH; as a result, they would not confront harassers. Second, victims often encounter more barriers in demanding their rights, such as fear of social stigma and retaliation. These findings also confirm the other research that observers' reactions to scenarios do not often match how they will react in real life if they are victims (Fitzgerald et al., 1995; Hart, 2019). A cultural dilemma for victims is that they do not want to lose face nor embarrass harassers in front of others. Victims often choose to ‘gently react to harassers. Confrontation is used mainly in less serious incidents and is affected by other factors such as

the frequency of harassment, working relationship with the harasser, and workplace position. Nonetheless, the findings signal that women are increasingly aware of challenging harassers and the gender norms that confine them to endurance and silence, which may reflect shifting social beliefs and attitudes toward addressing SH.

However, the data shows that the organisational strategy is used only as the last resort when the matter's severity is excessive; even then, formal complaints are not made, and no incident is filed to the authority to solve. Findings reveal the dynamic of victims' silence and the various factors preventing victims from calling out SH at the organisational level. These factors include the ignorance of co-workers, ineffective support of trade unions, losing trust in organisation managers, failure of trust and belief in the success of a complaint, and workers' understanding of organisations' policy and practice of workplace justice. These factors are associated with persistent gendered social norms at work to inform employees' perceptions of whether to report.

Findings on workers' legal consciousness provide insufficient evidence of workers' understanding and mobilising law or organisations' policies in addressing their incidents. The thesis has tried to capture whether law and organisations' policies play a role in informing workers of legal consciousness to claim their rights. The findings suggest that workers' consciousness is informed by the cultural perception of morality and social justice rather than knowledge of their rights as enshrined in the law. Moreover, research results denote a lack of organisational policy on SH, and the ineffectiveness of its implementation is significant. There is a gap in translating national laws into organisational policy and a gap in workers' legal knowledge of SH. A notable explanation for this gap is that workers express less interest and concern for SH over other working or living conditions issues. These findings have several implications. First, it suggests the failure of the organisations' policy to inform workers of what constitutes SH and the penalties for those who engage in it. This failure may offer a protective climate for those who engage in SH, seemingly with impunity, and an aggressive, insecure environment who are victims of it. Second, it signifies that law and legislation on workplace SH need to also be designed in connection with broader workplace policies to strengthen workers' rights to decent wages and working conditions.

Despite the limited impact of SH laws in the workplace, the findings signal an increase in employees' awareness that SH is no longer an exception to the law. However, as implied from the interviews, justice for a victim of harassment is not only to punish the harassers but also to remove the stigma toward women and shift the culture of victim blaming. The research also suggests how trade unions and workers' activities, including legal aid training supported by NGOs' initiatives, can evoke workers' legal consciousness on SH at the organisational level and empower workers to tackle gender inequality issues and workplace SH by challenging gender social norms.

8.2. Original Contributions

First, the research significantly contributes to filling the knowledge gaps in understanding workplace SH in Vietnam. It is one of few empirical academic studies in contemporary Vietnam to explore workplace SH as a social gender and workers' legal consciousness issue rooted in gender discrimination, gender inequality at work, and the patriarchal power system spills over from society to working space. While other issues of GBV, like domestic violence, have been researched in Vietnam, workplace SH remains a hidden part of the iceberg. My thesis has addressed current research gap in Vietnam by elucidating the socio-cultural and organisational factors constituting workplace SH to understand better how workplace sexual harassment is culturally constructed in the Vietnam context. The study has investigated workplace SH in two groups of female state officers and factory workers in primary workplace settings of state-employer organisations and factories. These target groups are selected to carefully develop a comparison of workers spanning white-collar work in the public service where the workers have higher levels of education and more experience of living in urban, more cosmopolitan settings and factory workers comprising workers with lower levels of education (and in many instances with more rural backgrounds). The two employment sectors where the employees have different educational and economic backgrounds and working conditions provide a compelling case for the need to differentiate workplace factors that constitute SH. Notably, state officers have not been the focus of current relevant research on gender issues and GBV. My study challenges the assumptions and beliefs of a safe working environment in such work settings, revealing a high likelihood of SH. This raises the question of the power dynamics in state organisations. Understanding the

driving factors of workplace SH across different employment sectors allows for capturing how workplace SH has been governed by the typical cultural and institutional power of the employment industry. The study suggests policy implications to tackle SH in different organisational settings.

In addition, my study pioneers empirical research to elucidate understanding of workplace SH from working people's perceptions, experiences, and responses to workplace SH. My research is one of the first to examine how working people in Vietnam conceptualise SH, the types of SH they frequently encounter, and the social, organisational, and legal factors influencing workplace SH and responses to it. This set of findings provides much-needed research evidence to support the ongoing progress of policymaking in Vietnam to develop legislation documents for implementing the Labor Code. This research can be a reference point in understanding SH in similar country contexts in Asia and provide a comparison to literature that mainly focuses on Western countries.

Second, the thesis makes an original contribution to the scholarship on workplace SH in Vietnam by extending the analytical focus beyond separate theoretical approaches of socio-cultural and organisational explaining SH and integrating a legal consciousness to deconstruct the workplace SH. The scarce research on SH in Vietnam lacks a theoretical framework to conceptualise the issue explicitly. Vietnamese studies treat workplace SH as having no distinction from general HS, resulting in an insufficient consideration of the organisational factors and working environments that constitute the issue. The thesis is theoretically rich, applying and connecting various concepts from a range of theories, including feminist theories, a variety of sexual-harassment theories, sociocultural theories, and organisational theories.

Third, using a conceptual framework that highlights the intersection of socio-cultural and organisational approaches allows me to examine how cultural and organisational factors intertwine in workplace power relations and regulation to inform workers' legal consciousness. By integrating the notion of legal (rights) consciousness, I extend the research framework to highlight the importance of considering workers' legal consciousness of rights as a part of law and policy implementation. Legal consciousness reflects how the law is embedded within socio-cultural and organisational conditions, whereby workers perceive the law and develop their conceptualisation of legality from their social interaction with legal

justice and their organisation's fairness and equity. Thus, the research has added an emphasis on examining multi-faceted workplace SH within a tangible conceptual framework, incorporating the key argument of Radical feminists that centres on addressing the patriarchal power system. It also incorporates Liberal feminism's emphasis on the roles of law and individual choice to challenge workplace SH. The Socialist-communist gender regime aims to liberate women from traditional Confucian doctrine and promote women's equal rights to employment. My research has put an emphasis on understanding the policy of SH from cultural dimensions and the prerequisite of addressing gender social norms barriers in employment law on workplace SH.

Fourth, this research distinguishes itself from most studies in Western countries by shedding light on cultural narratives of workplace SH that condition the organisational power structure and employment positions. This allows me to explore how traditional socio-cultural and organisational factors underpin the ways in which workplace SH is conceptualised and addressed. The results reveal that deep-seated elements of a patriarchal hierarchy which retains its influence through gender inequal norms extending from society into the workplace, reflected in workers' perceptions and expectations of solving workplace SH. Rather than belonging to the past and despite the change in the context of gender relations, these norms are widespread in contemporary Vietnam society and reflected in organisations' working cultures, workplace policies (e.g. dress code and Miss workers beauty contests) and how people practice workplace justice. The importance of understanding Confucianism is that it underwrites multiple cultural mores that exist within and between the different ethnic groups within Vietnam. This also help provide the context for how women see their roles, knowledge of women's rights, and a sense of the brave roles of women in Vietnam's history. Although women's perceptions are coloured by many-layered cultural influences, including global media and work position, women value conforming to the feminine view of what a 'good wife and mother and loyal citizen of Vietnam ought to be or how they ought to behave. Culturally specific gender norms also influence organisational power in workplaces, which appear to embody the imprint and hallmark of Confucianism in the way power is organised and distributed. This helps explain the overwhelming influence of cultural perspectives impacting working people's conceptualisation of SH, their attitudes to admitting and disclosing

experience and their choices to cope with workplace SH. While the influence of Socialist-communist gender ideology has supported women's participation in the labour force and the nation's development, this comes with double standards and expectations toward women as being dedicated staff and excellent household carers, reinforcing traditional Confucian norms to some extent. Thus, the tension of eliminating backward gender norms and the persistence of norms exceeding remain, making the case of SH at work more complex in the workplace.

The case study of workplace SH in contemporary Vietnam tells about gender norms and relations in Vietnam post-reform and provides evidence for influencing gender norms to support women's advancement, employment participation, and workplace safety. Although gendered social norms and relation have changed, the tension of unwritten norms still plays a role in shaping the way gender power and organisational power is distributed to conceptualise work SH and shape workers' legal consciousness. The thesis, thus, sheds light on understanding workplace SH as the social gender issue exposed by unbalanced organisational power relations and attributed to gender social norms of inequality in Vietnam. It advances the way we understand SH in similar contexts that add to existing debates on SH. The thesis findings suggest how policy needs to remedy culture and policies of change by implementing more legal and structural changes to protect women and change the mindset of 'male entitlement' and the notion of what constitutes normal or acceptable behaviour in the workplace.

8.3. Research Recommendations

Findings from this research suggest several recommendations on addressing workplace SH through policy implementation as well as cultural and gender education to shift public gendered social norms toward SH. Regarding policy implications, the Vietnam Government should develop a Workplace Code of Conduct on sexual harassment to provide specific indicators to determine what type of behaviour constitutes sexual harassment. It is also important to emphasise that the critical element of SH is unwelcome, unwanted behaviour of a sexual nature to distinguish it from other sexual conduct that is consensual, welcome and reciprocated. Evaluation research is needed to assess the law's effectiveness in a broad range of workplaces, for example, by conducting evaluation research after five years of

implementing the Labour Code 2019. This would allow for assessing the effectiveness of the laws and the amendments that might be needed to address arising issues or gaps in the workplace policy. It is also important to evaluate the extent to which the Labor Code on workplace SH incorporates the principles of ILO convention 190 on workplace SH as a form of employment violence.

Engaging employees, employers, and victims of workplace SH in the policy process can better inform policy development. The effort to address SH in the organisation needs to take heed of business practices, manager roles and commitment, and other formal institutions like trade unions and workers' representatives that mobilise social and organisational support. Transparent grievance mechanisms, confidential complaints procedures, and enabling reporting channels are critical in supporting workers' reporting at organisational levels.

In addition, preventing SH at work needs to focus on addressing socio-cultural and organisational factors constraining workers' understanding and limiting their capacity and agency at work. Promoting workers' legal right consciousness and legality to address SH is also important. Education efforts should focus on workers' views of legal and workplace justice and on reducing gendered social norms and gender bias toward women and men at work that feed into SH. Shifting the culture of victim blaming and self-blame holds harassers accountable for their workplace mistreatment. This education objective strongly relates to the national gender equality policy to liberate women from traditional roles and conformity to cultural values and expectations. Promoting the implementation of workers' activities and legal aid projects as a part of workers' social networks will contribute to law enforcement's effectiveness.

At the organisational level, the SH policy needs to be developed as a separate policy from other labour issues or conflicts because addressing SH requires a different mechanism and process to ensure victims 'confidentiality and timing and harassers' responsibilities. The organisation's policy should highlight the role of managers in building trust and transparency and their responsibility to hold the organisation accountable for how it deals with SH complaints. Policy at work is also important to shift the organisation's perspective on tackling SH. Rather than seeing this as a stain on its reputation, an organisation's transparency in reporting SH should be rewarded as a workplace health and safety workplace achievement.

The formulation and implementation of law and organisation's policy on SH need to align and connect with other policies on labour relations, including strengthening workers' rights to decent wages, well-being and working conditions. Organisational policies should focus on ensuring that female and male employees have equal opportunities at work. The meaning of law and organisation policy changes toward tackling SH need to be positioned within the context of addressing gender discrimination and gender inequality. This change needs to address more comprehensive structural challenges of female employees' unequal position and unbalanced power relations rather than specific gender issues like SH incidents.

8.4. Research Limitations and Areas for Future Research

The findings of this research must be seen in the context of some limitations. The first is the limited literature on SH in general and workplace SH in particular in Vietnam. Some of the existing Vietnam literature was conducted two decades ago when the concept of SH was narrowly, and new forms of SH (online SH) were not apparent or less prevalent. To address this limitation, I have examined broader literature conducted in other, mostly Anglo-Western, countries. This literature is informed by Western experiences and offers little to address Vietnam's cultural and economic background. However, this limitation also provides an opportunity for my new research typology to address the issue from socio-cultural and organisational approaches and consider legal rights consciousness.

The second limitation relates to topic sensitivity. SH has been culturally considered an issue associated with losing face, dignity, career opportunity of employees, and an organisation's reputation. Although the confidentiality and anonymity of the participants of this research have been ensured and protected, some of the interview respondents might have chosen to be less candid and open to sharing information because they were concerned about damaging their working relationships and/or their reputation. This may have skewed the results, particularly in relation to obtaining working people's experience of SH.

The third limitation also relates to the way this study is conducted based on the self-disclosed perceptions of working women in understanding, responding, and experiencing SH at work. The information collected depends on the individual's own perceptions and willingness to answer questions honestly. My observation is that people feel more

confident talking about themselves in the third person or talking about their friends' or colleagues' experiences or incidents happening in society. Therefore, documenting the actual number of working people directly targeted by SH was challenging. Moreover, this research has focused on working women (workers and office staff), and some target work settings had a mostly female workforce. While I have engaged men in the survey, and some men participated in interviews, the current research cannot capture the broader picture of workplace SH and men's perspectives on SH as a workplace issue. Moreover, the impact of COVID-19 on overseas travel led to an adjustment in the way to collect interview data. Distance interviews may limit participants' information gained compared to face-to-face interviews. To balance this possible disadvantage, I opted for a mixed research methods approach to collect quantitative and qualitative data and expanded the research population to more workplace settings. Due to acknowledged limitations of using snowball sampling to recruit interview participants, a survey was also conducted to approach a broader range of working people. This helped to convey consistent themes emerging across interviews and the survey findings.

Another limitation concerns the worker's legal rights consciousness. I aimed to understand to what extent the law plays a role in shaping workers' notion of justice, whether workers' views of law inform their conceptualisation of SH, and how they explain their experience and justify response strategies. However, SH has just been established as a new legal term in the 2019 Labour Code, which has not been widely brought to the public's awareness. Additionally, working people often view the issue of SH from cultural perspectives rather than considering it as a legal issue. Therefore, the collected information has not yet been sufficient to address this question, and further research is required once the Labour Code is more firmly established and better known.

The study has opened several areas for further investigation. Findings from this study pave the way for future research to examine the issue in a broader range of employment industries, including in both traditional and new emerging employment sectors that have not been the focus of this research. Future research should engage men and other genders, as well as employers, and this will help address the lack of research and formal data on workplace SH.

Working women in leadership roles and state officers should be a future research concern to comprehensively explore the power relations and cultural factors involved in the higher likelihood of female managerial positions and the impact of this on SH. This is because findings from my research reveal a high prevalence of sexual harassment experienced by state officers and female managers in middle and low supervisory positions. SH is frequently blamed on women's employment ambitions and associated with women's incompetency, which indicates significant resistance to women's career advancement. Research on the cost of harassment to organisations and the impact of SH on workers should also be a focus of future research.

Another promising research area is analysing the forces behind the persistence of Confucian traditions and norms and why these norms have a significant influence regardless of the progress of women's empowerment at home, in society, and at work. As workers become more mobile, more research is needed to examine the SH experiences of internal and international migrant and informal workers. Migrant workers appear to be more at risk of SH than local workers because of their casual work status, residency in company dormitories and community renting, and more limited social connections and local sources of support. SH is often seen as a separate issue unconnected to workers' livelihood struggles. Thus, more investigations on these groups of workers can support policy implementation at the workplace and how it can be effectively monitored.

