



# Coming Forward

Key Trends and Data  
from the TIME'S UP  
Legal Defense Fund





## The National Women's Law Center

The National Women's Law Center (NWLC) 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. NWLC 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, LGBTQIA+ people, and low-income women and families. For more than 45 years, NWLC has been on the leading edge of every major legal and policy victory for women.



## The TIME'S UP Legal Defense Fund

The TIME'S UP Legal Defense Fund is housed at and administered by the National Women's Law Center Fund. The TIME'S UP Legal Defense Fund was created after women in Hollywood spoke out about their experiences of sex harassment. Farmworker women responded in an open letter, recognizing the women in Hollywood as their "sisters," and committing to work in solidarity to tackle the issue of sex harassment in both their workplaces.<sup>1</sup> This alliance, and the related groundswell of public support, led to the creation of the TIME'S UP Legal Defense Fund, a national fund—the first of its kind—dedicated to helping individuals, particularly workers in low-paid jobs, challenge workplace sex harassment and retaliation. The TIME'S UP Legal Defense Fund connects attorneys with individuals who experience sexual misconduct including assault, harassment, abuse, and related retaliation in the workplace or in trying to advance their careers. The TIME'S UP Legal Defense Fund also provides financial support to defray the costs of legal and public relations assistance in selected cases.

## Authors

Jasmine Tucker, Director of Research

Jennifer Mondino, Director of Legal Programs, TIME'S UP Legal Defense Fund

## Acknowledgements

The authors would like to thank Fatima Goss Graves, Emily Martin, Sharyn Tejani, Ellie Driscoll, Amanda Barroso, Nicole Rinier, Vivian Alvarado, Sky Sealey, Hilary Woodward, Beth Stover, and Tom Gamertsfelder for their substantive contributions to and review and design of the report, and for all that they have done and continue to do to further the work of the TIME'S UP Legal Defense Fund.

The authors also thank Jae Aron, Rakeen Mabud, and Amanda Harrington for their review of the report and the TIME'S UP Foundation for their support of the TIME'S UP Legal Defense Fund.

---

## Executive Summary

Since its launch in January 2018, the TIME'S UP Legal Defense Fund has heard from **thousands of people, in every state, industry, and type of job,** about their experiences of being harassed at work.

There is power, truth, and pain in each and every one of these stories, to be sure, and a core part of the mission of the TIME'S UP Legal Defense Fund is to connect each of these individuals with legal help and ultimately, we hope, a measure of justice. But when we take a step back and consider these requests for legal help as a collective, and see the commonalities in what these individuals have experienced and how it has affected them, there is a different sort of power and truth: it shines a

light on certain realities about the dynamics and impact of workplace sex harassment. For example, that more often than not, speaking out about sex harassment will be met with retaliation. That sex harassment can take a serious toll on the financial stability and mental health of survivors. And that, all too often, supervisors and others in positions of power are the ones perpetrating sex harassment, and employers are failing to take action to address this abuse.

### A WORD ABOUT HOW THIS DATA WAS GATHERED:

To receive attorney contact information from the TIME'S UP Legal Defense Fund, an individual must complete an online request form. In completing that form, they provide their e-mail address, state, and a brief description of their situation, enough to make clear that the situation involved workplace sex harassment. There is no requirement that the individual give any other specific details about themselves or their experiences, and all the other information solicited in the online request form, such as demographic information, is provided voluntarily. In addition, as is noted on the online request form itself, the TIME'S UP Legal Defense Fund keeps the information provided confidential to the extent allowed by law. Because connecting with attorneys is the individual's primary goal in completing the TIME'S UP Legal Defense Fund online request form, the amount of information and level of detail in each request for legal assistance varies dramatically. As a result, the data here is based solely on what individuals chose to share with us. Therefore, in interpreting the results and trends described in this report, it is important to keep in mind that if a person did not mention something (such as the sex of the perpetrator, how the harassment affected their mental health, or whether they were retaliated against) it does not mean it was not a part of their experience. Rather, it simply means that the person did not volunteer that information. It should be understood, therefore, that the figures provided throughout this report refer to the percentage or number of people who volunteered this information.



“

**Standing up to my assaulter has been one of the worst experiences of my life—I was punished for it.**

—Colorado

No single analysis will ever be able to capture the full scope and impact of sex harassment in the workplace. This is both because many people never report the harassment they experience and because the long-term impacts of sex harassment on survivors' careers, financial situation, mental health, and more are difficult to wholly measure. This report does not attempt to draw conclusions about how a larger population of people is experiencing sex harassment in the United States. People who come to the TIME'S UP Legal Defense Fund for legal help are inherently unique from the larger population who have experienced sex harassment: the individuals who reach out to the TIME'S UP Legal Defense Fund not only have reached a point where they want or need justice, but they are sufficiently well informed and able to try to seek out legal help—in contrast to most survivors of workplace sex harassment. Surveys

indicate the majority of those who experience workplace sex harassment will never report their experiences, much less seek help from an attorney. Still, in considering the trends in the characteristics and experiences of the individuals who sought help from the TIME'S UP Legal Defense Fund, we can gain an understanding of the dynamics and impacts of workplace sex harassment more broadly. This snapshot into survivors' lived experience with workplace sex harassment can and should be useful to survivors, policymakers, employers, and the public in thinking about how to prevent and address sex harassment in the workplace. This report provides an overview of the demographics and main trends found in the experiences of people seeking legal help from the TIME'S UP Legal Defense Fund to address workplace sex harassment. Between January 1, 2018, and April 30, 2020, the TIME'S UP Legal Defense Fund received 3,317 requests from individuals seeking legal help for situations involving their own experiences of workplace sex harassment. Most people contacted the TIME'S UP Legal Defense Fund by submitting an online request form. The information they provided in the online request form was solicited for the purpose of connecting these individuals with attorneys in the TIME'S UP Legal Defense Fund/Legal Network for Gender Equity. See this report's full methodology in Appendix B for more information.



# Topline Findings

» **More than seven in 10 survivors who experienced workplace sex harassment faced some form of retaliation, including termination, being sued for defamation, and denial of promotions.**

- › More than seven in 10 people (72 percent) said they experienced some form of retaliation when they complained about harassment. Of those who experienced retaliation, the most common form mentioned was being fired (36 percent), followed by 19 percent who said they received poor performance evaluations, had their work products or behavior scrutinized, or were otherwise treated poorly at work.



» **Workplace sex harassment had a severe impact on individuals' economic, physical, and mental health well-being.**

- › More than one in five people (22 percent) volunteered<sup>2</sup> information about their experience of workplace sex harassment negatively impacting their economic or financial well-being.
- › Nearly one in five people (19 percent) volunteered that the harassment had a damaging impact on their mental health.
- › More than one in four people (28 percent) volunteered that the harassment they experienced was not an isolated incident.
- › More than one in five people (21 percent) volunteered information about their perpetrator harassing multiple victims.
- › More than one in three people (36 percent) said they experienced sexual assault, assault, rape, or other physical harassment.
- › Nearly one in nine people (11 percent) said that they had reported the harassment to the police.

» **Individuals frequently experienced intersecting forms of discrimination.**

- › Nearly one in five people (18 percent) said that they had experienced discrimination or harassment based on sex and other aspects of their identities; for example, they were harassed because they were a woman with a disability, a woman of color, or a woman born outside of the United States.
- › Nearly one in nine people (11 percent) said that they had experienced both sex and race discrimination at work.





» **Even when individuals reported harassment, their perpetrators were not held accountable.**

- › Seven in 10 people (70 percent) said they reported the harassment they experienced.
- › Of the people who identified a perpetrator of their harassment, nearly two in five people (37 percent) said that nothing happened to the perpetrator.

» **Harassment frequently comes from someone who has power over the worker.**

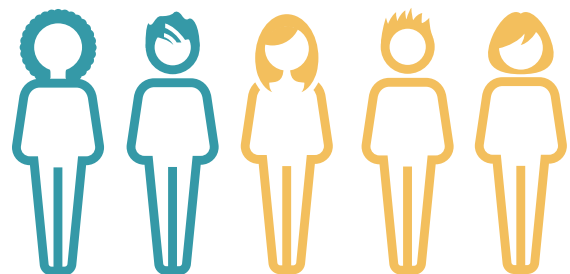
- › More than half of the survivors (56 percent) who identified their perpetrator in the online request form said they were harassed by someone they reported to at work, including a supervisor, superior, owner, or top executive.

