

Sexual Harassment Toolkit

Dear Workplaces Respond Partners,

The National Resource Center: Workplaces Respond to Domestic & Sexual Violence (Workplaces Respond) is pleased to share with you this comprehensive toolkit for employers, employees, and survivors to help enhance your organization's capacity to prevent, respond to, and support workers affected by workplace sexual harassment.

Too often, employees experience domestic violence, sexual assault, stalking, or sexual harassment (DVSASSH) in the world of work. These forms of violence may be perpetrated by co-workers or supervisors and may be dismissed by employers who do not have the tools or training to respond effectively. In these instances, the harm an employee experiences compounds. The information in this toolkit is important guidance for making workplaces safer for all, thus getting us closer to a future without violence.

Whether you are just beginning this work or building on existing programs, our goal is to provide you with practical tools and resources that are easy to implement. This toolkit offers quick tips to guide you toward sustainable change and, for those looking to go deeper, links to more comprehensive materials.

Workplaces Respond is available to provide **free technical assistance** for all workplaces to support the improvement, creation, and implementation of programs and policies that prevent and address DVSASSH in the workplace. Please [use this link](#) to submit requests for assistance and visit [our website](#) to learn more.

With gratitude,
Workplaces Respond
workplacesrespond@futureswithoutviolence.org



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This resource is for informational purposes only and is not legal advice. If you have questions about the laws in your state, consult an attorney licensed in your jurisdiction.

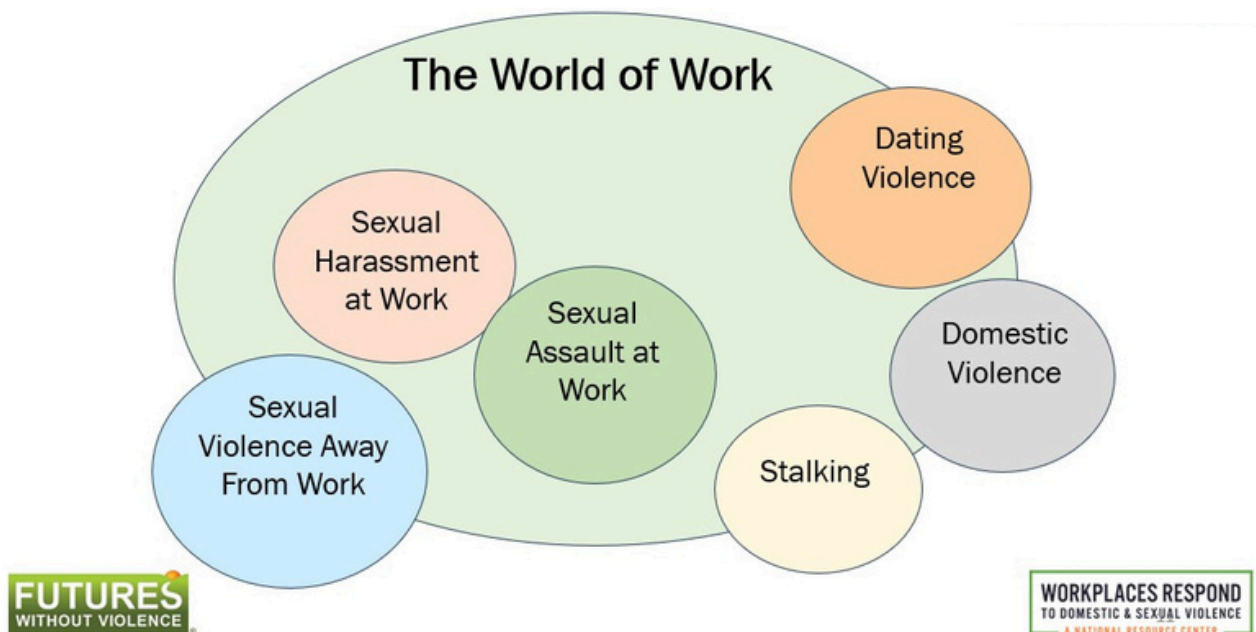
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The World of Work

The negative effects of sexual harassment are not limited to a physical worksite. Sexual harassment can occur in any location in which employees, paid and unpaid interns, contractors, volunteers, board members, consultants, and temporary workers perform their job duties, otherwise known as the **World of Work**.

The World of Work includes:

- Public and private spaces in the employer's office building;
- Places where a worker takes a break, eats a meal, or uses washing and changing facilities;
- A temporary offsite work location;
- A person's home while remote working;
- A hotel or restaurant used by an employee on work travel;
- A conference center or training site;
- A work-related social gathering; or
- Online or virtual work communications.