Potential future research on workers' legal consciousness will improve understanding of the role laws play in working people's conceptualisation of legality and justice to claim the rights that workplace SH violates. It may also help to close the gaps between the legal framework and legal practices and how the former interacts with everyday norms and practices to shape workers' subjective notions of workplace SH.

In summary, this study examines workplace SH from a Vietnamese working women's perspective which has made a significant contribution at several levels. First, the research provides an analysis of understanding the dynamic socio-cultural construction of gender and power relations in the contemporary workplace, which are posted in the significant effort of challenging socio-cultural and gender norms of inequality in employment and within society. The research has addressed workplace SH in a tangible dimension: as an

issue of gender discrimination at work, workers' rights issues related to organisational structure and power relations which challenge women's career ambitions, and a cultural narrative of reinforcing women's subordinated status. Thus, it offers empirical data on sexual harassment research in Vietnam, where the issue has largely been neglected. The findings provide evidence for the need to influence gender norms to support women's advancement, employment participation, and workplace safety.

Moreover, the research undertakes to suggest a new dimension of understand how workers conceptualise, experience and respond to workplace SH through the lens of legal consciousness. From this research it is clear that the law and related legislation on SH should address not only illegal sexual conduct at work but also other systemic issues related to labour relations and organisational structure, culture, and environment enabling employees to address workplace issues. The effectiveness of the new Labour Code will be judged on how workers use it as a legal tool to protect themselves and claim justice at work. The research suggests that addressing workplace SH is an integral process of eliminating workplace inequality, emphasising cultural transformation education to shift gendered social norms of inequality toward men and women.

Thus, this research helps fill the gaps in global feminist knowledge, offering a tangible way of explaining SH from a feminist lens, encouraging further academic research on SH in Vietnam, and adding to the body of feminist research on SH in similar Asian countries.

References

Adams-Roy, J., & Barling, J. (1998). Predicting the Decision To Confront or Report Sexual Harassment. *Journal of Organisational Behavior*, *19*(4), 329-336. https://doi.org/10.1002/(SICI)1099-1379(199807)19:4<329::AID-JOB857>3.0.CO;2-S

Amick, N. J., & Sorenson, R. C. (2006). Factors Influencing Women's Perceptions of a Sexually Hostile Workplace. *Journal of Emotional Abuse*, *4*(3), 49-69.https://doi.org/ 10.1300/ J135v04n03_04

Arat, Z. F. K. (2015). Feminisms, Women's Rights, and the UN: Would Achieving Gender Equality Empower Women? *American Political Science Review*, *109*(4), 674-689. https://doi.org/10.1017/S0003055415000386

Arslan, M., Vasilyeva, M., Kilic, M., Leblebici, D. N., Aydın, D. M., & Öktem, K. M. (2006). Effects of the Socio-Cultural Factors in the Perception of Sexual Harassment in the Workplace: A Cross-Cultural Study at Turkish and Yakut-Sakha. *Toplum Ve Sosyal Hizmet*, *17*(1), 71–90.

Atkinson, T.-G. (2000). Radical Feminism. In A. C. Barbara (Ed.), *Radical Feminism: A Documentary Reader* (pp. 82–89). New York University Press.

Australian Human Rights Commission. (2018). *Everyone's Business: Fourth National Survey on Sexual Harassment in Australian Workplaces (2018)*. Growing Positive Solutions. https://www.humanrights.gov.au/sites/default/files/document/publication/AHRC_WORKPLACE_SH_2018.pdf

Australian Human Rights Commission. (2020). *Respect @ Work: National Inquiry Into Sexual Harassment in Australian Workplaces*. https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020?mc_cid=1065707e3c&mc_eid=%5BUNIQID%5D&_ga=2.231841692.22390849.1603250758-1908005117.1603250758

AWARE. (2008). Research Study on Workplace Sexual Harassment in Singapore. In *AWARE Sub-Committee on Workplace Sexual Harassment*. https://aware.org.sg/wp-content/uploads/ WSH-Report-2012.pdf

Banerji, A., Gjonbalaj, A., Hlatshwayo, S., & Van Le, A. (2018). Asian Women at Work: As Women Advance in Asia's Labor Force, Vietnam is a Standout. *Finance and Development*, *55*(3), 13–17.

Barkley, B. H., & Mosher, E. S. (2015). Sexuality and Hispanic Culture: Counseling with Children and Their Parents. *Journal of Sex Education and Therapy*, *21*(4), 255-267. https://doi.org/10.1080/01614576.1995.11074159

Barron, S. R. . (2010). *Perception of Sexual Coercion: Understanding the Role of Gender, Intimacy and Alcohol Use* [The University of South Dakota]. RetrievedfromProquest, University%0 A Microforms International Dissertations Publishing (3421331)

Barry, K. (1996). Introduction. In K. Barry (Ed.), *Vietnam's Women in Transition* (1st ed., pp. 1–18). Macmillan Press. https://doi.org/10.1007/978-1-349-24611-3

Beiner, T. M. (2007). Sexual Dressing Revisited: Does Target Dress Play a Part in Sexual Harassment cases? *Duke Journal of Gender Law & Policy*, *14*(1), 125–152.

Bélanger, D., & Khuat, T. H. (2018). 'Too Late to Marry: Failure, Fate or Fortune? Female Singlehood in Rural North Vietnam.' In D. Bélanger & J. Werner (Eds.), *Gender, Household, State Doi Moi in Viet Nam* (pp. 89–110). Cornell University Press; South Asia Program Publications at Cornell University. https://doi.org/https://doi.org/10.7591/9781501719455

Beltramini, L., Bastiani, F., Feresin, M., & Romito, P. (2020). Coping With Sexual Harassment: The Experience of Young Working Women in Italy. *Journal of Gender-Based Violence*, *4*(1), 25-40.

Biber, J. K., Doverspike, D., Baznik, D., Cober, A., & Ritter, B. A. (2002). Sexual Harassment in Online Communications: Effects of Gender and Discourse Medium. *Cyberpsychology & Behavior*, *5*(1), 33-42.

Bingham, S. G., & Scherer, L. L. (1993). Factors Associated With Responses to Sexual Harassment and Satisfaction With Outcome. *Sex Roles*, *29* (3/4), 239-269. https://doi.org/10.1007/BF00289938

Bitton, S. M., & Shaul, B. D. (2013). Perceptions and Attitudes to Sexual Harassment: An Examination of Sex Differences and the Sex Composition of the Harasser-target Dyad. *Journal of Applied Social Psychology, 43(10), 2136–2145.* https://doi.org/10.1111/

jasp.12166

Blackstone, A., Uggen, C., & McLaughlin, H. (2009). Legal Consciousness and Responses to Sexual Harassment. *Law and Society Review*, *43*(3), 631-668.https://doi.org/10.1111/j. 1540-5893.2009.00384.x

Bongiorno, R., Langbroek, C., Bain, P. G., Ting, M., & Ryan, M. K. (2020). Why Women Are Blamed for Being Sexually Harassed: The Effects of Empathy for Female Victims and Male Perpetrators. *Psychology of Women Quarterly*, *44*(1), 11-27.https://doi.org/10.1177/ 0361684319868730

Bowes-Sperry, L., & O'Leary-Kelly, A. M. (2005). To act or not to act: The dilemma faced by sexual harassment observers. *Academy of Management Review*, *30*(2), 288-306. https://doi.org/10.5465/AMR.2005.16387886

Brant, C., & Too, Y. L. (eds) (1994). Rethinking Sexual Harassment. Pluto Press

Breant, M. L. (2017). *Intervention Strategies against and Effects of Female Sexual Harassment in Workplaces of Cote d'Ivoire* (Doctoral dissertation, Walden University). https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?article=5876&context=dissertations

Brooks, L., & Perot, A. R. (1991). Exploring a Predictive Model. *Psychology of Women Quarterly*, *15*(1), 31-47. https://doi.org/10.1111/j.1471-6402.1991.tb00476.x

Brown, J., Drury, L., Raub, K., Levy, B., Brantner, P., Krivak, T. C., Bradley, L., & Naumann, R. W. (2019). Workplace Harassment and Discrimination in Gynecology: Results of the AAGL Member Survey. *The Journal of Minimally Invasive Gynecology*, *26*(5), 838-846. https://doi.org/10.1016/j.jmig.2019.03.004

Browne, K. R. . (1997). An Evolutionary Perspective on Sexual Harassment: Seeking Roots in Biology Rather Than Ideology. *Journal of Contemporary and Legal Issues*, *8*(5), 5-77.

Burgess, D., & Borgida, E. (1997). Sexual harassment: An experimental test of sex-role spillover theory. *Personality and Social Psychology Bulletin*, *23*(1), 63–75. https://doi.org/10.1177/0146167297231007

Burgess, E. O., Barmon, C., Moorhead Jr, J. R., Perkins, M. M., & Bender, A. A. (2018). 'That Is So Common Everyday... Everywhere You Go': Sexual Harassment of Workers in Assisted Living. *Journal of Applied Gerontology*, *37*(4), 397-418. https://doi.org/10.1177/ 0733464816630635

Butzel, J. S., & Ryan, R. M. (1997). The dynamics of volitional reliance: A motivational perspective on dependence, independence, and social support. In G. R. Pierce, B. Lakey, I. G. Sarason, & B. R. Sarason (Eds.), *Sourcebook of Social Support and Personality* (pp. 49–68). Plenum Press.

Cantisano, G. T., Domínguez, J. F. M., & Depolo, M. (2008). Perceived Sexual Harassment at Work: Meta-analysis and Structural Model of Antecedents and Consequences. *Spanish Journal of Psychology*, *11*(1), 207-218. https://doi.org/10.1017/S113874160000425X

Cao, T. N. Q., & Schafer, J. C. (1988). From Verse Narrative to Novel: The Development of Prose Fiction in Vietnam. *The Journal of Asian Studies*, *47*(4), 756-777. https://doi.org/10.2307/2057851

CARE International. (2017). *'I know I cannot Quit.' The Prevalence and Productivity Cost of Sexual Harassment to the Cambodian Garment Industry*. *March* 1–88. https://www.care.org.au/wpcontent/uploads/2017/04/SHCS_Research_Summary_March_2017.pdf

CARE International Organisation. (2020). *Investigating Gendered Social Norms Affecting Women's Economic Participation Related to Recruitment and Promotion in Vietnam* (Issue June). https://www.care.org.vn/wp-content/uploads/2020/07/Investing-in-Women-2020-final.pdf

CARE Vietnam. (2019). *Baseline Report: Enhancing Women's Voice to Stop Sexual Harassment (STOP)*. http://care.org.vn/our-publications/

CEDAW. (1993). *General Recommendations Adopted by the Committee on the Elimination of Discrimination Against Women* (Issue 19). https://www.globalhealthrights.org/wp-content/uploads/2013/09/CEDAW-General-Recommendation-No.-19-Violence-against-Women.pdf

Chamberlain, L. J., Crowley, M., Tope, D., & Hodson, R. (2008). Sexual Harassment in Organisational Context. *Work and Occupations*, *35*(3), 262-295. https://doi.org/10.1177/0730888408322008

Cheung, C., Baum, T., & Hsueh, A. (2018). Workplace Sexual Harassment: Exploring the Experience of Tour Leaders in an Asian Context. *Current Issues in Tourism*, *21*(13), 1468-

1485. https://doi.org/10.1080/13683500.2017.1281235

Chowdhury, I., Johnson, H. C., Mannava, A., & Perova, E. (2018). Gender gap in earnings in Vietnam: Why do Vietnamese women work in lower-paid occupations? In *Policy Research Working Paper 8433* (WP 8433).

Cislaghi, B., & Heise, L. (2020). Gender Norms and Social Norms: Differences, Similarities and Why They Matter in Prevention Science. *Sociology of Health and Illness*, *42*(2), 407- 422. https://doi.org/10.1111/1467-9566.13008

Clarke, H. M. (2014). Predicting the Decision to Report Sexual Harassment: Organisational Influences and the Theory of Planned Behavior. *Journal of Organisational Psychology*, *14*(2), 52-65.

Cleveland, J. N., & Kerst, M. E. (1993). Sexual Harassment and Perceptions of Power: An Under-Articulated Relationship. *Journal of Vocational Behavior*, *42*(1), 49-67.

https://doi.org/https://doi.org/10.1006/jvbe.1993.1004

Cochran, C. C., Frazier, P. A., & Olson, A. M. (1997). Predictors of Responses to Unwanted Sexual Attention. *Psychology of Women Quarterly*, *21*(2), 207-226. https://doi.org/10.1111/j.1471-6402.1997.tb00109.x

Commission, A. H. R. (2018). *Everyone's Business: Fourth National Survey on Sexual Harassment in Australian Workplaces*. Australian Human Rights Commission. https://www.humanrights.gov.au/our-work/sexdiscrimination/publications/everyones-business-fourth-national-survey-sexual

Cooper, C. G. (1981). *Sexual Harassment of Working Women*. *48*(1), 1-183. https://doi.org/10.2307/1599356

Cortina, L. M., & Berdahl, J. L. (2008). Sexual harassment in organisations: A decade of research in review. In *The SAGE Handbook of Organisational Behavior* (Vol. 1, pp. 469-497). https://doi.org/10.4135/9781849200448.n26

Cortina, L. M., & Wasti, A. S. (2005). Profiles in Coping: Responses to Sexual Harassment Across Persons, Organisations, and Cultures. *Journal of Applied Psychology*, *90*(1), 182-192. https://doi.org/10.1037/0021-9010.90.1.182

Creswell, J. W. (1999). Mixed-Method Research: Introduction and Application. In G. J. Cizek (Ed.), *Handbook of Educational Policy* (pp. 455-472). Academic Press.

Crockett, E. (2015). *This sexist job posting asks women to apply because they'll be filling in as receptionist*.Vox.https://www.vox.com/2015/11/23/9786342/sexist-job-posting receptionist

Cuc, L. T. (2011). Vietnam: Traditional Cultural Concepts of Human Relations With the Natural Environment. *Asian Geographer*, *18*(1-2), 67-74. https://doi.org/10.1080/10225706.1999.9684048

Cuddy, A. J. C., Fiske, S. T., & Glick, P. (2004). When Professionals Become Mothers, Warmth Doesn't Cut the Ice. *Journal of Social Issues*, *60*(40), 701-718. https://doi.org/10.1111/jocs.12823

Cunningham, W., Alidadi, F., & Buchhave, H. (2018). *Vietnam's future jobs: the gender dimension* World Bank. https://openknowledge.worldbank.org/handle/10986/30172

D.Baker, D., Terpstra, D. E., & Larntz, K. (1990). The Influence of Individual Characteristics and Severity of Harassing Behavior on Reactions to Sexual Harassment. *Sex Roles*, *22*(5), 305–325. https://doi.org/10.1007/BF00288336

Deloitte Access Economics. (2019). *The Economic Costs of Sexual Harassment in the Workplace*. http://fee.org/freeman/detail/the-economic-costs-of-sexual-harassment

Diez, J. R. (2016). Vietnam 30 Years After Doi Moi: Achievements and Challenges. *Zeitschrift Für Wirtschaftsgeographie*, *60*(3), 121-133. https://www.degruyter.com/document/doi/10.1515/zfw-2016-0035/html

Dowd, S., Davidhizar, R., & Davidhizar, R. (2003). Sexuality, Sexual Harassment, and Sexual Humor. *Health Care Manager*, *22*(2), 144–151. https://doi.org/10.1097/00126450-200304000-00010

Drummond, L. . B. W., & Rydstrom, H. (2004). *Gender Practices in Contemporary Vietnam* (L. B. W. Drummond & H. Rydstrom (eds.)). Singapore University Press.