» **Individuals are turning first to their employers to report harassment, but employers are not taking action.**

- › Of those people who said they reported the harassment (i.e., reported the harassment to an employer, a government agency, a court, or law enforcement), nearly two in three people (64 percent) reported the harassment to their employer.

- › Of people who reported harassment, nearly three in 10 (29 percent) said nothing was done about it.

These trends were almost entirely consistent regardless of people's race or national origin. The differences across race or national origin were only rarely statistically significant and thus are generally not detailed in this report.



**Of the people who identified a perpetrator of their harassment, nearly two in five people (37 percent) said that nothing happened to the perpetrator.**

---

## Introduction

Since its launch in January 2018, the TIME'S UP Legal Defense Fund has heard from **thousands of people** facing workplace sex harassment in every state, industry, and type of job.

It has heard from individuals—mostly women—who have been assaulted, grabbed, and groped. Who have been told that their job or their promotion hinged on having sex with a supervisor. Who have been propositioned. Who regularly hear comments about how they look, their bodies, and how their harasser wants to assault them. We also hear from individuals who are belittled constantly at work—for no reason other than their gender—and whose work is ignored or criticized—in direct response to their speaking out about harassment.

Too often, people who experience sex harassment feel alone and blame themselves for the harassment. This report provides a unique window into how people approaching the TIME'S UP Legal Defense Fund for help experienced sex harassment and how it affected them, and it should reassure those facing harassment in their own workplaces: they are not alone, and the harassment is not their fault. This is a nationwide problem in all types of jobs and industries and happens to all types of people.

Further, this report shows the need for the systemic changes catalyzed by the #MeToo and TIME'S UP movements—changes in state policy, commitments by employers, and more willingness from survivors to come forward. Finally, the report also shows that there is a great deal of work left to do, especially to stop retaliation, ensure appropriate employer responses, and address the effects of harassment on the mental health and economic well-being of workers so that everyone can experience a safe and respectful workplace.

“

**I feel like a sex object in the eyes of my...male co-workers.**

—Hawaii



**Sex harassment is a form of sex discrimination and includes a range of unwelcome behavior motivated by the sex or gender of the person targeted for the harassment.<sup>3</sup> Throughout this report, the term sex harassment is used as an umbrella term to include two things:**

**SEX HARASSMENT,**

or unwelcome sexual behavior. For example, it may include unwanted sexual advances, requests for sexual favors, unwanted touching, sexual assault, abusive sexual language, or demands to engage in sex as a condition of getting or keeping a job.

**GENDER-BASED HARASSMENT,**

which includes a broad range of verbal and non-verbal behaviors that convey insulting, hostile, and degrading attitudes based on gender. Although it may not include sexual overtures, this type of harassment communicates hostility to someone because of their gender or based on gender stereotypes. For example, such harassment may include hostile comments about a woman not conforming to stereotypes about how she should dress or behave or about women not being suited to a particular job. This type of harassment also may include hostile comments or other unwelcome behavior based on the individual's sexual orientation, gender identity, or pregnancy.

“

**I'm tired of the good old boys club...I'm a[n] opinionated girl and I don't fit in. [They] let me know it.**

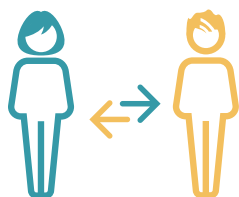
—Illinois



---

# The TIME'S UP Legal Defense Fund

The TIME'S UP Legal Defense Fund has four major projects:



## Connecting Individuals with Attorneys

The TIME'S UP Legal Defense Fund connects individuals facing workplace sex harassment and retaliation with attorneys in the Legal Network for Gender Equity and provides individuals with information about the laws that prohibit sex harassment at work. Attorneys in the Legal Network provide free initial legal consultations to individuals who are connected to them through this process.

Since January 2018, the TIME'S UP Legal Defense Fund has provided this information in response to over 4,700 requests, helping scores of people understand their legal rights and obtain legal representation. Currently, there are 689 attorneys in our Legal Network for Gender Equity.



## Funding Cases

The TIME'S UP Legal Defense Fund provides funding to cover attorney's fees and costs in selected cases of workplace sex harassment and related retaliation. These cases are selected based on a review of attorneys' funding applications, which include information about financial need and how the case fits the priorities of the TIME'S UP Legal Defense Fund. Decisions about cases, eligibility, and funding are made by TIME'S UP Legal Defense Fund staff, based on a rigorous evaluation against a consistent set of guidelines free from influence by any outside agenda, person, organization, or entity.



## Public Relations Assistance

The TIME'S UP Legal Defense Fund provides funding to cover professional public relations firms to assist in selected matters in which individuals are speaking out about their experience with workplace sex harassment. These public relations specialists help people prepare to talk to the press, find outlets to speak with, and respond to press inquiries.



## Outreach Grants

The TIME'S UP Legal Defense Fund has funded 18 organizations focused on the rights of low-wage workers and/or survivors of sexual violence through outreach grants. The grants help support programs to inform people about their rights regarding workplace sexual harassment and how to report it and access resources. The groups focus on populations such as farmworkers, restaurant workers, poultry workers, nail salon workers, LGBTQIA+ workers, and recent immigrants.

# Overview of Methodology

This report provides an overview analysis of the **3,317 requests** for legal help submitted between January 1, 2018 and April 30, 2020.

The cases discussed here relate specifically to workplace sex harassment and were submitted by the individual who experienced the workplace sex harassment described in the request. See this report's full methodology in Appendix B for a more detailed explanation of the nature of the requests included in the analysis.

**All the requests for legal help included in the analysis involved either sex harassment or gender-based harassment or both.**

Nearly nine in 10 people (88 percent) who requested legal help said they experienced sex harassment while more than one in four (26 percent) said they experienced harassment based

on their gender. Many people said they experienced both types of harassment, often saying they were subjected to unwanted sexual advances and then called sexist slurs for refusing those advances.

## Demographic data of people requesting legal help

Most individuals seeking legal help from the TIME'S UP Legal Defense Fund identify as women. Of the 3,317 people requesting legal assistance for workplace sex harassment, 91 percent of people (3,020) self-identified their gender.<sup>4</sup> Of those who identified their gender, 96 percent identified as women, three percent identified as men, and less than one percent identified as nonbinary or another gender identity.

**About 40 percent of people requesting legal help from the TIME'S UP Legal Defense Fund identify as people of color.**

Of the 3,317 requests, 84 percent of people (2,796) self-identified their race/ethnicity.<sup>5</sup> Of those:

<b>59%</b>	identified as white
<b>17%</b>	identified as Black
<b>6%</b>	identified as Latinx
<b>5%</b>	identified as Asian American or Pacific Islander (AAPI)
<b>1%</b>	identified as Native American
<b>11%</b>	identified as two or more races <sup>6</sup>
<b>2%</b>	identified as another race

These proportions closely mirror the makeup of the U.S. workforce in 2018.<sup>7</sup>

## Most people requesting legal help from the TIME'S UP Legal Defense Fund identify as low-income.

Nearly six in 10 people (59 percent) indicated on their online request form that they may qualify for legal services for low-income legal clients. However, it is important to note that people could have responded yes to this question for a variety of reasons. For example, they may have experienced harassment while working in a low-paid job and cannot afford to pursue legal action. Or, they may have lost a higher-paid job due to harassment and thus have had limited resources at the time they completed the online request form. Additionally, people likely interpreted "low-income" in different ways.

## The TIME'S UP Legal Defense Fund receives requests for legal help from all across the United States.

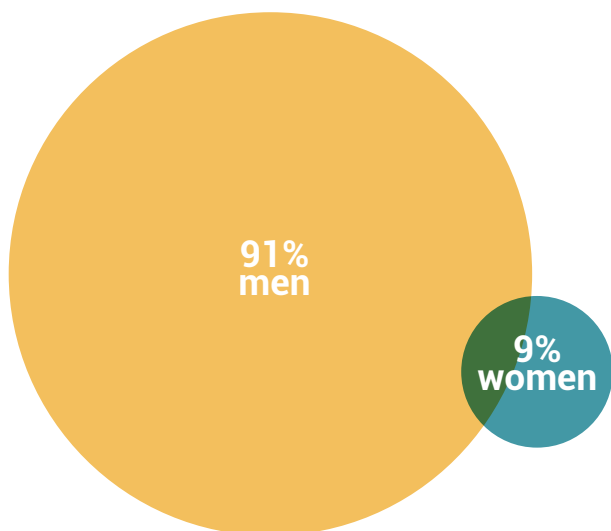
Nearly every person requesting legal help (99 percent) indicated the state where their harassment occurred. Of those 3,270 people requesting assistance that specified a state:<sup>8</sup>

» Thirty-four percent were in the South (including South Atlantic, East South Central, and West South Central regions; i.e., Alabama, Arkansas, District of Columbia, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia).