Employers should aim to prevent and respond to instances of sexual harassment, as well as other forms of sexual and domestic violence, that impacts workers regardless of where or when it happens. To learn more about the impacts of domestic violence, sexual assault, stalking, and sexual harassment (DVSASSH) in the world of work, check out this resource: [Why is DVSASSH a Workplace Issue?](#)

What is Sexual Harassment?

Sexual harassment is a form of sexual violence that consists of **unwanted and nonconsensual acts**, such as: unwanted sexual advances, requests for sexual favors, verbal or physical touch of a sexual nature, or repeated comments that are made because of a person's sex. Sexual harassment can be committed **by or against anyone** of any sex, age, ethnicity, ability, or any other demographic.

When these behaviors occur in the workplace or in relation to a person's work, they create an unsafe, unfair, and toxic work environment for all employees. This shared harm is why employers with fifteen or more employees [can be held legally liable for sexual harassment under Title VII of the Civil Rights Act](#) and under state anti-discrimination laws in a variety of situations.

While sexual harassment is explicitly described as a form of sex-based employment discrimination under Title VII, other forms of sexual violence, such as **sexual assault, domestic violence, and stalking**, can all be forms of sexual harassment when they occur in the workplace, involve workplace associates, or occur in the course of a worker doing their job.

Example: *A bank manager asks his new employee out to dinner. At dinner, the bank manager tells her they should get a room at a nearby hotel and have sex. The new employee refuses. The bank manager continues to ask her to have sex with him. She continues to refuse. Eventually, the new employee becomes worried that if she does not agree, she will lose her job. She complies and lets him have sex with her. At work the next day, the bank manager begins a pattern of following her into the bathroom to rape her, making inappropriate remarks about her to her colleagues, and touching her inappropriately in front of customers.*

[Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)]



In this example, the **sexual assault** as well as the other harassing behaviors are all acts of sex-based harassment and discrimination that violate Title VII.

Another form of sexual harassment under Title VII that occurs in the workplace includes harassment based on **pregnancy, childbirth, or related medical conditions**. This can include discrimination based on lactation; using or not using contraception; or decisions to terminate or not terminate a pregnancy.¹



What is Sexual Harassment, cont.

Sex-based harassment includes **conduct of a sexual nature**, such as:

- **unwanted expressions** of sexual attraction or sexual activity;
- **sexual attention**, or **sexual coercion** such as demands or pressure for sexual favors;
- **acts of sexual violence** such as rape or sexual assault;
- or **discussing or displaying visual depictions** of sexual acts or sexual remarks.

Sex-based harassment also includes **non-sexual conduct based on sex**, such as:

- **sex-based epithets** (words used as a term of abuse) or comments that rely on sex-based stereotypes;
- **sexist comments** (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or
- facially sex-neutral (pretextual) **offensive conduct motivated by sex** (such as bullying directed toward employees of one sex).

Example: *A forklift manager reports directly to her company's president. In front of other employees, he makes remarks including, "You are a woman, what do you know" and "We need a man for this new job." The company's president also repeatedly drops pens in front of the women he employs and asks them to pick it up while he watches them. On other occasions, he asks the women he employs to retrieve items from his front pocket.*

[Harris v. Forklift Systems, Inc. 510 U.S. 17 (1993)]



*Sexual harassment can also occur between people of the same sex.

Example: *A member of an 8-person oil crew is singled out by both his male co-workers and his supervisor because of behavior and mannerisms that they think are "effeminate" and "girly." They repeatedly mock his mannerisms and even sexually assault him.*

[Oncale v. Sundown Offshore Servs. Inc., 523 U.S. 75 (1998)]

Prevalence of Sexual Harassment

Sexual harassment, much like other forms of sexual violence, is pervasive yet often goes unreported. While there is no national study that captures the prevalence of workplace sexual harassment, there are numerous studies that have documented its prevalence and profound impact:

In a study on sexual harassment and assault,
38% of women & 14 % of men
reported experiencing sexual harassment in the workplace, including temporary jobs and internships.²

Women Who Tech found that **50% of women founders** who were reportedly harassed experienced sexual harassment. When asked what kind of sexual harassment they experienced:



50% were propositioned for sex,
60% experienced unwanted physical contact,
42% had sexual slurs directed at them, and
15% were groped.³

In 2024, the EEOC received **35,774 reports** of alleged harassment in the private sector, about **43%** of which were reports of sex-based harassment.⁴

To learn more about the prevalence and impact of sexual harassment on the world of work, check out this resource: [Sexual Harassment and the Workplace](#)

Navigating Experiences of Sexual Harassment

If you are experiencing sexual harassment at work, there are steps you can take to address the behavior. [Think through your options](#) and what makes the most sense to you.

