

**SEXUAL
HARASSMENT
IN THE
WORKPLACE
IS.....**

**ABUSIVE
HUMILIATING
INSULTING
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DEPARTMENT OF HUMAN RESOURCES
Lillian W. Stewart, Secretary

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WHAT IS SEXUAL HARASSMENT?

Sexual harassment is an infringement of an employee's right to work in an environment free from unwanted sexual attention and sexual pressure of any kind. While sexual harassment need not necessarily involve a male supervisor and a female subordinate, this is the most common situation in which the problem arises.

In addition, pressure can come from a person of either sex against someone of the *opposite or same sex*, and from peers and customers or clients as well as supervisors.

Besides being a personal violation, sexual demands in the workplace, especially between the supervisor and the employee, threaten a person's economic livelihood and create an atmosphere that is not conducive to work. **Sexual harassment is considered to be a form of sex discrimination and is illegal.**

"Have sex or be fired..."*

MARYLAND LAW

Civil Code—Article 49B of the Annotated Code of Maryland prohibits discrimination in employment on the basis of gender with respect to compensation, terms, conditions or privileges.

Criminal Code—Article 27, Sections 464B and C of the Annotated Code of Maryland prohibits coercive sexual demands or contact, including the intentional touching of any intimate part of the victim's body with another person against the will and without the consent of the other person.

Executive Order on Sexual Harassment—No. 01.01.1980.16, issued by Governor Harry Hughes on October 20, 1980, prohibits sexual harassment in Maryland State Government.

FEDERAL LAW

TITLE VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, prohibits discrimination on the basis of gender in all terms, conditions and privileges of employment

The EEOC amended its *Guidelines on Discrimination Because of Sex* to clarify its position and reaffirm that sexual harassment is an unlawful employment practice.

HAVE YOU BEEN A VICTIM?

You have been a victim if you have experienced any of the following on the job:

- ◆ Lewd remarks, catcalls, whistling, obscene references to your anatomy.
- ◆ Unwanted physical advances or contact.
- ◆ Requests for acquiescence in sexual acts.
- ◆ Repeated propositions or dates.
- ◆ Demands for sexual intercourse.
- ◆ Required to listen to sexually suggestive jokes and remarks, whether you want to or not.
- ◆ Rape or attempted rape.

As a result of refusing these advances, you may have experienced any one of the following:

- ◆ Denial of promotion.

* Quoted from the Maryland State Survey on Sexual Harassment

- ◆ Termination or forced resignation.
- ◆ Resignation under duress.
- ◆ Bad evaluation or poor recommendations.
- ◆ Assignment of different, less favorable, working hours or conditions.
- ◆ Demotion.
- ◆ Loss of any other normal employee benefits.
- ◆ Additional job duties beyond your normal job description.

A work environment which is hostile, intimidating or offensive and has the purpose or effect of unreasonably interfering with an individual's work performance may constitute sexual harassment—and is illegal.

WHAT CAN YOU DO ?

If you are a victim of sexual harassment, you may be entitled to statutory relief, including:

- ◆ Cessation of the harassment
- ◆ Back pay and/or lost benefits.
- ◆ Job reinstatement.
- ◆ Recovery of lost benefits.
- ◆ Promotion to which you are entitled.
- ◆ Restoration of an employment environment free from sexual harassment.

MAKING YOUR CASE

To make a strong case on your own behalf, you should try to document the incidents of sexual harassment you experience by:

- ◆ Not ignoring sexual harassment.
- ◆ Keeping a written record of when, how and by whom the acts were committed.
- ◆ Getting support from co-workers if possible
- ◆ Keeping a written record of when and how you informed supervisory personnel or personnel department of the conditions of sexual harassment you faced.
- ◆ Bring the harassment to the attention of your supervisor. If your supervisor is doing the harassing, complain to someone else in authority.
- ◆ Managers have the responsibility to take corrective action.

Can the company retaliate because I complain?

It is illegal to fire, demote, or take other adverse action against you because you complain of sexual harassment.

TIME LIMIT FOR FILING CHARGES

Charges should be filed *immediately* with the Maryland Commission on Human Relations and/or the Equal Employment Opportunity Commission, but should not exceed *six months* after the alleged occurrence.

WHERE DO YOU GO FOR HELP?

To pursue formal charges, contact:

The Maryland Commission on Human Relations
20 East Franklin Street
Baltimore, MD 21202
333-1700 TTY 333-1737 FAX 333-1841

The Maryland Commission on Human Relations
Satellite Office
514 Race Street
Cambridge, MD 21613
228-0112 228-0113 FAX 228-1942

The Maryland Commission on Human Relations
Satellite Office
Professional Arts Building
5 Public Square
Hagerstown, MD 21740
301-791-4011 FAX 791-4502

Local/County/Municipal
Human Relations Commissions

Your Union

The Equal Employment Opportunity Commission
111 Market Place
Baltimore, MD 21202
962-3932 FAX 962-4270

Your attorney for private litigation



If you want further information contact:

The Maryland Commission for Women
311 West Saratoga Street, Room 239
Baltimore, MD 21201
767-7137 TTY 333-0017 FAX 333-0392

Local/County/ Municipal
Commissions for Women

*Please consult your local telephone directory for numbers
and locations not listed above.*

This brochure is intended for general information purposes. For specific applications of the law, please consult an attorney or Article 49B of the Annotated Code of Maryland and the applicable state and/or federal regulations.

**THE MARYLAND COMMISSION FOR
WOMEN
and
THE MARYLAND COMMISSION ON
HUMAN RELATIONS**



STATE OF MARYLAND
William Donald Schaefer
Governor

DEPARTMENT OF HUMAN RESOURCES
Luther W. Starnes, Secretary