Duane Morris Vietnam. (2018). *Report on Preventing Sexual Harassment at Work- Review Laws and the Implementation in Garment and Textile Factories in Vietnam* (Consultant

report to CARE International in Vietnam).

Dyer, K. E., Potter, S. J., Hamilton, A. B., Luger, T. M., Bergman, A. A., Yano, E. M., & Klap, R. (2019). Gender Differences in Veterans' Perceptions of Harassment on Veterans Health Administration Grounds. *Women's Health Issues*, *29*(S1), S83-S93. https://doi.org/10.1016/j.whi.2019.04.016

European Union Agency for Fundamental Rights. (2014). *Violence Against Women: An EU-Wide Survey Main Results*. https://doi.org/10.2811/62230

Ewick, P., & Silbey, S. S. (1998). *The Common Place of Law: Stories From Everyday Life*. The University of Chicago Press.

Farley, L. (1978). *Sexual Shakedown: The Sexual Harassment of Women on the Job*. McGraw-Hill.

Fitzgerald, L. F., & Cortina, L. M. (2018). Sexual Harassment in Work Organisations: A View From the 21st Century. In C. B. Travis, J. W. White, A. Rutherford, W. S. Williams, S. L. Cook, & K. F. Wyche (Eds.), *APA Handbook of the Psychology of Women: Perspectives on Women's Private and Public Lives* (pp. 215-234). American Psychological Association. https://doi.org/doi:10.1037/0000060-012

Fitzgerald, L. F., Gelfand, M., & Drasgow, F. (1995). Measuring Sexual Harassment: Theoretical and Psychometric Advances. *Basic and Applied Social Psychology*, *17*(4), 425-445.

Fitzgerald, L. F., Shullman, S. L., Bailey, N., Richards, M., Swecker, J., Gold, Y., Ormerod, M., & Weitzman, L. (1988). The Incidence and Dimensions of Sexual Harassment in Academia and the Workplace. *Journal of Vocational Behavior*, *32*(2), 152-175. https://doi.org/10.1016/0001-8791(88)90012-7

Fitzgerald, L. F., Swan, S., & Fischer, K. (1995). Why Didn't She Just Report Him? The Psychological and Legal Implications of Women's Responses to Sexual Harassment. *Journal of Social Issues*, *51*(1), 117-138. https://doi.org/10.1111/j.1540-4560.1995.tb01312.x

Folke, O., Rickne, J., Tanaka, S., & Tateishi, Y. (2020). Sexual Harassment of Women Leaders. *Daedalus*, *149*(1), 180-197. https://doi.org/10.1162/DAED_a_01781

Forster, M. D., Matheson, K., & Poole, M. (1994). Responding to Sexual Discrimination: The

Effects of Societal Versus Self-Blame. *The Journal of Social Psychology*, *134*(6), 743-754.

Foulis, D., & McCabe, M. P. (1997). Sexual Harassment: Factors Affecting Attitudes and Perceptions. *Sex Roles*, *37*(9/10), 773-798. https://doi.org/10.1007/BF02936339

France 24. (2019). *Outrage in Vietnam Over $8 Fine for Elevator Sexual Assault*. https://www.france24.com/en/20190320-outrage-vietnam-over-8-fine-elevator-sexual-assault

Froberg, S. (1990). *Working Life and Sexuality*. Oslo University.

Gao, E., Zuo, X., Wang, L., Lou, C., Cheng, Y., & Zabin, L. S. (2012). How Does Traditional Confucian Culture Influence Adolescents' Sexual Behaviour in Three Asian Cities? *Journal of Adolescent Health,*: *Official Publication of the Society for Adolescent Medicine.*, *50*(3), S12-S17.https://doi.org/10.1016/ j.jadohealth.2011.12.002

Gelfand, M. J., Fitzgerald, L. F., & Drasgow, F. (1995). The Structure of Sexual Harassment: A Confirmatory Analysis Across Cultures and Settings. *Journal of Vocational Behavior*, *47*(2), 164-177. https://doi.org/10.1006/jvbe.1995.1033

Giao, H. N. K., Vuong, B. N., Huan, D. D., Tushar, H., & Quan, T. N. (2020). The Effect of Emotional Intelligence on Turnover Intention and the Moderating Role of Perceived Organisational Support: Evidence From the Banking Industry of Vietnam. *Sustainability*, *12*(1857), 1–25. https://doi.org/doi:10.3390/su12051857

Glomb, T. M., Richman, W. L., Hulin, C. L., Drasgow., F., Schneider, K. T., & Fitzgerald, L. F. (1997). Ambient Sexual Harassment: An Integrated Model of Antecedents and Consequences. *Organisational Behavior and Human Decision Processes*, *71*(3), 309-328.

Gowan, M. A., & Zimmermann, R. A. (1996). Impact of Ethnicity, Gender, and Previous Experience on Juror Judgments in Sexual Harassment Cases 1. *Journal of Applied Social Psychology*, *26*(7), 596-617.
https://doi.org/https://doi.org/10.1111/j.1559-1816. 1996.tb02733.x.

Grosse, I. (2015). Gender Values in Vietnam-Between Confucianism, Communism, and Modernization. *Asian Journal of Peacebuilding*, *3*(2), 253-272. https://doi.org/10. 18588/201511.000045

Grossman, J. L. (2015). Moving forward, looking back: a retrospective on sexual harassment

law. *Boston University Law Review*, *95*(3), 10291048.Gruber, J. E. (2003). Sexual Harassment in the Public Sector. In J. Paludi, M., & Paludi, C.A. (Ed.), *Academic and Workplace Sexual Harassment: A Handbook of Cultural, Social Science, Management, and Legal Perspectives* (pp. 49-76). Praeger.

Gruber, J. E., & Bjorn, L. (1986). Women's Responses to Sexual Harassment: An Analysis of Socio-cultural, Organisational, and Personal Resouces Models. *Social Science Quarterly*, *67*(4), 814–826.

Gruber, J. E., & Smith, M. D. (1995). Women's Responses to Sexual Harassment: A Multivariate Analysis. *Basic and Applied Social Psychology*, *17*(4), 543-562. https://doi.org/10.1207/s15324834basp1704_7

Gutek, B. A. (1986). *Sex and the Workplace: The Impact of Sexual Behaviour and Harassment on Women, Men, and Organisations*. Jossey- Bass.

Gutek, B. A. (1992). Understanding Sexual Harassment at Work. *Notre Dame Journal of Law, Ethics & Public Policy*, *6*(2), 335–358.

Halegua, A. (2021). Workplace Gender-Based Violence and Harassment in China.

Hamada, T. (1995). Inventing Cultural others in Organisations: A Case of Anthropological Reflexivity in a Multinational Firm. *The Journal of Applied Behavioral Science*, *31*(2), 162-185. https://doi.org/10.1177/0021886395312005

Hart, C. G. (2019). The Penalties For Self-Reporting Sexual Harassment. *Gender and Society*, *33*(4), 534-559. https://doi.org/10.1177/0891243219842147

Haspels, N., Kasim, Z. M., Thomas, C., & Mccann, D. (2001). *Action Against Sexual Harassment at Work in Asia and the Pacific* (Issue October). International Labour Organisation. https://doi.org/ISBN 92-2-112824-5

Herrera, M. del C., Herrera, A., & Expósito, F. (2018). To Confront Versus Not to Confront: Women's Perception of Sexual Harassment. *European Journal of Psychology Applied to Legal Context*, *10*(1), 1–7. https://doi.org/10.1016/j.ejpal.2017.04.002

Hieu Dong, N. (2022). *Nữ nhà thơ tố bị Phó Tổng biên tập cưỡng dâm 23 năm trước: Luật sư nói gì?* Giao Thong Express. https://www.baogiaothong.vn/nu-nha-tho-to-bi-pho-tong-

bien-tap-cuong-dam-23-nam-truoc-luat-su-noi-gi-d548390.html

Ho Chinh Minh National Academy of Politics. (2008). *The History of the Vietnam Communist Party*. Ho Chi Minh National Political Publishing House.

Hoang, A., Nguyen, C. Q., & Duong, C. D. (2018). Youth Experiences in Accessing Sexual Healthcare Services in Vietnam. *Culture, Health, and Sexuality*, *20*(5), 545-559. https://doi.org/10.1080/13691058.2017.1360945

Hoang, L. A. (2020). The Vietnam Women's Union and the Contradictions of a Socialist Gender Regime. *Asian Studies Review*, *44*(2), 297-314. https://doi.org/10.1080/10357823.2019.1699023

Hobfoll, S. E. (2004). *Stress, Culture, and Community: The Psychology and Philosophy of Stress*. Springer.

Holland, K. J., Rabelo, V. C., Gustafson, A. M., Seabrook, R. C., & Cortina, L. M. (2016). Sexual Harassment Against Men: Examining the Roles of Feminist Activism, Sexuality, and Organisational Context. *Psychology of Men and Masculinity*, *17*(1), 17–29. https://doi.org/10.1037/a0039151

Holmstrom, N. (2003). The Socialist Feminist Project. *Monthly Review*, *54*(10), 38–48. https://doi.org/10.14452/MR-054-10-2003-03_4

Houghton-James, H. (1995). *Sexual Harassment*. Cavendish.

Hutton, L. (n.d.). *'But What Was She Wearing?' The Dangerous Rhetoric Surrounding Clothing and Consent*. Necessary Behaviour. Retrieved April 5, 2022, from https://www.necessarybehavior.com/blogs/news/but-what-was-she-wearing-the-dangerous-rhetoric-surrounding-clothing-consent

Eliminating Violence and Harassment in the World of Work, (testimony of ILO). https://www.ilo.org/wcmsp5/groups/public/-dgreports/-dcomm/publ/documents/publication/wcms_721160.pdf

ILO. (2013). *Sexual Harassment at the Workplace in Viet Nam: An Overview of the Legal Framework*. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_206106.pdf

ILO. (2017). *Annual Report 2017: An Industry and Compliance Review (Vietnam)* (Issue December 2016). https://betterwork.org/blog/portfolio/better-work-jordan-annual-report-2018-an-industry-and-compliance-review/

ILO. (2019). *Understanding and Addressing Violence Against women*. www.ilga-europe.org/resources/glossary

Impett, E. A., & Peplau, L. A. (2003). Sexual Compliance: Gender, Motivational, and Relationship Perspectives. *Journal of Sex Research*, *40*(1), 87-100. https://doi.org/10.1080/00224490309552169

Ineson, E. M., Yap, M. H. T., & Whiting, G. (2013). Sexual Discrimination and Harassment in the Hospitality Industry. *International Journal of Hospitality Management*, *35*, 1-9. https://doi.org/10.1016/j.ijhm.2013.04.012

Institute for Social Development Studies. (2015). *Social Determinants of Gender Inequality in Vietnam*.http://vietnam.embassy.gov.au/files/hnoi/ISDS-Report_Binh-dang-gioi_EN_PDF-2.pdf

Institute for Social Development Studies. (2020). *Men and Masculinities in a Globalising Viet Nam*.

Jaggar, A. M. (1983). Liberal Feminism and Human Nature. In *Feminist Politics and Human Nature* (pp. 27–50). Rowman and Littlefield Publishers.

James-Hawkins, L., Salazar, K., Hennink, M. M., Ha, V. S., & Yount, K. M. (2019). Norms of Masculinity and the Cultural Narrative of Intimate Partner Violence Among Men in Vietnam. *Journal of Interpersonal Violence*, *34*(21–22), 4421–4442. https://doi.org/10.1177/0886260516674941

Lewis, P., Bergenfeld, I., Thu Trang, Q., Minh, T. H., Sales, J. M., & Yount, K. M. (2022). Gender norms and sexual consent in dating relationships: a qualitative study of university students in Vietnam. *Culture, Health and Sexuality*, *24*(3), 358–373. https://doi.org/10.1080/13691058.2020.1846078

Johnson, M. (1991). Sex Differences in the Jokes College Students Tell. *Psychological Reports*, *68*, 851–854. https://doi.org/10.4324/9781315284613-16

Johnson, P. A., Widnall, S. E., & Benya, F. F. (2018). Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine. In P. A. Johnson, S. E. Widnall, & F. F. Benya (Eds.), *The National Academies Press*. The National Academies Press. https://doi.org/10.17226/24994

Kanter, R. M. (1997). *Men and Women of the Corporation*. Basic Books.

Karantzas, G. C., McCabe, M. P., Karantzas, K. M., Pizzirani, B., Campbell, H., & Mullins, E. R. (2016). Attachment Style and Less Severe Forms of Sexual Coercion: A Systematic Review. *Archives of Sexual Behavior*, *45*(5), 1053–1068. https://doi.org/10.1007/s10508-015-0600-7

Karp, P. (2021). *One in Six Australian Public Servants Sexually Harassed in Workplace, Survey Finds*. Support Guardian Australia. ttps://www.theguardian.com/world/2021/apr/30/ hsome-16-of-public-servants-have-experienced-sexual-harassment-in-the-workplace-survey-finds?CMP=Share_iOSApp_Other

Keplinger, K., Johnson, S. K., Kirk, J. F., & Barnes, L. Y. (2019). Women at Work: Changes in Sexual Harassment Between September 2016 and September 2018. *PLoS ONE*, *14*(7), 1–20. https://doi.org/10.1371/journal.pone.0218313

Khuat, T. H. (2004). Sexual harassment in Vietnam: A new term for an old phenomenon. In L. Drummond & H. Rydstrom (Eds.), *Gender Practices in Contemporary Vietnam* (pp. 118–136). Singapore University Express.

Khuat, T. H. (2016). Women and Development in Vietnam: Caught Between Social Tradition and Economic Globalization. *Regions and Cohesion*, *6*(2), 110-119. https://doi.org/10.3167/reco.2016.060207

Kieu, L. (2018). *Hãy để cho đàn ông được sợ hãi'*. Vn.Express.Com.Vn. https://vnexpress.net/ hay- de-cho-dan-ong-duoc-so-hai-3856117.html

Kim, M., Kim, T., Tilley, D. S., Kapusta, A., Allen, D., & Cho, H. S. M. (2018). Nursing Students' Experience of Sexual Harassment During Clinical Practicum: A Phenomenological Approach. *Korean Journal of Women Health Nursing*, *24*(4), 379-391. https://doi.org/10.4069/kjwhn.2018.24.4.379

Knapp, E. D., Faley, R. H., Ekeberg, S. E., & Dubois, C. L. Z. (1997). Determinants of Target Responses to Sexual Harassment: A Conceptual Framework. *Academy of Management Review*, *22*(3), 687-729.

Konrad, A. M., & Gutek, B. A. (1986). Impact of Work Experiences on Attitudes Towards Sexual Harassment. *Administrative Science Quarterly*, *31*(3), 422–438. https://doi.org/https://doi.org/10.2307/2392831

Kwakwa, V. (2015). *Vietnam: Breaking Gender Stereotypes that Hinder Women's Empowerment*. The World Bank. https://blogs.worldbank.org/eastasiapacific/vietnam-breaking-gender-stereotypes-hinder-women-s-empowerment

Langer, G. (2017). *Unwanted Sexual Advances not Just a Hollywood Weinstein Story, Poll Finds*. ABC News. https://abcnews.go.com/Politics/unwanted-sexual-advances-hollywood-weinstein-story-poll/story?id=50521721

Latcheva, R. (2017). Sexual Harassment in the European Union: A Pervasive but Still Hidden Form of Gender-Based Violence. *Journal of Interpersonal Violence*, *32*(12), 1821–1852. https://doi.org/10.1177/0886260517698948

Lăzăroiu, G., Rowland, Z., & Bartosova, V. (2018). Gendered Power Disparities, Misogynist Violence, and Women's Oppression: The #Metoo Movement Against Workplace Sexual Harassment. *Contemporary Readings in Law and Social Justice*, *10*(2), 57–63. https://doi.org/10.22381/CRLSJ10220184

Lazarus, R. S., & Folkman, S. (1984). *Stress, appraisal, and coping*. Springer publishing company. https://doi.org/0826141919

Le, T. (2022). *Giám đốc nhận lỗi khi ký thông báo sa thải công nhân gây phản cảm*. VNExpress. https://vnexpress.net/giam-doc-nhan-loi-khi-ky-thong-bao-sa-thai-cong-nhan-gay-phan-cam-4516480.html

Le, T. M., & Yu, N. (2021). Vietnamese Social Work Practitioners' Conceptions of Practice With Sexual Minorities. *Qualitative Social Work*, 1–18. https://doi.org/10.1177/1473325021990874

Le, T. N. T. (2002). *Images of the Vietnamese Woman in the New Millennium*. The Gioi

Publishers.

