

## **WHAT WORKS AT WORK:**

**Promising practices to  
prevent and respond to sexual  
harassment in low-paid jobs**



# SEXUAL HARASSMENT IS AN EXPRESSION OF POWER.

IT IS USED TO REINFORCE CULTURAL NORMS  
ABOUT PROPER ROLES, BEHAVIOR, AND WORK FOR  
WOMEN AND MEN, TO EXERT CONTROL OVER PEOPLE  
WITH LESS POWER AND STATUS IN SOCIETY AND  
IN THE WORKPLACE—INCLUDING PEOPLE OF COLOR,  
LGBTQI+ PEOPLE, AND PEOPLE WITH DISABILITIES—  
AND TO TELL TARGETS THAT THEY ARE OF LESS  
VALUE THAN THE HARASSER.

## ABOUT THIS PROJECT:

In June 2019, the National Women's Law Center and the Urban Institute hosted a two-day convening of workers, organizers, litigators, advocates, and social scientists to identify and examine effective interventions to prevent and respond to workplace sexual harassment in low-paid work settings. The presenters and participants examined practices shown to be effective by research or through on-the-ground experience for preventing and addressing workplace sexual harassment. Specifically, the convening focused on changing workplace culture, training employees and managers to prevent and respond to harassment, setting up effective complaint procedures, responding appropriately to harassment complaints, and preventing retaliation. The participants also identified areas for future research and collaboration. This report highlights the key findings and recommendations from the convening. Convening attendees are listed in the appendix.

## ABOUT THE CENTER:

The National Women's Law Center fights for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls. The Center uses the law in all its forms to change culture and drive solutions to the gender inequity that shapes our society and to break down the barriers that harm all of us—especially those who face multiple forms of discrimination, including women of color, LGBTQI+ people, and low-income women and families. The Center is a leader in the fight to stop workplace sexual harassment and to ensure that all working people experience safety, equality, and dignity on the job.

In June 2019, the Center partnered with Jenny R. Yang at the Urban Institute to co-host a convening focused on evidence-based interventions to prevent and respond to workplace sexual harassment in low-paid work settings. The Urban Institute is a leading research organization dedicated to developing evidence-based insights that improve people's lives and strengthen communities. For 50 years, Urban has been the trusted source for rigorous analysis of complex social and economic issues; strategic advice to policymakers, philanthropists, and practitioners; and new, promising ideas that expand opportunities for all. The Urban Institute's work inspires effective decisions that advance fairness and enhance the well-being of people and places.

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## > INTRODUCTION

Sexual harassment is an expression of power. It is used to reinforce cultural norms about proper roles, behavior, and work for women and men, to exert control over people with less power and status in society and in the workplace—including people of color, LGBTQI+ people, and people with disabilities—and to tell targets that they are of less value than the harasser.

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Fundamentally, sexual harassment is the abuse of power against those who are seen as “other.” Workers in low-paid jobs are particularly susceptible to harassment due to a lack of power in the workplace.

In workplaces, an organization’s tolerance of sexual harassment allows harassment to thrive. An organization’s culture, systems, and policies can permit or reward harassment, allow for retaliation against those who come forward, and prioritize protecting those in power or the organization from liability over addressing harassment. Stopping workplace sexual harassment depends on both changing power dynamics and changing how organizations respond to sexual harassment.

Workers who face sexual harassment often are targeted not only because of their sex, but also because of other parts of their identity: for example, their status as a Black, Latina, Asian, or Native woman; as a woman with a disability; as a lesbian or transgender woman; or as a man who does not conform with gender stereotypes. This can compound the impact of harassment. Race, national origin, disability, LGBTQI+ status, and age can also affect whether the worker

### WHAT IS SEXUAL HARASSMENT?

Sexual harassment can take many forms, ranging from offensive comments, sexual “jokes,” come-ons, propositions, insults, ridicule, name calling, bullying, threats, demands for sex, and the display of offensive objects or pictures, to the crimes of sexual assault and rape. Sexual harassment can take the form of disparaging someone based on their sex, for example, by stating that women do not belong on the job, are weak, or are inferior or incompetent because of their sex. Sexual harassment also can include harassment based on someone’s sexual orientation or gender identity.

Sources: EEOC, Harassment, <https://www.eeoc.gov/laws/types/harassment.cfm> (last visited Dec. 23, 2019); Human Rights Campaign, Workplace Discrimination Laws and Policies, <https://www.hrc.org/resources/Workplace-Discrimination-Policies-Laws-and-Legislation> (last visited Dec. 23, 2019).





is willing to come forward at all, the amount of trust a worker has in the employer's system or the government's system of responding to harassment, and a worker's ability to access the employer's or the government's process. Race, national origin, disability, LGBTQI+ status, and age also affect who is believed when they report sexual harassment and the impact of harassment on the worker. Sexual harassment often is entwined with other types of harassment; employer interventions to address sexual harassment must therefore address these issues as well.

In most cases of sexual harassment, the perpetrator identifies as a man, and the target identifies as a woman. About 80 percent of sexual harassment charges filed with the U.S. Equal Employment Opportunity Commission (EEOC) each year are filed by women.<sup>1</sup> Of course, women also can be harassers, men can be the target of harassment, and, in some cases, the harasser and target are of the same sex. Research shows that lesbians, non-binary individuals, bisexuals, women who present as not stereotypically female, and men who do not conform to masculine stereotypes experience more sexual harassment than those who conform to gender stereotypes.<sup>2</sup> In every industry, Black women file sexual harassment charges at a rate higher than their presence in the workforce for that industry, suggesting that Black women are especially likely to experience sexual harassment.<sup>3</sup> Individuals experience harassment in the workplace from supervisors, co-workers, clients, customers, and other third-parties.