*This information is not legal advice.

Talk with an employment law attorney who works with employees to fully understand what options you have.



1. If you feel safe doing so, be direct with the person causing you harm about what behavior(s) you want them to stop. Communicate in writing to help track when you first said to stop and what the harmful behavior is/was. Ensure any communications you make throughout this process are safely filed and can be accessed even if you lose access to your work account or computer.
2. Review your workplace policies or handbook about how you should report experiences of sexual harassment. To the best of your ability, follow that guidance and tell your employer what behavior you are experiencing. Reporting this behavior will likely lead to an investigation. Note: this investigation may proceed against your wishes if your employer feels responsibility for addressing the issue for safety reasons. Talk with your supervisor or a human resources representative about confidentiality and about how you can stay safe during an investigation.
3. Like other forms of sexual violence, sexual harassment is a way of exerting power and control over another person. Part of how someone does this is to isolate the victim, making them feel alone or like they have to figure out what to do all on their own. You are not alone. Talk about what you are experiencing to people you feel safe with, such as friends outside of work, family members, or trusted co-workers.
4. Gather evidence. Employers may not want to believe that someone they employed is causing harm. Documenting what you are experiencing is helpful to prove that you are telling the truth. Some key items to document may be offensive pictures, emails, or other communications, as well as your work performance and your employer's response to both the offender's behavior and to your disclosure.
5. If the sexual harassment you are experiencing is also a form of domestic violence, sexual assault, or stalking, [talk with an advocate in your area or call the National Hotline](#) about what resources are available for victims of these forms of violence.

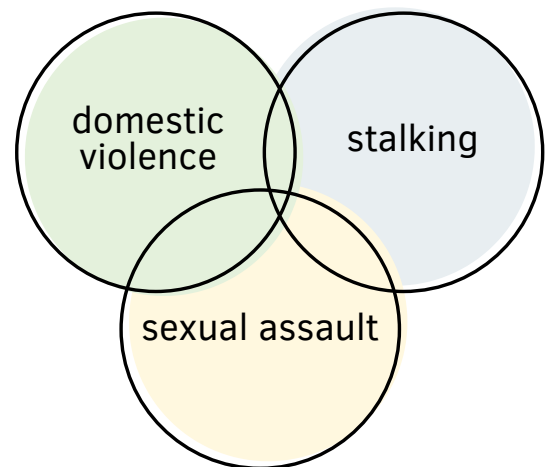
Identifying and Responding to Sexual Harassment

When perpetrated by a co-worker, supervisor, customer, or volunteer, **domestic violence, sexual assault, and stalking** can be sexual harassment. If an employee experiences these forms of violence, their employer's response - or lack thereof - may also breach Title VII's legal prohibition against discrimination. Below are considerations for employers responding to sexual harassment.

Think twice before making judgements:

Outdated misconceptions about domestic violence, sexual assault, or stalking can further sex-stereotypes and perpetuate harm. Workplaces should provide training that acknowledges:

- Physical domestic violence or sexual assault, whether against a stranger or a partner, are crimes that should be taken seriously just like other types of violence.
- Domestic violence can include non-physical behaviors, like harassing phone calls, [employment sabotage](#), or economic abuse;
- Anyone can be a victim of domestic violence, sexual assault, and stalking; these are not just "women's issues."
- Time away from work for legal and medical reasons related to these forms of violence are just as necessary as time away for other reasons.



Support employees who are being harmed:

Experiencing domestic violence, sexual assault, or stalking can be an incredibly destabilizing time for an individual. Employers can support victims of these forms of violence by:

- Having policies that name and [address the impacts](#) of these forms of violence on the workplace.
- Providing workplace adjustments or accommodations to support a survivor's continued employment.
- Connecting survivors with a trained [local advocate](#) to access resources.
- Implementing additional security measures when requested by the victim.
- [Documenting](#) any workplace harassment that occurs.

Identifying and Responding to Sexual Harassment, cont.

Focus on the behaviors of the person causing harm:

Employers have good reasons to take reports of domestic violence, sexual assault, and stalking seriously. Twenty-seven percent of violent events in the workplace are related to domestic violence⁵ Too often, employers will incorrectly identify the victim of violence as a threat to workplace safety. This misidentification can look like:

- Terminating victims of violence for “bringing drama into the workplace.”
- Reducing their work hours.
- Passing them over for decision-making roles because of perceived “errors of judgement.”
- Requiring them to take unpaid leave until their “personal issues” are sorted.