- » Thirty percent were in the West (including Mountain and Pacific regions; i.e., Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming).
- » Twenty-one percent were in the Northeast (including New England and Middle Atlantic regions; i.e., Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont).
- » Fifteen percent were in the Midwest (including East North Central and West North Central regions; i.e., Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin).

The online request form never prompts survivors for information about the perpetrator of harassment. Despite that, more than eight in 10 people (81 percent) volunteered information about their perpetrator.

Of those who volunteered the gender of their harasser, 91 percent identified perpetrators as men and nine percent identified perpetrators as women. Of people who identified the gender of their harasser, the majority of both men and women reported being harassed by a man. However, women (93 percent) were more likely than men (54 percent) to identify their perpetrator as a man, while men (46 percent) were more likely than women (seven percent) to identify their perpetrator as a woman.



**Of the 2,208 people who identified the gender of their harasser, more than 9 in 10 said they were harassed by a man.**



# Key Trends and Data Points

## Reporting Harassment

Because of low rates of reporting, the prevalence of sex harassment in the workforce has long been and continues to be difficult to measure. According to the EEOC, some studies found as many as 85 percent of women report experiencing sex harassment in the workplace.<sup>9</sup> However, given barriers such as fear of not being believed or fear of retaliation, many people do not report their experience: it is estimated that anywhere from 87 percent to 94 percent of people who experience workplace harassment never file a formal complaint.<sup>10</sup>

Of the 3,317 requests for legal assistance to the TIME'S UP Legal Defense Fund, seven in 10 people (70 percent or 2,330 requests) said that they reported the harassment they experienced to someone else such as their employer, the police, or the Equal Employment Opportunity Commission (EEOC). Given that these people were seeking legal assistance, it is unsurprising that they might be more likely than the wider workforce to come forward with a complaint about harassment.

Of those who did report the harassment, nearly two in three (64 percent) said they reported it to their

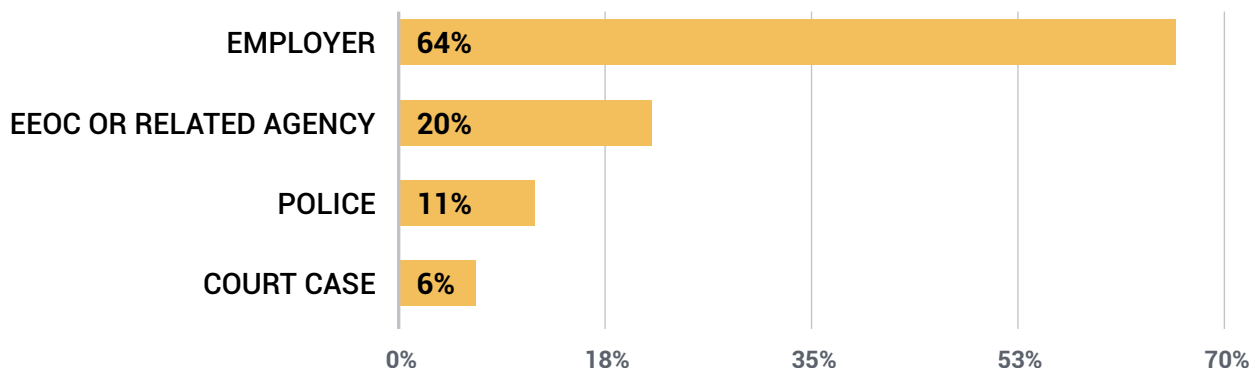


When I complained about my boss[']s treatment...the acting HR individual told me I was “too sensitive”, and that my boss[']s behavior was just brusque.

—California

employer (either to a supervisor or other higher-up, human resources, or Title IX office), and in many instances, people reported the harassment to multiple people in their workplace. Of those who reported harassment, one in five people (20 percent) reported to the EEOC or other government agency; those that identified as Black (30 percent) were nearly two times more likely than those who identified as white (16 percent) to indicate they reported the harassment to the EEOC or a related office. Others reported the harassment to the police (11 percent) or filed a case in court against their perpetrator or employer (six percent).

## Where people reported sex harassment



Nearly three in 10 people (29 percent) who reported harassment said that nothing was ever done about it. Instead, many people said they were not believed or were ridiculed for reporting the harassment. That type of response can have a chilling effect on reporting and, in turn, exacerbate a toxic workplace culture; if workers see that nothing is done when a co-worker complains, for example, they may be less likely to come forward themselves, and harassment may continue and worsen over time.

## Retaliation

Retaliation occurs when a worker faces adverse consequences or worse treatment as a result of reporting sex harassment or otherwise trying to stop sex harassment. Retaliation can take many forms, such as being transferred to less desirable or more burdensome work assignments or locations, receiving harsher treatment from supervisors or worse performance reviews, or even being fired outright or sued. Of the people the TIME'S UP Legal Defense Fund heard from, the vast majority faced retaliation.

» **More than seven in 10 people (72 percent) requesting legal assistance said they experienced retaliation in some form after reporting or trying to stop the harassment, and many experienced multiple forms of retaliation.** An analysis of charges made to the Equal Employment Opportunity Commission (EEOC) suggests this pattern is consistent with the experiences of survivors of workplace sex harassment more broadly; in fiscal years 2016 and 2017, 72 percent

of sex harassment charges filed with the EEOC included allegations of both sex harassment and retaliation.<sup>11</sup>

» **More than one in three people (36 percent) who experienced retaliation said they were fired from their job.**

› Of those who experienced retaliation, people who identified as men (53 percent) were more likely than people who identified as women (34 percent) to say they were fired.

» **Nearly one in five people (19 percent) said they were given poor performance reviews, had their work products or behavior scrutinized, or were otherwise treated poorly.**

› Of those who experienced retaliation, people who identified as Black (26 percent) were more likely than those who identified as white (18 percent) to say they were given negative reviews or had their behavior scrutinized.

› Of people who experienced retaliation, those who identified as women (20 percent) were nearly three times more likely than those who identified as men (7 percent) to say they were given negative reviews.

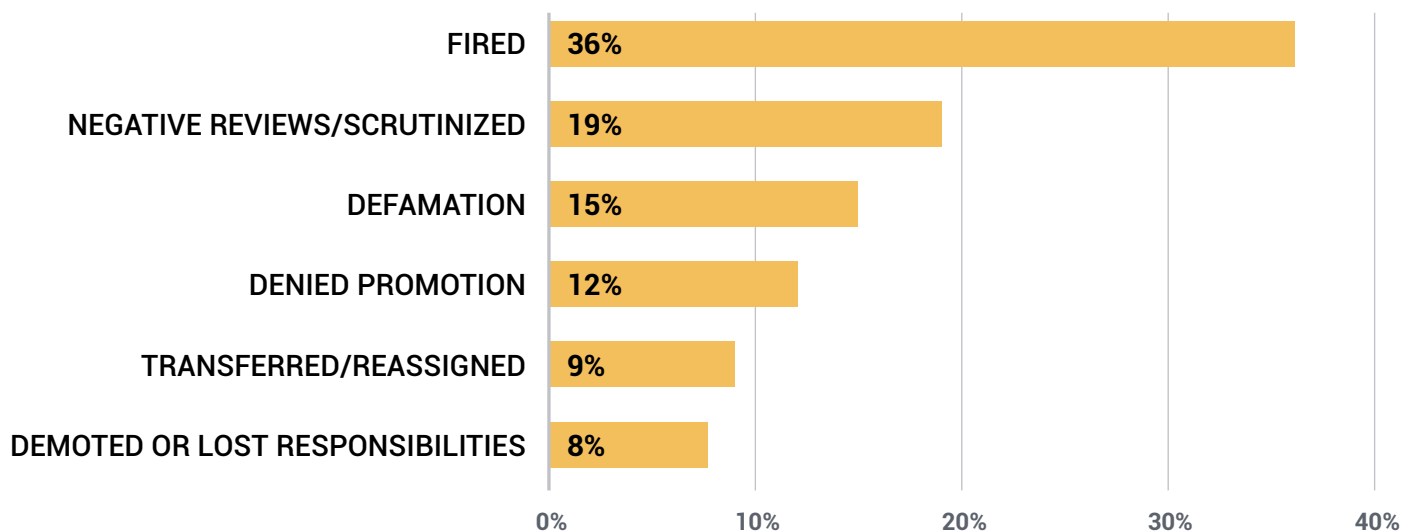
» **Additionally, more than one in seven people (15 percent) who experienced retaliation said they were slandered or had their reputation damaged in some way by their perpetrator or employer.** Further, more than 100 of these people specifically stated that the slander led to them being blacklisted in their company or field.