**Stopping workplace sexual harassment depends on both changing power dynamics and changing how organizations respond to sexual harassment.**

#### **RISK FACTORS FOR HARASSMENT**

- Workplaces with significant power disparities
- Workplaces that rely on customer service or client satisfaction
- Workplaces where work is monotonous or consists of low-intensity tasks
- Isolated workspaces
- Workforces with many young workers
- Cultural and language differences in the workplace
- Workplaces where some workers do not conform to workplace norms
- Coarsened social discourse outside the workplace
- Workplaces with "high value" employees
- Workplace cultures that tolerate or encourage alcohol consumption
- Decentralized workplaces

Source: Report of the Co-Chairs of the Equal Employment Opportunity Commission's Select Task Force on the Study of Harassment in the Workplace [https://www.eeoc.gov/eeoc/task\\_force/harassment/report.cfm](https://www.eeoc.gov/eeoc/task_force/harassment/report.cfm)



## **HARASSMENT OF WORKERS IN LOW-PAID JOBS IS AIDED BY THE SPECIFIC CONDITIONS OF THESE JOBS.**

More than 30 years ago the Supreme Court ruled that sexual harassment in the workplace is illegal,<sup>4</sup> yet workplace sexual harassment remains rampant, across industries and occupations. Studies estimate that up to eight in 10 women experience sexual harassment in the workplace.<sup>5</sup> One study found that one of every two women reported that they had faced workplace harassment in the previous year alone.<sup>6</sup>

Sexual harassment is exceedingly common in low-paid jobs. One survey found that 65 percent of casino cocktail servers reported that a guest had grabbed or subjected them to unwanted touching.<sup>7</sup> Forty percent of women in fast food restaurants report being sexually harassed.<sup>8</sup> Sixty percent of women restaurant workers report that sexual

harassment is an aspect of their work life, and over half of these restaurant workers describe sexual harassment as occurring on at least a weekly basis.<sup>9</sup> One survey found that 49 percent of housekeepers reported that guests have exposed themselves to them.<sup>10</sup> Another survey found that 80 percent of farmworker women experienced some form of sexual violence at work.<sup>11</sup> Finally, a study of EEOC charges of workplace sexual harassment found that two low-paid industries—accommodation and food services and retail trade—had the highest numbers of sexual harassment charges filed.<sup>12</sup>

Sexual harassment is common in low-paid work for several reasons. First, individuals in low-paid jobs typically exercise very little power at work. Low-paid work is, almost by definition, not highly valued by employers, and the workers who fill those jobs are too often treated as disposable. For



the same reason, they may be less likely to be believed. Harassers also count on financial vulnerability keeping workers in low-paid jobs quiet about harassment. Without any financial cushion, workers living paycheck to paycheck are rightfully reluctant to come forward and risk retaliation in the form of losing their shifts or their jobs. Low-paid jobs are also often held by women of color who may face more barriers to reporting such as language access or an understandable fear of engaging with government agencies because of prior negative experiences.

Low-paid workers who, despite these challenges, do want to come forward and bring a legal claim can find it difficult to find a lawyer to challenge harassment, in part because the financial payout of the case is tied to lost wages, which for a low-paid worker will be a small amount. Workers in low-paid jobs also usually do not have access to mental health professionals whose testimony can help support a claim for compensatory damages. Employers of low-paid workers know it is highly unlikely that employees will be able to successfully enforce their rights and even if they do, the cost to the business will likely be minimal. As a result, employers may conclude that not responding to harassment claims makes financial sense.

The customer-facing nature of many low-paid jobs such as those in restaurants, retail, and hospitality can make workers more vulnerable to harassment because pleasing the customer is part of the job. This is augmented for many restaurant workers and others who rely on tips to supplement subminimum wages. The tipped minimum wage set by federal law has remained at \$2.13 since 1991.<sup>13</sup> As a result,

people working in tipped jobs frequently have to rely on their tips to make even close to minimum wage. With tips so critical to a worker's well-being, workers often feel unable to address sexual harassment by customers. Sometimes employers even instruct workers to tolerate harassment by customers to earn tips.

Some low-paid jobs, such as in the hospitality and agriculture industries, involve work in isolation from other workers and supervisors. This allows harassers to act without fear of being seen. Other low-paid work, such as domestic work, is essentially exempt from federal sexual harassment law, because the law only applies to employers with at least 15 employees. Similarly, in some industries, like farm work, major employers commonly assert that workers are independent contractors or are employed by a subcontractor, because federal law and most state laws only require employers to prevent and address harassment of their own "employees"—not independent contractors or those employed by others.

Work that is typically done by immigrants and migrant workers, like agricultural work, has additional aspects that increase the prevalence of harassment, including supervisors having unusual power over workers because workers depend on supervisors' ability to speak English; harassers using the fear of immigration enforcement to control workers; the hiring of family groups, which means complaining can affect the entire family's economic situation; and workers being dependent on their employer not only for income but for transportation and housing.<sup>14</sup>

**Low-paid jobs are also often held by women of color who may face more barriers to reporting such as language access or an understandable fear of engaging with government agencies because of prior negative experiences.**



## RECOMMENDATIONS

The *What Works at Work* convening focused on interventions that either practical experience or academic studies have shown to be effective in stopping sexual harassment, including successful models of addressing workplace sexual harassment; employer actions that show a serious commitment to stopping harassment; improvements in training, complaints and investigation methods; the need for consistent discipline; possible alternatives to the judicial and employer complaint systems; the importance of monitoring; diversity as a tool to decrease harassment; and the use of customers to hold employers accountable. These are the recommendations that emerged from the shared insights and experiences of researchers, worker organizers, and advocates.

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### WORKER INVOLVEMENT IS ESSENTIAL TO STOP HARASSMENT.

There are few examples of successful interventions to stop sexual harassment in low-paid workplaces. Effective approaches to stopping harassment share one hallmark: they include workers in all parts of the planning and policy development, including diagnosing the problem and determining the response.

One of the reasons worker-driven programs may be successful is that they change workplace power structures. As recent reports from the EEOC and the National Academies of Sciences, Engineering, and Medicine noted, sexual harassment is more likely when there are significant power imbalances in the workplace.<sup>15</sup> As the National Academies report suggests, one way to decrease harassment is “diffusing the power that perpetrators take advantage of. Without

addressing this imbalance, targets of sexual harassment will remain vulnerable to coercion and retaliation and will believe that perpetrators in positions of power will be taken more seriously than they will when they report.”<sup>16</sup>

### THE COALITION OF IMMOKALEE WORKERS AND THE FAIR FOOD PROGRAM

One example of the successful involvement of workers to stop sexual harassment is the Fair Food Program—a groundbreaking model for worker-driven social responsibility based on a partnership among farmworkers, growers, and participating retail buyers. In Immokalee, Florida, women farmworkers faced daily workplace violations in the fields including harassment, assault, and rape. In response, farmworkers organized to form the Coalition of Immokalee Workers and developed the Fair Food Program to confront the abuses they saw and institute meaningful reforms.

