

## **Sexual Harassment Resource Guide**

### **Definition of Sexual Harassment:**

“Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.”  
(As defined by the U.S. Equal Employment Opportunity Commission, [www.eeoc.gov/types/sexual\\_harassment.html](http://www.eeoc.gov/types/sexual_harassment.html))

### **Where Sexual Harassment Can Occur:**

Sexual harassment can take place in a number of circumstances. These include:

- The victim and harasser may be female or male. The victim and harasser do not have to be of the opposite sex.
- The harasser can be employed in any number of different positions related to the organization. S/he could be the victim's immediate supervisor, a supervisor who works in a different area of the organization, a co-worker, or even an outside agent of the organization.
- The victim could be anyone who is affected by sexually harassing conduct, not just the person who is directly targeted by that conduct.
- Sexual harassment does not necessarily have to result in the victim being fired or experiencing some sort of financial harm.
- The sexual harasser's behavior must be unwelcome.

### **Prevention:**

Prevention is the way to keep sexual harassment from occurring in an employment setting. Employers should make sure that their employees understand that there is a zero-tolerance policy regarding sexual harassment. One way to do this is to create a compliant process that is well publicized and easy to follow. Employers also should respond quickly when an employee makes a complaint about sexual harassment.

### **Helpful Hints:**

If you are the victim of sexually harassing behavior, it often is beneficial to immediately and directly inform the harasser that you do not like the behavior and that you want the behavior to immediately stop. You then should file a complaint against the harasser via whatever system your organization has created for such a purpose.

### **Filing a Charge With the EEOC:**

Following are some rules that you need to know if you wish to file a charge:

- You must file your charge with the EEOC before you can file a private lawsuit.
- Your complaint must be filed with the EEOC within 180 days of the alleged incident of sexual harassment. (This deadline can be extended to 300 days if a state or local anti-discrimination law also pertains to your case.)

To file a charge, you will need to provide the following information:

- Your name, address and telephone number
- the address and telephone number of the employer, employment agency or union that is alleged to have discriminated against you
- the number of employees of the company (i.e., the federal laws only apply to companies that possess more than 15 employees)
- a brief account of the alleged violation
- the date(s) of the alleged violation(s)
- If the victim of harassment is concerned about retaliation, that person's claim can be filed by another person, organization, or agency on the victim's behalf

The EEOC Investigation Process:

The EEOC examines all of the factors associated with the alleged case of sexual harassment. This includes the specific context, circumstances, and behaviors involved. Each situation is examined on a case-by-case basis.

### **EEOC Contact Information:**

If you wish to contact the Equal Employment Opportunity Commission to file a charge, you should begin by contacting your local EEOC office. If contact information for your local office is unavailable, call 8-800-669-4000 (voice) or 1-800-669-6820 (TTY).