They said they were sorry if I was offended and that I took it the wrong way, it “wasn’t like that.” I responded that I had not been offended I had been assaulted.

—Ohio

## More than 1 in 3 people who experienced retaliation were fired



“

The men who harassed me advised teammates to beware of interacting with me, my department colleagues limit their interactions with me and/ or ignore me including management.

—Arizona

Similarly, for a considerable number of people, the harassment and retaliation were so severe that they felt forced to quit their jobs.

» **One in 10 people (10 percent) requesting legal assistance volunteered that they quit their job as a result of the harassment, often citing an ongoing hostile work environment or concerns about their safety.** Although these people were not terminated outright, leaving the job was not voluntary; many of these people said they were pushed out of their workplace or felt they had no other options because they needed to put distance between themselves and their harassers. Others said they could not afford to lose their job and had to endure the harassment in order to keep working.

Individuals also reported retaliation taking the form of detrimental changes to people's work assignments and opportunities.

» **Nearly one in eight people (12 percent) who experienced retaliation said they were denied a promotion or other career advancement.** Nine percent were transferred, reassigned, or displaced from their department or a project.

- » Of those who experienced retaliation, people who identified as women (10 percent) were 10 times more likely than people who identified as men (one percent) to say they were transferred, displaced, or reassigned.



- » Nearly one in 12 people (8 percent) said they were demoted or otherwise lost work responsibilities.
  - › Of those who experienced retaliation, people who identified as women (nine percent) were much more likely than people who identified as men (one percent) to say they were demoted.



**This employer repeatedly failed to protect me and even told me that they would demote me if I continued to report allegations.**

—North Dakota

More than 140 people said they experienced isolation or exclusion as part of their harassment or in retaliation and more than 120 people said rumors were spread about them throughout their workplace. Others volunteered that their perpetrators “gaslit” them—in other words, perpetrators responded as if the harassment never happened. In many cases, women that had accused men of sex harassment or retaliation were labeled as irrational or “crazy.” This type of “gaslighting” behavior is particularly harmful because it can make targets of harassment and retaliation both more vulnerable to further workplace abuse and less likely to rely on workplace supports.<sup>12</sup>

Individuals reported a variety of efforts by employers to discourage or punish the reporting of harassment or other attempts to seek justice; for example, people reported being discouraged from pursuing legal action, being pressured to sign nondisclosure agreements (NDAs), and facing complaints and lawsuits filed against them.

- » **Nearly one in five people (19 percent) said that people in the workplace either discouraged them from pursuing legal action regarding their experience or explicitly told them to keep the harassment quiet.**
- » People who identified as men (28 percent) were more likely than people who identified as women (19 percent) to be discouraged from sharing their story or pursuing legal action, with many men saying they were discouraged for reasons entrenched in toxic masculinity: they were warned they would look weak or be embarrassed for reporting harassment, especially if their perpetrator was a woman. In many of these cases the male workers were told they should be flattered by the attention or that the harassment was harmless flirtation.

Many people said there was more than just discouragement—there were outright threats.

- » **More than one in seven people (15 percent) said that they were threatened with legal action, with losing their job, or even physical harm if they told anyone about their experience.** Sometimes the discouragement and threats came from the perpetrators themselves, but other times it came from supervisors or other higher-ups, or even from someone in their workplace's human resources department, the very place many people are told to go if they ever experience sex harassment. In some cases, people said that they were explicitly told by someone they reported the harassment to that nothing would happen with their complaint because the perpetrator was too senior to experience repercussions or because the perpetrator was too valuable to the company's bottom line.
- » **Six percent of people seeking legal help said that they were presented with or signed a nondisclosure agreement.** Most of them said it was presented to them after the harassment or as part of a settlement agreement or severance

“

I reported to HR immediately. The next day one of the company owners called me and said I would have to decide [i]f I could continue working with him because he was an integral part of their business ventures.

—Arizona

payment from their employer. Many others said they were asked to sign a release of claims, which means they are unable to pursue legal action against their employer, and still others said they were given something to sign but did not know exactly what the document was.

### **Harassment by supervisors and people in positions of power**

More than half (56 percent) of the survivors who identified their harasser in their online request form said it involved someone they reported to at work, including a supervisor, superior, owner, or executive.

Relatedly, many people specifically said they experienced quid pro quo harassment. For these individuals, they had to endure harassment—verbal or physical—from a supervisor or superior in order to keep their job.

“

My employer forced me to perform oral sex on him before he would give me my paycheck.

—California

### **Accountability and employers' response to harassment**

Of those who reported their harassment, nearly two-thirds (64 percent) said they reported it to their employer (either to a supervisor or other superior, human resources department, or a Title IX office). Indeed, in many instances, people reported the harassment to multiple people in their workplace. This points to the fact that when employers have an internal process in place for making complaints about harassment, some workers are aware of and following this process, at least as a first step.

At the same time, some people (one percent) volunteered that their workplace did not have a formal policy or any training on sex harassment. Of those people who volunteered information about their harasser's identity in their online request form, most people did not specify what happened to their harasser after they reported the harassment. Yet only five percent of people who identified their harasser in their online request form noted that their harasser suffered any consequences, such as termination, demotion, or being pushed into early retirement.

In many instances, it seems that the harassment individuals experienced was widely known throughout the workplace.

“

I was chosen by my former supervisor as a target of bullying, gaslighting, and other general intimidation behaviors for a year after disputing a decision he made...He has a history of targeting and bullying female employees at his last three places of employment and was simply moved around in the district...

—Oregon

» **More than one in five people (21 percent) said that they were not the only person being harassed in their workplace—other people were targeted, too.** Further, people who identified as women (22 percent) were more likely than those who identified as men (13 percent) to say that there were other victims of harassment. **One in 11 people (nine percent) seeking legal help mentioned that co-workers, customers, or others were witnesses or bystanders to their harassment.** Many of these people said having witnesses did not help their case, however, and others said that witnesses or bystanders were unwilling to come forward in reporting the harassment they saw for fear of becoming a target themselves or for fear of retaliation.

“

I dreaded coming into work on many days...I finally was so depressed because of the harassment, that I just didn't report anymore.

—Nevada

## Intersections of sex harassment and other forms of discrimination

All too often, sex harassment is paired with, and exacerbated by, discrimination motivated by hostility against survivors' intersecting identities, such as their race, national origin, sexual orientation, and disability status. In an analysis of sex harassment charge data filed by women with the EEOC between 2012 and 2016, for example, NWLC found that Black women and Latinas filed charges at a higher rate than their white peers, suggesting that they experience harassment at higher rates.

» Of people seeking legal assistance from the TIME'S UP Legal Defense Fund, those who identified as Black (26 percent), AAPI (23 percent), Latinx (15 percent), two or more races (16 percent), or another race (18 percent) were all significantly more likely than those who identified as white (three percent) to say they experienced race-based harassment along with sex-based harassment.



» Further, these numbers likely undercount the actual prevalence of race- or national origin-based harassment experienced by these survivors, as the online request form prompts are focused on sex harassment, and thus it is likely that people would not have volunteered information about race- or national origin-based harassment even when it was part of their experience.

In addition to race-based harassment, many people requesting legal help cited harassment based on another identity: more than 200 people said they experienced harassment because of a disability, and nearly 100 people said they experienced harassment because of their sexual orientation or gender identity. Many others reported harassment based on religion, age, pregnancy, nationality, or immigration status in addition to sex.



**Nearly one in five people (19 percent) requesting legal assistance from the TULDF volunteered that the harassment they experienced had a negative impact on their mental health.**

“

**As a gay female with a disability in the male-dominated technology industry and the only female on my team in my company, I was subjected to ongoing harassment from my manager...[He subjected] me to unsafe and uncomfortable situations in order to provoke fear and anxiety in me and intentionally intensifying the effects of my mental disability.**

—Florida

## **Severity of risk of harm from and impact of sex harassment**

### ***Mental health impact***

For many survivors of workplace sex harassment, the experience of harassment results in mental health consequences such as depression, anxiety, substance abuse, and eating disorders.<sup>13</sup>

» **Nearly one in five people (19 percent) requesting legal assistance from the TIME'S UP Legal Defense Fund volunteered that the harassment they experienced had a negative impact on their mental health.**

» These results mirror those of a recent survey showing that a common outcome for people who have experienced sex harassment and assault is feeling anxiety or depression.<sup>14</sup>

» The mental health impact was even more pronounced for Native Americans: two in five people seeking legal help who identified as Native American (40 percent) said the harassment had an adverse impact on their mental health.