The Coalition brought employers to the table by using the influence of the major food suppliers that purchased from the growers. As the result of the Coalition's organizing efforts, including making consumers aware of the labor conditions faced by farmworkers, corporations making purchases from the growers agreed to consider the working conditions provided by the growers when making purchases. The farmworkers then wrote their own code of conduct and took these standards to corporate buyers. The Coalition waged public campaigns to get the growers to sign legal agreements with the buyers that set working standards.<sup>17</sup>

Now, workers are hired directly by the growers and considered to be employees, rather than independent contractors or subcontractors without legal protections. The Coalition won the right to go onto the farms to reach employees to provide worker-to-worker training about their rights. The training is held on the farm and on the clock and covers

### **GROWERS' AGREEMENTS UNDER THE FAIR FOOD PROGRAM**

- Compliance with the human rights-based code of conduct that prohibits harassment and includes zero tolerance for sexual assault;
- Worker-to-worker education sessions conducted by the Coalition of Immokalee Workers on the farms and on company time to ensure that workers understand their rights and responsibilities;
- Providing resources in workers' native languages, reporting complaints received within two days, timely investigations, corrective action plans, and, if necessary, suspension of a farm's participating grower status and its ability to sell to participating buyers;
- Ongoing auditing of the farms by the Fair Food Standards Council, which is funded by purchasers. The Council is an independent investigating and enforcement body, which was created to ensure compliance with each element of the program.

Source: Coalition of Immokalee Workers FAIR FOOD PROGRAM, <http://ciw-online.org/fair-food-program/>

labor standards in the code of conduct. Management takes part in education programs, as well. The coalition set up channels of communication with law enforcement to address issues of forced labor and sexual violence.

As a result of these efforts, there has been a cultural shift on farms that have implemented this model. The program has transformed the labor environment on the farm into a workplace rooted in mutual respect and basic dignity for farmworkers. Workers receive protection of their rights in the workplace. Growers gain a more stable workforce and a means to distinguish their product in a competitive marketplace. Retailers avoid the reputational risks of supply chain labor abuses by ending those abuses. The Harvard Business Review described the program as one of "the most important social-impact stories of the past century."<sup>18</sup>

### **MILK WITH DIGNITY**

Building on the success of the Fair Food Program, the Milk with Dignity campaign is a movement of farmworkers and allies calling on dairy companies to ensure respect for human rights, including protection from violence, harassment, abuse, threat, or discrimination in their supply chains.<sup>19</sup> Similar to the Fair Food Program, the Milk with Dignity program started by identifying the needs of workers and turned that into a code of conduct. In addition, the campaign includes farmworker education, a third-party monitoring body, and legally binding agreements that make compliance enforceable. In 2017, Ben & Jerry's became the first signatory to the Milk with Dignity Agreement.<sup>20</sup>

### **THE MILK WITH DIGNITY CODE OF CONDUCT**

"No Participating Farm, nor anyone working for or acting on the Participating Farm's behalf, will subject a [Qualifying Worker] to violence, harassment, abuse, threat or discrimination. Participating Farms will provide equal opportunity for advancement and will regularly communicate these opportunities to [Qualifying Workers]."

Source: Migrant Justice: THE MILK WITH DIGNITY CODE OF CONDUCT (2017), <https://migrantjustice.net/sites/default/files/2018%20MD%20Code%20English%20%281%29.pdf>





### ONE FAIR WAGE CAMPAIGN

Many tipped workers must tolerate inappropriate customer behavior because they rely on tips to try to make ends meet. The One Fair Wage campaign brings restaurant, car wash, nail salon, valet, and other tipped workers together to demand that employers pay the full minimum wage plus tips to their employees, rather than the lower tipped wage.

In response, several states and cities have ended the two-tiered wage system by raising the lower minimum wage for tipped workers to the regular minimum wage.<sup>21</sup> In addition, a growing number of high-road employers are adopting business models that prioritize a living wage for their employees, including by setting up a fair base wage for tipped and non-tipped employees. These models have benefits beyond reducing workers' dependency on tips and vulnerability to harassment; women workers in states without a tipped minimum wage face a smaller wage gap with men and a lower poverty rate.<sup>22</sup>

### HOTEL WORKERS CAMPAIGN FOR PANIC BUTTONS

Hotel workers all too often face sexual harassment and assault by hotel guests. In an effort to create safer working conditions, hotel workers in Chicago waged a campaign to give workers panic buttons that allow them to summon assistance from a hotel security officer, manager, or other appropriate hotel staff member.<sup>23</sup> The technology can take different forms, including GPS devices, buttons that emit an audible alarm, and smartphone apps.<sup>24</sup> In 2017, the Chicago City Council passed an ordinance requiring hotel employers to provide panic buttons to hotel housekeepers.<sup>25</sup>

### GARMENT FACTORIES IN LESOTHO

Using the Fair Food Program model, garment workers unions in Lesotho (Independent Democratic Union of Lesotho, United Textile Employees, the National Clothing Textile and Allied Workers Union, the Federation of Women Lawyers in Lesotho, and Women and Law in Southern African Research and Education Trust-Lesotho) joined by U.S.-based organizations (Worker Rights Consortium, Solidarity Center, and Workers United) negotiated "a comprehensive pilot program to prevent gender-based violence and harassment" in factories producing clothes for Levi Strauss & Co., The Children's Place, and Kontoor Brands.<sup>26</sup> A report documenting the severe harassment of workers led to negotiations with the company that owned the factory and the brands. Changes include an independent body to conduct investigations, a code of conduct to be developed with workers, and far-reaching training that includes peer-to-peer training for workers.<sup>27</sup>

### EMPLOYER ACCOUNTABILITY AND LEADERSHIP MUST INCLUDE CONCRETE ACTION ITEMS AND FOLLOW-THROUGH.

Every report on sexual harassment urges employers to take harassment seriously and notes the importance of leadership setting the right tone.<sup>28</sup> Most employers will say they do not tolerate harassment. Despite these pronouncements, workplace sexual harassment continues. Thus, the convening sought to identify what actions employers should take to shift workplace culture.

## THE 10 STEPS OF INSTITUTIONAL COURAGE

1. Comply with criminal laws and civil rights codes.
2. Respond sensitively to victim disclosures.
3. Bear witness, be accountable, and apologize.
4. Cherish the whistleblower.
5. Engage in a self-study.
6. Conduct anonymous surveys.
7. Make sure leadership is educated about research on sexual violence and related trauma.
8. Be transparent about data and policy.
9. Use the power of your company to address the societal problem.
10. Commit resources to steps one through nine.