Take reports of harmful behavior seriously:

Individuals who sexually harass workers are often a high risk for committing other violent behaviors, such as sexual assault or rape, stalking in person or online, physical altercations, or property damage. Early warning signs for workplace violence, such as intimidation or bullying, disrespect, and verbal abuse could manifest as or coincide with sexual harassment.⁶

- For example, sexual harassment may be part of a person’s pattern of stalking behavior. Stalking can be incredibly dangerous as stalking cases have a high risk of physical harm and lethality. Employers should take disclosures or reports of harassing behavior seriously as soon as possible, as, in addition to complying with Title VII and being supportive to the survivor, it could help to detect patterns of behavior and intervene before they escalate.
- Stalkers may also use their company-issued computer or car to track and monitor their victim(s) or use their company computer or phone to harass their victim(s) via email, texts, calls, and social media. Employers should explicitly include prohibitions on misuse of employer-provided equipment in their workplace policies and create mechanisms for employees to report observed misuse of employer-provided equipment.
- For more information on the intersections of sexual harassment and stalking, check out this resource: [Stalking and the Workplace](#).

Preventing Sexual Harassment

In enacting Title VII, Congress recognized that “**Prevention is the best tool for the elimination of sexual harassment.**” ⁷

Preventing sexual harassment in the world of work starts with addressing the culture of the organization and the various settings in which workers do their jobs. Waiting until an employee reports harassment to address the topic is ineffective, as **reporting the harassment or filing a complaint is the least common response to harassment among employees.**⁸ Employers can [be proactive](#) in cultivating a workplace environment where sexual harassment, and other forms of violence and discrimination, are not tolerated.

- ★ **Talk about it.** Create space for open dialogue among all employees to learn about and discuss sexual harassment.
- ★ **Offer engaging, interactive [training](#)** on sexual harassment and related topics. Avoid fear-based lectures and instead opt for messages that empower workers to take responsibility for the safety, efficiency, and reputation of their colleagues and workplace.
- ★ **Hold all employees equally accountable** to the standards and policies in place to keep people safe. All employees, regardless of their position, performance, or clout should receive appropriate discipline for violating others’ boundaries.
- ★ **Model good behavior.** Leadership should attend and participate in trainings and dialogues related to sexual harassment to show that they care and are invested in the safety of all workers.
- ★ **Be transparent** when communicating information that impacts workers, and create mechanisms for regular feedback. Withholding important information at their potential detriment can create distrust, conflict, and competition.
- ★ **Conduct regular [risk assessments](#) and climate surveys** to identify areas for improvement to organizational culture and safety.
- ★ **Develop comprehensive policies** that address sexual harassment and related issues, such as [confidentiality](#), retaliation, and the process for [filing a complaint](#). Make sure all employees are aware of and educated on these policies and can access them at any point. Create opportunities for survivors to participate in the development of such policies.

Resources for Employers

Workplaces Respond Resources

These resources from the National Resource Center, funded by the Office on Violence Against Women, will help you learn more about sexual harassment, how to better support survivors within your organization, and create workplace policies and structures to prevent and respond to dating and domestic violence, sexual assault, stalking, and sexual harassment (DVSASSH).

- [Sexual Harassment and the Workplace](#)
 - This factsheet describes ways in which workplace sexual harassment affects employees and the workplace.
- [Guide for Supervisors](#)
 - This guide provides information for supervisors on preventing and responding to DVSASSH in the workplace.
- [Employer Guide to Safety Planning](#)
 - Safety plans are an important tool to help reduce a survivor's risk of harm from an abusive individual. This guide provides information on safety planning with a focus on the workplace.
- [Addressing the Impacts of Violence and Trauma in the Workplace](#)
 - This guide describes the traumatic effects of DVSASSH, how to recognize the elements of trauma, and how to respond in a survivor-centered way to help ensure safe, productive, and resilient workplaces for all workers.
- [Preventing Incidents of DVSASSH in the Workplace](#)
 - This factsheet describes how to mitigate threats and prevent incidents of DVSASSH in the workplace.
- [The Top 10 Things Co-Workers Can Do To Address Sexual Harassment In The Workplace](#)
 - This resource offers coworkers 10 tips they can use to support employees experiencing sexual harassment at work.