The work environment became so hostile that I dreaded going to work, suffered from lack of sleep, questioned my own sanity, had a panic attack, and even considered taking my own life to escape from the pressure of continuing to work with [my perpetrator].

—District of Columbia

Of those people seeking legal assistance who volunteered information about a damaging impact on their mental health:

- » More than one in three (34 percent) said they felt emotional distress or increased stress, more than one in four (28 percent) said they experienced anxiety or panic attacks, nearly one in four (24 percent) said they experienced symptoms of or were diagnosed with post-traumatic stress disorder (PTSD), and more than one in five (22 percent) reported being depressed after their experience.
- » Dozens of people said they considered or attempted suicide after their experience and others reported low self-esteem or a loss of confidence. Of those who reported experiencing an impact on their mental health, less than one

in five people (18 percent) mentioned seeking assistance from a mental health professional.

### ***Severity and breadth of harm***

Many people said the sex harassment they experienced included physical harm, multiple victims or perpetrators, or harassment occurring repeatedly and through multiple means, including through social media and other technology.

- » More than one in three people (36 percent) said they experienced sexual assault, assault, rape, or other physical harassment by their perpetrator, often in conjunction with verbal or other harassment.
- » And nearly one in nine (11 percent) people who reported the harassment made a report to the police.
- » **More than one in four people (28 percent) requesting legal help said the harassment they experienced was not an isolated incident—it happened more than once or continuously.** People who identified as women (29 percent) were more likely than those who identified as men (19 percent) to say the harassment was not an isolated incident. More than 160 people volunteered information about the harassment they experienced getting worse over time. Many of those people said the harassment started with verbal comments that later escalated to physical harassment, such as sexual assault.

With the ubiquity of e-mail, social media, and smartphones, today's technology means perpetrators have new ways of harassing their targets. More than 250 people seeking legal help said they experienced online or electronic harassment. Many said they were sent unwanted nude photos of their perpetrators or other pornographic material. Seventy people said they experienced image-based sexual abuse, where a private, often explicit, photo of them was shared without their consent.<sup>15</sup>



“

I have been harassed, belittled and [discriminated] against...when I was the only female District Service Manager...I can no longer find work in [my] area close to home because the Slander and Defamation of my character continues...I went from making six figures to unemployed and homeless.

—Illinois

In many cases, the harassment involved multiple people, as well, both in terms of the perpetrators and the victims.

- » More than one in five people (21 percent) volunteered that there were other victims of harassment.
- » In addition, nearly one in five people (18 percent) who identified a perpetrator in their online request form mentioned that there were multiple perpetrators of harassment.

### ***Financial impact***

Sex harassment can set off a chain of events with effects not only on the job where the harassment occurred, but on a survivor's entire career. For example, being forced out of a job as a result of harassment (whether someone was fired or felt forced to quit to escape a hostile working





environment) can lead to a substantial loss of earnings. Still others may be blacklisted in their field: they may not find a comparable job and may be forced to start over in an entirely different field of work. For people in rural areas, there may not be another workplace matching their skills within a reasonable commuting distance. And more than just lost earnings in the short term, harassment has implications for survivors' lifetime earnings, future career growth, and even retirement. For these reasons and more, sex harassment has been identified as one driver of the gender wage gap.<sup>16</sup>

More than one in five people (22 percent) volunteered information about the devastating impact their experience with sex harassment had economically or financially, some even saying that the experience left them destitute and struggling to pay their bills.

Of those people who volunteered a negative economic or financial impact as a result of harassment, nearly one in three people (31 percent) said that their hours, shifts, or pay had been cut. This can be especially harmful for someone who is already living paycheck to paycheck, such as those working in a low-paid job or in one that relies on tips.

Of those who volunteered information about an economic or financial impact, nearly one in four (23 percent) said they had money troubles because of a difficulty finding another job. Conversely, nearly one in nine people (11 percent) said they endured the harassment because they needed the money or otherwise could not afford to lose their job.

Seven percent said they lost health insurance or other benefits as a result of the harassment, and dozens of others mentioned that the harassment impacted their retirement. Some said this because they were forced into an early retirement; others mentioned that they had to draw down retirement savings while they looked for other work, which incurs large penalties for workers under 59½.<sup>17</sup> Still others said they had to leave a job and settle for another one that didn't offer an employer-sponsored retirement plan.

“

**The[y] have cut my hours, so I am not forced to work with him, [but], essentially, I am the one being punished for his bad behavior.**

—Missouri



---

## Conclusion

The strength and bravery of the thousands of people who have come forward to the TIME'S UP Legal Defense Fund to share their stories and **seek justice for themselves and others** is astounding. Despite obstacles such as discouragement from reporting, retaliation, and negative impacts on their mental and financial well-being, people requesting legal help frequently said they were coming forward because others were too afraid to do so or because they wanted to prevent anyone else from experiencing a similar situation.

This analysis of their requests for legal help provides a window into their experience, into a better understanding of workplace sex harassment and its effects, in order to build safer and more equitable workplaces.

Policymakers, advocates, employers, legislators, and others should use this information to identify and implement needed changes in how to support survivors and respond to harassment at work. For recommendations and additional information about such changes, please visit the National Women's Law Center [here](#).<sup>18</sup>

# Appendix A: Variables Coded from Online Request Forms

Codebook	Number of sex harassment requests with code	Percent of sex harassment requests with code
Bullying mentioned	292	9%
Criminal behavior by employer/perpetrator	87	3%
Discouraged from legal action or sharing story	640	19%
Domestic violence mentioned	45	1%
Economic impact*	714	22%
Employment relationship mentioned	80	2%
Forced arbitration	38	1%
Formal complaint was made*	2330	70%
Formal complaint was made but nothing was done	952	29%
Harassment (h.)	3317	100%
h. Electronic	259	8%
h. Exclusion/isolation	142	4%
h. Image-based sexual abuse	70	2%
h. Intimidation/aggression	388	12%
h. Physical	648	20%
h. Pornography	100	3%
h. Rumors	123	4%
h. Sexual	2923	88%
h. Verbal	502	15%
Harassment continued	934	28%
Harassment got worse	163	5%
Health impact	123	4%
Hostile environment	474	14%
Impact on family/relationships	94	3%
Industry (i.)	1911	58%
i. Arts/writing/design/architecture	42	1%

## Appendix A: Variables Coded from Online Request Forms (continued)

Codebook	Number of sex harassment requests with code	Percent of sex harassment requests with code
i. Athletics/gym	11	0%
i. Automotive	10	0%
i. Computer/IT/tech	60	2%
i. Corrections	31	1%
i. Cosmetology/massage	11	0%
i. Delivery business /shipping/gov (UPS/USPS)	59	2%
i. Domestic work	21	1%
i. Education/school	234	7%
i. Entertainment/modeling/music	134	4%
i. Faith based org or institution/church	12	0%
i. Farming/food processing	13	0%
i. Film/photography	44	1%
i. Finance/banking	50	2%
i. Government	195	6%
i. Health	157	5%
i. Hospitality	44	1%
i. Native American reservation	3	0%
i. Journalism/media/advertising	50	2%
i. Law enforcement	45	1%
i. Legal field	47	1%
i. Manufacturing/construction/factory	72	2%
i. Military	66	2%
i. Nonprofit/social service/civil service	80	2%
i. Real estate	20	1%
i. Restaurant/fast food	100	3%
i. Retail	83	3%

## Appendix A: Variables Coded from Online Request Forms (continued)

Codebook	Number of sex harassment requests with code	Percent of sex harassment requests with code
i. Sales/business	96	3%
i. Sex industry	9	0%
i. Sports	9	0%
i. Trade	6	0%
i. Transportation	49	1%
Intersectional (sex harassment and harassment based on race, religion, etc.)	584	18%
Intersectionality/discrimination (in.)	3317	100%
in. Age	120	4%
in. Disability	216	7%
in. Gender	861	26%
in. Immigration status	21	1%
in. Nationality	26	1%
in. Pay discrimination	164	5%
in. Pregnancy/maternity/mother	41	1%
in. Race/ethnicity	349	11%
in. Religion	52	2%
in. Sexual	2922	88%
in. Sexuality	94	3%
LGBTQ identified	239	7%
Low income	1961	59%
Male victim	57	2%
Male-dominated workplace	208	6%
Mental health impact*	614	19%
Metoo or TIME'S UP mentioned	134	4%
Nondisclosure agreement/other secrecy agreements (nda.)	192	6%
nda. For investigation	6	0%