Source: Dr. Jennifer Freyd, *When sexual assault victims speak out, their institutions often betray them*, THE CONVERSATION (Jan. 11, 2018), <https://theconversation.com/when-sexual-assault-victims-speak-out-their-institutions-often-betray-them-87050>

## INSTITUTIONAL COURAGE

Dr. Jennifer Freyd, a presenter at the What Works at Work convening, offers employers an example of what actual accountability and leadership looks like through her research on institutional courage.<sup>29</sup> Organizations can show institutional courage by shifting their priorities from damage control to recognizing and admitting that harassment is a problem in their workplace, consistently sending the message that reporting sexual harassment is an honorable and courageous action, and setting an example to be replicated throughout all ranks of the organization. To promote accountability, organizations should make public as much data as possible regarding the number, type, and outcome of any complaints.

## STOPPING RETALIATION

Nearly three-quarters of sexual harassment charges include an allegation of retaliation, suggesting that many—perhaps most—workers face some sort of retribution from their employer when they come forward to challenge harassment.<sup>30</sup> Retaliation takes many forms, including shift changes, revoking or denying desired assignments, reductions in shifts, discipline, isolation, and outright termination—all of

which can have a devastating effect on a worker's economic situation. Such treatment empowers harassers and sends a message to workers that they should think twice before complaining of harassment. Evidence-based interventions described in more detail in this report, including proactively involving workers, monitoring supervisor responses, conducting climate surveys, providing training that focuses on changing behaviors, and using alternative dispute mechanisms and outside investigators, all help to limit retaliation as well. Additionally, to guard against retaliation, employers should follow the progress of those who come forward in terms of treatment at the workplace, assignments, promotions, and pay and compare it to other employees to ensure that retaliation is not taking place.

## ENDING THE SILENCING OF WORKERS

Research shows that most workers facing sexual harassment are unlikely to use the employer's mechanisms to complain or to come forward at all.<sup>31</sup> One thing that has helped people come forward is hearing others speak out about sexual harassment and assault—as shown by the viral popularity of the #metoo. Many workers who have come forward in the last two years have cited the #metoo movement or the fact that others have spoken up as inspiration for speaking out. Hearing others' experiences helps individuals recognize that they are not alone and not at fault for what happened to them. Employer-imposed secrecy requirements such as non-disclosure agreements and requirements that all disputes be resolved through secretive mandatory arbitration processes stop workers from being able to share what happened to them.<sup>32</sup> As a result, other workers stay silent and harassers continue their behavior with impunity. Because of this research and their own experience, some advocates strongly recommended that employers who are serious about stopping sexual harassment cease the use of non-disclosure agreements and binding pre-dispute mandatory arbitration agreements.

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## INVESTING IN STOPPING HARASSMENT

Changing workplace culture, training, monitoring, improving complaint and discipline procedures, and other steps all require committing resources. Some attendees noted that many workers are employed by small businesses that may not have the staff or the capital to afford certain improvements. Some attendees recommended that government agencies, industry wide-groups, or trade associations could be resources for these businesses. Involving these groups would also ensure that policies are consistent in different employers and would provide low-paid workers who frequently change jobs a level of consistency when it comes to harassment protections and procedures.

## WORKPLACE ANTI-HARASSMENT TRAINING MUST BE RE-ENVISIONED.

Workplace sexual harassment training attempts to do two things: provide information (what sexual harassment is and how to report it) and change behaviors to stop harassment. There is some evidence that standard sexual harassment training methods are successful in providing workers with information on what sexual harassment is and how to report it and informing supervisors regarding their responsibilities.<sup>33</sup> It is less clear whether increased knowledge leads to greater reporting or how long workers and supervisors retain this new knowledge about how to recognize and report harassment.<sup>34</sup> Unfortunately, research does not show that standard approaches to training change behaviors and prevent harassment. According to the EEOC Report, “[m]uch of the training done over the last 30 years has not worked as a preventative tool—it has been focused on legal liability.” Worse, some studies show that standard sexual harassment training creates a backlash against targets of harassment.<sup>35</sup>

Advocates’ experiences with training supported the research findings. Advocates agreed that training is necessary to provide workers with an idea of the kinds of behaviors that qualify as sexual harassment and how to report it. Within this discussion, some advocates stressed the importance of approaching training with an understanding of the particular workplace involved and in a trauma-informed manner. For some low-paid workers, what the law calls sexual harassment is simply seen as part of the daily work. This is consistent with research showing half of working women are sexually harassed, but only about 20 percent name that behavior as sexual harassment.<sup>36</sup>

Advocates strongly supported the idea that standard training approaches do not prevent sexual harassment because they do not change behaviors. Attendees identified the following problems with typical trainings given by employers:

- Traditional training programs tend to focus on legal compliance rather than changing behaviors.
- Cookie-cutter training programs take a one-size-fits-all approach.
- Employees watch unrelatable videos or complete online training without instructors to supply an interactive experience or answer questions.
- Training is given once a year as a “check the box” formality.

## NEW APPROACHES TO TRAINING TO CHANGE BEHAVIOR

Rather than training on legal prohibitions, research supports using training on standards of civility expected in the workforce, with an emphasis on the types of behaviors



**Learning that harassment can lead to anxiety, depression, symptoms of post-traumatic stress disorder, eating disorders, and cardiovascular disease could give workers a reason to change their behavior.**

that are encouraged in the workplace. For example, the National Academy of Sciences report discussed successful civility training at the Department of Veterans Affairs that focused on behaviors that the workers should engage in rather than what the employer prohibits.<sup>37</sup> Similarly, the EEOC report noted “there is some empirical data (and many anecdotes) to support the effectiveness of civility training in enhancing workplace cultures of respect that are subsequently incompatible with harassment.”<sup>38</sup> Some advocates strongly endorsed an approach that emphasizes a respectful workplace rather than the legal limits.

Some advocates also recommended that training discuss the business case for ending harassment and the harm that harassment causes other workers. For example, some advocates suggested that training participants should be encouraged to consider the costs associated with legal liability, bad public relations, consumers turning away from the product, higher employee turnover, lost productivity, and increased health care costs. Other advocates further recommended that training focus on the need to change behavior because of the harm that harassment causes the target. Learning that harassment can lead to anxiety, depression, symptoms of post-traumatic stress disorder, eating disorders, and cardiovascular disease could give workers a reason to change their behavior. The discussion of the consequences of harassment for an enterprise and for workers gives participants a stake in the outcome because they would better understand how all workers stand to benefit from a more respectful workplace. These changes in focus may be helpful because they may increase the motivation to change behaviors, and research shows that motivation affects outcomes.<sup>39</sup> Furthermore, the change in focus may increase workers’ willingness to step in and help when they see harassment because they will see harassment as harmful to their own interests.

