

Laws, Regulations, and Policies That Protect Employees from Harassment at Work

Workplace harassment has been a persistent problem that's been going on for a long time. It happens everywhere, from small private firms to large corporations. It happens even in government branches and agencies.

What's worse is that most victims end up keeping silent. In fact, a sobering [2016 report](#) revealed that as many as 87-94% of harassment victims for that year had chosen not to file formal complaints. Some felt fear of retaliation from employers, while others were not sure if their situation qualified as harassment.

In the past few years, we've made strides towards curbing work harassment. The #MeToo and #TimesUp movement, in particular, have empowered people who have been victims of sexual harassment. More people are stepping out of the shadows to defend themselves.

We're moving in the right direction. However, as business owners or managers, more work has to be done. Part of **management accountability** is equipping the employees with knowledge on **how to handle harassment at work**.

The management also has to let the employees know about the laws, regulations, and policies that protect them from harassment. We'll discuss what those are in this article.

Title VII of the Civil Rights Act

The [Civil Rights Act of 1964](#) is a groundbreaking civil rights and labor law prohibiting discrimination based on sex, color, race, religion, or nationality. It was initially proposed by President John F. Kennedy in 1963 and was made into law the following year.

[Title VII](#) of the said act covers prohibition for employers with at least 15 workers to discriminate against its employees. Being that workplace harassment is a form of discrimination, this particular law offers strong protection for workers.

The [1986 Meritor Savings Bank vs. Vinson case](#) was the catalyst for workplace harassment to be recognized as discrimination.

Mechelle Vinson filed for a sexual harassment lawsuit against Capital City Federal Savings Bank in 1978, shortly after being fired from her job. During her time with the company, she was repeatedly sexually abused by her manager. She received threats of demotion or termination if she resisted.

In 1986, her case reached the US Supreme Court after several appeals by the bank. The Supreme Court, with a landmark decision, ruled unanimously in her favor. This ruling set a precedence that sexual harassment is a direct violation of federal laws.

Today, employees who are experiencing harassment at work due to sex, color, race, or religion may file lawsuits against their employer based on the violation of Title VII.

Equal Employment Opportunity Commission

The [Equal Employment Opportunity Commission \(EEOC\)](#) is a federal agency created to enforce laws that protect employees from discrimination, including workplace harassment. Formed in 1965, this agency has helped thousands of employees who've experienced forms of harassment in the workplace.

Some of the federal laws that the EEOC enforces include the aforementioned Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, the Age Discrimination Act of 1967, and the Americans with Disability Act of 1990.

Typically, employees who are experiencing harassment at work should file their complaints with their immediate supervisor or the human resource department. If they don't feel comfortable doing that, they may submit their claim with the EEOC.

The EEOC has the authority to investigate complaints by workers as long as the law covers it. They will usually conduct an investigation and either attempt to settle the charge or help individuals file a lawsuit against their employer.

The EEOC enforces measures that prevent employers from retaliating. Once proven that the employers did try to retaliate, the EEOC and the employees can file additional cases against them.

In addition to the EEOC, states also have fair employment practices agencies (FEPA) that also investigate cases of workplace discrimination or harassment. Only the states of Missouri and Arkansas don't have a state FEPA.

State Laws Mandating Sexual Harassment Training

In light of the recent sexual harassment cases that have come out, some states have taken measures to ensure that companies are protecting employees against it.

In the state of California, the SB 1343 bill requires employers to provide sexual harassment prevention training starting January 1, 2020. Under this bill, supervisory employees must undergo a two-hour training while regular employees at least one hour.

Employers in California must do this training once every two years.

The state of New York has a similar law that took effect this year. Unlike California, New York's mandated sexual harassment prevention training should happen every year.

In this training, employers must educate employees about conducts that constitute sexual harassment, the federal and state laws that protect them against it, and measures to prevent it from happening.

The state of Illinois requires every state department and agency to have a written sexual harassment policy. They must post this policy in conspicuous locations for everyone to see. In addition, like New York and California, they also require sexual harassment prevention training.

As of June 2019, [only 21 states](#) have laws requiring sexual harassment prevention training, but more should follow suit in the coming years.

Best Ways to Implement the Laws, Regulations, and Policies against Harassment

The laws and regulations against harassment are already in existence. If your company does not have policies against harassment yet, it's high time you start creating one.

The key to protect the workers is in the effective implementation of these policies. To do that, consider doing the following in your company:

- **Conduct regular training and seminar for all employees.** Regular anti-harassment training and seminar can go a long way towards mitigating instances of it.

In your trainings, educate employees with examples of what constitutes harassment. They also must be aware of current laws and regulations that can protect them. Some harassment victims end up not filing reports due to ignorance of the law.

- **Make the process of filing complaints easier.** Part of the management's duty is to create an atmosphere where employees feel comfortable filing harassment complaints. Your employees shouldn't have to go through several hoops for the right people to hear their claims.

You may designate certain HR officers to handle harassment complaints. You may even create a separate channel outside of HR to take care of these complaints.

- **Take every complaint seriously.** Not every report will ultimately qualify as harassment. However, as owners or managers, you should always perform due diligence for every report.

Whether you feel that the reports have merit or not, taking appropriate actions would encourage more people to report. You'll also earn their trust in the process.

Strive for a Harassment-Free Workplace

Few things cause a **toxic work culture** more than unenforced harassment policy. As managers or business owners, you have to be proactive in taking measures to prevent harassment at all costs in the workplace. Strive to create an environment that's free of harassment.

Workplace harassment is a grave matter that no company should ever take lightly. Failure to enforce harassment policies will negatively impact your business and its workers. Being lax about it or turning a blind eye to it will only dampen **employee morale** and hurt **employee productivity**.

More importantly, though, it could also possibly ruin the victims' personal lives.

So take actions. Educate your employees of existing anti-harassment laws and implement your company policies effectively.