## Appendix A: Variables Coded from Online Request Forms (continued)

Codebook	Number of sex harassment requests with code	Percent of sex harassment requests with code
nda. Not sure if pre or post dispute	31	1%
nda. Post incident/part of settlement or severance	106	3%
nda. Pre incident	16	0%
nda. Refused to sign	36	1%
Other victims mentioned	694	21%
Perpetrator mentioned*	2687	81%
Quid pro quo harassment	243	7%
Race/ethnicity	2796	84%
Release of claims	9	0%
Resulted in unemployment/quitting	336	10%
Retaliation*	2394	72%
Sexual assault/assault/rape/physical harassment	1184	36%
Statute of limitations (s.l.)	599	18%
s.l. 1-3 years	197	6%
s.l. 4 or more years	231	7%
s.l. under 1 year	164	5%
Threats and retaliation threats	508	15%
Union involvement/membership	191	6%
Victim not believed	100	3%
Victim was blamed	125	4%
Want to prevent future harassment/help other women	76	2%
Whistleblower	46	1%
Witnesses to harassment	284	9%
Workplace had no policy or training on sex harassment	31	1%

\*Denotes a separate table below provides more detail in these broad codes

## Appendix A: Variables Coded from Online Request Forms (continued)

Of 2,394 Workplace Sex Harassment Requests Reporting Retaliation*	
Were terminated	36%
Reported having their behavior scrutinized, given bad reviews, or treated poorly	19%
Reported fearing retaliation	16%
Were slandered	15%
Were denied promotion or other advancement of their careers	12%
Were transferred, reassigned, or displaced from a project	9%
Were demoted or who lost responsibilities	9%

\*Figures do not total 100% because some people reported multiple types of retaliation; others mentioned retaliation broadly

Of 2,330 Workplace Sex Harassment Requests Reporting a Formal Complaint*	
Reported the harassment to their employer (via a supervisor, higher-up, human resources, or title ix office)	64%
Reported the harassment to the EEOC or related agency	20%
Reported the harassment to the police	11%
Filed a court case in response to the harassment	6%

\*Figures do not total 100%; some people reported the harassment in multiple ways; others did not specify to whom they reported the harassment

Of 614 Workplace Sex Harassment Requests Reporting a Mental Health Impact*	
Reported feeling emotional distress or stress	34%
Reported experiencing anxiety or panic attacks	28%
Reported experiencing PTSD	24%
Reported experiencing depression	22%
Reported seeking assistance from a mental health professional	18%
Reported feeling suicidal	6%
Reported low self-esteem	5%

\*Figures do not total 100%; some people reported experiencing more than one mental health impact; others did not specify one of the above impacts

## Appendix A: Variables Coded from Online Request Forms (continued)

Of 2,687 Workplace Sex Harassment Requests Identifying a Perpetrator*	
Identified their perpetrator as male**	75%
Identified their perpetrator as female**	7%
Identified their perpetrator as a supervisor/higher-up/owner/top executive	56%
Reported nothing happened to their perpetrator	37%
Identified multiple perpetrators of harassment	22%
Identified their perpetrator to be a co-worker or peer	21%
Reported their perpetrator suffered a consequence	5%

\*Figures do not total 100%; some people identified more than one of the above regarding their perpetrator

\*\*Of requests that identified the sex of their perpetrator, 91% identified them as male, 9% identified them as female

Of 714 Workplace Sex Harassment Requests Reporting an Economic or Financial Impact*	
Reported having their hours/shifts/pay cut	31%
Reported financial trouble as a result of not being able to find a new job	23%
Said they could not afford to lose their job	11%
Reported a loss of health insurance or other benefits	7%
Reported an impact on retirement	6%

\*Figures do not total 100%; some people reported experiencing more than one economic impact above; others did not specify one of the above impacts or mentioned other economic impacts

---

## Appendix B: Methodology

This research analyzes information and stories provided in requests for legal assistance related to workplace sex discrimination through the Legal Network for Gender Equity and TIME'S UP Legal Defense Fund, which are operated and administered by the National Women's Law Center Fund LLC.

The Legal Network for Gender Equity provides attorney information to individuals facing sex discrimination (including harassment) at work, in education, and as patients receiving health care. The TIME'S UP Legal Defense Fund helps people facing workplace sex harassment, including by connecting people to attorneys in the Legal Network. Between January 1, 2018, and February 16, 2018, people requesting legal assistance from

the TIME'S UP Legal Defense Fund could select whether their request was related to workplace sex discrimination. Between February 16, 2018, and July 3, 2019, people requesting legal assistance self-selected the category that best fit their situation from the following options: anti-LGBTQ discrimination in schools, biased school discipline, defense against defamation claims, discrimination against pregnant and parenting students, discrimination in health care, discrimination in school athletics, employment issues for abortion providers, military sex harassment/sex discrimination, other sex discrimination in education, other workplace sex discrimination, pay discrimination, retaliation (education), retaliation (health care), sex harassment/assault of students, workplace breastfeeding or pregnancy





---

## Appendix B: Methodology (continued)

discrimination, workplace sex harassment. After July 3, 2019, people self-selected whether their situation occurred in education, in health care, or in the workplace and a TIME'S UP Legal Defense Fund staff person or volunteer selected the appropriate category from the list above after reviewing a request. Depending on the date of the request, then, people either self-selected a category or a category was selected on their behalf. Either way, workplace related requests were those in the following categories: defense against defamation claims, military sex harassment/sex discrimination, other workplace sex discrimination, pay discrimination, retaliation (workplace), workplace breastfeeding or pregnancy discrimination, and workplace sex harassment. As explained below, this study only used those intakes that involved workplace sex harassment.

In filling out the online request form, people were required to provide the following information, while answers to all other questions were optional: last name, email address, state where the incident occurred, the general context in which the situation occurred (i.e., in seeking health care, in attending school, or in a workplace), a brief summary of what occurred, and whether the TIME'S UP Legal Defense Fund could share their name with attorneys to alert them that the individual may contact them. Note that people were not required to share any other information; for example, people were not required to identify their employer, industry, or harasser. In addition, the TIME'S UP Legal Defense Fund does not track and is not aware of whether individuals seeking legal help ultimately take legal action.

Nonetheless, people frequently volunteered information beyond what was required to complete the form. Throughout this report, we have referred to what people “said” to describe information

provided in response to specific questions on the online request form; by contrast, we refer to what people “volunteered” to describe information provided without being specifically prompted to do so. Between July 3, 2019, and April 30, 2020, a small number of requests were taken by phone and a TIME'S UP Legal Defense Fund staff person or volunteer filled out the online request form on someone's behalf. In some instances where there was not enough information in a request, a TIME'S UP Legal Defense Fund staff person or volunteer called or emailed the person requesting legal assistance for additional information about their experience. Information captured in this way by a TIME'S UP Legal Defense Fund staff person or volunteer was excluded from this analysis. Because people filling out the online request form were only seeking an initial connection with attorneys and because the required brief summary of what occurred was an open-ended question, the level of detail in each summary varies dramatically; some individuals provided a one sentence description while others outlined their experience over several pages. In this report, where we have provided quotations from online request forms, the quoted individuals had indicated in their online request form that the TIME'S UP Legal Defense Fund could use general or anonymized information about their experiences to support its education or advocacy efforts.

Between January 1, 2018, and April 30, 2020, the Legal Network for Gender Equity received 5,072 requests that were related to workplace sex discrimination using the parameters above. After eliminating duplicate requests and requests that were misidentified as workplace-related but were in fact education—or health care-related, 4,552 requests remained for this analysis. Duplicate requests were identified as more than one request for assistance by the same email address or the same name, location, and similar description. For

---

## Appendix B: Methodology (continued)

requests between January 1, 2018, and October 31, 2019, duplicate requests were merged by email address or name before they were analyzed in this research. For requests after October 31, 2019, only the first request from an email address or the same name, location, and similar description was analyzed.

This research deals only with those workplace requests that are workplace sex harassment. Through the coding process for this report, 3,616 workplace related requests were identified as workplace sex harassment, 3,317 of which were in first person and 299 of which were in third person—meaning they were either submitted by someone other than the person who experienced

the harassment (such as a bystander, witness, or friend or family member) or through notes recorded by a TIME'S UP Legal Defense Fund staff person or volunteer after a phone call. Information captured in third person by a TIME'S UP Legal Defense Fund staff person or volunteer was excluded from this analysis.