## **PROVIDE REGULAR TRAINING**

Training should be more frequent than once a year, as research shows that longer term interventions are more effective over time.<sup>40</sup> For example, one of the successful civility training examples included in the National Academies report was a training program that met weekly or bi-weekly for six months.<sup>41</sup> Advocates strongly supported the need for ongoing training. As one participant explained, employers should train about sexual harassment using the methods they use to train for other kinds of workplace behaviors. Employers know that to teach workers about complicated processes, customer service, or workplace safety, they must train, observe, critique, and retrain; training to prevent and address harassment should use the same methods.

## **USE INTERACTIVE METHODS OF TRAINING**

Research supports using live training. Experiential training humanizes the issues and makes training more effective at changing attitudes than passive learning.<sup>42</sup> When training is administered in person, it can include problem-solving and skills-building exercises that link to organizational values. In-person training can allow for group exercises, individual activities, role-playing, debates, discussions and demonstrations. Training can address effective communication and how to give and receive constructive criticism. Participants can practice speaking up to confront a harasser. With the help of peer feedback, participants can be given a chance to make mistakes and correct them to develop their communication skills. Some advocates strongly agreed that in-person training increases its effectiveness and added that workers should be involved in the planning and dissemination of the training to increase its effectiveness. For managers, the interactive training can include learning how to spot and stop retaliation and support and champion those who come forward.

## USE A TRUSTED MESSENGER

It is essential to use a trainer who is knowledgeable and whose views workers will take to heart. Research suggests that to show that the employer is serious about the training, it should be conducted by a supervisor or an outside person.<sup>43</sup> However, based on their experience, some advocates recommended that trainings include the peer-to-peer model which they have seen as more effective because it increases a worker's acceptance of the information.

## TAILOR TRAINING TO THE WORKFORCE

Research supports that successful training should be specific to the workforce being trained.<sup>44</sup> Some advocates recommended that to ensure the information provided is responsive to the needs of the workforce, workers should be involved in all aspects of planning and conducting the training, and that trainers should familiarize themselves with the culture of the industry, the workforce, and how sexual harassment manifests in that specific workplace. Training that is tailored to the workforce will support a discussion of how harassment based on race, national origin, disability, or age interacts with sexual harassment for that workforce. Training that is tailored to the workforce also allows for trauma-informed training that acknowledges that the workers in the training may themselves have faced harassment in the past and that offers resources to help them.

## MAKE TRAINING ACCESSIBLE

Advocates stressed the importance of training being accessible to workers in terms of language, literacy, technology, and physical location. Training and resources should be offered in workers' native language. Some advocacy groups use skits and role-playing, rather than written material in trainings to avoid literacy issues. Training must take into account that some workers do not use a computer on the job or are prohibited from using a mobile device at work, that some workers are in temporary, short-term jobs with high turnover, and that some workers are in hard-to-reach, isolated workplaces.

## TRAIN BYSTANDERS TO DISRUPT HARASSMENT

Research in the undergraduate and military context shows that bystander intervention training can increase the likelihood that a bystander will intervene to stop harassment. Compared to a control group, men who received bystander training were more likely to report that they did something when they saw harassment.<sup>45</sup> Some advocates strongly endorsed training bystanders to respond to harassment. Active bystanders can intervene directly in the situation, can reach out to the individual who was harassed to lend support afterward, or can approach a supervisor.<sup>46</sup> Like other behavioral modification training, bystander intervention can be taught using scripts, role-playing, and the use of peer coaches to give feedback.

## EVALUATE OUTCOMES

Because training is so important and because so much training fails to have its desired effect, any training program must be regularly evaluated. Some of the questions to answer include:

- What did participants take away?
- Did participants learn to identify harassment?
- Do they understand the employer's policies and procedures?
- Did the participants learn useful skills?
- Did managers learn how to respond to complaints?
- Did the training change their beliefs or understanding in any way?
- Over time, has reporting of harassment and outcomes changed?
- Do workers feel comfortable coming forward to raise concerns without fears of retaliation?
- Can participants identify retaliatory behavior and do they understand how to prevent it?

By asking questions like these, training programs can adapt to better meet the needs of the workforce. Employers can use various tools to evaluate the effectiveness of training programs, including tests, group or individual discussions, and surveys.



## COMPLAINT AND INVESTIGATION PROCEDURES MUST BE CHANGED TO ENCOURAGE PARTICIPATION.

Only one in ten workers who experience harassment makes a complaint to the employer, due to lack of accessible complaint processes, embarrassment, or fear of retaliation. According to research, making a formal complaint is usually the last resort because reporting processes often bring few benefits and many costs to the targets.<sup>48</sup> Some advocates strongly agreed that current complaint and investigation systems discouraged reporting and needed to be improved. Improvements to the complaint and investigation system are in an employer's best interest: individuals are more likely to be satisfied with the outcome of the reporting process when they have a voice, are informed during the process, and are taken seriously.<sup>49</sup>

### ACCESSIBLE POLICIES AND COMPLAINT PROCEDURES

Employers must ensure safe and accessible ways for workers to complain about harassment. Complaint mechanisms must be designed to meet the needs of workers in the industry, considering schedules, literacy, native language, access to technology, and location of the worksite. For example, some attendees recommended:

- More than one official should be named to handle complaints.
- Employees should be able to make complaints on-site or at a remote location.
- In workplaces with shift work or non-traditional hours, 24-hour complaint hotlines or on-line reporting systems should be used.
- Employees should be able to make verbal or written complaints in their native language.
- Native speakers should review policies to ensure that the translation is correct.

### EXTERNAL INVESTIGATORS

Some advocates felt strongly that human resources offices, which usually handle harassment complaints, are seen as a representative of the employer. At smaller employers, the human resources staff may be too small or not trained for investigations. In larger organizations, the staff may be trained, but there may be too many complaints for them to address each properly. As a result, some advocates recommended that employers use independent factfinders instead. Independent factfinders can bring credibility and objectivity to an investigation. An external investigation also helps to address concerns about potential retaliation by human resources and management officials who would otherwise handle the investigation.



## BENCHMARKS AND GUIDELINES TO ENSURE PROPER INVESTIGATIONS

An investigation should begin promptly after the complaint is made, the investigation should be thorough, and it should be concluded expediently. To keep the investigation on track, investigators should use benchmarks to set a reasonable time for the investigation and communicate these timeframes to the worker who complained. As the National Academies Report noted, a critical part of a policy is “clearly laying out the processes and timeframes for each stage of the process (i.e., reporting, investigation, and adjudication).”<sup>50</sup>

## TRAUMA-INFORMED PRACTICES

Sexual harassment can be deeply traumatic. It can cause severe emotional, psychological, and physical damage. Insensitive, uninformed, or inadequate responses can retraumatize survivors. Trauma-informed investigation emphasizes services and programs that are sensitive and responsive to the trauma that many survivors experience. Investigations are more effective when investigators are trained to recognize and address the mental and emotional trauma that many survivors experience.<sup>51</sup> Trauma-informed investigation training strengthens the ability of investigators to supply effective responses to victims of harassment while simultaneously holding perpetrators accountable.<sup>52</sup> Training can provide information on the impact of trauma, the influence of stereotypes, understanding perpetrator behavior, and conducting effective investigations.

