

Know Your Rights: Sexual Harassment in the Workplace

What is Sexual Harassment?

Sexual harassment is unwelcome attention, contact, or other behavior directed toward you because of your sex. It may or may not involve sexual advances.

Examples of Behavior that May Be Sexual Harassment:

Visual	Verbal	Written	Touching	Coercion	Force
Unwanted staring	Crude comments	Inappropriate or obscene emails or text messages	Unwanted touching	Demanding sexual favors in exchange for better hours, pay, or job	Rape
Pornographic images	Inappropriate questions about personal life	Pornographic poems or letters	Violating personal space	Using position of power to demand sex	Physical or sexual assault
Inappropriate posters or flyers	Repeated requests for unwanted dates		Patting	Threatening loss of job or less pay	
	Dirty jokes		Grabbing	Threatening to fire or report someone to immigration or police for refusing unwanted sexual contact	
	Wolf whistles		Pinching		
			Kissing		

If you are experiencing sexual harassment at work, you should:

- **Document it.** Keep a record of the time and date it occurs; who the harasser is; what happens; where it happens; how you respond; and who witnesses it.
- **Tell the harasser to stop.** If it is safe for you to do so, speak directly to the harasser in person or in writing. Identify the behavior; state that it is unwelcome; and ask for the behavior to stop.

- **Report it.** Most employers have a policy and procedure for reporting sexual harassment. Report the behavior to a manager, a supervisor, a union representative, a human resources person, or an Equal Employment Opportunity (EEO) counselor. Keep a record and/or copies of any report you make.
- **Make a safety plan.** If you feel unsafe at work, think of a strategy to avoid or get out of situations where you are likely to be harassed. It may be helpful to consult with a co-worker and/or someone you trust.

If you experience severe sexual harassment such as sexual assault or rape, call the police.

Can My Employer Punish Me For Complaining About Harassment?

No. Your employer may not fire you or demote you. Other retaliatory actions could include changes in your job duties or schedule, a reduction in hours, or unreasonable disciplinary actions. Federal law and D.C. law protects workers who complain about harassment or participate in an investigation, proceeding, or hearing about harassment directed at them or a co-worker.

In order to protect yourself, keep a written record of any attempts you make to report the harassment and any response you receive. Try to put your complaints in writing whenever possible. If you don't have proof that you complained, you may not have a strong retaliation claim.

What if the harassment does not stop?

- **Consider taking legal action.** You have the right to file a complaint with the Equal Employment Opportunity Commission (EEOC) or DC Office of Human Rights.
- **Seek support.** It is emotionally and physically harmful to endure persistent and/or severe harassment. You don't have to handle this alone. Seek the support of a family member, friend, co-worker, a professional, or an organization. You can find resources on First Shift's website: www.firstshift.org.

Where Can I Get Help?

First Shift Justice Project can help you report the harassment; take legal action; and connect you with other resources. Please contact us at intake@firstshift.org or 202-644-9043. You may also consult our website: www.firstshift.org.

REMEMBER: If you have been sexually harassed, it is not your fault.

You should not have to put up with unwanted sexual behavior in order to keep your job.

This fact sheet is intended to provide general information about legal rights in the workplace and should not be considered legal advice. For legal advice about your own individual situation, please consult an attorney.