

# Sexual Harassment At Work

Sexual harassment is a type of sex-based discrimination, and it is illegal. It is any unwelcome conduct, related to sex or gender, that occurs in the workplace, whether physical, verbal, or non-verbal, that unreasonably interferes with your work environment.

There are two types of sexual harassment:

## "QUID PRO QUO"

(Latin for "this for that") - when someone conditions a job, promotion, or other work benefit on your submission to sexual advances or other conduct based on sex.

## "HOSTILE WORK ENVIRONMENT"

When unwelcome comments or conduct, based on sex, interferes with your work performance or creates an intimidating, hostile, or offensive work environment. You may experience sexual harassment even if the offensive conduct was not aimed directly at you.

## Sexual harassment may involve...

...your supervisor, a supervisor in another area, a co-worker, or a non-employee. Work-related sexual harassment can even take place beyond the workplace and normal work hours — for example through social media and texting.

**Sexual Harassment is a form of discrimination based on sex/gender, gender identity, gender expression, or sexual orientation.**

- Sexual harassment may involve harassment of a person of the same or different gender.
- Individuals of any gender can be the target of sexual harassment.
- Sexual harassment does not have to be related to sexual desire.

[youngworkers.org](http://youngworkers.org)

**Sexual harassment can include, but is not limited to the following:**

## NON-VERBAL

- Leering or ogling at your body
- Whistling
- Insulting sounds
- Display of sexual materials
- Sexually-suggestive gestures

## VERBAL

- Comments about your body, clothing or sexual activity
- Sexual jokes, remarks or teasing
- Sexually degrading words
- Suggestive or obscene phone calls, messages or invitations
- Requests or demands for sexual favors
- Pressure for dates

## PHYSICAL

- Unnecessary close proximity
- Impeding or blocking movements
- Repeated brushing up against your body
- Touching, grabbing, or pinching
- Physical violence
- Sexual assault

## WHAT CAN I DO IF I AM BEING SEXUALLY HARASSED?

- **If you feel safe, tell the harasser to stop.** If not, talk to a parent, teacher, guidance counselor, or another trusted adult about the harassment. There are also legal resources. To find a legal group and lawyers that can help you go to [www.lawhelpca.org](http://www.lawhelpca.org).
- **Report the harassment to your employer.** In California, your employer is required to have a written harassment discrimination and retaliation prevention policy. The policy should identify who is responsible for handling complaints about harassment.
- **Keep records.** Write down dates, exactly what happened and where, witness names and telephone numbers. Keep any letters, emails, voicemails, or photographs from the harasser. Document how you were treated as an employee.
- **Act promptly.** Once your employer knows about the harassment, they have a responsibility to stop the harassment. Also, you may not be the only person being harassed by this individual.

## YOUR EMPLOYER IS RESPONSIBLE FOR PROVIDING A WORK ENVIRONMENT THAT IS FREE OF HARASSMENT.

### To prevent and address sexual harassment, your employer should:

- Develop a written sexual harassment prevention policy that communicates to employees that sexual harassment will not be tolerated.
- Create a complaint process, that ensures confidentiality to the extent possible and that does not require an employee to complain directly to their immediate supervisor.
- Make it clear that workers will not be punished as a result of making a complaint or participating in an investigation.

It is illegal for an employer to punish you or threaten to punish you for complaining about sexual harassment. This is called retaliation.

### Bystanders can help.

If you witness harassment or misconduct, if it feels safe, tell the person doing the harm to stop.

Or, create a distraction by dropping something or asking for the time. You can also help by not leaving the victim alone with the person doing harm.

## WHERE CAN I GO FOR HELP?

### California Fair Employment and Housing

(800) 884-1684  
[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

You can file a sexual harassment complaint with the California Department of Fair Employment and Housing (DFEH). You must file a complaint within one year of the harassment.

### US Equal Employment Opportunity Commission

(800) 669-4000  
<https://www.eeoc.gov/youth/filing.html>

You can file a sexual harassment complaint with the Equal Employment Opportunity Commission (EEOC). You must file your charge within 300 days of the harassment.