**Only one in ten workers who experience harassment makes a complaint to the employer, due to lack of accessible complaint processes, embarrassment, or fear of retaliation.**

## COMPLAINTS AND INVESTIGATIONS UNDER THE FAIR FOOD PROGRAM

The Fair Food Program established the independent Fair Food Standards Council to ensure accessible complaint processes and proper investigations. The program set up a 24-hour complaint line with bilingual individuals to handle complaints. To date, the hotline has received over 2,100 complaints.<sup>53</sup> Almost 80% of the complaints were resolved within a month; in 39% of the complaints a violation was found and a resolution reached; in 31% of the complaints there was no violation found but a resolution was reached none the less; in 19% of the complaints no code violation was found after an investigation.<sup>54</sup>

In addition to responding to complaints, the council regulates compliance with the code of conduct through audits that include interviews with workers.<sup>55</sup> Growers who are found to be in violation are suspended from the program.<sup>56</sup>





## DISCIPLINE MUST BE CLEAR, TRANSPARENT, AND CONSISTENT.

Research supports having consequences for harassment clearly set forth and followed consistently. The National Academies report noted: “A key component of clear anti-harassment policies is that they make clear that people will be held accountable for violating the policy. This can be done by stating in the policy the range of disciplinary consequences (depending on the policy violation) for individuals who violate these policies.”<sup>57</sup> Attendees agreed that employers must respond to claims of harassment quickly, consistently, and, to the extent possible, inform the worker who complained about the results of the investigation including the discipline. Regardless of whether the perpetrator is a supervisor, co-worker, or customer, employers must hold harassers accountable to provide a meaningful response.

Advocates and research also supported the idea that there is a range of troubling or illegal behaviors, and consequences and responses should vary depending on the nuance of the situation.<sup>58</sup> Progressive discipline can help stop behaviors from escalating and may increase reporting because the employees may be more willing to report if they know that the report will not cause a significant disruption in the workforce.<sup>59</sup>

Accountability can also take the form of positive feedback for modeling positive behavior or handling a situation well. In fact, research shows that engaging employees through positive reinforcement may be more effective than punishing harmful behavior.<sup>60</sup>

## A WORD ABOUT ZERO TOLERANCE

Zero tolerance does not mean that all harassing behavior, regardless of the extent of the harassment, leads to the harasser being fired. **Indeed, sometimes the person being harassed does not want the harasser to be fired, and such a policy could prevent the worker facing the harassment from complaining.** Zero tolerance policies can mean that harassment will not be tolerated, but discipline can and should still be progressive.



## THE FAIR FOOD PROGRAM

The Fair Food Program set up a code of conduct that spells out the consequences for several types of violations, including the discipline for harassers as well as suspension of participating growers who do not comply. For example, harassment that involves physical touching automatically leads to firing. A crew leader or supervisor who is fired for harassment is also suspended from working for other participating growers for 90 days.<sup>61</sup>

## ADDRESSING HARASSMENT BY CUSTOMERS

Many low-paid workers have customer service jobs and are harassed by customers. Too often, employers do not intervene when the harasser is a customer or client due to concerns about losing business or getting a negative review. Some employers do not act because they incorrectly assume that third-party harassment is not their legal responsibility. However, employers have the legal obligation to prevent and address harassment from customers and clients.<sup>62</sup>

Managers should be trained to take swift action on complaints of customer harassment, just as they should be trained to address harassment by employees. For example, the restaurant Homeroom in Oakland, California, put a system in place for workers to alert managers of harassing customers.<sup>63</sup> Workers do not have to explain the experience to the manager; they can simply report a code yellow, orange, or red. Each color is associated with an automatic action that the manager must take. In the case of a code yellow, the server can choose if they want a manager to take over the table. If the worker reports a code orange, the manager automatically takes over. With a code red, the customer is asked to leave.

Additionally, some advocates supported the idea that businesses should be willing to use tactics they use in other serious situations—such as banning customers—to protect their workers from harassment. Casinos regularly ban gamblers who count cards and airlines remove unruly passengers: these severe sanctions should be available as well for serious harassment of employees.

## ALTERNATIVE SYSTEMS FOR RESOLVING WORKPLACE SEXUAL HARASSMENT SHOULD BE OFFERED BUT NOT REQUIRED.

Most low-paid workers do not report sexual harassment to their employers because they fear retaliation by their employer, they distrust the employer's system, or they do not know how to complain. Most low-paid workers also do not bring legal complaints of sexual harassment – such as filing an EEOC charge or going to court to enforce their rights – again because of a fear of retaliation and because of lack of resources. Given this, attendees discussed alternatives to employers' current systems and the formal legal system: restorative justice and using an ombuds.

## ANY ALTERNATIVE MUST BE VOLUNTARY

Advocates were clear that any alternative to the legal system must be voluntarily chosen by the employee after the harassment occurs so that the employee can fully weigh her options. For example, advocates opposed the use of binding mandatory arbitration agreements because, while they offer an alternative to the legal system, they are not voluntarily chosen by the workers, can require workers to pay exorbitant amounts to have their case heard, limit discovery, preclude class actions, require that the case be heard by an individual agreed to by the employer, and require permanent secrecy.

Additionally, some advocates stressed that choosing an alternative should not preclude the workers from using the formal legal system if the alternative system does not meet the worker's needs.

## TIME'S UP LEGAL DEFENSE FUND

Recognizing how difficult it is for low-wage workers to fund and secure legal assistance, the National Women's Law Center Fund houses and administers the TIME'S UP Legal Defense Fund. The TIME'S UP Legal Defense Fund helps connect workers facing sexual harassment to attorneys and pays for attorney's fees, costs, and media assistance in select cases of workplace sexual harassment. The Fund is focused on helping low-paid workers precisely because these workers may not be able to find affordable legal representation.