Resources for Survivors

Helplines

- [Victim Connect Resource Center:](#)
 - Available M-F, 9:00AM-5:00PM ET via phone, chat, or text:
 - 1-855-4VICTIM (855-484-2846)
- [National Domestic Violence Hotline:](#)
 - Available 24/7 via call, chat, and text.
 - 1-800-799-SAFE (7233); TTY: 1-800-787-3224; Text “START” to 88788
- [National Sexual Assault Hotline:](#)
 - Available 24/7, callers will be connected with a trained sexual assault advocate in their area. Also available via chat on the website.
 - 1-800-656-HOPE (4673)
- [The Deaf Hotline:](#)
 - Available 24/7 via phone and email.
 - 1-855-812-1001
- [Strong Hearts Native Helpline:](#)
 - 24/7 safe, confidential and anonymous domestic and sexual violence helpline for Native Americans and Alaska Natives
 - 1-844-7NATIVE (762-8483)
- [Cyber Civil Rights Initiative Helpline](#)
 - Available 24/7 for victims of image-based sexual abuse.
 - 1-844-878-2274

Resources

- [Decision Tree for Sexual Harassment in the Workplace](#)
 - This checklist outlines key considerations for employees experiencing sexual harassment and other harms in the workplace.
- [Advancing Safety through Employment Rights](#)
 - This project provides education and awareness activities to survivors, their advocates, and lawyers to help increase awareness about how these protections may help survivors.

Additional Resources

- [Workplace Sex Harassment: The Basics \(English\) \(Español\)](#)
 - This resource by the National Women's Law Center outlines the foundational elements of sexual harassment and key questions that an employee experiencing sexual harassment may have, such as what steps an employee experiencing harassment can take; what to do when an employer fails to investigate reports of sexual harassment; what does it mean to be retaliated against because an employee experienced sexual harassment, and how to file a complaint with the EEOC.
- [Survivors Speaking Out: A Toolkit About Defamation Lawsuits and Other Retaliation by and for People Speaking Out About Sex-Based Harassment](#)
 - This resource by the National Women's Law Center is for employees who are being retaliated against for speaking about their experience of sexual harassment.
- [Know Your Rights: Sex Discrimination](#)
 - This resource by the American Civil Liberties Union outlines what is sexual harassment when it occurs in the workplace, in relation to housing, and on college campuses
- [Frequently Asked Questions About Sexual Harassment in the Workplace](#)
 - This factsheet by the National Women's Law Center addresses frequently asked questions about sexual harassment including when is an employer legally responsible for the sexually harassing behavior of an employee and what to expect after you submit a report of sexual harassment to your employer.
- [Speaking Out as a Worker](#)
 - This resource by the National Women's Law Center outlines some key considerations for workers who are contemplating speaking out about their experiences of sexual harassment.
- [Questions and Answers](#)
 - This document by the EEOC addresses how Title VII and the ADA may apply to employment situations involving applicants and employees who experience domestic or dating violence, sexual assault, or stalking.

References

- 1 Burrows, C.A. (2024). "Enforcement Guidance on Harassment in the Workplace." The United States Equal Employment Opportunity Commission. Retrieved from: https://www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace#_Toc164808002
- 2 Kearl, H., Johns, N. E., & Raj, A. (2019). "Measuring #metoo: A national study on sexual harassment and assault." Stop Street Harassment. Retrieved from: <https://www.stopstreetharassment.org/wp-content/uploads/2012/08/2019-MeToo-National-Sexual-Harassment-and-Assault-Report.pdf>
- 3 Women Who Tech. (2023). "The State of Women In Tech and Startups 2023." Retrieved from: <https://womenwhotech.org/data-and-resources/state-women-tech-and-startups-2023>
- 4 "Enforcement and Litigation Statistics." The United States Equal Employment Opportunity Commission. Retrieved from: <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0>
- 5 "DOL Workplace Violence Program." Office of the Assistant Secretary for Administration & Management, U.S. Department of Labor. Retrieved from: <https://www.dol.gov/agencies/oasam/centers-offices/human-resources-center/policies/workplace-violence-program#>
- 6 Ibid.
- 7 "29 CFR § 1604.11 - Sexual harassment." Legal Information Institute, Cornell Law School. Retrieved from <https://www.law.cornell.edu/cfr/text/29/1604.11>
- 8 Feldblum, C. R., & Lipnic, V. A. (2016). "Select task force on the study of harassment in the workplace: Report of the co-chairs of the EEOC." The United States Equal Employment Opportunity Commission. Retrieved from: <https://www.eeoc.gov/select-task-force-study-harassment-workplace>