

Know Your Rights

ON THE ROAD FROM WELFARE TO WORK

Sexual Harassment

Know Your Rights

- A welfare client's supervisor makes sexual advances towards her at work against her will. She is afraid to say anything because she's scared of losing her job placement and her welfare benefits.
- A part-time worker at a fast food restaurant feels scared and upset at work because her co-workers are always staring at her breasts, showing her pictures of naked women, telling dirty jokes, and saying sexual things about her.
- A welfare client is placed in a job by a job placement agency, but the agency won't do anything when the recipient says that she is being sexually harassed by her boss at work.

These are examples of sexual harassment, which is illegal.

Many of us know someone who has been sexually harassed at work. Maybe it has happened to you. But you don't have to accept sexual harassment as part of a day's work. It is a form of sex discrimination, and it is against the law. There are state and federal laws that can protect welfare recipients and others working in low-wage jobs.

WHAT IS SEXUAL HARASSMENT?



The law says sexual harassment is *unwelcome* sexual conduct on the job. It may be pressure for dates or sex, sexual comments, touching (including kissing or grabbing), putting up pornographic pictures, or even rape.

The law says it's sexual harassment if:

- You didn't get a job—or lost a job—because you didn't give in to the harassment;
- You had to go along with the harassment to get a raise or better work schedule; or
- The harassment makes the work site hostile, scary, or uncomfortable.

Sexual harassment can happen to women or men, and the harasser can be a man or woman. A person also can be harassed by someone of the same sex.

You have the right to be free from sexual harassment at work. If you are a welfare recipient, this means the law may protect you:

- When you are in a workfare program or at a job site where you have to work to get benefits; or
- At the welfare office or job placement agency that sends you to a work site.

HARASSMENT

WHAT CAN YOU DO ?

If you think you are being sexually harassed, here are some things you can do:

- **Tell** the harasser that you want it to stop. You can do this in person or in writing.
- **Write** down what happened. Include when it happened, what you did, whether anyone else saw it, and whom you told about it.
- **Talk** to other employees or “welfare to work” participants at your work site if you think they also have been harassed. You can offer each other support and join forces to try to bring an end to the problem.
- **Report** the harassment to your supervisor and ask that it be stopped. If your supervisor is the harasser, report it to your supervisor’s boss.
- **File** a formal complaint. If your employer or job site has its own system for reporting problems, or if you are represented by a union, file a formal complaint. Otherwise, talk to the

personnel or human resources department at your work site. Also, if you are a welfare recipient, your welfare program may have its own system for filing sexual harassment complaints.

- **Keep** copies of everything you send or receive about the harassment from anyone at your job, job placement agency, or welfare office. This will help you show that you reported the harassment and how people responded.

If you have taken these steps and the harassment has not stopped, you can file a charge with the Equal Employment Opportunity Commission or your local civil rights agency or fair employment office. If you wait too long, you could lose your right to file a charge. In most cases, the charge must be filed no longer than 180 days after the harassment happened.

You also may be able to file a lawsuit in court. You can talk to a lawyer to find out more about your options.

A note for welfare recipients:

If you were forced to leave your job placement because you were being sexually harassed, you may have “good cause” for not meeting your work requirements. This “good cause” may protect you from penalties like getting your cash benefits cut. Check with your caseworker or someone who knows about your state or county welfare laws, like a legal aid attorney, to find out if your welfare program accepts sexual harassment as “good cause” for not meeting work requirements.

FOR MORE HELP:

Contact your local Equal Employment Opportunity Commission (EEOC) or local fair employment office. The EEOC’s nationwide toll free numbers are 1-800-669-4000 or 1-800-669-6820 (TDD). Your local fair employment office is probably listed in the state or local government section of your phone book under “Human Rights” or “Civil Rights.” A legal aid office or community organization may also be able to help you or help you find someone who can.

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The National Partnership for Women & Families, formerly the Women's Legal Defense Fund, is a nonprofit, nonpartisan organization that promotes fairness in the workplace, quality health care, and policies that help women and men meet the dual demands of work and family. Information about discrimination and other employment barriers facing low-income women is available on the National Partnership's web site, www.nationalpartnership.org.



1875 Connecticut Avenue, NW, Suite 710, Washington, DC 20009
phone: 202.986.2600 fax: 202.986.2539
www.nationalpartnership.org info@nationalpartnership.org