## THE RESTORATIVE JUSTICE MODEL

The restorative justice model typically involves the voluntary participation of the person who is harassed and the offender in the process. The process includes a description of the wrongful acts and their outcome, and the offender's acceptance of responsibility for the actions.<sup>64</sup> The resolution is a joint effort arrived at by both parties and allows the survivor to consider and require solutions that the legal system cannot provide including a public apology and other steps for the offender to work toward reintegration.<sup>65</sup> The remedies and results also include community involvement and provisions to stop further wrongdoing.<sup>66</sup>

While the restorative justice model offers new possibilities, the approach also raised concerns among some advocates, including how to handle power imbalances, criminal conduct, harassers who refuse to accept responsibility, and transient workplaces where there is less of a sense of community. These and other limitations were noted by the National Academies report as well.<sup>67</sup> Some advocates also raised concerns that the restorative justice model sends a subtle message that people who are harmed by wrongdoing must "go along to get along."

Some advocates recommended that, although the restorative justice model may not be the right model to handle all issues of workplace harassment, it may be a useful tool that employers can offer to resolve problems in certain contexts. For example, a restorative justice approach could engage workers to address microaggressions before they become bigger problems or can offer a useful alternative for individuals who distrust the formal legal system.

## OMBUDS

Ombuds are independent third parties that supply workers with information on the complaint and resolution processes. Ombuds discuss options with the worker and provide options for the worker to consider. Unlike many human resources offices or supervisors, ombuds can accept anonymous complaints and can provide the employee with information regarding possible resolutions without disclosing the complaint to the employer. Ombuds do not resolve the complaint or serve as an intermediary with the employer; rather, they provide the employee with information about possible ways to resolve the issue.

### WHAT IS AN OMBUDS?

"An organizational ombuds is an [independent, confidential, impartial, and off-the-record](https://www.tequitable.com/ombuds) resource to help employees explore options for resolving conflicts, problems, or concerns in the workplace. Ombuds do not advocate for the employee or for the company—they advocate for fairness."

SOURCE: TEQUITABLE, WHAT IS AN OMBUDS? <https://www.tequitable.com/ombuds>



An ombuds can provide a worker with a confidential conversation where the worker can get information about options and practical solutions to resolve a problem. Because the human resources department is not involved, the worker may feel more comfortable discussing the complaint. In the educational context, anonymous reporting showed positive results;<sup>68</sup> the same may be true for employment, which would support the use of an ombuds. Ombuds can also report aggregate data to employers to help spot trends of harassment that can be used to proactively check in with employees who have formally complained to guard against retaliation.

Some advocates supported information sharing and anonymous reporting options that an ombuds provides. They also noted that it was important that an ombuds provide the worker with information about statutes of limitations and how to preserve legal rights. Some advocates worried that workers would incorrectly assume that reporting the harassment to the ombuds would meet the requirements of the employer's anti-harassment policy and thereby allow the employer to use the lack of reporting as an affirmative defense in litigation. Clear and consistent communication about the deadlines for action and steps workers must take to protect their rights is therefore essential.

## **MONITORING DECREASES HARASSMENT.**

Research shows that monitoring responses to harassment can reduce the prevalence of harassment because when behavior is scrutinized, individuals are less likely to harass. Many organizations have historically placed the burden on workers to come forward, but given the great costs to those raising complaints, employers must invest in proactively understanding the nature and scope of problems across its workforce.

## **ASSIGNING RESPONSIBILITY**

One way to effectively monitor is to proactively assign responsibility for preventing and addressing harassment to a specific individual or group, beyond merely including general responsibilities to handle complaints under the broad umbrella of duties typically assigned to human resources. In diversity programs, this type of accountability showed greater results.<sup>69</sup> As one study described it, companies should use “the conventional management solutions of setting goals and assigning responsibility for moving toward those goals” in order to achieve results.<sup>70</sup>





### **REVIEW MANAGERS' ACTIONS**

Research shows that managers are more responsive when they know they must be prepared to justify their actions.<sup>71</sup> For example, women in states that have laws against pay secrecy experience less of a wage gap with men, and businesses that were required to report their wage gap data saw a reduction in the gap.<sup>72</sup> Thus, employers should explicitly require managers to respond to harassment, train them on the responses expected, and require managers to report on those responses. Additionally, research supports the effectiveness of employers rewarding managers for conducting fair and prompt investigations and taking appropriate corrective action.<sup>73</sup> This has the benefit of both making managers more likely to enforce the rules and highlighting to the broader workforce the employer's commitment to stopping harassment.

### **THIRD-PARTY AUDITS**

Outside reviews by impartial an impartial third party allows harassment to be noticed and stopped without putting the worker in the position of reporting it and risking retaliation. For example, the Fair Food Standards Council, the third-party monitoring organization for the Fair Food Program, conducts audits of participating growers' operations, including detailed interviews of field workers, supervisors, and management. Through this process, the Council can identify and resolve issues even if a specific worker has not complained.

### **CLIMATE SURVEYS AND ALTERNATIVE CHANNELS FOR DISCUSSING CONCERNS**

Anonymous climate surveys can supply another means to find problems in the workforce. Climate surveys can also help to assess risk factors for harassment.<sup>74</sup> Some advocates supported the use of climate surveys and pointed out that they should be conducted regularly so that employers can study the results over time to determine whether the organization is moving in the right direction. Focus groups, affinity groups, unions, and diversity and inclusion task forces can also create a space for workers to come forward even if they are not ready or willing to raise a formal complaint.

### **DIVERSITY AND INCLUSION IN THE WORKFORCE ARE NECESSARY.**

Diversity and inclusion efforts, which provide many benefits to the workforce, are also an important part of responding to and reducing harassment. Research shows that workplaces that are made up primarily of men and those with severe power imbalances are more likely to face problems of harassment.<sup>75</sup> Increasing the number of women in the workforce at all levels helps to ensure power imbalances at work are not inherently gendered and to reduce hostility to women on the job, which, in turn, tends to decrease isolation and harassment of women.<sup>76</sup> Notably, however, there is not research yet on the interaction of race and gender—for example looking at whether having more white women in a workplace necessarily reduces the harassment encountered by Black women. Thus, it is important that any steps taken to reduce harassment through diversity include all types of diversity.



## CUSTOMERS CAN DEMAND ACCOUNTABILITY.

Consumers can play a vital role in ensuring accountability by using influence and taking part in campaigns to demand fair workplaces.

