HUMOR IS LARGELY subjective, so any given stimulus can yield dramatically different responses from different people. A comedy routine by the Three Stooges, for example, can induce riotous laughter in some but stimulate nothing more than bored yawns from others. Still others can view the same routine and be saddened or even insulted by the physical assaults imposed by one Stooge on another. In the context of entertainment, people can choose to watch or turn away. In professional contexts, choices can become more complex, and humor can change to harassment.

Sexual harassment in the workplace is one of the most frequently litigated claims in this country, and every athletic trainer should know how to avoid situations that could place them in danger of being falsely accused or successfully sued. In athletic training and other professions, there is usually a hierarchy of seniority or a supervisory chain of command. Students, graduate students, assistant athletic trainers, head athletic trainers, coaches, athletes, administrators, and athletic directors must be able to interact professionally, and each must be aware of what constitutes harassment or a harassing environment. As soon as the risk of retaliation enters a relationship (e.g., fear of receiving substandard care, denial of promotion or other work rewards), there is an uneven power relationship, which can result in a harassment lawsuit.

In most professional settings, there is heightened sensitivity to the many forms harassment can take, with which comes new responsibility for all parties. For example, educators and athletic trainers can be legally liable if they are deemed to have been aware of harassment or should have known that harassment was taking place and did nothing to stop the harassing behavior. All professionals, including athletic trainers, must be attentive to the relationships they establish with subordinates and coworkers. On an ethical and moral level, those with power are obligated to protect the powerless. On a legal level, there are remedies for the powerless who are abused by those in power.

Civil lawsuits have created an environment in which the mere accusation of harassment can end a career, especially in the relatively small profession of athletic training. Although most forms of harassment, sexual or otherwise, are fairly obvious, many situations involving harassment are ambiguous and open to debate. Consider the following scenarios.

**Scenario 1: Overheard Conversation**

A head athletic trainer (male) and an assistant athletic trainer (female) are talking in an office with the door open. Relaxing after a lengthy work session, the two trade a few jokes. One or two of the jokes involve sexual content. A female graduate assistant athletic trainer outside the office overhears the jokes and is offended. She contemplates pursuing a sexual harassment charge against the two supervising athletic trainers.

- Is there such a thing as a private conversation in a work environment, specifically an athletic training room or sports-medicine clinic? If so, are those having a private conversation (whether in person or over the telephone) obligated to ensure that no other individuals can hear and possibly be offended by it?
- If employees can overhear conversations that are obviously not intended for their ears, do they have an obligation to move or inform the two having the conversation that they can be heard?
Are athletic trainers socialized into a “locker room” mentality in which sexually explicit jokes are more prevalent? Is looking to hire a graduate assistant or athletic trainer who would not get upset at these jokes and is the ultimate “team player” wrong?

**Scenario 2: Meeting Protocol**

An assistant athletic trainer contradicts the head athletic trainer during a staff meeting. At the end of the meeting, the assistant is summoned to speak with the head athletic trainer and is chastised for his comments in the meeting. The supervisor states, “You don’t know what you are talking about and if it happens again, there will be consequences.” The young man believes he has been the target of a form of harassment and debates the implications for his own career of pursuing the issue within his organization.

- When a head athletic trainer indicates that there is a potential for negative consequences, is he or she simply being honest, or is this an abuse of power?
- How can the assistant athletic trainer determine the response that is least likely to negatively affect his career and personal well-being?

**Scenario 3: Electronic Images**

An athletic trainer (male) routinely exchanges with his friends what he considers humorous e-mail messages containing pictures of scantily clad or naked bodies in various poses with silly captions. Thinking that one of his subordinates shares his sense of humor, he passes one or two of the images with captions along. The subordinate is deeply offended and brings a tear-filled protest to the next level of supervisor.

- Does the supervisor have any alternative but to bring a formal charge against the athletic trainer?
- Is there any other way the offended individual might have handled this situation, noting the obviously deep emotional reaction to the photos?

**Scenario 4: Dropping Drawers**

One of the athletic trainers on staff is known as a joker. He is routinely encouraged by fellow workers for his outrageous sense of humor. One day he approaches a female colleague in a private room and makes a suggestive comment. Wearing a large shirt that fell nearly to his knees (longer than most contemporary skirts), he dropped his shorts to the floor and said to the young woman “Come on, me and you, let’s go right here, right now!” The young woman continues with what she is doing, barely taking note of his actions, and offhandedly tells him to go away. He immediately retrieves his shorts and leaves—audible laughter can be heard from an adjacent room.

In casual conversation, the young woman later discovers that other women have been approached in the same way, were upset, and were too intimidated to say anything. She is rethinking her initial response to simply let the behavior go without consequences.

- Is there room in the workplace for this type of humor?
- What should the consequences for the joker in this situation be if several workers simply report the behavior to a supervisor without complaining of feelings of harassment?

**Summary**

Humor is an important part of life, but not everyone shares the same sense of humor, and as context changes so too might the interpretation of behavior. What passes as humor in one situation might well be harassment in another. Which of the following examples constitutes harassment and which is just unprofessional?

- An athletic trainer has sexually explicit pictures and a calendar of swimsuit models hanging in his office.
- An athletic trainer uses foul language that includes sexually explicit words with athletes and coworkers.
- An athletic trainer consistently uses verbal humiliation (e.g., “no wonder your knees hurt, lay off the cupcakes fat butt”) to help an overweight athlete during rehabilitation exercises. Insensitive remarks are made in front of an overweight athletic trainer.

Because good taste and humor are subjective, I will offer some advice on avoiding potential problems associated with harassment. Do not do or say anything to a coworker, patient, or student that you are not prepared to do or say in front of a lawyer or judge.

**References**


*Murray Mitchell* is chair of the Department of Physical Education at the University of South Carolina.