Le, T. N. T., & Mai, T. T. (1978). *Women in Vietnam*. Foreign Language Publishing House.

Leskinen, E. A., Cortina, L. M., & Kabat, D. B. (2011). Gender Harassment: Broadening our Understanding of Sex-Based Harassment at Work. *Law and Human Behavior*, *35*(1), 25–39. https://doi.org/10.1007/s10979-010-9241-5

Levey, A. (2005). Liberalism, Adaptive Preferences, and Gender Equality. *Hypatia: A Journal of Feminist Philosophy*, *20*(4), 127–143. https://doi.org/10.2979/hyp.2005.20.4.127

Lim, S., & Cortina, L. M. (2005). Interpersonal Mistreatment in the Workplace: The Interface and Impact of General Incivility and Sexual Harassment. *Journal of Applied Psychology*, *90*(3), 483–496. https://doi.org/10.1037/0021-9010.90.3.483

Lorber, J. (1997). The Variety of Feminism and Their Contributions to Gender Equality. *Gender Inequality: Feminist Theories and Politics*, *97*, 7-43.

Lucarini, A., Suitner, C., Brown, R., Craig, M. A., Knowles, E. D., & Salvador Casara, B. G. (2020). The #MeTooLate Effect: Victim Blame and Trust Denial for Sexual Harassment Not Immediately Reported. *Personality and Individual Differences*, *167*(110240), 1-6. https://doi.org/10.1016/j.paid.2020.110240

MacKinnon, C. A. (1979). *Sexual Harassment of Working Women: A Case of Sex Discrimination* (C. A. MacKinnon (ed.)). Yale University Press.

Maheshwari, G., & Nayak, R. (2022). Women leadership in Vietnamese higher education institutions: An exploratory study on barriers and enablers for career enhancement. *Educational Management Administration & Leadership*, *50*(5), 758-775. https://doi.org/10.1177/ 1741143220945700

Malovich, N. J., & Stake, J. E. (1990). Sexual Harassment on Campus. *Psychology of Women Quarterly*, *14*, 63-81.

Mansour, C., Tamirisa, K. P., Lundberg, G., Sharma, G., Mehta, L. S., Mehran, R., Volgman, A. S., & Parwani, P. (2021). Sexual Harassment, Victim Blaming, and the Potential Impact on Women in Cardiology. *JACC: Case Reports*, *3*(6), 978–981. https://doi.org/10.1016/j.jaccas. 2021.05.002

Matchen, J., & DeSouza, E. (2000). Brief Report: The Sexual Harassment of Faculty Members by Students. *Sex Roles*, *42*(3-4), 295-306.

Mazer, D. B., & Percival, E. F. (1989). Ideology or Experience? The Relationships Among Perceptions, Attitudes, and Experiences of Sexual Harassment in University Students. *Sex Roles*, *20*(135-147). https://doi.org/https://doi.org/10.1007/BF00287987

McCabe, M. P., & Hardman, L. (2005). Attitudes and perceptions of workers to sexual harassment. *Journal of Social Psychology*, *145*(6), 719-740. https://doi.org/10.3200/SOCP.145.6.719-740

McCann, D. (2005). *Sexual Harassment at Work: National and International Responses*. http://www.ilo.org/travail/whatwedo/publications/WCMSTRAVAILPUB2/lang-en/index.htm

Mcdonald, P. (2019). *Academic Evidence on the Causes, Manifestations and Responses to Workplace Sexual Harassment*.

McDonald, P. (2012). Workplace Sexual Harassment 30 Years on: A Review of the Literature. *International Journal of Management Reviews : IJMR*, *14*(1), 1–17. https://doi.org/10.1111/j.1468-2370.2011.00300.x

McLaughlin, H., Uggen, C., & Blackstone, A. (2012). Sexual Harassment, Workplace Authority, and the Paradox of Power. *American Sociological Review*, *77*(4), 625-647. https://doi.org/10.1177/0003122412451728

Merav, S. (2010). *Silence and Sacrifice Family Stories of Care and the Limits of Love in Vietnam*. University of California Press.

Merkin, R. S. (2008). The Impact of Sexual Harassment on Turnover Intentions, Absenteeism, and Job Satisfaction: Findings From Argentina, Brazil and Chile. *Journal of International Women's Studies*, *10*(2), 73-91.

Merry, S. E. (1990). *Getting Justice and Getting Even: Legal Consciousness Among Working-Class*. University of Chicago Press.

Mill, J. S., & Mill, H. T. (2009). The Subjection of Women. In *The Floating Press*.

MOLISA, & UN Women. (2019). *Policy Brief: Gender Equality at Work*. https://vss.gov.vn/UserControls/Publishing/News/BinhLuan/pFormPrint.aspx?UrlListPr

ocess=/content/english/tintuc/Lists/EnNews&ItemID=8980&IsTA=True

Vietnam Trade Union Law, National Assembly of Vietnam 12/202/QH13 (2012). https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=91648

Nguyen, H. (2022). *Vụ Phó tổng báo Văn nghệ bị tố cưỡng hiếp: Gia đình lên tiếng, người tố cáo từng phải đi rửa ruột nhiều lần*. Kenh14.Vn. https://kenh14.vn/vu-pho-tong-bao-van-nghe-bi-to-cuong-hiep-gia-dinh-len-tieng-nguoi-to-cao-tung-phai-di-rua-ruot-nhieu-lan-20220408112936797.chn

Nguyen, N. H. (1998). The Confucian Incursion Into Vietnam. In W. H. Slote, G. A. De Vos, & EBSCOhost (Eds.), *Confucianism and the Family*. The University of New York Press.

Nguyen, Q. T. N. (2016). The Vietnamese Values System: A Blend of Oriental, Western and Socialist Values. *International Education Studies*, *9*(12), 32-40. https://doi.org/10.5539/ies.v9n12p32

Nguyen, T. P. (2017). *Workplace (in) justice, law and labour resistance in Vietnam*. *April*. https://openresearch-repository.anu.edu.au/handle/1885/124878

Nguyen, T. Q. T. (2015). Gender Discrimination in the Way the Vietnamese Talk About Face thể Diện Results From Interviews With Vietnamese Teachers. *Qualitative Research Journal*, *15*(2), 147–154. https://doi.org/10.1108/QRJ-12-2014-0066

Nguyen, T. Q. T., & Simkin, K. (2017). Gender Discrimination in Vietnam: The Role of Personal Face. *Journal of Gender Studies*, *26*(6), 608-617. https://doi.org/10.1080/09589236.2015.1095083

Nilar, K., & Kanai, A. (2003). The Prevalence, Sexual Antecedents and Consequences of Harassment in the Myanmar Workplace. *Journal, Japanese Volume, Administrative Science*, *16*(3), 209-226.

NOW Australia. (2019). *Submission to the National Inquiry Into Sexual Harassment in Australian Workplaces*. https://humanrights.gov.au/our-work/sex-discrimination/national-inquiry-sexual-harassment-australian-workplaces-submissions

O'Hare, E. A., & O'Donohue, W. (1998). Sexual Harassment: Identifying Risk Factors. *Archives of Sexual Behavior*, *27*(6), 561-580.

O'Sullivan, L. F., & Allgeier, E. R. (1998). Feigning Sexual Desire: Consenting to Unwanted Sexual Activity in Heterosexual Dating Relationships. *The Journal of Sex Research*, *35*(3), 234–243. https://doi.org/10.1080/00224499809551938

Parker, K. H. B. (2008). Ambient Harassment Under Title VII: Reconsidering the Workplace Environment. *Northwestern University Law Review*, *102*(2), 945-986.

Pease, B. (2019). *Facing Patriarchy: From a Violent Gender Order to a Culture of Peace*. Zed Books.

Phạm, Q. H., Le, Q. B., Nguyễn, M., & Huye. (2021). *Khuôn Mẫu Giới và Vấn Đề Việc Làm: Một Nghiên Cứ về Giới Trẻ Việt Nam Đương Đại Qua các Thảo Luận trên Báo Chí và Mạng Xã Hội*.

Phillips, S. P., Webber, J., Imbeau, S., Quaife, T., Hagan, D., Maar, M., & Abourbih, J. (2019). Sexual Harassment of Canadian Medical Students: A National Survey. *EClinicalMedicine*, *7*, 15-20.

Picchi, A. (2020). *Women in Leadership Positions Face More Sexual Harassment*. CBS News. https://www.cbsnews.com/news/women-in-leadership-are-harassed-more-than-other-female-employees/

Pina, A., Gannon, T. A., & Saunders, B. (2009). An Overview of the Literature on Sexual Harassment: Perpetrator, Theory, and Treatment Issues. *Aggression and Violent Behavior* *14*(2), 126–138. https://doi.org/10.1016/j.avb.2009.01.002.

Powell, G. N. (1983). Definition of Sexual Harassment and Sexual Attention Experienced. *The Journal of Psychology*, *113*(1), 113-117.

Procidano, M. E., & Smith, W. W. (1997). Assessing Perceived Social Support: The Importance of Context. In G. R. Pierce, B. Lakey, I. G. Sarason, & B. R. Sarason (Eds.), *Sourcebook of Social Support and Personality* (pp. 93–106). Plenum Press.

Puri, M., & Cleland, J. (2007). Assessing the Factors Associated With Sexual Harassment Among Young Female Migrant Workers in Nepal. *Journal of Interpersonal Violence*, *22*(11), 1363-1381.

Quinn, B. A. (2000). The Paradox of Complaining: Law, Humor, and Harassment in the Everyday Work World. *Law & Social Inquiry*, *25*(4), 1151–1185. https://doi.org/10.1111/j.1747-4469.2000.tb00319.x

Ranganathan, M., Wamoyi, J., Pearson, I., & Stöckl, H. (2021). Measurement and Prevalence of Sexual Harassment in Low and Middle - Income Countries: A Systematic Review and Meta-Analysis. *BMJ Open*, *11*, 1-15. https://doi.org/10.1136/bmjopen-2020-047473

Reed, E. (1970). Women: Caste, Class, or Oppressed Sex? *International Socialist Review*, *31*(3), 15-17.

Romito, P., Ballard, T., & Maton, N. (2004). Sexual Harassment Among Female Personnel in an Italian Hospital: Frequency and Correlates. *Violence Against Women*, *10*(4), 386-417. https://doi.org/10.1177/1077801204263505

Rowland, R., & Klein, R. D. (1990). Radical Feminist: Critique and Construction. In G. Sneja (Ed.), *Feminist Knowledge: Critique and Construction* (pp. 271–203). Routledge.

Rubenstein, M. (1992). Dealing With Sexual Harassment at Work: The Experience of Industrialized Countries. In *Conditions of Work Digest* (Vol. 11, Issue 1).

Ruth, P. (1998). Nimble Fingers' Revisited: Reflections on Women and Third World Industrialisation in the Late Twentieth Century. In C. Jackson & R. Pearson (Eds.), *Feminist Vision of Development: Gender, Analysis and Policy* (pp. 172-189). Routledge.

Rydström, H. (2016). Vietnam Women's Union and the Politics of Representation: Hegemonic Solidarity and a Heterosexual Family Regime. In H. Danielsen, K. Jegerstedt, R. Muraas, & B. Ytre-Arne (Eds.), *Gendered Citizenship and the Politics of Representation* (Vol. 2, Issue 3, pp. 209-227). Palgrave Macmillan. https://doi.org/10. 1057/978-1-137-51765-4

Salman, M., Abdullah, F., & Saleem, A. (2016). Sexual Harassment at Workplace and its Impact on Employee Turnover Intentions. *Business & Economic Review*, *8*(1), 87–102. https://doi.org/10.22547/ber/8.1.6

Samuels, H. (2003). Sexual Harassment in the Workplace: A Feminist Analysis of Recent Developments in the UK. *Women's Studies International Forum*, *26*(5), 467–482. https://doi.org/10.1016/j.wsif.2003.08.004

Sarantakos, S. (2005). *Social Research*. Palgrave Macmillan. https://doi.org/1403943206 1403943206

Schacht, S. P., & Patricia, H. A. (1993). Heterosesual Instrumentalism. *Feminism and Psycholgy*, *3*(1), 37–53. https://doi.org/10.1177/0959353593031003.

Schneider, K. T. (1996). *Bystander Stress: The effect of Organisational Tolerance of Sexual Harassment on Victims' Coworkers* [The University of Illinois at Urbana-Champaign]. http://wwwlib.umi.com/dissertations/fullcit/9702658

Schuler, S. R., Anh, H. T., Ha, V. S., Minh, T. H., Mai, B. T. T., & Thien, P. V. (2006). Constructions of gender in Vietnam: In pursuit of the 'Three Criteria.' *Culture, Health and Sexuality*, *8*(5), 383-394. https://doi.org/10.1080/13691050600858924

Schultz, V. (2019). Reconceptualizing Sexual Harassment, Again. *Yale Law Journal Forum*, *128*(22), 22-66.

Shaheen, U., & García, M. I. M. (2020). Victimization and Asymmetric Gendered Power Relations: A Linguistic Investigation of Harassment Complaints Registered in Lahore. *Pakistan Journal of Women's Studies*, *27*(1), 19–47. https://doi.org/10.46521/pjws.027.01.0037

Siddiqi, D. M. (2003). The sexual harassment of industrial workers: strategies for intervention in the workplace and beyond. *CPD-UNFPA publication series no*, *26*, 40. http://www.cpd.org.bd/pub_attach/unfpa26.pdf%5Cnhttp://www.bdresearch.org.bd/home/attachments/article/650/unfpa26.pdf

Siegel, R. B. (2000). Discrimination in the Eyes of the Law: How 'Color Blindness' Discourse Disrupts and Rationalizes Social Stratification. *California Law Review*, *88*(1), 77-122. https://doi.org/10.2307/3481275

Siegel, R. B. (2004). Introduction: A Short History of Sexual Harassment. In C. A. Mackinnon & R. B. Siegel (Eds.), *Directions in Sexual Harassment Law* (pp. 1–40). Yale University Press. https://www.jstor.org/stable/j.ctt1npg6x.4

Sojo, V. E., Wood, R. E., & Genat, A. E. (2016). Harmful Workplace Experiences and Women's Occupational Well-Being: A Meta-Analysis. *Psychology of Women Quarterly*, *40*(1), 10–40. https://doi.org/10.1177/0361684315599346

Solomon, D. H., & Williams, M. L. M. (1997). Perceptions of Social-Sexual Communication at

Work: The Effects of Message, Situation, and Observer Characteristics on Judgments of Sexual Harassment. *Journal of Applied Communication Research*, *25*(3), 196-216. https://doi.org/10.1080/00909889709365476

Sorenson, R. C., Luzio, R. C., & Mangione-Lambie, M. . (1994). Perceived Seriousness, Recommended and Expected Organisational Response, and Effects of Bystander and Direct Sexual Harassment. In *23rd International Congress of Applied Psychology, Madrid, Spain*.