Requests were read and coded using Atlas.ti and the codebook in Appendix A. The data was then exported to SPSS to determine frequencies and means as well as statistical significance tests between groups by gender, race, and industry. Only differences that were statistically significant at the  $p < .05$  level are reported throughout this analysis.

---

# Appendix C: Glossary of Terms

## **Sex Discrimination**

Sex discrimination occurs when an individual is treated less favorably due to their sex, which includes sexual orientation, gender identity or expression, pregnancy or pregnancy-related condition (including lactation), or a sex stereotype.

## **Sex Harassment**

Sex harassment is a form of sex discrimination and includes a range of unwelcome behavior motivated by the sex or gender of the person targeted for the harassment. Sex harassment may include hostile verbal or physical conduct, whether or not sexual overtures are involved. Throughout this report, the term sex harassment is used as an umbrella term to include sex harassment and gender-based harassment, which are separately defined in this appendix.

For example, sex harassment may occur when:

- » A person's submission to or rejection of sexual advances is used as the basis for employment decisions, or submission to sexual advances is made as a condition of employment (quid pro quo harassment).
- » Unwelcome sexual conduct or gender-based harassment is sufficiently severe or pervasive that it creates an intimidating, hostile, or offensive work environment.
- » A person is subject to unwelcome communication of a sexual nature, for example through emails, text messages, messages through social media, or audible jokes or remarks.
- » An individual is forced or caused to view unwelcome images of a sexual nature, such as pornography, lewd graffiti, or sexual gestures.

## **Gender-Based Harassment**

Gender-based harassment is unwelcome behavior that is motivated by the sex or gender of the person targeted for the harassment and that does not necessarily involve sexual overtures; rather, this type of harassment includes a broad range of verbal and nonverbal behaviors that convey insulting, hostile, and degrading attitudes based on gender. For example, gender-based harassment may include slurs, taunts, or hostile comments, or physical threats or attacks, based on the individual's actual or perceived sexual orientation, gender identity, or pregnancy.

## **Sex Harassment**

Sex harassment is a pattern of unwelcome sexual behavior. For example, it may include unwelcome sexual advances, requests for sexual favors, unwanted touching, sexual assault, abusive sexual language, or demands to engage in sex as a condition of getting or keeping a job.

---

## **Appendix C: Glossary of Terms (continued)**

### **Quid Pro Quo Harassment**

Quid pro quo is a form of sex harassment that occurs when a supervisor, manager, or other person with positional authority or power conditions an employment benefit or decision on an individual's submission to or rejection of unwelcome sexual advances. For example, quid pro quo harassment may involve a supervisor requesting sexual favors as a condition to hire or promote someone. It also may involve a supervisor threatening to fire or demote someone if the individual denies them sexual favors.

### **Retaliation**

Retaliation occurs when an employer punishes an employee for reporting an experience of sex harassment or sex discrimination in the workplace. Retaliation may take the form of any action that has an adverse impact on the individual's employment, such as demotion, discipline, firing, salary reduction, or job or shift reassignment. It may also be more subtle, such as leaving the individual who reported the harassment out of meetings or email threads, denying them opportunities to receive training or be considered for promotions, or giving them poor performance evaluations.



---

# Appendix D: Original Online Request Form

## Online Form for Legal Assistance

### 1. Name

- a. First Name:
- b. Middle
- b. Last Name:\*
- c. Suffix

### 2. Contact Information

- a. Zip Code:
- b. City and State of Residence:\*
- c. Home Phone
  - 1. Note
  - 2. Safe?
- d. Mobile Phone
  - 1. Note
  - 2. Safe?
- e. Email:

### 3. Do you speak a primary language other than English and would it be helpful to have language assistance services during your intake process or in consulting with a network attorney?

- a. Yes
- b. No
- c. If yes, what language:

### 4. Please list any necessary disability related modifications or accommodations that would be helpful during your intake process on in consulting with a network attorney.

### 5. How did you learn about us?

### 6. Is there other information you would like to provide in connection with this request?

### Demographic Information

The National Women's Law Center will use the demographic data to better connect you to an attorney from the Legal Network for Gender Equity. For example, some of the attorneys only take cases from people with incomes below a certain level. We also seek to ensure that the network is reaching individuals from multiple communities and backgrounds.

*\* red asterisks are required questions*

---

## Appendix D: Original Online Request Form (continued)

### 7. What is your age?

1. Under 18
2. 18–39 years old
3. 40–64 years old
4. 65 and older

### 8. Gender

1. Nonbinary
2. Prefer not to say
3. Female
4. Male

### 9. Do you wish to identify as a member of the LGBTQ community?

1. Yes
2. No
3. If yes, how do you identify?:

### 10. What is your race and/or ethnicity? (select all that apply)

1. Asian/Pacific Islander
2. Black/African American
3. Hispanic/Latinx
4. Native American
5. White (Not Hispanic)

### 11. Additional race or ethnicity?

1. Asian/Pacific Islander
2. Black/African American
3. Hispanic/Latinx
4. Native American
5. White (Not Hispanic)

### 12. Some of our legal network attorneys serve only low income clients. If you believe you may qualify for legal services for low income clients and would like to be connected to an attorney who serves such clients, please check 'yes'

1. Yes
2. No

### 13. Sharing our stories is an important way to educate the public about the issues that come up in women's lives. Could we share your general story to help with our advocacy and education efforts without using your name or other specific identifying information? (This is optional and not required to receive information from the network.)

1. Yes
2. No

---

## Appendix D: Original Online Request Form (continued)

**Legal Issue:** Please note which of the following topics your issue relates to, so that we can better direct your inquiry.

**13. Legal Problem Category: Education, Healthcare, Workplace (please choose one)**

**14. Legal Problem Code (please choose one): Defense against defamation claims, military sex harassment/sex discrimination, other workplace sex discrimination, pay discrimination, retaliation (workplace), workplace pregnancy and breastfeeding discrimination, workplace sex harassment.**

**15. If Healthcare/Education:**

1. Briefly describe the situation below.\*
2. Is it okay for us to send your name to attorneys to alert them that you might be contacting them through the Legal Network?\*

**16. If Retaliation (healthcare/education)**

1. Briefly describe the situation below.\*
2. I would like to have my information on this intake form, including my contact information, shared with a public relations (PR) firm to be evaluated for possible free PR support when it comes to telling my story. (Please note: Checking "yes" here will not guarantee that you will receive PR help.)
3. Is it okay for us to send your name to attorneys to alert them that you might be contacting them through the Legal Network?\*

**17. If Workplace—defense against defamation claims, other workplace sex discrimination, pay discrimination**

1. What is your industry or type of employer?
2. What is the name of your employer (This question is entirely optional.)
3. Are you a member of a union?
4. Briefly describe the situation below.\*
5. I would like to have my information on this intake form, including my contact information, shared with a public relations (PR) firm to be evaluated for possible free PR support when it comes to telling my story. (Please note: Checking "yes" here will not guarantee that you will receive PR help.)
6. Is it okay for us to send your name to attorneys to alert them that you might be contacting them through the Legal Network?\*

\* red asterisks are required questions

---

## Appendix D: Original Online Request Form (continued)

### 18. If Workplace—military sex harassment/sex discrimination, workplace sex harassment

1. What is your industry or type of employer?
2. What is the name of your employer (This question is entirely optional.)
3. Are you a member of a union?
4. Briefly describe the situation below.\*
5. Have you reported the sex harassment to anyone? If so, what happened?
6. Did you experience retaliation? If so, what happened?
7. Did your employer discourage you from sharing your story or pursuing legal action—either by citing a nondisclosure agreement, insisting on mediation, or some other way? If so, what happened?
8. Did you experience other harassment in addition to sex harassment, or connected to the sex harassment—for instance, harassment because of your race, LGBTQ status, immigration status, or disability?
9. I would like to have my information on this intake form, including my contact information, shared with a public relations (PR) firm to be evaluated for possible free PR support when it comes to telling my story. (Please note: Checking “yes” here will not guarantee that you will receive PR help.)
10. Is it okay for us to send your name to attorneys to alert them that you might be contacting them through the Legal Network?\*

### 19. If Workplace—pregnancy and breastfeeding discrimination

1. What is your industry or type of employer?
2. What is the name of your employer? (This question is entirely optional.)
3. Are you a member of a union?
4. Briefly describe the situation below.\*
5. Who did you request accommodations from (supervisor, HR, both, other)? What did they say?  
Was HR involved in this process?
6. Is it okay for us to send your name to attorneys to alert them that you might be contacting them through the Legal Network?\*

**Please click the submit button below to send us your application.**

Thank you for completing our online application. Please click the submit button below to send us your application.

