

Sexual Harassment

What is it?

Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and unwelcome verbal or physical conduct of a sexual nature that occur in the workplace or on campus. Governmental agencies charged with enforcing laws against discrimination, such as the Equal Employment Opportunity Commission, the U. S. Department of Education's Office of Civil Rights, and the Civil Rights Division of the Arizona Attorney General, may take action against an employer or educational institution whose employees or students engage in sexual harassment.

An employer or institution may be sued for damages (monetary relief) by a person who claims to be the victim of sexual harassment. The damage awards courts make in sexual harassment lawsuits can be large--sometimes in excess of one million dollars.

Most judges and legal experts agree that the goal of laws against sexual harassment is to prevent discrimination on the basis of sex. REMEMBER: SEXUAL HARASSMENT IS A FORM OF ILLEGAL SEX DISCRIMINATION.

Two varieties of sexual harassment are quid pro quo and hostile environment. Quid pro quo is a Latin phrase meaning "something for something." With quid pro quo sexual harassment on the job, an employee must submit to some form of unwelcome sexual conduct in exchange for receiving a term or condition of employment, such as a promotion, benefits, or the job itself.

Hostile Environment harassment is unwelcome sexual conduct in the work environment that unreasonably interferes with conditions or creates an intimidating, hostile or offensive setting. For such an environment to be a hostile environment under sexual harassment law, however, the conduct must be continuous or pervasive.

Have any of these things ever happened to you at work?

- Someone said something sexual about how you look.
- Someone touched you sexually when you didn't want them to.
- Someone made sexual jokes or said sexual things that you didn't like.
- Someone showed you or put up pornographic pictures.

If so, YOU ARE NOT ALONE. Each year, many women experience sexual harassment at work. It's not just upsetting, IT'S ILLEGAL. Sexual harassment violates a law called the Civil Rights Act of 1964. The law tells us that:

1. Sexual harassment is unwanted sexual attention at work. It includes touching you, saying sexual things to you, asking for sex, or making advances toward you;
2. Sexual harassment is illegal if:
 - You have to go along with it to get or keep a job; or
 - You have to go along with it to get a raise or a vacation, or to influence other decisions about your job; or
 - The harassment is making it hard for you to work.

What Can You Do if You Are Sexually Harassed?

1. Say "NO" clearly. Tell your harasser to stop. Tell your harasser that you do not want the sexual attention. If it happens again, send a letter telling your harasser to stop, and keep a copy for yourself.
2. Write down what happened. Record the date, time and place. Include what the person said to you, and if the person touched you. Write down where you were touched and who was there. Keep a copy of these notes at home. They can be useful if you decide to file a charge against your company or to take legal action.
3. Get support from friends, family, and coworkers. Some women feel depressed or get ulcers, headaches or nausea because of the harassment. Take care of yourself. If you are afraid that you might lose your job, try to find out if other women have the same problem at the company. Join with them to try to work out this problem.
4. Talk to your union representative if you are represented by a union.

5. Talk to your employer. Your employer has a written policy against sexual harassment and a procedure for making a complaint. Check your employee handbook or talk to the personnel or civil rights employment office.
6. Keep a record of your work. Keep copies of performance evaluations and memos that show that you do a good job at work. The harasser may question your job performance in order to defend his (or her) behavior.
7. You have a right to file a charge. The Equal Employment Opportunity Commission (EEOC) is a federal government agency that was created to protect you. You can call them toll-free at (202) 219-4486 or 1-800-669-4000; TDD 1-800-669-6820; or visit their website at <http://www.eeoc.gov>. Most states and local governments have offices that handle discrimination complaints. They may be used under "Human Rights" or "Civil Rights" in the government section of your area phone book.
8. Find out more about your legal rights. You do not need a lawyer to file a charge with EEOC. But, you may want to talk with a lawyer who specializes in sex discrimination. The state bar association or the women's bar association in your area can refer you to lawyers. They can help you figure out what to do. They know the pros and cons of different legal actions, including the time and the cost of filing a lawsuit.

NOTE: Many women have fought discrimination and have improved their work lives. The first step is to know your rights under the law. Laws give you and your coworkers the right to start an employee group or a union to try to get better treatment at work. You can also go to court to get back the money you lost because of discrimination. The new Civil Rights Act of 1991 gives you the right to be paid money for the hurt and the pain that discrimination caused you.

Where to Get Help

Women's Bureau
U. S. Department of Labor
Washington, D. C. 20210
1-800-827-5335
TDD: 1-800-326-2577
www.dol.gov/dol/wb/

Equal Employment Opportunity Commission (EEOC)
1801 L Street, N. W.
Washington, D. C. 20507
(202) 219-4486 or 1-800-669-4000
TDD: 1-800-800-3302

National Federal Women's
Program Manager
USDA:NRCS
5601 Sunnyside Avenue
Mail Stop 5471
Beltsville, MD 20705-5471
(301) 504-2287

information from www.nrcs.usda.gov/intranet/FWP/history.html