

Saratoga County SPCA Law Enforcement Incorporation  
In-Service Training  
April 2024

# NEW YORK STATE Sexual Harassment Prevention Training

2023 Edition



Combating  
Sexual Harassment

# Sexual Harassment in the Workplace



**Combating  
Sexual Harassment**

# Goals for Today's Training

**Sexual harassment & discrimination are unacceptable**

**Today's training will:**

- Help you better understand what is considered sexual harassment & discrimination
- Show you how to report sexual harassment & discrimination
- Show you external reporting options

# What is Sexual Harassment?

## Sexual Harassment:

- Is a form of gender discrimination and is unlawful
- Includes harassment or discrimination on the basis of sex, gender, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.
- Is not limited to sexual contact, touching or expressions of a sexually suggestive nature
- Is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment.

# What is Gender Identity?

Understanding gender diversity is essential to recognizing sexual harassment & gender discrimination.

Though there are many gender identities, the three most common ways people identify are:

- **Cisgender:** a person whose gender identity aligns with the sex they were assigned at birth.
- **Transgender:** a person whose gender identity is different than the sex they were assigned at birth.
- **Non-Binary:** a person who does not identify exclusively as a man or a woman. Some may identify as transgender, but not all do

# What Can Harassment or Discrimination Look Like?

Any unwelcome conduct, either of a sexual nature or which is directed at an individual because of that individual's gender identity when:

- The purpose or effect of the behavior interferes with an individual's work performance or creates a hostile work environment;
- Employment depends on accepting the unwelcome behavior; or
- Employment decisions are based on an individual's acceptance or rejection of the behavior

# When Does Behavior Escalate to Harassment or Discrimination?

**Under New York State law, harassment does not need to be “severe or pervasive” to be unlawful.**

- Any harassing conduct can be unlawful if it rises above “petty slights or trivial inconveniences.”
- Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered harassing or discriminatory behavior.

**Intent does not affect whether behavior is harassment.**

# Case Study 1



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# Accidentally on Purpose

June started a new job at a restaurant three months ago, and she is slowly getting to know her co-workers. While sharing a meal before the dinner rush, her manager John asks her if she has a boyfriend. June tells John that she would prefer not to talk about her personal life at work. He nods and changes the subject.

**June's manager asked her a personal question that made her uncomfortable. Was this sexual harassment?**

# NO

Though John's question may have felt awkward to June, it was not, in itself, an act of harassment. John did not pursue the subject when June said she would prefer not to talk about it. It did not rise above a trivial inconvenience to a level of harassment or discrimination.

## Accidentally on Purposes (continued)

In the weeks that follow, whenever John is near June, he complains about how hard it is for him to date, discusses his past romantic relationships in detail, and asks June's advice on how to flirt with other women, often pointing out specific candidates. June repeatedly reminds John she would prefer not to talk about personal lives at work, but he ignores her and continues to make unwelcome comments. June finds herself avoiding him whenever she can.

**True or False: John's behavior has escalated above a trivial inconvenience to sexual harassment.**

# TRUE

True. Each instance of sexual harassment is unique to the individual. In June's case, she made clear to John she was uncomfortable discussing any personal matters at work. Despite acknowledging this, John continued to cross June's boundaries, inquiring about her romantic history, and discussing sexual relationships at work. June's work life is impacted as she has adjusted the way she goes about her job to avoid interacting with John whenever she can. This appears to have escalated to a hostile work environment.

# A Hostile Environment as Harassment

A hostile environment may be created by unwanted words, signs, jokes, pranks, intimidation, physical actions, or violence, either of a sexual nature or not, directed at an individual because of that individual's gender

A hostile work environment can exist in a physical office space or when working remotely through virtual meeting platforms, email, chat based apps, social media, and other telework mediums.

# Case Study 2



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# One Moment in Time

Whitney is a paralegal at a large law firm that has adopted remote work as the primary way most employees work. As the firm transitioned to remote work, there were growing pains, and for a period of time, employees relied on their personal phones and email accounts to stay in touch while working from home. Though employees now have access to their work emails and phone numbers, on occasion a lawyer Whitney works with closely, Xander, will text her questions on her personal cell phone. One night, Xander texts Whitney a sexually explicit image.

**True or False: Xander sent the image from his personal phone to Whitney's personal phone, so this is not a workplace issue.**

# FALSE

Though the incident did not happen in the workplace, harassment can occur wherever and whenever work takes place. Employee behaviors outside of work hours that might impact the workplace are covered under this policy. In this instance, though the photo was sent outside work hours, it might impact Whitney's relationship with Xander at work. Xander's behavior is covered by the sexual harassment prevention policy.