Srivastave, D. K., & Gu, M. (2009). Law and Policy Issues on Sexual Harassment in China: Comparative Perspectives. *Oregon Review of International Law*, *11*(1), 43-70.

Stockdale, M. S. (1993). The Role of Sexual Misperceptions of Women's Friendliness in an Emerging Theory of Sexual Harassment. *Journal of Vocational Behavior*, *42*(1), 84-101. https://doi.org/10.1006/jvbe.1993.1006

Tangri, S. S., Burt, M. R., & Johnson, L. B. (1982). Sexual Harassment at Work: Three Explanatory Models. *Social Issues*, *38*(4), 33–54. https://doi.org/https://doi.org/10.1111/j.1540-4560.1982.tb01909.x

Tangri, S. S., & Hayes, S. M. (1997). Theories of Sexual Harassment. In W. O'Donohue (Ed.), *Sexual Harassment: Theory, Research, and Treatment* (p. 112−128). Allyn and Bacon.

Taylor, S. E., Sherman, D. K., Kim, H. S., Jarcho, J., Takagi, K., & Dunagan, M. S. (2004). Culture and Social Support: Who Seeks it and Why? *Journal of Personality and Social Psychology*, *87*(3), 354–362. https://doi.org/10.1037/0022-3514.87.3.354

Teerawichitchainan, B., Knodel, J., Vu, M. L., & Vu, T. H. (2015). *The Gender Division of Household Labor in Vietnam: Cohort Trends and Regional Variations*. *41*(1), 57-85.

The Los Angeles Employee Rights Law Firm. (2022). *Sexual Harassment During Business Travel: It's a Problem*. https://www.caemployeelawyer.com/sexual-harassment-during-business-travel-its-a-problem/

The Vietnamese Labor Code, 1 (2019) 45/2019/QH14 (National Assembly of Vietnam). https://vanban.chinhphu.vn/

Decree145/ND-CP: Elaboration of Some Articles on the Labor Code on Working Conditions and Labor Relations, 89 (2020) 145/ND-CP (National Assembly of Vietnam).

https://vanbanphapluat.co/decree-145-2020-nd-cp-elaboration-of-the-labor-code-on-working-conditions-and-labor-relations

Tho, N. N. (2016). Confucianism and Human Education in Contemporary Vietnam. *International Communication of Chinese Culture*, *3*(4), 645–671. https://doi.org/10.1007/s40636-016-0076-8

Thomas, A. M., & Kitzinger, C. (1977). *Sexual Harassment: Contemporary Feminist Perspectives* (A. M. Thomas & C. Kitzinger (eds.)). Open University Press.

Timmerman, G., & Bajema, C. (1998). *Sexual Harassment in the Workplace in the European Union*. https://op.europa.eu/en/publication-detail/-/publication/9c49e8af-2350-46dc-9f4b-cc2571581072

Tong, R. (2009). *Feminist Thoughts: A More Comprehensive Introduction*. Westview Press.

Tuong Van, N. (2022). *Trưởng khoa bị tố cưỡng bức một cô gái, Trường Đại học Luật vào cuộc*. Lao Dong Express. https://laodong.vn/xa-hoi/truong-khoa-bi-to-cuong-buc-mot-co-gai-truong-dai-hoc-luat-vao-cuoc-1028405.ldo

Turley, W. S. (1972). Women in the Communist Revolution in Vietnam. *Asian Survey*, *12*(9), 793-805.

Part 1604 Guideline on Discrimination Because of Sex, 74676 (1980) (US.S. Equal Employment Opportunity Commission). https://www.govinfo.gov/content/pkg/CFR-2011-title29-vol4/xml/CFR-2011-title29-vol4-part1604.xml

Uggen, C., & Blackstone, A. (2014). Sexual Harassment as a Gendered Expression of Power. *American Sociological Review*, *69*(1), 64–92. https://doi.org/https://doi.org/10.1177/000312240406900105

UN Women. (2010). *Fast Facts: Statistics on Violence Against Women and Girls*. https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures

UN Women. (2019). *Harassment, Theories of Workplace Sexual*. Virtual Knowledge Center to End Violence Againts Women and Girls. https://www.endvawnow.org/en/articles/509-theories-of-workplace-sexual-harassment-.html

UN Women. (2020). *Fact and Figures: Ending Violence Against Women*. UN Women. https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures

UNFPA. (2010). *Engaging Men, Changing Gender Norms: Directions for Gender-Transformative Action*.https://www.unfpa.org/sites/default/ files/resource-pdf /Advocacy Brief- Gender Norms-1.pdf

VCCI., MOLISA., & VCGL. (2015). *Code of Conduct on Sexual Harassment*. https://www.ilo.org/hanoi/Informationresources/Librarydocumentationcenter/WCMS_421220/lang--en/index.htm

Vietnam General Department of Census. (2020). *Report of Labor and Employment in Vietnam 2020*.

Vietnam News. (2016). *Role of Vietnamese Women Changing*.https://vietnamnews.vn/ opinion/in-the-spotlight/283270/role-of-vietnamese-women-changing.html

Vo, K. B. U. (2018). *Vietnamese Journalists Need Sexual Harassment-Free Newsrooms*. Fojo Linnaeus University.https://fojo.se/en/vietnamese-journalists-need-sexual-harassment-free-newsrooms/

Vu, T. (2021). *A Culture of Silence Blunts Impact of a New Vietnamese Law vs Sexual Harassment*. In-Depth. https://www.rappler.com/newsbreak/in-depth/culture-silence-blunts-impact-new-vietnamese-law-vs-sexual-harassment/

Vuong, Q. H., Bui, Q. K., La, V. P., Vuong, T. T., Nguyen, V. H. T., Ho, M. T., Nguyen, H. K. T., & Ho, M. T. (2018). Cultural Additivity: Behavioural Insights From the Interaction of Confucianism, Buddhism, and Taoism in Folktales. *Palgrave Communications*, *4*(1), 1-15. https://doi.org/10.1057/s41599-018-0189-2

Walby, S. (1990). *Theorizing Patriarchy*. Basil Blackwell.

Wasti, A. S., & Cortina, L. M. (2002). Coping in Context: Socio-cultural Determinants of Responses to Sexual Harassment. *Journal of Personality and Social Psychology*, *83*(2), 394–405. https://doi.org/10.1037/0022-3514.83.2.394

Watts, J. H. (2007). Porn, Pride and Pessimism: Experiences of Women Working in Professional Construction Roles. *Work, Employment and Society*, *21*(2), 299-316.

https://doi.org/10.1177/0950017007076641

Webber, G. C., & Spitzer, D. L. (2010). Sexual and Reproductive Health Issues Facing Southeast Asian Beer Promoters: A Qualitative Pilot Study. *BMC Public Health*, *10*(389), 1-12. https://doi.org/10.1186/1471-2458-10-389

Welsh, S. (1999). Gender and Sexual Harassment. *Annual Review of Sociology*, *25*, 169-190. https://doi.org/https://doi.org/10.1146/annurev.soc.25.1.169.

Welsh, S., Carr, J., Macquarrie, B., & Huntley, A. (2006). 'I'm not Thinking of it as Sexual Harassment': Understanding Harassment Across Race and Citizenship. *Gender and Society*, *20*(1), 87–107. https://doi.org/10.1177/0891243205282785

Wendt, S., & Zannettino, L. (2015). *Domestic Violence in Diverse Contexts: A Re-Examination of Gender*. Routledge. https://doi.org/10.4324/9781315751894

Werner, J., & Bélanger, D. (2018). *Gender, Household, State: Doi Moi in Vietnam*. Cornell University Press. https://www.jstor.org/stable/10.7591/j.ctv1nhpf7%0A

West, C., & Zimmerman, D. H. (1987). Doing Gender. *Gender & Society*, *1*(2), 125-151.

Whaley, G. L., & Tucker, S. H. (2007). A Theoretical Integration of Sexual Harassment Models. *Equal Opportunities International*, *17*(1), 21-29.https://doi.org/10.1108/

02610159810785485

Williams, C. L. (1998). Sexual Harassment in Organisations: A critique of Current Research and Policy. In R. Refinetti (Ed.), *Sexual Harassment and Sexual Consent* (pp. 33-57). Routledge.

Williams, C. L., Giuffre, P. A., & Dellinger, K. (1999). Sexuality in the Workplace: Organisational Control, Sexual Harassment, and the Pursuit of Pleasure. *Annual Review of Sociology*, *25*, 73-93. https://doi.org/10.1146/annurev.soc.25.1.73

Williams, J. (2017). *'Secretaries are women, that's how it's always been' – how I call out 'acceptable' sexism*. The Guardian. https://www.theguardian.com/small-business-network/2016/oct/17/secretaries-acceptable-sexism-women-workplace

Wisensale, S. K. (1999). Marriage and Family Law in a Changing Vietnam. *Journal of Family Issues.*, *20*(5), 602–616. https://doi.org/10.1177/019251399020005002

World Bank Group. (2014). Gender at Work: A Companion to the World Development Report on Jobs. In *World Bank Group Gender & Development*. https://www.issuesonline.co.uk/articles/gender-equality-in-the-world-of-work-matters-

Young, I. M. (1994). Gender as Seriality: Thinking About Women as a Social Collective. *Signs: Journal of Women in Culture and Society*, *19*(3), 713-738.

Appendixes

Appendix 1: Ethics approval

APPROVAL NOTICE

Project No.:	**8665**
Project Title:	Sexual Harassment of Working Women: A Case Study in Vietnam
Principal Researcher:	Mrs Huong Thi Nguyen
Email:	nguy0900@flinders.edu.au
Approval Date:	15 June 2020
Ethics Approval Expiry Date:	**30 September 2022**

The above proposed project has been **approved** on the basis of the information contained in the application, its attachments and the information subsequently provided with the addition of the following comments.

Additional comments:

Permissions (conditional approval response 12 and item D8)

A reminder to ensure that all relevant permissions are in place before any recruitment and data collection activities are undertaken.

RESPONSIBILITIES OF RESEARCHERS AND SUPERVISORS

1. Participant Documentation

Please note that it is the responsibility of researchers and supervisors, in the case of student projects, to ensure that:

- all participant documents are checked for spelling, grammatical, numbering and formatting errors. The Committee does not accept any responsibility for the above-mentioned errors.
- the Flinders University logo is included on all participant documentation (e.g., letters of Introduction, information Sheets, consent forms, debriefing information and questionnaires – with the exception of purchased research tools) and the current Flinders University letterhead is included in the header of all letters of

introduction. The Flinders University international logo/letterhead should be used and documentation should contain international dialling codes for all telephone and fax numbers listed for all research to be conducted overseas.

- the SBREC contact details, listed below, are included in the footer of all letters of introduction and information sheets.

This research project has been approved by the Flinders University Social and Behavioural Research Ethics Committee (Project Number 'INSERT PROJECT No. here following approval'). For more information regarding ethics approval of the project the Executive Officer of the Committee can be contacted by telephone on 8201 3116, by fax on 8201 2035 or by email human.researchethics@flinders.edu.au.

2. Annual Progress / Final Reports

In order to comply with the monitoring requirements of the *National Statement on Ethical Conduct in Human Research 2007 (updated 2018)* an annual progress report must be submitted each year on the **15 June** (approval anniversary date) for the duration of the ethics approval using the report template available from the Managing Your Ethics Approval web page.

Please note that no data collection can be undertaken after the ethics approval expiry date listed at the top of this notice. If data is collected after expiry, it will not be covered in terms of ethics. It is the responsibility of the researcher to ensure that annual progress reports are submitted on time; and that no data is collected after ethics has expired.

If the project is completed *before* ethics approval has expired please ensure a final report is submitted immediately. If ethics approval for your project expires please either submit (1) a final report; or (2) an extension of time request (using the modification request form).

First Report due date:	**15 June 2021**
Final Report due date:	**30 September 2022**

Student Projects

For student projects, the SBREC recommends that current ethics approval is maintained until a student's thesis has been submitted, assessed and finalised. This is to protect the student in the event that reviewers recommend that additional data be collected from participants.

3. Modifications to Project

Modifications to the project must not proceed until approval has been obtained from the Ethics Committee. Such proposed changes/modifications include:

- change of project title;
- change to the research team (e.g., additions, removals, researchers and supervisors)
- changes to research objectives;

- changes to research protocol;
- changes to participant recruitment methods;
- changes / additions to source(s) of participants;
- changes of procedures used to seek informed consent;
- changes to reimbursements provided to participants;
- changes to information/documents to be given to potential participants;
- changes to research tools (e.g., survey, interview questions, focus group questions etc);
- extensions of time (i.e. to extend the period of ethics approval past current expiry date).

To notify the Committee of any proposed modifications to the project please submit a Modification Request Form available from the Managing Your Ethics Approval SBREC web page. Download the form from the website every time a new modification request is submitted to ensure that the most recent form is used. Please note that extension of time requests should be submitted prior to the Ethics Approval Expiry Date listed on this notice.

Change of Contact Details
If the contact details of researchers, listed in the approved application, change please notify the Committee so that the details can be updated in our system. A modification request is not required to change your contact details; but would be if a new researcher needs to be added on to the research / supervisory team.

4. Adverse Events and/or Complaints

Researchers should advise the Executive Officer of the Ethics Committee on 08 8201-3116 or human.researchethics@flinders.edu.au immediately if:

- any complaints regarding the research are received;
- a serious or unexpected adverse event occurs that effects participants;
- an unforeseen event occurs that may affect the ethical acceptability of the project.

Instructions to Transfer Project to Online System

ResearchNow Ethics & Biosafety is the new online platform for human research ethics at Flinders University. It can be accessed via Okta (add the 'ResearchNow Ethics & Biosafety' chicklet to your dashboard) and allows researchers to apply for human research ethics approval, including modifications, online.

We note that your current project will expire after 31 December 2020. As you may be aware, all current projects approved under the old system that do not expire on/or before 31 December 2020 will need to be transferred into the new online system. Therefore, we would like to request that you complete the short HREC Transfer Project Form. To transfer your project, please

- login to ResearchNow Ethics & Biosafety through your Okta dashboard. ResearchNow Ethics & Biosafety will need to be added to your Okta dashboard via the '+ Add Apps' green button (top right) in the first instance.
- Ensure you are on the 'Home page', you will see 'Work Area' at the top of this page.
- Select the 'Create Project' tile from the left hand 'Actions' menu.
- A pop-up appears. Type in the 'Project Title' and in the 'Main Form' drop-down select 'HREC Transfer Project Form'.
- Click 'Create' and save your project application form.
- Select 'Project Information' under 'Questions', complete the form and submit it.

During the transfer, you can also modify your existing project. Please feel free to contact us if you have any questions about the transfer process.

Appendix 2: Qualtrics survey questionnaire

Understanding Sexual Harassment at Work- A case study in Vietnam

Start of Block: Consent Form

Consent *You are invited to participate in the online survey. This survey is designed for the PhD research project at Flinders University to understand your view on the sexual harassment of working women in Vietnam. The thesis title is '* Sexual Harassment at Work: *A Case Study of Working Women in Contemporary Viet Nam.'*

All information from the survey will be assumed anonymous and confidential. Before you start the survey, please read the information below and tick 'yes' if you agree to participate in. Your participation is completely voluntary and valuable to the research.

