**SEXUAL HARASSMENT**

**Definitions:**

**Sexual Harassment**: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature **constitute sexual harassment** when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

**Quid Pro Quo Harassment:**

Quid pro quo harassment, which means "this for that," is where a supervisor threatens to fire, not promote or withhold some other type of compensation or incentive from an employee if he or she doesn’t have sex with that supervisor.

**Hostile Work Environment**:

Hostile work environment harassment is where speech or conduct is “severe or pervasive” enough to create a hostile or abusive work environment.

Examples of inappropriate conduct of a sexual nature include:

Sexually oriented jokes

Sexually explicit e-mail, screen savers, posters, cartoons, and graffiti

Unwanted verbal and physical contact

The standard used by civil rights agencies and courts in determining whether a hostile work environment exists is whether a reasonable person, in the same or similar circumstances, would find the conduct offensive.

**Sexual Harassment:**

* VIOLATES TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 & TITLE 230 - PART 401
* Includes any action of a clear or potentially sexually-motivated nature.
* Words or actions will become sexual harassment if:
* They are unwelcome to the recipient;
* Are directly, or even by implication, linked to
* employment decisions; and form the basis of such decisions

**Things you can do if you are being sexually harassed:**

* Trust your instincts
* Know your rights and the law
* Title VII
* National Labor Relations Act
* Right to file a complaint with the Equal Employment Opportunities Commission
* Know how to seek out support
* When it is safe to do so, tell the harasser that you want their behavior to stop.
* Take care of yourself

**Steps to File a Complaint:**

* Let the harasser know that his/her conduct is unwanted and unwelcome.
* Go to a supervisor and explain the circumstances. Be sure to take with you documented dates, times, and specific occurrences if you have them. Also, report the incident to Human Resources.
* If the appropriate supervisor is unavailable, or the offender, report the incident directly to Human Resources**.**

**Tips when making a report:**

* + Keep a written record of events, including:
    - What happened and who said/did it
    - When and where it happened
    - Witnesses to the incident
    - Your response at the time – your reactions/feelings as well as attempts to tell the harasser to stop can be important if you decide to bring forth a claim

**Resources**

<https://www.rmlawyers.com/workplace-sexual-harassment-in-colorado-know-your-rights>

<https://www.colorado.gov/pacific/cdle/discrimination-harassment-mistreatment>

National Women’s Law Center Legal Assistance Number: (202)-319-3153