## One Moment in Time (continued)

The next day, after she did not respond, Xander sends Whitney a text apologizing for the night before, and states that the image was meant for someone else. A few weeks later, during a one-on-one meeting discussing a case over Zoom, Xander comments on the fact that Whitney's home workstation is set up in her bedroom, and jokes that he would love a virtual tour of "where the magic happens." Uncomfortable, Whitney finds an excuse to end the meeting quickly after that.

Later that same week, Xander sends Whitney a direct message during an all firm Zoom meeting telling her he "can't stop thinking about her in her bedroom" during the workday.

**True or False: A hostile work environment cannot exist while working from home.**

# FALSE

The remote workspace is an extension of the office. Regardless of where the employee is logging in from, any virtual video or text-based platform is a work environment and harassment and discrimination that takes place over these platforms constitute a hostile work environment.

# Case Study 3



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## Working Twice as Hard

Sandra is a first-year resident intern at a teaching hospital in Buffalo. She is the only Black woman in her intern class. She and her intern peers attend rounds every day with Dr. Grey. When asking interns questions, Sandra feels as though Dr. Grey holds her to a higher standard than the other interns. He frequently makes comments about her ignorance and belittles her answers to his questions, though her responses are in line with her fellow residents. One day, as they are walking between patient rooms, Sandra hears Dr. Grey tell a fellow intern that Sandra must have been a “diversity hire.”

Upset, Sandra confides in her fellow intern Justin about what she overheard. Justin tells Sandra that he understands she is upset, but she should not read too much into it. Justin is also Black, and he has never felt that Dr. Grey treats him differently than their non-Black peers. When Dr. Grey is hard on them it is because he wants them all to be great doctors.

## Working Twice as Hard (continued)

Sandra follows Justin's advice and does not make a formal complaint. As the months go by, Dr. Grey continues to bully Sandra during rounds, including rolling his eyes when she speaks and reacting dramatically when she gives wrong or incomplete answers, behavior that he doesn't exhibit toward any of her fellow residents, and that embarrasses her in front of colleagues and patients.

Recently, his comments have started to venture away from her medical knowledge. Dr. Grey has begun commenting that Sandra needs to make more of an effort in her appearance if she wants to be respected as a professional including wearing makeup and straightening her natural hair. When Sandra complains to her fellow intern Monica, who is white, Monica shrugs off Sandra's concerns because Dr. Grey has never made her feel uncomfortable with personal remarks.

**True or False: Dr Grey's conduct is likely racial discrimination**

# TRUE

Though Dr. Grey may assert his bullying of Sandra is not based on her race, his comments that she must be a “diversity hire” and that she should straighten her natural hair suggest a racial motivation. The fact that other Black colleagues have not felt mistreated based on race doesn’t matter to Sandra’s experience.

**True or False: Dr. Grey’s conduct is likely sexual harassment**

# TRUE

Again, even if other women in her intern class feel respected, Sandra has experienced belittling behavior and remarks regarding her appearance that appear to be discriminatory based on her gender. This behavior likely meets the legal standard in New York for harassment, as it rises above a petty slight or trivial inconvenience.

# Quid Pro Quo Sexual Harassment

Occurs when a person in authority trades, or tries to trade, job benefits for sexual favors.

## Examples include:

- Better working conditions in exchange for a sexual relationship
- Retaliating for refusing to engage in a sexual relationship
- Using pressure to force a sexual relationship



# Case Study 4



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# Shaken, Not Stirred

Jamila is a bartender at a popular Brooklyn restaurant. She has been with the restaurant for a month and is hoping to be scheduled during the popular Friday and Saturday evening shifts. Her manager Jason creates the shift schedule. She tells him she feels confident in her position and that she knows the restaurant patrons well enough to be scheduled for the high tipping weekend shifts. He tells her, “We’ll see. We have a lot of qualified bartenders.”

A week later, Jamila and Jason are closing after a Wednesday night shift. Jason pours them both a shot of tequila, asks Jamila to join him at the bar, and tells her that he hopes he will be able to give her some weekend shifts. He tells her that some other bartenders have been with the restaurant longer but that she is the one he wants. Jason places his hand on Jamila’s knee and encourages her to drink the tequila. Jamila quickly takes the shot before jumping off the barstool and finishing her closing tasks.