Time: approximately: 8-10 minutes

- ○ Yes (1)
- ○ No (2)

End of Block: Consent Form

Start of Block: Demographic information

Q1 **Your Age**

- ○ 16-21 (1)
- ○ 22-27 (2)
- ○ 28-35 (3)
- ○ 36-45 (4)
- ○ 46-55 (5)

Q2 **Your Ethnicity**

- ○ Kinh (1)
- ○ Other (please specify) (2) _____

Q3 **Gender**

- ○ Female (1)
- ○ Male (2)
- ○ Other (3)

Q4 **Marital status**

- ○ Single (1)
- ○ Married (2)
- ○ Divorced (3)
- ○ Separate (4)
- ○ Living with a partner but not married (5)

Q5 **Highest education you completed?**

- ○ Primary school (1)
- ○ Secondary school (2)
- ○ High school (3)
- ○ College/ tafe (4)
- ○ Bachelor (5)
- ○ Master (6)
- ○ PhD (7)

Q6 **Your current employment**

- ○ Government organisation. (1)
- ○ Women's Union (2)
- ○ Trade Union (7)
- ○ Banking (3)
- ○ Education (4)
- ○ Workers (5)
- ○ Other (please specify) (6) _____

Q7 How long have you been in employment?

_____

Q8 How long have been working in current job?

- ○ Less than 1 year (1)
- ○ 1- 3 years (2)
- ○ 3-5 years (3)
- ○ More than five years (4)

Q9 Your current position at work

- ○ Manager (1)
- ○ Staff (2)
- ○ Team leader (for a unit or production line) (3)
- ○ Worker (4)
- ○ Other (5)

End of Block: Demographic information

Start of Block: B. Perception, understanding and responding to sexual harassment

This section aims to understand your perception and understanding about sexual harassment.

Q1 **1. Which of these behaviours do you consider sexual harassment**?

- [ ] Unwelcome touching, hugging or kissing. (1)
- [ ] staring or leering at your body that made you feel intimidated. (2)
- [ ] sexually suggestive comments or jokes, commenting on the attractiveness of others in front of an employee that made you feel offended; spreading sexual rumours about an employee, or discussing one's sexual life in front of an employee (3)
- [ ] sexually explicit pictures, screen savers or posters, gifts that made you feel offended (4)
- [ ] repeat or inappropriate invitations to go out on dates. (5)
- [ ] requests or pressure for sex or other sexual acts. (6)
- [ ] intrusive questions about a your private life or physical appearance that made you feel offended (7)
- [ ] unnecessary familiarity, such as deliberately brushing up against a person. (8)
- [ ] insults or taunts based on sex (9)
- [ ] sexually explicit physical contact; and (10)
- [ ] Repeated or inappropriate sexually explicit emails or SMS text messages, social networking websites or internet chat rooms by a work colleague. (11)
- [ ] Actual or attempted to rape or assault, physical assault, indecent exposure, sexual assault, stalking or obscene communication (12)
- [ ] sexual compliance is exchanged for a job or other benefits (13)

☐ None (14)

Q2 Who is most likely to be sexually harassed

○ Men (1)

○ Women (2)

○ Other (3)

Q3 Why are people being harassed?

_____

Q4 Who is most likely to be a harasser?

○ Men (1)

○ Women (2)

○ Other (3)

Q5 Why do people harass others sexually?

_____

Start of Block: C. Sexual harassment at the workplace

This section seeks to understand your experience and response to sexual harassment at the workplace.

'Workplace' includes business trips; company organised events, and meetings outside the office which are work-related - including dinners, drinks, golf etc. *(adopted from Welcome to*

Speak Up's Survey on Sexual Harassment in the Workplace https://www.surveymonkey.co.uk/r/PJ6GDZF).

Q1 **Have you ever experienced sexual harassment in the workplace?**

- ○ Yes (1)
- ○ No (2)
- ○ Not sure (3)

Q2 **What type(s) of sexual harassment have you experienced?**

- ☐ Unwelcome touching, hugging or kissing. (1)
- ☐ staring or leering at your body. (2)
- ☐ suggestive comments or jokes. (3)
- ☐ sexually explicit pictures, screen savers or posters sent to you. (4)
- ☐ unwanted invitations to go out on dates. (5)
- ☐ requests for sex. (6)
- ☐ intrusive questions about a person's private life or body. (7)
- ☐ unnecessary familiarity, such as deliberately brushing up against a person. (8)
- ☐ insults or taunts based on sex (9)
- ☐ sexually explicit physical contact; and (10)

☐ sexually explicit emails or SMS text messages. (11)

☐ behaviour which would also be an offence under criminal law like physical assault, indecent exposure, sexual assault, stalking or obscene communication (12)

☐ sexual compliance is exchanged for a job or other benefits (13)

☐ other, please specify (14) _____

☐ None (15)

Q3 **How often has this happened to you?**

☐ Daily (1)

☐ Weekly (2)

☐ Monthly (3)

☐ Only one (4)

☐ 2-4 times (5)

☐ 5-10 times (6)

☐ Never (7)

☐ Other (please specify) (8) _____

Q4 **When did it happen?**

- ☐ Recently (1)
- ☐ Last two years (5)
- ☐ Last five years (6)
- ☐ Last ten years (7)
- ☐ Never (8)

Q5 **Who did this to you?**

- ☐ Friend (1)
- ☐ A colleague (2)
- ☐ Manager (3)
- ☐ Stranger (4)
- ☐ Working partners (6)
- ☐ Other (please specify) (5) _____
- ☐ None (7)

Q6 **Where did this happen to you?**

- [ ] In the office (1)
- [ ] Lift or elevator (2)
- [ ] Out of office (3)
- [ ] At a meeting (4)
- [ ] During the business trips (5)
- [ ] Organisation retreat, event, team building, ceremony (6)
- [ ] Other (please specific) (7) _____
- [ ] None (8)

Q7 **How did this make you feel?**

- [ ] Afraid (1)
- [ ] Nervous (2)
- [ ] Embarrassed (3)
- [ ] Angry (4)
- [ ] Uncomfortable (5)
- [ ] Upset (6)

☐ Degraded (7)

☐ Intimidated (8)

☐ Defiant (9)

☐ Want to quit the job (10)

☐ Other (specify) (11) _____

☐ None (12)

Q8 **How does sexual harassment experience impact to your life (work, family, relationship)? Please specify.**

_____

_____

Q9 **Why did sexual harassment happen in the workplace? Please specify**

_____

_____

Q10 **If you experienced sexual harassment at the workplace, how did you respond to sexual harassment at the workplace?**

- ☐ Keep silent; why? (1) _____
- ☐ Ignore, why? (2) _____
- ☐ Tell the person not to do that (3)
- ☐ Talk with your friend or family (4)
- ☐ Report to the responsible person in your organisation (5)
- ☐ Avoid meeting that person (6)
- ☐ Avoid risky situations (7)
- ☐ Do nothing, why? (8) _____
- ☐ Never experience (9)

Q11 **How did you do if you observed sexual harassment at the workplace?**

- ☐ Keep silent (1)
- ☐ Ignore (2)
- ☐ Tell the person not to do that (3)
- ☐ Try to ask a harassed person if they need help (4)
- ☐ Report to a responsible person in your organisation (5)

☐ Do nothing (6)

Q12 **If you have to observe sexual harassment happen next to you, do you think you are harassed even if you are not a target of the harasser**?

○ Yes, please explain (1) _____

○ No, please explain (2) _____

○ Not sure, please explain (3) _____

Q13 **Did you feel you needed support or help with this? (skip this question if you have not experienced sexual harassment at the workplace)**

○ Yes (1)

○ No (2)

○ Not sure (3)

Q14 **If yes, did you get the support you needed? (**skip this question if you have not experienced sexual harassment at workplace)

○ Yes (1)

○ No (2)

○ Not sure (3)

Q15 **Who supported you? (**skip this question if you have not experienced sexual harassment at a workplace)

- ☐ Friend (1)
- ☐ Colleagues (2)
- ☐ Manager (3)
- ☐ Helpline or service provider (4)
- ☐ No one (5)
- ☐ Other (please specify) (6)

Q16 **In what way did they support you? (**skip this question if you have not experienced sexual harassment at the workplace)

_____

_____

Q17 **Do you feel you have been pushed or forced to do anything differently because of your experience of sexual harassment? (e.g not walk a certain route, change of dress etc.) (** skip this question if you have not experienced sexual harassment at the workplace)

- ☐ Yes, how? (1) _____
- ☐ No (2)
- ☐ Not sure (3)

Q18 **Does your organisation have any policy/code of conduct that addresses sexual harassment?**

- ○ No (1)
- ○ Yes (2)
- ○ If yes, please give information about the policy/ code of conduct (3)

_____

Q19 **Do you know any law or policy addressing sexual harassment in Vietnam? If so, please specify**.

- ○ Yes, please specify (5) _____
- ○ No (6)
- ○ Not sure (7)

Q20 **How do these laws and policies work to address sexual harassment? Please specify**

_____

_____

Q21 **If you want to say something about the issue of sexual harassment (like its prevalence, causes, consequences ect), what would you want to say? Please give information.**

Q22 **Have you experienced sexual harassment in your life but not in the workplace or related to work?**

- ○ Yes, move to question 23 (1)
- ○ No (2)
- ○ Not sure (3)

Q23 **When did it happen**?

- ☐ Recently, where it happened? (1)
- ☐ Last two years, where it happened? (4)
- ☐ Last five years, where it happened? (5)
- ☐ Last ten years, where it happened? (6)
- ☐ Never (7)

Q24 **Who did this to you**?

- ☐ Friends (1)
- ☐ Old Colleagues (4)
- ☐ Old Manager (5)
- ☐ Stranger (6)
- ☐ Old Partner (7)
- ☐ Neighbours (8)
- ☐ Other (9) _____

☐ No one (10)

Q25 **How did it happen to you**?

_____

_____

_____

Appendix 3: Interview Schedule: State Officers, Workers, and Key Informants

Interview schedule- Female officer

Code:

A. Personal details

1. Age: What is your age
2. Place of birth - Where were you born?
3. Marital status
4. Highest educational level completed:

   If education is incomplete, why?
5. Can you tell me about your household and your care responsibilities?
   a. Who do you live with?
   b. What are your responsibilities in your family?
   c. Do you have any children? How old are they?

B. Employment and workplace background

1. Can you please tell me about your employment?
   a. How long have you been in your present job?
   b. What is your present role? What are your responsibilities
   c. How important is this job to you?
   d. Do you have any other income-generating activities?
2. Have you always worked in this organisation?
   a. If not, where do/did you work?
   b. If previously employed, why did you move? How would you, describe your previous work experience?
3. How would you describe your current job and your organisation's working environment?
4. How would you describe your relationship with your colleagues: female, male, managers?
5. Are there any social and staff network activities in your organisation? If yes, please give some examples of the activities.

6. Are you a member of any organisation in your organisation (e.g. Trade, Youth union.)? How has it benefited you? What are the organisation and staff social networks you like most and why?

C. Perception toward workplace sexual harassment

4. Have you heard about the term 'sexual harassment'? if yes, how did you hear about this issue?
5. How would you describe sexual harassment behaviours?
6. Have you or someone you know ever been sexually harassed at work? When? Could you tell me what happened?
7. How do these behaviours below describe your experience or understanding?
    a. Unwelcome touching behaviours at the workplace in the last 24 months? Please give examples of the unwelcome behaviours (if possible)? Where did it happen? How often?
    b. Inappropriate physical contact? Please give examples of these behaviours (if possible)? Where and when it happened? And how often
    c. Unwanted, inappropriate behaviours that you feel offended? Please give examples of these behaviours if possible. Where and when it happened? How often?
    d. Sexually explicit emails or SMS messages, photos?
8. Have you ever been or known someone who experienced 'quid pro quo' - sexual compliance is exchanged for job or other benefits?
9. In what context did the harassment occur?
10. Who are the perpetrators?
11. Was the perpetrator in a position of power or authority over you?
12. In your opinion, why do these people harass others?
13. In your opinion, who are often victims of sexual harassment? And why?

D. Sexual harassment at the workplace

1. What makes sexual harassment more likely at work?
2. How has sexual harassment at work changed over time?
3. Who is more likely to be sexually harassed at work? Why?

4. In what ways has sexual harassment at work affected you or someone you know? Potential probes: physically, psychologically, emotionally
5. How and what did you or the person affected do in response to sexual harassment?
6. In your opinion, how are people who experience sexual harassment viewed/treated? Has this changed over time?
7. In your workplace, how are people who harass others viewed/treated? Has this changed over time?
8. How do you think the way people view perpetrators and victims may create or prevent more sexual harassment at work?
    - If yes, please explain how it can increase sexual harassment and how it can prevent sexual harassment.
9. In your opinion, do family and care responsibilities affect how women experience and respond to sexual harassment at work?
10. What makes sexual harassment unlikely to be reported? (What barriers prevent people from reporting sexual harassment)?
11. How make you feel comfortable reporting sexual harassment at work?
12. Who might help you/ someone to cope with sexual harassment? And to whom where you would report to?
13. Do you think men should be involved in preventing sexual harassment at work? If so, how can they involve?
14. How can women play a role in addressing sexual harassment?
15. Do you know about any workplace guidelines for sexual harassment prevention in your organisation? If so, is the guideline effective?
16. Are there any policies and programs on gender equality and sexual harassment prevention in your organisation? If yes, please give an example.
17. Have you attended any training related to gender equality and sexual harassment?
    a. If so, when you attend?
    b. Do you find the training/ talk helpful? If so, please explain. If not, why?

18. Do you know any law/ policy on preventing sexual harassment? If yes, how do you understand these laws?
19. The labour code 2019 has enacted a new term on sexual harassment. Do you think the law reflects the actual situation? If something needs to be in the law, what would you suggest?
20. Do you think it is possible to prevent sexual harassment at work? If so, how sexual in the workplace could be dealt with?

Interview schedule- Female worker

Code:

A. Personal details

1. Age: What is your age
2. Place of birth - Where were you born?
3. Marital status
4. Highest educational level completed:

   If education is incomplete, why?
5. Can you tell me about your household and your care responsibilities?
   a. Who do you live with?
   b. What are your responsibilities in your family?
   c. Do you have any children? How old are they?

B. Employment and workplace background

1. Can you please tell me about your employment?
   a. Were you living here before getting a job here?
   b. If no to the above, did you need to relocate to get a job here?
   c. Why do you decide to work in this factory?
   d. How long have you been in your present job? What is your current role?
2. How important is this job to you?

   - Do you have any other income-generating activities?
3. Where did you work before? If previously employed, why did you move? How would you, describe your previous work experience?
4. How would you describe your current job and your factory working environment?
5. How would you describe your relationship with your colleagues: female, male, managers?
6. How many hours do you work per week?
7. Are there any social and worker network activities in the factory? If yes, please give some examples of the activities.
8. Are you a member of any organisation in your factory (e.g. Trade, Youth union.)? How has it benefited you?

C. Perception toward workplace sexual harassment

1. Have you heard about the term 'sexual harassment'? If yes, how did you hear about this issue?
2. How would you describe sexual harassment behaviours?
3. Have you or someone you know ever been sexually harassed at work?
   - When? Could you tell me what happened?
4. How do these behaviours below describe your experience or understanding?
   e. Unwelcome touching behaviours at the workplace in the last 24 months? Please give examples of unwelcome behaviours (if possible). Where did it happen? How often?
   f. Inappropriate physical contact? Please give examples of these behaviours (if possible)? Where and when it happened? And how often
   g. Unwanted, inappropriate behaviours that you feel offended by? Please give examples of these behaviours if possible. Where and when it happened? How often?
   h. Sexually explicit emails or SMS messages, photos?
5. Have you ever been or know someone who experienced 'quid pro quo' - sexual compliance is exchanged for a job or other benefits?
6. In what context did the harassment occur?
7. Who are the perpetrators?
8. Was the perpetrator in a position of power or authority over you?
9. In your opinion, why do these people harass others?
10. In your opinion, who are often victims of sexual harassment? And why?

