Sexual Harassment in the Workplace

Categories : Legal and Protective Services

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What is Sexual Harassment in the Workplace?
Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and the Connecticut Discriminatory Employment Practices Act.

Sexual harassment means “any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.”

Some examples of sexual harassment include unwelcome sexual advances, requests for sexual favors, suggestive or lewd remarks, unwanted hugs, touches, kisses, retaliation for complaining about sexual harassment, derogatory or pornographic posters, cartoons, drawings, or e-mail messages, and other unwelcome verbal or physical conduct of a sexual nature.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim’s supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser’s conduct must be unwelcome.

Taking Formal Action:
If you are subjected to sexual harassment at your workplace, you may take informal action by confronting the harasser and let him/her know that their actions are unwelcome and will not be tolerated. It’s best to do this at the time of the harassment, and to have another person with you as a witness.

You should make a written record of when and where the harassment occurred, who harassed you, what happened, how you responded, and if there were witnesses. This documentation could be extremely important later if you decide to file a formal complaint.

Talk to Your Employer
If the harassment continues, find out what policies and procedures your employer has in place to deal with sexual harassment.

If you make a complaint to your employer, put it in writing and keep a copy for yourself. If you are unsure about what to do, get help.

Advocacy and Information:
Individuals can contact the She Leads Justice (About – She Leads Justice), for information about what you can do about sexual harassment. Also, Connecticut Sexual Assault Crisis Services (CONNSACS) can provide information about sexual harassment and offer short-term counseling and advocacy for victims of sexual harassment. CONNSACS has a network of nine local Sexual Assault Crisis centers, which can be contacted through a statewide toll-free 24/7 hotline 1-888-999-5545 (En Español 1-888-568-8332).

How to Make a Formal Legal Complaint:
If you decide to make a formal legal complaint, you must file a state and federal complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO) within 180 days after the alleged act of discrimination. If you do NOT file a state and federal complaint with CHRO within the 180 days after the act of discrimination, and if your employer has 15 or more employees, then you must file a complaint with the United States Equal Employment Opportunity Commission (EEOC) within 240 days of the act of discrimination. If you don't file on time, you will lose the opportunity to sue your employer in federal court. These time limits are strictly enforced, so if you believe you have been the victim of sexual harassment, you or your attorney should file your complaint with CHRO promptly.

You may also choose to sue your employer in state or federal court. If you have a complaint pending with CHRO and/or EEOC, there are specific requirements you must meet in order to file a lawsuit. CHRO, EEOC, or CWEALF can give you information on these requirements. Although you are entitled to file a lawsuit without an attorney, it will be extremely difficult, and your employer will probably have an attorney(s) representing him/her. If you do not have an attorney, CWEALF can help you to find one.

For more information on "How to Get a Restraining Order", visit CTLawHelp.org
website:
http://ctlawhelp.org/self-help-guides/how-to-restraining-protective-order?gclid=CIqRpbLb3soCFUhcfgod0fQI7Q

To Find Providers in Connecticut's Community Resources Database:

- **Search by service name:** Discrimination Assistance

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SOURCES: EEOC – Facts About Sexual Harassment; Connecticut. Commission on Human Rights and Opportunities (CHRO); CWEALF: Sexual Harassment in the Workplace; CTLawHelp.org
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