**True or False: Jason's behavior could be harassment of Jamila.**

# TRUE

Jason's behavior as Jamila's boss is inappropriate, and Jamila should feel free to report the behavior if it made her uncomfortable.

Jason's behavior, at this point, may or may not constitute quid pro quo harassment; Jason has made no promise or threat to Jamila that he will handle her shift schedule differently based on how she responds to his advances. However, his discussion of shifts while making what could be seen as a sexual advance is inappropriate and might be considered potentially coercive. If Jason continues to make advances, even if he never makes or carries out any threat or promise about job benefits, this could create a hostile environment for Jamila, for which the restaurant owner could be strictly liable because Jason is her supervisor.

## Shaken, Not Stirred (continued)

After a week of continuing to receive less desirable shifts, Jamila asks Jason again if he would schedule her for a Friday or Saturday night. He says that he is not sure, but there is still time for her to “make it worth his while.” He then asks her to come home with him after work that night.

Jamila, who really needs the extra cash a Saturday night shift will bring in tips, decides to go home with Jason. Almost every week they go out at Jason's insistence and engage in sexual activity. Jason begins scheduling Jamila for Friday and Saturday evenings. Jamila does not want to be in a relationship with Jason and is only going out with him because she believes that he will change her schedule away from the busier shifts.

**True or False: Jamila cannot complain of harassment because she voluntarily engaged in sexual activity with Jason.**

# FALSE

Because the sexual activity is unwelcomed by Jamila, she is a target of sexual harassment. Equally, if she had refused Jason's advances, she would still be a target of sexual harassment. The offer to Jamila to trade job benefits for sexual favors by someone with authority over her in the workplace is quid pro quo sexual harassment, and the employer (in this case, the restaurant owner) is exposed to liability because of its manager's actions.

**Can Jamila complain of harassment if she got the shifts she wanted?**

# YES

Jamila can be sexually harassed even if she receives a benefit

## Shaken Not Stirred (continued)

After several months, during which she believes she has proven herself an asset during the weekend rush, Jamila breaks off the sexual activities with Jason. He immediately changes her schedule and places her in less desirable shifts with fewer customers and lower tips.

**True or False: It is now “too late” for Jamila to complain. Her relationship with Jason was consensual so there is no proof she is receiving less favorable shifts due to the breakup.**

# FALSE

Jason's conduct constitutes quid pro quo sexual harassment; whether or not Jamila accepts and benefits from or rejects and is harmed by it is irrelevant.



# Sex Stereotyping is Gender Discrimination

Harassing a person because that person does not conform to gender stereotypes is sexual harassment.

Harassment because someone is performing a job that is usually or was previously performed mostly by persons of a different sex is sex discrimination.

## Which of the Following are Examples of Sex Stereotyping?

1. Amy is a steelworker with 25 years of experience. Her supervisor, Gus, always assigns a male coworker to partner with Amy on any project she is assigned. Similar projects he assigns to Amy's male coworkers to accomplish solo. When Amy confronts Gus, he explains that he just wants her to be safe as she is the only woman in a tough job.
2. Frank is an administrative assistant at a popular production company. He applies for an internal promotion to serve as administrative assistant to the company's Executive Director, which will involve greeting several high-level guests when they come to meet the director. Frank is gender fluid, and he wears makeup and dresses on occasion. Though more qualified than other candidates, Frank does not receive the promotion. The Executive Director explains that while he supports Frank's "lifestyle," many of his guests are "more traditional" and would "not be comfortable" with Frank as their first point of contact.
3. A finance firm hosts regular quarterly luncheons for their most important clients. At every luncheon, the CEO Peter directs all his questions regarding the logistics of the luncheon to Susan, the Vice President Peter works with, and only woman in a leadership position at the firm, despite the fact that Ronald, the organizer of the lunches, is also in the room.
4. George is the primary caregiver for his young son as he works from home for a tech company while his wife goes into the office. George's toddler has been known to interrupt video meetings, but George's output is impeccable. Still, George is often left out of meetings because his boss does not want to deal with "Mr. Mom."

**CORRECT ANSWER: All of the Above!**

# Who can be the Target of Sexual Harassment?

**Sexual harassment can occur between any individuals, regardless of their sex or gender.**

The law protects employees, paid or unpaid interns, and additional covered individuals including (but not limited to) independent contractors, vendors, temporary workers, consultants, or anyone providing services in the workplace.

