



Sexual Abuse

Employees are prohibited from engaging in sexual abuse of any kind. The wide spectrum of behaviors encompassed by this regulation calls for a variety of sanctions. The most egregious behaviors encompassed by this regulation and cases of repeated violations, will incur the most serious sanctions the TravelMed USA can impose, up to and including separation.

Sexual abuse includes, but is not limited to:

- Conduct of a sexual nature which reasonably would be expected to have the effect of threatening or intimidating the person at whom such conduct is directed.
- Intentional physical contact with an intimate part of the body or another person without that person's consent.
- Sexual intercourse when such contact is achieved without consent; through physical force, coercion, or threat; or in situations in which the victim is unable to give consent because of physical or mental incapacitation by reason of drug or alcohol consumption, sleep, or unconsciousness.

Some examples of sexual abuse may be:

- Two employees had been flirting with one another earlier in the evening. One of the employees misinterprets responses from the other employee and forces sexual intimacy, ignoring requests that it stop.
- During the course of an evening, a couple is initially comfortable with sexual contact, but then one says the intimacy has gone too far and asks for it to stop, while the other continues the sexual contact despite those objections.
- An employee takes sexual advantage of another who is incapable, for one reason or another, of asserting unwillingness.
- An employee says "no" quietly or timidly, yet another employee continues to proceed with sexual advances.
- Any inappropriate or non-consensual contact such as pinching a person's buttocks.

Discussion of Consent. Intimate sexual activity requires consent. As stated in the policy above, an individual may be unable to give consent "because of physical or mental incapacitation by reason of drug or alcohol consumption, sleep, or unconsciousness". Consent to sexual activity may be communicated in a variety of ways, both verbal and non-verbal. One should presume there is no consent in the absence of a clear, positive indication of consent. Verbal communication prior to engaging in sexual activity certainly can help to clarify for the individuals involved whether or not there is consent.

Likewise, non-consent or lack of consent may also be communicated in a variety of ways, both verbal and non-verbal. A verbal "no" (or its verbal or non-verbal equivalent) indicates unwillingness to participate in sexual activity. Even in the absence of a verbal "no", physical resistance is not necessary to communicate a lack of consent, which can be communicated in a variety of other ways depending upon circumstances or context.

Frequently, an employee expresses confusion about the concept of consent, what it looks like and sounds like. There's a great deal of misunderstanding and differently held beliefs about what is meant by a gesture, a word, a sigh – even between long-time friends or sexual partners. People who have been intimate in the past may mistakenly assume that the same forms of intimacy will always be welcome in the future. The use of alcohol or other drugs can cloud people's understanding of whether consent has been given (or even sought). Consent and non-consent come in many forms, and it is important for all sexually active persons to seek clarity and mutuality with regard to the consensual nature of their sexual activity. It is also important to recognize that, however potentially awkward, talking about your own and your partner's sexual desires, needs, and limitations is a basis for a positive relationship.