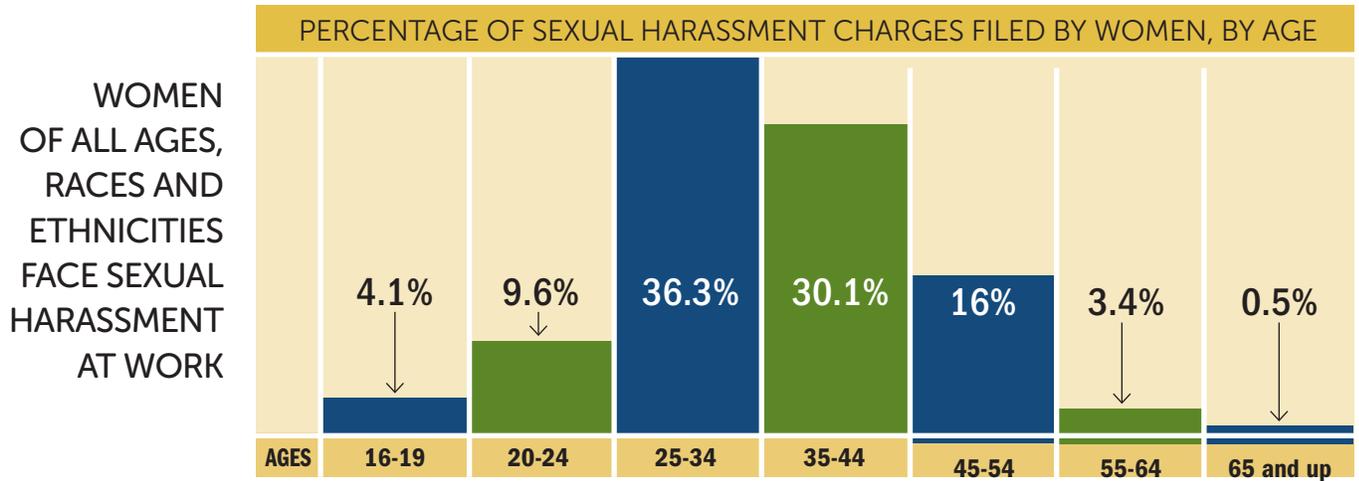


LIMITING OUR LIVELIHOODS

THE CUMULATIVE IMPACT OF SEXUAL HARASSMENT ON WOMEN'S CAREERS

NOVEMBER 2019

Workplace sexual harassment is a serious problem for women of all ages: It can have long-term repercussions on a their health, economic security and access to leadership positions.



Source: AAUW analysis of 1995-2016 Equal Employment Opportunity Commission sexual harassment charges data, acquired by Buzzfeed News

WORKPLACE SEXUAL HARASSMENT

...threatens women's mental health and physical safety

- Psychologists report that sexual harassment can lead to depression and post-traumatic stress disorder.
- Organizational behaviorists link it to an increased risk of long-term physical health problems.

...erodes women's short- and long-term economic security

- In AAUW's survey of 311 women, 38 percent of women who'd been harassed said it contributed to their decision to leave a job early, and 37 percent said it disrupted their career advancement.
- When women decrease their hours or leave their job to avoid a harasser, it reduces their wages and ability to save and build wealth.
- Older women who leave a job because of harassment often face ageism on the job market and may consequently retire early, missing out on what might have been their peak earning years.
- Women who report harassment risk receiving unjust performance reviews, getting ostracized by coworkers and being denied promotions or raises.

...contributes to the leadership gap

- According to the Institute for Women's Policy Research and AAUW, women who attempt to avoid a harasser can miss out on valuable on-the-job training and mentorship— which are critical in helping women rise into leadership positions.

"The impact [of being sexually harassed] has been profound: insomnia, anxiety, depression. It has had very negative effects on my career.

—Susan, 55

"I was working as an office manager in a small business, and the boss/owner was the one harassing me. There was no one else to report it to. I ended up quitting."

—Maria, 53

"The harassment included comments about my body, sexual advances and groping ... It definitely contributed to my changing [and] taking a lesser paying job four months later."

—Lynn, 34

"I was 'encouraged' to find employment elsewhere and told that reporting would reflect badly on me."

—Ramona, 49

THE LIMITS OF LEGAL REMEDIES

Although federal law appears comprehensive and robust, employees who are harassed at work are often unable to access justice. Barriers include:

- Narrow standards about the kinds of employers covered by existing laws. For example, employers with fewer than 15 employees are exempt.
- The exclusion from coverage of various categories of workers, including contractors and unpaid interns.
- A limited time frame for bringing charges.
- Onerous standards of proof: Courts have narrowly interpreted the definition of sexual harassment so many egregious complaints have not met the required standard.
- Reduced liability: The Supreme Court has narrowed the circumstances in which employers and coworkers can be liable for harassment.
- Non-disclosure agreements and mandatory arbitration: These can prevent employees from speaking out and/or pursuing legal remedies.

MANY WOMEN NEVER REPORT HARASSMENT: THEY ARE FEARFUL OF RETALIATION, WHICH HAPPENS ALL TOO OFTEN.

WHAT CAN WE DO TO END WORKPLACE SEXUAL HARASSMENT?

INDIVIDUALS

- Keep records of harassment, tell their supervisor or the human resources department where appropriate and confide in family and friends.
- Consider contacting the EEOC to get help or file a charge.
- Consult AAUW's Know Your Rights Employee Guide.

EMPLOYERS

- Outline a comprehensive harassment policy, create a complaint procedure that offers multiple points of contact, provide workplace training and regularly conduct anonymous surveys.

STATE POLICYMAKERS

- Follow the lead of Maryland, Virginia, California, Colorado, Nevada and New York in passing bills designed to stop workplace harassment and close the gender pay gap.

CONGRESS

- Pass the BE HEARD Act (including the Protecting Older Workers Against Discrimination Act), which would strengthen and expand workplace harassment protections for workers.
- Pass the EMPOWER Act, which would increase workplace training and transparency.
- Pass the Paycheck Fairness Act, which would protect against sex-based pay discrimination; as well as the Fair Pay Act, which would require equal pay for work of equivalent value.
- Codify strong anti-retaliation provisions, prohibit non-disparagement and non-disclosure agreements, ban pre-dispute mandatory arbitration, expand protections to cover all employees and eliminate caps on damages.

Sexual harassment includes "unwelcome sexual advances, requests for sexual favors and other verbal or physical harassment of a sexual nature, [But] harassment does not have to be of a sexual nature... and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

"Although the law doesn't prohibit simple teasing, offhand comments or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted)."

The Equal Employment
Opportunity Commission