# Who Can Be the Perpetrator of Harassment?

Anyone in the workplace can be the perpetrator of sexual harassment or discrimination.

**This includes:**

- A coworker
- A supervisor or manager
- Any third-party (non-employee, intern, vendor, customer, etc.)

# Where Can Workplace Sexual Harassment Occur?

**Whenever and wherever employees are fulfilling their work responsibilities, including:**

- Employer-sponsored events
- Conferences
- Office parties
- Off-site or during non-work hours
- Online
- Working Remotely

## Which of the scenarios below are a reason an employee might file a harassment or discrimination claim?

1. A patient harasses his at-home caregiver.
2. A customer asks a waitress to remove her mask so he can decide how much to tip.
3. An employee frequently comments with discriminatory language on a coworker's social media posts.
4. An employee gets handsy with his colleague at a hotel bar during a conference.
5. A copy repair person tells jokes that are degrading toward women while fixing the copier.
6. Cleaners employed by the building an organization rents space in discuss their sexual prowess loudly.
7. A hotel guest gropes a housekeeper as she walks by.

CORRECT ANSWER: All scenarios described above should be reported

# Bystander Intervention



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## 5 Methods of Bystander Intervention

1. Interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior.
2. Ask a third-party to help intervene in the harassment.
3. Record or take notes on the harassment incident to benefit a future investigation.
4. Check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok.
5. Confront the harassers and name the behavior as inappropriate only when you feel safe.



## What Method of Bystander Intervention is being used in the Scenarios Below?

Hotel cleaner Frances is walking down an empty hallway between rooms. A guest pushes her up against the wall and attempts to assault her just as hotel bellhop Tony comes out of the elevator. Tony places himself between Frances and the guest and tells the guest he is behaving inappropriately. This is an example of what kind of bystander intervention?

ANSWER: Confronting the behavior directly

Kyle is asking Sheila about her dating life. Sheila says she does not want to talk about it at work, but Kyle keeps asking about it. Taylor asks Sheila to review a slide deck she is working on. This is an example of what kind of bystander intervention?

ANSWER: Engaging and distracting the person being harassed

Bartender Leslie notices a restaurant customer is brushing up against his waitress Danielle, touching her arm or leg every time she comes to the table. Leslie tells her supervisor who intervenes and allows Danielle to switch table assignments. This is an example of what kind of bystander intervention?

ANSWER: Asking a third-party for help intervening

# Retaliation



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# Protected Activities

Any employee engaged in “protected activity” is protected by law from being retaliated against.

## Protected activities include:

- Making a complaint about harassment or suspected harassment
- Providing information during an investigation
- Testifying in connection with complaint

# What is Retaliation?

Any action to alter an employee's terms and conditions of employment because that individual engaged in protected activities is retaliation.

**Examples include (but are not limited to):**

- Sudden changes in work schedule or work location
- Reduced hours or the assignment to less desirable shifts
- Publicly releasing an employee's personnel files

## What is Not Retaliation?

**A negative employment action is not retaliatory merely because it occurs after the employee engages in protected activity.**

Employees are still subject to job requirements, but managers should be sensitive to discrimination's impact when assessing job performance.

# Case Study 5



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# Domestic Disturbance

Maria is a domestic worker hired as a nanny by Dan and Lisa. One day while helping their daughter Jovie clean up her toys, Maria enters the hallway just as Dan is emerging from the bathroom. Having just showered, Dan is wearing only a towel. Flustered and embarrassed, Dan apologizes and runs to the bedroom to get dressed.

**True or False: Dan appearing in only a towel is harassment.**

# FALSE

In this case, Maria and Dan's interaction is accidental. Dan did not mean for Maria to see him in his semi-dressed state, he immediately apologized, and vacated the shared space.



## Domestic Disturbance (continued)

Maria focuses on caring for Jovie and after some initial awkwardness, she and Dan have a professional, if distant, relationship. Lisa serves as the primary employer, overseeing Maria's schedule and paychecks. Though not typically scheduled for the weekends, Maria agrees to work overtime to help Dan while Lisa is away on business one weekend. Without Lisa in the home, Dan sits and stands very close to Maria, frequently brushing up against her and at one point patting her butt.

**As a domestic worker, is Maria protected against sexual harassment?**

# YES

All employers in NYS regardless of size, including households employing a single domestic worker, are required to adopt a sexual harassment policy. Maria is covered by the state's Human Rights Law against sexual harassment and discrimination. If Maria feels safe, she can report the incident to her employer – Lisa. If she does not trust Lisa to act, she can file a complaint with the New York State Division of Human Rights.