For example, the standards set up under the Fair Food Program launched a consumer-facing Fair Food label intended to foster and harness consumer demand for ethical production while creating additional value for growers and retailers.<sup>77</sup>

“Customers” includes not just individual consumers, but governments and businesses contracting for good or services. Public entities can require private businesses that receive government contracts to meet certain standards in their sexual harassment policies. For example, Illinois recently enacted legislation to require companies bidding for state contracts to have a sexual harassment policy.<sup>78</sup> Additionally, individuals and entities required to register under Illinois’ Lobbyist Registration Act must file a statement confirming that, among other things, they have a sexual harassment policy.<sup>79</sup> Similarly, New York enacted legislation to require

bidders on state contracts to certify as part of the bidding process that the bidder has implemented a written policy addressing workplace sexual harassment prevention and provides annual sexual harassment prevention training to all of its employees. If a bidder is unable to make this certification, they must provide a signed statement explaining why.<sup>80</sup>

Customers can demand accountability by patronizing employers that join and promote their participation in groups that prioritize the fair treatment of workers. For example, the Restaurant Opportunities Center has a group for high-road restaurant employers who provide a living wage, have policies that promote a healthy workplace such as paid sick days, vacation, or health insurance, and create paths for employees to move up through promotions.<sup>81</sup> For many years, the Human Rights Campaign Fund has used employer data to grade employers on their policies towards LGBTQI+ workplace issues. The Purple Campaign has recently announced that it will initiate a similar effort around workplace sexual harassment.<sup>82</sup> Consumers can use these grades and awards to inform their purchases and reward employers who take steps to expand internal diversity and equity.

## HARNESSING THE POWER OF TECHNOLOGY: PROS AND CONS

Participants discussed how technology can both help and harm the cause of stopping workplace sexual harassment.

For example, in the discussion of ombuds, participants heard about an ombuds model that is partially delivered through a phone application. This technology can help a greater number of employees simultaneously and better protect workers’ anonymity. Other positive uses of technology include the panic buttons that hotel workers use to combat isolated working conditions and McDonald’s and Google workers use of social media to support and publicize walk-outs in protest of sexual harassment in their workplaces.

However, technology can also be used in ways that raise concerns. For example, applications that allow for service to be rated—whether in a restaurant or a ride-share or in retail—open the door for customers to leave harassing comments or provide a poor rating when a server rejects harassing behavior. One participant noted that a retail outlet used technology to monitor whether workers smiled at customers.

One researcher described a current experiment at her university where workers wear sociometric badges that track how teams are interacting. It records which employees are interacting to assess who is included and who is left out and also monitors whether someone is treating another person respectfully by measuring the person’s tone of voice, cadence, motions, violations of personal space, and interruptions. If the tracker senses inappropriate behavior, it provides the wearer with an electronic zap to alert them. According to the researcher, people were more open to feedback on their behavior from the device, which uses an algorithm to analyze behavior, than from colleagues or other individuals. The experiment, however, raises questions about the appropriate balance between workplace surveillance and workplace safety.

## MORE RESEARCH, SPECIFICALLY FOCUSED ON LOW-PAID WORK, IS NECESSARY.

The recommendations of the convening are based on the current data available and the lived experience of workers and their advocates. Attendees acknowledged that there are many areas that require further study and that additional research would allow employers and workers to identify approaches that would be successful. As a result, participants identified an ambitious agenda for future research.

### TOPICS FOR RESEARCH

- Studies on the efficacy of interventions to change workplace culture over the long term:
  - As a first step in measuring effectiveness of interventions, some attendees noted the need to measure the current prevalence of and attitudes about sexual harassment in a given workplace because the baseline has to be understood in order to measure change. Some attendees suggested that climate surveys done repeatedly at the same workplace could provide valuable information.
  - Once a baseline is established, some attendees saw a need for studies to measure the efficacy of all of the interventions in this report. Specifically, these attendees hoped to have research measuring the following:
    - the efficacy of informational and preventive training
    - the efficacy of worker-centered and survivor-informed training
    - the use of ombuds in low-paid workplaces
    - the impact of confidential or anonymous reporting
    - the use of restorative justice in low-paid workplaces
  - Some attendees stressed the need for research that focuses specifically on low-paid workers and considers how the race, national origin, LGBTQI+ status, disability, or age changes the outcome of the intervention.
- Industry-specific promising practices for employers: Employers would be more likely to adopt practices that have been shown in the specific industry to be successful. Thus, research should look at types of industries to determine the specific practices that are useful in different industries. It may also be that certain interventions are more successful in certain industries; this information would be helpful to employers and workers alike.
- The impacts of non-disclosure agreements on the mental health of victims of workplace sexual harassment.
- The impacts of sexual harassment on the careers of those who experience it.
- Metrics for measuring and benchmarking progress in preventing harassment.

### IMPORTANCE OF INCLUDING WORKERS IN FUTURE RESEARCH

**Advocates had two possible suggestions for how research should be conducted going forward:**

- Advocates, worker-led groups, social scientists, and the plaintiff's bar should set up ongoing working groups for continued collaboration where advocates bring real-world experience and researchers bring social science evidence.
- Community-based, participatory research partnerships between well-resourced organizations and grassroots, worker-led groups, including stipends for worker activists' participation.

**Attendees acknowledged that there are many areas that require further study and that additional research would allow employers and workers to identify approaches that would be successful.**



## APPENDIX: Convening Attendees

Attendees names and affiliation are listed for identification purposes only. Listing does not indicate that the attendee or the attendee's organization support the recommendations in the report.

**Alia Al-Khatib**

Justice at Work

**Alex Baptiste**

National Partnership for Women & Families

**Professor Mindy Bergman**

Texas A&M University

**Professor Lynn Bowes-Sperry**

Western New England University

**Jess Braverman**

Gender Justice

**Katherine Bromberg**

New York Legal Assistance Group

**Laura Brown**

First Shift Justice Project

**Kelley Bruner**

Justice for Migrant Women

**Athena Buell Becerra**

Justice at Work

**Elvira Carvajal**

Alianza Nacional de Campasinas

**Sunu Chandy**

National Women's Law Center

**Estella Cisneros**

California Rural Legal Assistance

**Shaylyn Cochran**

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tEquitable

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**Andrew Kashyap**

Legal Voice

**Elizabeth Kristen**

Legal Aid at Work

**Carolyn Lerner**

**Mariah Lindsay**

National Asian Pacific American Women's Form

**Jane Liu**

National Asian Pacific American Women's Form

**Sheila Maddali**

National Legal Advocacy Network



## APPENDIX: Convening Attendees

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Women Employed

**Layla Malamut**

New York Legal Assistance Group

**Nicole Marquez**

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**Catherine Meza**

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**Jennifer Mondino**

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**Tim Newman**

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**Natalia Nicaastro**

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Raise the Floor Alliance

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