D. Sexual harassment at the workplace

1. What makes sexual harassment more likely at work?
2. How has sexual harassment at work changed over time?
3. Who are more likely to be sexually harassed at work? Why?
4. In what ways has sexual harassment at work affected you or someone you know? Potential probes: physically, psychologically, emotionally
5. How and what did you or the person affected do in response to sexual harassment?

6. In your opinion, how are people who experience sexual harassment viewed/treated? Has this changed over time?
7. In your workplace, how are people who harass others viewed/treated? Has this changed over time?
8. How do you think the way people view perpetrators and victims may create or prevent more sexual harassment at work?
9. If yes, please explain how it can increase sexual harassment and how it can prevent sexual harassment.
10. In your opinion, do family and care responsibilities affect how women experience and respond to sexual harassment at work?
11. What makes sexual harassment unlikely to be reported? (What barriers prevent people from reporting sexual harassment)?
12. How make you feel comfortable reporting sexual harassment at work?
13. Who might help you/ someone to cope with sexual harassment? And whom where you would report to?
14. Do you think where men should be involved in preventing sexual harassment at work? If so, how can they involve?
15. How can women play a role in addressing sexual harassment?
16. Do you know about any workplace guidelines for sexual harassment prevention in your organisation? If so, is the guideline effective?
17. Have you attended any training related to gender equality or sexual harassment?
    a. If so, when you attend?
    b. Do you find the training/ talk is helpful? If so, please explain. If not, why?
18. Do you know any law/ policy on preventing sexual harassment? If yes, how do you understand these laws?
19. The labour code 2019 has enacted a new term on sexual harassment. Do you think the law reflects the actual situation? If something needs to be in the law, what would you suggest?
20. Do you think it is possible to prevent sexual harassment at work? If so, how sexual in the workplace could be dealt with?

Interview schedule- Key informants

A. Personal details

1. Age: What is your age
2. Place of birth - Where were you born?
3. Marital status
4. Highest educational level completed:
5. How long have you been in your present job?
   - Have you always worked in this organisation?
   - If not, where do/did you work?
6. What is your present role? What are your responsibilities

B. Organisation/Ministry

1. What is the function of your department/ organisation?
   - What is the nature of your involvement in this?
2. Can you say something about key gender-specific programs of your Department/ Organisation? And the program related to preventing sexual harassment?
   - What were the aims and objectives of these programs?
   - How successful were they? If not/ Why not?
3. What are the most important issues related to achieving a gender equality agenda?
   - Do you think those issues have changed over time? In what way?
4. Can you define the difference between the past and current programs on gender equality and sexual harassment in your organisation**?**
5. What are the most important issues related to prevent sexual harassment at the workplace effectively?

* {This section applies to Government agencies)

6.1. Do you work or collaborate with other organisations like UN agencies, UN, research institutions, business sectors, etc., in addressing gender inequality and sexual harassment?

- What form does it take?

6.2. How have these organisations contributed to achieving gender equality agenda and addressing sexual harassment in VN?

6.3 How is the cooperation going?

* {This section applies to NGOs, research institutions, and lawyers)

6.1. Which network, if any, is your organisation a part of?

6.2. In general, do you have any contact with or liaise with other NGOs, or institutions?

- What form does it takes?

6.3. Do you have contact or collaborate with VWU, VGCL, and MOLISA, and business sectors?

- What form does it take? And how it has been going?

6.4. Are you able to get support or collaboration from political representatives? If yes, what form? And how effective it is.

6.5. What are the most leading organisation (government and others) in addressing sexual harassment in Viet Nam?

C. Perception toward workplace sexual harassment

1. How do you define sexual harassment?

2. How would you discuss about behaviors as bellow? And which form are often reported as sexual harassment at workplace?

b) Unwelcome touching, hugging, cornering or kissing
c) Inappropriate physical contact: such as repeated hugs or a hand on an employee's back.
d) Inappropriate staring or leering that made you feel intimidated
e) Sexually suggestive comments or jokes that made you feel offended
f) Sexually explicit pictures, posters or gifts that made you feel offended
g) Repeated or inappropriate invitations to go out on dates
h) Intrusive questions about your private life or physical appearance that made you feel offended.
i) commenting on the attractiveness of others in front of an employee
j) Spreading sexual rumours about an employee or discussing one's sex life in front of an employee
k) Sexually explicit emails or SMS messages
l) Repeated or inappropriate advances on email, social networking websites or internet chat rooms by a work colleague
m) Requests or pressure for sex or other sexual acts
n) Actual or attempted rape or assault

3. How would you describe 'quid pro quo' - sexual compliance is exchanged for job or other benefits? Has it happened often, and why? Who are involved in this form of sexual harassment?

D. Sexual harassment at the workplace

1. What makes sexual harassment more likely at the workplace?
2. How has sexual harassment at work changed over time? In which way?
3. In what context does the harassment occur?
4. In your opinion, what and how culture view and gender role have influenced how people view sexual harassment? Has the issue changed over time?
5. What and how are cultural views and gender roles influencing how people view the victim of sexual harassment? Has the issue changed over time?
6. What and how cultural views and gender roles have influenced the way people view perpetrators?
7. How do you think the way people view perpetrators and victims may create or prevent more sexual harassment at work?
   - If yes, please explain how it can increase sexual harassment and how it can prevent sexual harassment.
8. Who is more likely to be sexually harassed at work? Why?
9. Who are often perpetrators?
10. In your opinion, why do people harass others?
11. In what ways has sexual harassment at work affected workers? Potential probes: physically, psychologically, emotionally
12. How and what does the person affected do in response to sexual harassment?
13. In your opinion, do family and care responsibilities affect how women experience and respond to sexual harassment at work?
14. What makes sexual harassment unlikely to be reported? (What barriers prevent people from reporting sexual harassment)?
15. What might prevent sexual harassment in the workplace?
16. How should women play a role in addressing sexual harassment in the workplace?
17. How should men involve in addressing sexual harassment at work?
18. What is the most important thing to address about sexual harassment in the workplace?

E. Gender, policy and law

1. What is the significant law/ policy related to addressing sexual harassment currently?
2. How has the law changed over time, and why?
3. How has law and policy implementation been done? What are the challenges in implementing these laws/ policies?

4. Do the law and policy responses to the actual situation of sexual harassment? Including how sexual harassment has been defined and what the mechanism to address it is. If not? Why?
5. In your opinion, what has been the most successful strategy/ policy for contributing to gender equality in Vietnam? And addressing sexual harassment?
6. In your opinion, what has been the least successful strategy/ policy for contributing to gender equality in Vietnam? And addressing sexual harassment?
7. How addressing sexual harassment will contribute to gender equality in Vietnam?
8. In which way do Vietnam policy and law respond to international conventions regarding gender equality and addressing sexual harassment in the workplace?
9. How do the law and policy on addressing gender equality and sexual harassment need to be developed and implemented?
10. What do you think about organisations' and businesses' roles in preventing sexual harassment at work?
11. What do you think about public education on addressing sexual harassment? In which way and what should public education be developed?

Appendix 4: Information Sheet for Participants

Participant Information – State officers and Factory workers

Research title:

Sexual Harassment of Working Women: A Case Study in Viet Nam

I want to invite you to take part in a research study. Before you decide, I would like you to understand why the research is being done and what it would involve for you. Please take time to read the following information carefully. Ask questions if anything you read is unclear or if you want more information. Take time to decide whether or not to take part.

Thanks for reading this.

Information of Researcher

Researcher name: Nguyen Thi Huong

I am a PhD student in Women and Gender Studies at Flinders University, South Australia. I am conducting the research as a principal requirement of my PhD program.

The study is taking research under the supervision of professors: Yvonne- Corcoran-Nante, Susanne Schech, and Janet McIntyre in Flinders University.

The purpose of this research

The research examines the sexual harassment of working women in Vietnam shaped by the power dynamics in the workplace and gender construction. The research seeks to investigate the key factors influencing female workers to experience sexual harassment, their understanding, attitude, behaviour and response to sexual harassment in the culturally specific context of Vietnam.

The research will contribute to developing a greater understanding of sexual harassment as a social institution rooted in gender discrimination and inequality and enhance academic research on the phenomenon. Findings from research hope to address the power and gender inequality in the context of more women participating in employment and moving from agriculture to industrial and service sectors. It will contribute to a clearer definition of unacceptable behaviour and consider the definition of sexual harassment, the gaps between actual understanding and practices in the workplace and the legal definition. The research aims to identify effective legal approaches to addressing sexual harassment in Vietnam and consider possible solutions to addressing sexual harassment through a gender-specific lens and gender-transformative intervention programs.

What will taking part involve

The research covers key topics:

- Examining how sexual harassment of working women is shaped by power dynamics and gender constructions.
- Understanding and uncovering the different working women's attitudes, behaviours and responses to sexual harassment in the specific context of Vietnam

- Identifying any mismatch between policy and legislation formulation and practices to improve law enforcement and gender-based intervention program.

The duration of participation for an interview is expected from 60-90 minutes.

The interview location is selected upon participants' choice to ensure confidentiality, safe and comfortable. It can be in your accommodation, café, or any most comfortable space.

Note-taking will be used to record data, and if it is possible and agreed in a consent form, audio-recording will be used. Participants are well-informed of how data is recorded and can decide what way they prefer and if they wish to continue.

Why have you been invited to take part?

You are invited to participate in the research because you are emplyees (in state-employer organisations or factories). Your experience in workplace will give important insight about workplace SH from your views.

Do you have to take part?

Your participation is completely voluntary, and it is up to you to decide whether to participate in the research. If you decide to participate in, you will be given the information sheets to keep and asked to sign the consent form. You are free to refuse any question and withdraw at any time without giving a reason and any consequence whatsoever.

What are the benefits or possible risk of taking part?

There will be no specific direct benefits, but t your response will contribute to a thesis on sexual harassment that aims to contribute to develop better knowledge about about workplace SH and framing policy to support safe work environments and to prevent sexual violence to women. Your recommendations on addressing sexual harassment will contribute to the research recommendations for law enforcement to implement safer workplaces in Vietnam. This in turn, will improve workers' wellbeing and gender equality.

There are no anticipated physical, social, legal, or economic risks and conflicts associated with the present study. As volunteers to help me undertake the research, it is important to know the research aims and objectives prior to the interview. You are welcome to take a break during the interview process or withdraw from the research at any stage. You will be allowed to debrief after the interview and have feedback on how the research interview process could be improved.

Will taking part be confidential?

It is assumed that all information related to a participant will remain anonymous. Confidentiality will be ensured at all stages of the research and all data and information will be kept in a locked room at the Researcher's house in Vietnam. Information will be kept in a locked filing cabinet in Researcher's room at Flinders University when Researcher returns to Australia. You can read their transcripts to amend any unforeseen identifiable information if they request.

The Researcher will not persist in pursuing subsequent contacts if the participant does not respond to invitations. Meetings and interviews will be undertaken at a convenient date/time/venue suitable to and comfortable for the respondent.

The Researcher will not ask any questions to make the participant uncomfortable during the interview. You will then be able to review your transcripts and amend them accordingly if requested. If you do not make any response within two weeks, it will indicate that the transcripts are acceptable.

How will the information you provide be recorded, stored and protected?

Information will be recorded by note-taking or audio if possible. Signed consent forms and original audio recordings will be retained in my lockers in the University. All transcripts will be kept confidential and stored in a locked filing cabinet in my personal locker in Vietnam and my university office in Australia. The soft copy of the transcript will be saved in a personal laptop and the University computer in the office with a password.

What will happen to the result of the study?

The research will be submitted to Flinders University and will be published later. If possible, it will be presented in relevant conferences in Vietnam, Australia and other countries. The research will also be shared with partners in Vietnam, including some state agencies, NGOs, and research institutions.

Whom should you contact for further information?

Mrs. Nguyen Thi Huong

Email: Nguy0900@flinders.edu.au

Phone: Australia: 61.0406385328

Vietnam: 0915456625

Thank you

Participant Information – Key informants

Research title:

Sexual Harassment of Working Women: A Case Study in Viet Nam

I would like to invite you to take part in a research study. Before you decide, I would like you to understand why the research is being done and what it would involve for you. Please take time to read the following information carefully. Ask questions if anything you read is unclear or if you want more information. Take time to decide whether or not to take part.

Thanks for reading this.

Information of Researcher:

Researcher name: Nguyen Thi Huong

I am a PhD student on Women and Gender Studies at Flinders University, South Australia. I am conducting the research as a principal requirement of my PhD program.

The study is taking research under the supervision of professors: Yvonne Corcoran-Nantes, Susanne Schech, and Janet McIntyre at Flinders University.

The purpose of this research

The research examines the sexual harassment of working women in Vietnam shaped by the power dynamics in the workplace and gender construction. The research seeks to undertake an in-depth analysis of the key factors influencing female workers' experience of sexual harassment, their understanding, attitude, behaviour and response to sexual harassment in the culturally specific context of Vietnam.

The research will contribute to developing a greater understanding of sexual harassment as a social institution rooted in gender discrimination and inequality and enhance academic research on the phenomenon. Findings from research hope to address the power and gender inequality in the context of more women participating in employment and moving from agriculture to industrial and service sectors. It will contribute to a clearer definition of unacceptable behaviour and consider the definition of sexual harassment, the gaps between actual understanding and practices in the workplace and legal definition. The research aims to identify practical legal approaches to addressing sexual harassment in Vietnam and consider possible solutions to addressing sexual harassment through a gender-specific lens and gender-transformative intervention programs.

What will taking part involve

The research covers key topics:

- Examining how sexual harassment of working women is shaped by power dynamics and gender constructions.

- Understanding and uncovering the different working women's attitudes, behaviours and responses to sexual harassment in the specific context of Vietnam
- Identifying any mismatch between policy and legislation formulation and practices to improve law enforcement and gender-based intervention program.

The duration of participation for interview is expected from 60-90 minutes.

The interview location is selected upon participants' choice to ensure confidentiality, safe and comfortable. It can be in your accommodation, café, or any most comfortable space.

Note-taking will be used to record data, and if it is possible and agreed in the consent form, audio recording will be used. Participants are well-informed of how data is recorded and can decide what way they prefer and if they wish to continue.

Why have you been invited to take part?

You are invited to participate in the research because you work in an organisation that works on gender, women and workers' issues. Your work experience in policy-making, implementation, program intervention, and research on gender and sexual harassment will give important insight into how the law and policy have responded to sexual harassment.

Do you have to take part?

Your participation is completely voluntary, and it is up to you to decide whether to participate in the research. If you decide to participate in, you will be given the information sheets to keep and asked to sign the consent form. You are free to refuse any question and withdraw at any time without giving a reason and any consequence whatsoever.

What are benefits or possible risk of taking part?

There will be no specific direct benefits, but t your response will contribute to a thesis on sexual harassment that aims to contribute to framing policy to support safe work environments and to prevent sexual violence to women. Your recommendations on addressing sexual harassment will contribute to the research recommendations for law enforcement to implement safer workplaces in Vietnam. This in turn, will improve workers' wellbeing and gender equality.

There are no anticipated physical, social, legal, or economic risks and conflicts associated with the present study. As volunteers to help me undertake the research, it is important to know the research aims and objectives prior to the interview. You are welcome to take a break during the interview or withdraw from the research at any stage. You will be given an opportunity to debrief after the interview and have feedback on how the research interview process could be improved.

Will taking part be confidential?