## Domestic Disturbance (continued)

When Lisa returns, Maria reports Dan's inappropriate behavior to Lisa. Maria cares for Jovie and Lisa and wants to keep her job, but she tells Lisa she does not feel safe being left alone with Dan. Lisa tells Maria she appreciates her honesty. That evening, Lisa writes a post in her online neighborhood mom group warning families not to hire Maria because she is bad at her job and will try to seduce their husbands.

**True or False: Lisa did not fire Maria, so her online post is not retaliation.**

# FALSE

Harassment and retaliation do not need to happen in the workplace. Such a post will make it very difficult for Maria to find a new job, should Lisa decide to fire her or should Maria decide working for Dan is no longer possible. This punishes Maria for coming forward with Dan's harassment and leaves her in a position of weakness.

# Supervisor's Responsibility



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# A Supervisor's Responsibility

**Supervisors and managers are held to a higher standard of behavior.**

**Supervisors and Managers are:**

- Required to report any harassment reported to them or which they observe.
- Responsible for any harassment or discrimination they should have known about.
- Expected to model appropriate behavior.

# Mandatory Reporting

**Supervisors must report any harassment that they observe or know of, even if no one is objecting to it.**

- Harassment must be promptly reported to the employer.
- Supervisors and managers will be subject to discipline for failing to report suspected sexual harassment.
- Supervisors and managers will also be subject to discipline for engaging in retaliation.

# Case Study 6



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# Call Me By My Name

Erin is a trans woman who works at a marketing firm. She has been with the company for 20 years and has come out and transitioned while with the company over the past 7 years. At this point, all her coworkers know her as Erin and her preferred pronouns of she/her/hers. Though she has support from leadership and the majority of her coworkers, Erin's colleague, Vanessa, continues to refer to Erin by the name she received at birth and no longer uses (otherwise known as deadnaming) while also continuing to use he/him pronouns. When Erin asked Vanessa to stop, Vanessa stated being transgender violated her religious beliefs. Erin reported the treatment to her supervisor, Jessica. Jessica sympathized with Erin but advised her to just let it go because Vanessa would be retiring soon.

**True or False: Erin can file a complaint against Vanessa and Jessica for gender discrimination.**

# TRUE

True. As a supervisor, Jessica is required to report any claim of gender discrimination. By telling Erin to ignore the behavior, Jessica is not fulfilling the responsibilities of a manager. Vanessa also does not have the right to intentionally ignore Erin's preferred name and pronouns. Under the Human Rights Law, personal religious belief is not a justifiable defense for discrimination. Erin can file a claim of potential gender discrimination by both Vanessa and Jessica to her company's HR department or the New York State Division of Human Rights.

# What Should I Do If I Am Harassed?



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# What Should I Do If I Am Harassed?

- If you experience or witness harassment or discrimination you are encouraged to report it internally.
- Behavior does not need to violate the law to violate our policy.
- Complaints may be made verbally, through email, or by complaint form.
- All complaints will be treated equally regardless of how they are reported.

# What Should I Do If I Witness Sexual Harassment?

Anyone who witnesses or becomes aware of potential instances of sexual harassment should report it to a supervisor, manager, or designee.

It is unlawful for an employer to retaliate against you for reporting suspected sexual harassment or assisting in any investigation.

# Investigation and Corrective Action

- Anyone who engages in sexual harassment, discrimination, or retaliation will be disciplined.
- An investigation of any complaint will be commenced promptly and completed as soon as possible.
- The investigation will be kept confidential to the extent possible.
- It is illegal to retaliate against **any** employee for their participation in an investigation.

# Investigation Process

- We will conduct a prompt review of the allegations, and take any interim actions.
- Relevant documents, emails, or phone records will be requested, preserved, and obtained.
- Interviews will be conducted.
- The individual(s) who complained and the individual(s) accused of sexual harassment are notified of final determination and that appropriate administrative action has been taken.

# Case Study 7



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# Banking on You

Sawyer is a manager at a mid-size bank. Sawyer recently began dating Hayden, a teller at the bank. After three months of dating, Hayden breaks up with Sawyer. Though the two agree to act professionally at work, Sawyer takes the breakup hard. As manager, Sawyer is sure to assign Hayden shifts so they are always at the bank at the same time. Sawyer creates special projects to work on one-on-one with Hayden, ensuring the two are alone while at the bank. More than once, Sawyer uses these sessions to urge Hayden to give their relationship another chance. Hayden is firm that their romantic relationship is over.

