



Winning  
Justice for  
Working  
Women

# Sexual Harassment—It's Against the Law

## Have you experienced any of the following at work?

- Suggestive comments about your appearance?
- Unwanted touching or other physical contact?
- Unwelcome sexual jokes or comments?
- Sexual advances?

**What is Sexual Harassment?** If you have experienced any unwanted verbal or physical conduct of a sexual nature, **you are not alone.** This behavior is considered sexual harassment. It's not only offensive-- it's against the law. Sexual harassment is illegal even if the harasser is not your boss; even if he is not threatening that you will lose your job if you don't go along. At 9to5 we know what it's like - we've been there.

## What the Law Says:

Sexual harassment is unwanted, repeated sexual attention at work. Sexual harassment is illegal if:

- Your job depends on your going along with this behavior, or
- The conditions of your employment (such as pay, promotion, vacation) depend on your going along with this behavior, or
- The harassment creates a hostile or offensive work environment which interferes with your ability to do your job.
- Everyone has the right to a workplace free of harassment.

## What you can do:

Sexual harassment is not your fault. Sexual harassment is not about sex. It's about power. Typically such behavior is designed to humiliate and control. Here are some steps to take if you are being sexually harassed on the job:

1. **Say No Clearly.** Inform the harasser that his attentions are unwanted. Make clear you find the behavior offensive. If it persists, write a memo to the harasser asking him to stop; keep a copy.
2. **Document the Harassment.** Write down each incident including date, time and place. Detail what happened and include your response. Keep a copy at home. This information will be useful if you need to take legal action.
3. **Get Emotional Support** from friends and family.
4. **Document Your Work.** Keep copies of performance evaluations and memos that attest to the quality of your work. The harasser may question your job performance in order to justify his behavior.
5. **Look for Witnesses and Other Victims.** You are probably not the first person who has been mistreated by this individual. Ask around; you may find others who will support your charge. Two accusations are much harder to ignore than one.
6. **Use Company Channels.** Report the harassment to someone who can stop it. Use any grievance procedures or channels detailed in your employee handbook, or follow the chain of command. If you're in a union, get the union steward involved right away.
7. **File a Complaint.** If you need to pursue a legal remedy, contact your state discrimination agency or the federal Equal Employment Opportunity Commission (look in your phone book for the field office closest to you. The federal agency covers workplaces of 15 or more. State law may protect you if you're in a smaller workplace).
8. **Consult an Attorney.** You do not need an attorney to file a claim, but you may want to speak with a legal service or private attorney specializing in employment discrimination. Under the Civil Rights Act of 1991 victims of sexual harassment are entitled to seek damages for pain and suffering as well as to any lost pay. If you win, you may also recover legal fees.

*9to5 does not provide legal advice. As a membership and advocacy non-profit organization, we offer information on workplace rights and how to handle workplace issues.*

*For more information about your rights on the job, call the 9to5 Job Survival Helpline  
1-800-522-0925 or [helpline@9to5.org](mailto:helpline@9to5.org)*