

Judiciary Committee

Public Testimony of the CT Women's Education and Legal Fund (CWEALF)

S.B. 132: *An Act Combatting Sexual Harassment and Sexual Assault*

Submitted by: Madeline Granato, Policy Manager

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The Connecticut Women's Education and Legal Fund (CWEALF) is a statewide nonprofit that advocates for and empowers women and girls in Connecticut, especially those who are underserved or marginalized. For nearly forty-five years, CWEALF has advocated for policies that advance the economic security of women across our state and promote gender equity in the workplace.

Through CWEALF's Legal Education Program, we educate Connecticut residents, especially low-income women, about their rights and connect them to critical legal advocacy resources and attorneys. We also provide sexual harassment prevention trainings to companies, nonprofit organizations, and educational institutions, to create a safe and respectful work culture.

We urge the Committee to support S.B. 132: *An Act Combatting Sexual Harassment and Sexual Assault*.

The #MeToo movement shines a stark spotlight on sexual harassment and its pervasive presence in every sector – from Hollywood movie sets to restaurants and cable newsrooms to hotel housekeeping. Both nationally and in Connecticut, sexual harassment remains a significant problem. According to a new report from [Stop Street Harassment](#), 81% of women and 43% of men reported experiencing some form of sexual harassment and/or assault. Thirty-eight percent (38%) of women reported experiencing sexual harassment at work.¹

Sexual harassment in the workplace threatens workers' economic survival, especially for women, who are disproportionately affected. It frequently leads to job loss, lost wages, legal fees, exit from the workforce, and less income for families. More than ¼ of sexual harassment charges originate in industries with large numbers of service-sector and low-wage workers, who are predominantly women.

Workplace harassment often affects individuals' physical and emotional wellbeing, too. According to the International Journal of Public Health, non-physical sexual harassment

¹ Reston, Virginia. 2018. The Facts Behind the #MeToo Movement: A National Study on Sexual Harassment and Assault. Stop Street Harassment. Retrieved from: <http://www.stopstreetharassment.org/wp-content/uploads/2018/01/2018-National-Sexual-Harassment-and-Assault-Report.pdf>

(such as comments or jokes) is associated with a psychological impact - including anxiety, depression, negative body image, and lowered self-esteem.² It can also result in physical effects, such as headaches, sleep disorders, weight loss or gain, and nausea.

CWEALF supports S.B. 132: *An Act Combatting Sexual Harassment and Assault* to modernize the training requirements and provide adequate support and protections for victims of harassment and assault here in Connecticut.

Currently, Connecticut law requires employers with 50 or more employees to provide two hours of training to supervisory employees within six months of their hire, but never again. This leaves out many companies and many employees from knowing the basics of how to prevent and respond to sexual harassment.

Senate Bill No. 132 would extend this critical training to employers with 3 or more employees, both supervisory and nonsupervisory. Under S.B. 132, employers with 3 or more employees would also be required to provide new employees information about sexual harassment and available remedies within their first three months of employment via email.

Senate Bill No. 132 also limits employer's defense to sexual harassment claims. An employer may not defend itself from a complaint of harassment, for example, by saying that the claim was properly investigated, immediate corrective action was taken, and the sexual harassment stopped, or if the complainant did not report the sexual harassment to the employer before filing a complaint with CHRO. An employer may also not defend itself from a complaint of harassment by saying that the sexual harassment was not severe or pervasive – a very high standard that needs further consideration. By limiting an employer's defense to sexual harassment claims, we are one step closer to provide victims adequate support and confidence they need to come forward to report harassment or an assault.

CWEALF also supports S.B. 132's increase of the time limit to file an employment-related discrimination or sexual harassment claim to CHRO from 180 days to 3 years, as well as the bill's extension of the statute of limitations to file a civil employment-related discrimination or sexual harassment lawsuit (after obtaining a CHRO release) from 90 days to 2 years. These timeframes align with other statutes of limitations for civil cases in Connecticut. Individuals are understandably reluctant to come forward after an assault or harassment. A 2016 study from the EEOC found that 75% of employees who spoke out against workplace mistreatment faced some sort of retaliation.³

Underreporting of sexual harassment and assault in the workplace stems from fear of retaliation from employers or colleagues. Victims also often fear that they be believed or will be subject to professional punishment, including termination. The current 180-day

² Bendixen, M., Daveronis, J. & Kennair, L.E.O. Int J Public Health (2018) 63: 3. <https://doi.org/10.1007/s00038-017-1049-3>

³ U.S. Equal Employment Opportunity Commission. (2016). Select Task Force on the Study of Harassment in the Workplace. Retrieved from: https://www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf

limit to file a complaint limits a victim's ability to process the events that have occurred and decide the best way to take action.

CWEALF urges the Committee to recognize that the time is now to support S.B. 132 to further prevent sexual harassment in the workplace, and support women's economic security.