**True or False: This is not sexual harassment because Sawyer and Hayden were in a consensual relationship, and Sawyer's behavior is typical of anyone dealing with a hard breakup.**

# FALSE

Having a prior relationship does not give Sawyer the right to harass Hayden at the workplace. Continually asking for dates after someone says no can be a form of harassment, even if there was a prior relationship. The frequent requests, coupled with the isolation from other coworkers, can leave Hayden feeling unsafe at work.

## Banking on You (continued)

Frustrated that Hayden will not reconsider their relationship, Sawyer begins complaining to coworkers about Hayden's perceived cruelty. While complaining, Sawyer frequently divulges personal information about their romantic relationship and Hayden's private life.

**True or False: This is a personal issue between Sawyer and Hayden and co-workers should not get involved.**

# FALSE

Employees have a right to report harassing or discriminatory behavior, even if they are not the subject of the harassment. In this instance, an employee might wish to report harassing behavior on behalf of Hayden. At the same time, Sawyer's frequent descriptions of personal, romantic information might be creating a hostile environment for all employees, and these employees might wish to make a complaint on their own behalf. Sawyer's behavior is inappropriate.

# Additional Protections and Remedies



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# NYS Division of Human Rights (DHR)

A complaint alleging violation of the Human Rights Law may be filed either with DHR or in NYS Supreme Court.

- Complaints may be filed with DHR any time **within three years** of the alleged sexual harassment.
- You do not need to have an attorney to file.
- More information: [www.DHR.ny.gov](http://www.DHR.ny.gov) or call 1-800-HARASS-3

# United States Equal Employment Opportunity Commission (EEOC)

- An individual can file a complaint with the EEOC anytime **within 300 days** from the alleged sexual harassment.
- You do not need to have an attorney to file.
- A complaint must be filed with the EEOC before you can file in federal court.
- More information: [www.EEOC.gov](http://www.EEOC.gov).

# Local Protections

**Many localities enforce laws protecting individuals from sexual harassment and discrimination.**

- Contact your county, city, or town to find out if laws exist.

**Harassment may constitute a crime if it involves things like physical touching, coerced physical confinement, or coerced sex acts.**

- Those wishing to pursue criminal charges should contact their local police.



# Case Study 8



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## No Go Joe

Mallory works at a small family-owned gift shop. She is one of two employees in addition to the owner Joe. The storage room at the back of the shop is tight and can sometimes require Mallory and Joe to get very close while restocking inventory. On more than one occasion, Joe has brushed up against Mallory while moving past her. Though she initially thought it was unintentional, Joe is now pressing himself against her in a clearly intentional way. Mallory mentions this to her coworker Emily who confides that Joe has been doing the same to her. Joe is both the owner of the store and Mallory's supervisor. There is no separate individual at the store through which Mallory can make a harassment complaint.

**True or False: Mallory's only option is to confront Joe directly about his behavior by writing a report and submitting it to Joe.**

# FALSE

If she feels safe, Mallory is able to make a complaint directly to Joe. Alternatively, Mallory is able to file a complaint with the New York State Division of Human Rights within three years of the incident or the U.S. Equal Employment Opportunity Commission within 300 days of the incident. For the EEOC, generally companies must employ at least 15 people.

# Summary



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# Other Types of Workplace Harassment

**Discrimination is intersectional and often multiple identities impact our perceptions in the workplace and the treatment of coworkers.**

Any harassment or discrimination based on a protected characteristic is prohibited in the workplace and may lead to disciplinary action against the perpetrator.

- Age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity or expression, familial status, predisposing genetic characteristics, and criminal history.

**Much of the information presented in this training applies to all types of workplace harassment based on protected characteristics.**

# Summary

## Things you learned:

- How to recognize harassment and discrimination as inappropriate behavior.
- Harassment because of any protected characteristic is prohibited.
- Why workplace harassment is employment discrimination.
- All harassment should be reported.
- Supervisors and managers have a special responsibility to report harassment.

# Important Resources

For additional information, visit:

[www.ny.gov/programs/combating-sexual-harassment-workplace](http://www.ny.gov/programs/combating-sexual-harassment-workplace)

For anyone needing additional support, The New York State Domestic and Sexual Violence Hotline can be reached at:

Phone: 800-942-6906 or Text: 844-997-2121

**THANK YOU!**



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