It is assumed that all information related to a participant will remain anonymous. Confidentiality will be ensured at all stages of the research and all data and information will be kept in a locked room at the Researcher's house in Vietnam. Information will be kept in a locked filing cabinet in Researcher's room at Flinders University when Researcher returns to Australia. You will be allowed to read their transcripts to amend any unforeseen identifiable information if they request.

The Researcher will not persist in pursuing subsequent contacts if the participant does not respond to invitations. Meetings and interviews will be undertaken at a convenient date/time/venue suitable to and comfortable for the respondent.

The Researcher will not ask any questions to make the participant uncomfortable during the interview. You will then be able to review your personal transcripts and amend them accordingly if requested. If you do not make any response within two weeks, it will indicate that the transcripts are acceptable.

How will the information you provide be recorded, stored and protected?

Information will be recorded by note-taking or audio if possible. Signed consent forms and original audio recordings will be retained in my lockers in the University. All transcripts will be kept confidential and stored in a locked filing cabinet in my personal locker in Vietnam and my university office in Australia. The soft copy of the transcript will be saved in a personal laptop and the University computer in the office with a password.

What will happen to the result of the study?

The research will be submitted to Flinders University and will be published later. If possible, it will be presented at relevant conferences in Vietnam, Australia and other countries. The research will also be shared with partners in Vietnam, including some state agencies, NGOs, and research institutions.

Who should you contact for further information?

Mrs. Nguyen Thi Huong

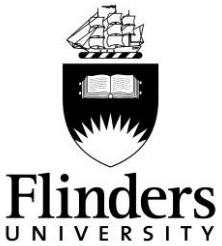
Email: Nguy0900@flinders.edu.au

Phone: Australia: 61.0406385328

Vietnam: 0915456625

Thank you

Appendix 5: Consent form for Interview



CONSENT FORM FOR PARTICIPATION IN RESEARCH

(INTERVIEW)

Sexual harassment of working women: A case study in Vietnam

I ……

being over the age of 18 years hereby consent to participate as requested in the Information Sheet for the research project on 'Sexual harassment at work: A Case study of working women in contemporary Vietnam.'

1. I have read the information provided.
2. Details of procedures and any risks have been explained to my satisfaction.
3. I agree to have note taking and audio recording of my information and participation.
4. I am aware that I should retain a copy of the Information Sheet and Consent Form for future reference.

5. I understand that:

- I may not directly benefit from taking part in this research.
- I am free to withdraw from the project at any time and am free to decline to answer particular questions.
- While the information gained in this study will be published as explained, I will not be identified, and individual information will remain confidential, unless consent for identification has been given below (please tick):
  - I do not wish to be identified ( )

- I consent for my name to appear in the final publication ( )
- I consent for specific quotes from the interview to appear in the final publication ( )

6. Whether I participate or not, or withdraw after participating, will have no effect on any treatment or service that is being provided to me.
7. I may ask that the recording be stopped at any time. I may also withdraw at any time during the interview.
8. I agree/do not agree* to the tape/transcript* being made available to other researchers who are not members of this research team, but who are judged by the research team to be doing related research, on condition that my identity is not revealed. ** delete as appropriate*

Participant's signature……Date……..

I certify that I have explained the study to the volunteer and consider that she/he understands what is involved and freely consents to participation.

Researcher's name…….....

Researcher's signature……..Date…….

9. I, the participant whose signature appears below, have read a transcript of my participation and agree to its use by the researcher as explained.

Participant's signature……Date……..

10. I, the participant whose signature appears below, have read the researcher's report and agree to the publication of my information as reported.

Participant's signature……Date……..

Appendix 6: Translation Accuracy Certification

Flinders University and
SOCIAL AND BEHAVIOURAL RESEARCH ETHICS COMMITTEE

IMPORTANT – this form should only be completed for translations submitted after an ethics application has been submitted and reviewed by the committee; as the committee may request changes to the information and documents to be provided to prospective participants requiring translation.

TRANSLATION ACCURACY CERTIFICATION
Participant Documentation

PROJECT NO.	

Principal Researcher	Huong Thi Nguyen
Supervisor Name (student projects only)	Yvonne Corcoran-Nantes
Project Title	Sexual Harassment of Working Women: Case study in Vietnam

Does your proposed research require documentation to be translated into another language?	x	Yes
		No

Place the letter 'X' in the relevant box

If NO, please note that this form does not need to be completed.

If YES, please complete the sections below.

		YES	Individuals Name or Company Name
HOW will information and documentation to be distributed to prospective participants be translated?	By the student researcher?	X	HUONG THI NGUYEN
	By the students supervisor?		
	By one of the staff researchers?		
	By an employed research assistant?		
	By a professional translation company?		

Translations undertaken by a Third Party	Principal Researcher / Supervisor Signature
If information and/or documentation to be provided to prospective participants will be translated by a third party (i.e, research assistant / translation company etc), the committee asks that the principal researcher (or supervisor if a student project) please sign to the right to certify that accurate translations have been provided to the best of his/her knowledge.	Date: ----------

Translations undertaken by Researcher	Principal Researcher / Supervisor Signature
If information and/or documentation to be provided to prospective participants will be translated by one of the researchers, the committee asks that the principal researcher (or supervisor if a student project) please sign to the right to certify that accurate translations have been provided to the best of his/her knowledge. Note – this section does not need to be signed if translations were undertaken by a third party.	 4th May 2020 Date: ----------

Appendix 7: Interview Participants Lists *(de-identified).*

Table 7.1: Workers interview list

1. Workers interview attendant list						
No	Name	Gender	Age	Work position	Factory location	Cited in the research
1	Hang Phung	F	31	Worker	Hai Phong	x
2	Thanh Nguyen	F	39	Worker	Hai Phong	x
3	Nguyen Van	F	39	Worker	Hai Phong	x
4	Cam Nguyen	F	43	Worker	Hai Duong	x
5	Trang Đinh	F	25	Worker	Hai Duong	
6	Vi Xuan Vu	F	35	Worker	Hai Duong	x
7	Tham Nguyen	F	31	Worker	Ha Noi	x
8	Nguyen Khoan	M	27	Worker	Hanoi	
9	Nguyen Hoan	F	28	Worker	Hanoi	x
10	Ly Nguyen	F	31	Worker	Vinh Phuc	x
11	Duy Quan	M	23	Worker	Vinh Phuc	
12	Lyh Ngo	F	28	Worker	Dong Nai	x
13	Thao Bui	F	26	Worker	Dong Nai	
14	Hoang Tuyen	M	37	Worker	HCM	
15	Van Vu	F	33	Worker	Hai Phong	x
16	Hoang Duong	F	25	Worker	Hai Duong	x
17	Ha Linh	F	26	Worker	Vinh Phuc	
18	Tran Linh	F	35	Worker	Vinh Phuc	x
19	Tran Loc	M	43	Worker	Dong Nai	
20	Đo Anh	M	28	Worker	Hai Duong	
21	Mu Le	M	31	Worker	Hai Duong	x
22	Thuy Thanh	F	31	Midle manager	Thanh Hoa	x
23	Diu Thu	F	27	Worker	Vinh Phuc	x
24	Bac Le	M	21	Worker	Hai Phong	x
25	Tram Ngoc	F	44	Worker	Thanh Hoa	x
26	Tra Giang	F	27	Worker	Thanh Hoa	x
27	Ha Le	F	33	Worker	Thanh Hoa	x
28	Hien Le	F	37	Worker	Thanh Hoa	x
29	Hoa Đao	F	29	Worker	Thanh Hoa	
30	Hoa Thuong	F	37	Worker	Thanh Hoa	x
31	Hue Nguyen	F	31	Worker	Dong Nai	
32	Thu Ha	F	27	Worker	Thanh Hoa	
33	Linh Chi	F	42	Worker	HCM	x
34	Hong Linh	F	33	Worker	Thanh Hoa	
35	Nguyen Thy	F	26	Worker	Hanoi	x
36	Tam Le	F	46	Team leader	Thanh Hoa	x
37	Tham Le	F	33	Worker	Thanh Hoa	x

38	Thu Nguyen	F	29	Worker	Thanh Hoa	
39	Tuyet Dinh	F	22	Worker	Thanh Hoa	
40	Vui Hong	F	33	Worker	HCM	x
41	Thang Le	F	38	Worker	HCM	
42	Tuyen Thanh	F	39	Worker	Thanh Hoa	X
43	Than Do	F	22	Worker	Thanh Hoa	X

Table 7.2: Female officer attendant list

No	Name	Sex	Age	Education	Workplace	Work position	Cited in research
1	Bich Dao	F	42	MA	VWU	staff	x
2	Can Thu	F	44	MA	VWU	middle manager	x
3	Lan Ngoc	F	42	MA	VWU	Staff	x
4	Hai Nguyen	F	45	MA	VWU	staff	x
5	Hang Le M	F	35	Bachelor	MOLISA	staff	x
6	Ngoc Van Hong	F	32	MA	MOLISA	staff	x
7	Chi Nguyen	F	41	MA	VGCL	Middle manager	x
8	Li Le	F	36	MA	Govt	staff	x
9	Tuyet Tran	F	30	Bachelor	Govt	staff	
10	Gi Bui	F	49	MA	Govt	Middle manager	x
11	Ha Le	F	40	MA	NGO	staff	
12	Lam Van	F	33	PhD	VGCL	Researcher	x
13	Hao Ton	F	33	MA	VGCL	officer	x
14	Mo Lan	F	35	MA	VWU	Staff	x
15	Nhi Nguyen	F	36	PhD	Govt	staff	x
16	Minh Huong	F	41	MA	VWU	Deputy	
17	Nhu Tran	F	41	MA	VWU	staff	x

Table 7.3: Key informants interview list

No	Name	Sex	Age	Education	Workplace	Work position	Cited in research
1	An Hoang	F	37	PhD	VWU	Deputy Director	x
2	Hoang Tran	F	54	Bachelor	VGCL	Director	x
3	Van Ngan	f	32	MA	MOLISA	staff	
4	Van Hong	F	52	MA	VGCL	Deputy Director	x
5	Kim Nguyen	F	51	MA	NGO	Director	x
6	Thu Hang	F	41	Bachelor	NGO	staff	
7	Tien Truong	M	60	MA	MOLISA	Deputy Director	x
8	Quang Dinh	M	55	MA	VGCL	Deputy	x
9	Nguyen Van	F	55	MA	NGO	Directotor	
10	Van Thien	M	44	MA	MOLISA	Deputy Director	x
11	Mai Hong	F	46	MA	VWU	Deputy	x
12	Minh Thai	M	44	MA	Law firm	lawyer	x

Appendix 8: Demographics of Research Participants

Table 8.4: Survey Participants' Gender and Age

Gender		Age				Total
		18-27	28-35	36-45	46-55	
Female	Count	28	90	91	30	239
	% of Total	8.2%	26.5%	26.8%	8.8%	70.3%
Male	Count	17	34	39	10	100
	% of Total	5.0%	10.0%	11.5%	2.9%	29.4%
Other	Count	0	0	1	0	1
	% of Total	0.0%	0.0%	0.3%	0.0%	0.3%
Total	Count	45	124	131	40	340
	% of Total	13.2%	36.5%	38.5%	11.8%	100.0%

Source: Qualtrics survey conducted from February – April 2021

Table 8.5: Survey Participants by Age and Marital Status

	Marital Status					
Age	**Single**	**Married**	**Divorced**	**Separate**	**Living with partner**	Total
18-27	8.5%	4.7%	0.0%	0.0%	0.0%	13.2%
28-35	4.1%	30.3%	1.2%	0.6%	0.3%	36.5%
36-45	0.6%	35.3%	2.1%	0.3%	0.3%	38.5%
46-55	1.2%	10.0%	0.3%	0.3%	0.0%	11.8%
Total	14.4%	80.3%	3.5%	1.2%	0.6%	100.0%

Source: Qualtrics survey conducted from February- April 2021

Table 8.6: Interview Participants by age, gender, marital status and employment sectors

	Employment				Gender		Marital status		
Age	Government	Unions	Workers	Others	Male	Female	Married	Unmarried	Divorced
18-27	0	0	8	0	1	7	5	3	0
28-35	2	6	20	0	2	26	24	2	2
36-45	8	8	13	1	3	27	27	2	1
46-55	2	3	1	0	2	4	4	1	1
Total	12	17	42	1	8	64	60	8	4

Source: Participants' interviews conducted from January to April 2021

Appendix 9: Author's publications and conference presentations

1. Nguyen Huong., McIntyre-Mills, J. J., & Corcoran-Nantes, Y. (2022). Gender Roles in Vietnam: A Metalogue on the traditional and the new and suggestions for transformation. In J. J. McIntyre-Mills & Y. Corcoran-Nantes (Eds.) Transformative Education for Regeneration and Wellbeing: A Critical Systemic Approach to Support Multispecies Relationships and Pathways to Sustainable Environments (pp. 177–195). Springer. https://doi.org/https://doi.org/10.1007/978-981-19-3258-8
2. Nguyen, H., Corcoran Nantes, Y., & McIntyre-Mills, J. J. (2021). The Changing Face of City Life in Vietnam. In From Polarisation to Multispecies Relationships (pp. 261-279). Springer, Singapore. https://www.springer.com/gp/book/9789813368835
3. Nguyen, T. H., & McIntyre-Mills, J. (2021). Breaking the Cycle of Trafficking in Vietnam: A Critical Systemic Policy Review. Systemic Practice and Action Research, 34(5), 475-493.

Conference presentations

4. Huong Thi Nguyen (2021): Culturally Construction of Gender relations and Sexual Harassment in Vietnam, Adelaide Gender conference, July 2021.
5. Huong Thi Nguyen (2021) Sexual Harassment of Working Women- Case study in Vietnam, 2021 Regional Gender Equity, Disability or Social Inclusion (GEDSI) Leadership Summit, Philippines, August 2021 (online).
6. Huong Thi Nguyen (2021): Gender issue and Push- and Pull factor of Human Trafficking in Vietnam, Women Health Conferences 2021-2022: France, June 2021 (online).
7. Huong Thi Nguyen: 2021-2021-2022: Flinders CHASS Spring conferences: Research findings: Workplace SH of working women in contemporary Vietnam
8. Huong Thi Nguyen (2018) Policy analysis of promoting gender mainstreaming in Labour Code Vietnam, Ministry of Labour, Invalid and Social Affairs Conference 2018
9. Huong Thi Nguyen (2018) Policy brief ILO convention of Ending violence and harassment at the world of work, CARE International in Vietnam 2018.
10. Huong Thi Nguyen. (2013). Master thesis research: Evaluation research on Reintegration Services for victims of Human Trafficking in VWU's Peace House Shelter, Clark University, MA, US, May 2013.

11. Huong Thi Nguyen. (2006). Master thesis research: Vietnamese regulations and legal issues on marriage with foreigners – current situation and solutions. National University Hanoi, June 2006.

12. Huong Thi Nguyen. (2004). VWU's reviewing a report on the 10-year implementation of Vietnamese law on children's education, care and protection. National conference on 'Reviewing the 10-year implementation of Law on education, care and protection of children', MOLISA 2003.

13. Huong Thi Nguyen. (2002). Examining Vietnamese regulations in combating human trafficking. National conference on trafficking prevention, Hanoi, 2003; published by Vietnamese Women's Newspaper July 2004.

14. Huong Thi Nguyen. (2012). The nature of trafficking in Vietnam- Current situation and challenges. Clark University conference on 'Critical development issues in developing countries', Worcester, MA, November 2012.

15. Huong Thi Nguyen. (2017). Gender Concerns concerning Human Trafficking - How reintegration shelters women's human rights and meets victims' reintegration needs. Center for Studies and Applied Sciences in Gender – Family – Women and Adolescent (CSAGA) website: www.csaga.org.vn.