We will contact you within 10 days to let you know if we can help you or if we need additional information. If you have any questions, please review our FAQs page or contact us at [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org).

To ensure that you receive that email please add [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org) to your list of email contacts. Please also check your junk email for emails from [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org).

*\* red asterisks are required questions*

---

# Appendix E: Current Online Request Form

## Legal Help

The Legal Network for Gender Equity and sex discrimination, including sex harassment, at work or in your career, at school, or when getting healthcare.

We can also help connect you to attorneys for legal help or questions about accessing the new leave benefits for workers affected by COVID-19: paid sick leave and paid leave to care for a child whose school or child care provider is closed because of COVID-19.

To start the process, please fill in this form. When you submit it, you will receive an email from [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org) with additional information and steps about how the process works. We will keep the information you send us private to the extent allowed by law.

If you have questions about the form, if you need an accommodation to complete this form because of a disability, or if you need assistance in a language other than English or Spanish, please email [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org) or call 202-319-3053. Please do not come to our office to request assistance; we do not conduct in-person meetings with individuals seeking legal help.

Required information is indicated by a \* after the field name.

## Language

Select whether you would like the intake form to be in English or Spanish. If you need assistance in another language, please call us at 202-319-3053.

Seleccione si desea que el formulario de admisión sea en inglés o español. Si necesita ayuda en otro idioma, llámenos al 202-319-3053.

☐ English

☐ Español

## Contact Information

First Name ("Jane/John Doe" is fine) \_\_\_\_\_

Last Name\* \_\_\_\_\_

Email Address\* \_\_\_\_\_

Is it safe to use this email to send you information?

☐ No

☐ Yes

Phone Number \_\_\_\_\_

*\* red asterisks are required questions*



---

## Appendix E: Current Online Request Form (continued)

### Tell Us Why You Reached Out Today

We can help people to connect to lawyers to challenge sex discrimination and harassment that happened in the workplace, in education, or in healthcare.

We can also help connect you to attorneys for legal help or questions about accessing the new leave benefits for workers affected by COVID-19: paid sick leave and paid leave to care for a child whose school or child care provider is closed because of COVID-19.

Did you experience this situation:\* \_\_\_\_\_

Where did this occur? \_\_\_\_\_

City \_\_\_\_\_

State\* \_\_\_\_\_

Thank you for telling us a bit about your situation. Please take a couple minutes to tell us just a little more about yourself using the form below. The TIME'S UP Legal Defense Fund/Legal Network for Gender Equity uses this information to make sure that the Network is reaching the individuals we want to ensure to include through this program. Sharing this information is optional and does not affect whether you will receive help from us.

### Tell Us About You

What is your race or ethnicity?

1. Asian/Pacific Islander
2. Black/African American
3. Hispanic/Latinx
4. Native American
5. White (Not Hispanic)

What is your gender?

1. Nonbinary
2. Prefer not to say
3. Female
4. Male

Do you identify as LGBTQI+?

1. Yes
2. No
3. If yes, how do you identify?:

*\* red asterisks are required questions*

---

## Appendix E: Current Online Request Form (continued)

Do you identify as a person with a disability?

1. Yes
2. No

### Demographic Information for Workplace Discrimination Cases

If you experienced discrimination at work or connected to your career, we would like to know little more about your workplace and income. Sharing this information is optional and does not affect your ability to receive help from us.

When the discrimination/harassment happened, what industry did you work in?

---

When the discrimination/harassment happened, what was the name of your employer?

---

When the discrimination/harassment happened, approximately how much were you earning? Report by hourly wage or salary

---

Some of our legal network attorneys serve only low income clients. If you believe you may qualify for legal services for low income clients and would like to be connected to an attorney who serves such clients, please check 'yes'

- ☐ Yes
- ☐ No

### Story Sharing

Sharing our stories is an important way to educate the public about sex discrimination and harassment in our lives. May we share your anonymized story in our advocacy and education efforts? We will not share your name, contact information, or the names of any organizations or individuals involved.

With these protections, can we share your story?

- ☐ Yes
- ☐ No

**Please click the submit button below to send us your application.**

Thank you for completing our online application. Please click the submit button below to send us your application.

We will contact you within 10 days to let you know if we can help you or if we need additional information. If you have any questions, please review our FAQs page or contact us at [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org).

To ensure that you receive that email please add [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org) to your list of email contacts. Please also check your junk email for emails from [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org).

---

## Appendix E: Current Online Request Form (continued)

### **Important information:**

The Legal Network for Gender Equity and the TIME'S UP Legal Defense Fund are housed at and administered by the National Women's Law Center Fund LLC (NWLCF).

The NWLC has been fighting for gender justice for over 45 years. In 2016, the NWLC created the NWLCF and the Legal Network for Gender Equity to help people facing sex discrimination and harassment in education, the workplace, and health care connect with attorneys.

By providing this information to you, the National Women's Law Center (NWLC) and the National Women's Law Center Fund (NWLCF) are not becoming your attorneys. Filling in the intake form also does not mean that NWLC or NWLCF are becoming your attorneys. Providing information to NWLC or NWLCF will not create an attorney-client relationship unless NWLC/NWLCF expressly agrees to represent you.

The Legal Network for Gender Equity provides the names of lawyers for informational purposes only. By providing contact information of attorneys, the Legal Network for Gender Equity is not endorsing, approving, vouching for, or recommending the lawyers or groups listed. We cannot guarantee that any of the lawyers will agree to represent you or that if they do, you will have a positive result in your case. And it is important to note that just because a lawyer was successful in other cases.

You are responsible for meeting any filing deadlines associated with your legal claims.

---

# Endnotes

- <sup>1</sup> Alianza Nacional de Campesinas “Dear Sisters” letter to Hollywood actors (November 10, 2017), available at <https://time.com/5018813/farmworkers-solidarity-hollywood-sexual-assault/> (last visited Aug. 30, 2020); TIME’S UP “Dear Sisters” letter to farmworkers (Dec. 21, 2017), available at <https://www.nytimes.com/interactive/2018/01/01/arts/02women-letter.html?mtrref=www.google.com&assetType=REGIWALL> (last visited Aug. 30, 2020).
- <sup>2</sup> In the executive summary and throughout the report, we use the term “volunteered” to describe information that individuals provided without being prompted for information by a question on the online request form. By contrast, we use the term “said” to describe information that an individual provided in response to a specific question on the online request form.
- <sup>3</sup> NWLC, Frequently Asked Questions about Sexual Harassment in the Workplace (Nov. 2016), available at <https://nwlc.org/wp-content/uploads/2016/11/Sexual-Harassment-FAQ.pdf>. See more definitions in Appendix C.
- <sup>4</sup> Although people were not required to provide this information, many people self-identified their gender and race. An analysis was conducted on each of the variables coded for this report (see Appendix A for the full list of codes) to determine if statistically significant differences existed by gender or race. In many cases, because experiences were common for people across groups, differences between genders and racial groups were often not statistically significant; only those that were statistically significantly different at the p<.05 level are reported throughout this report.
- <sup>5</sup> See n. 4, *supra*.
- <sup>6</sup> Anyone requesting legal help who self-selected more than one race/ethnicity was categorized as “two or more races.” For example, people who identified as Black and AAPI, as well as people who identified as white and Latino, were placed in this category. Therefore, it is important to note that the “two or more races” category encompasses people with a wide range of experiences, the nuances of which will not be captured by the analysis in this report.
- <sup>7</sup> Those who self-identified their race/ethnicity in their online request form closely match the U.S. workforce in 2018. According to annual Census data, 62% of workers were white, non-Hispanic, 18% were Latinx, 12% were Black, 7% were AAPI, and 1% were Native American. NWLC calculations of U.S. Census Bureau, 2019 Current Population Survey using IPUMS. In the annual Current Population Survey, respondents self-identify their race and separately self-identify whether they are of Hispanic, Latino, or Spanish origin. For more information, see <https://www2.census.gov/programs-surveys/cps/techdocs/questionnaires/Demographics.pdf>. Race/ethnicity data in the TIME’S UP Legal Defense Fund online form, however, was collected in one question and people were able to select as many options as applied to them.
- <sup>8</sup> States were divided into four regions based on U.S. Census Bureau divisions. See U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau, Census Regions and Divisions of the United States, available at [https://www2.census.gov/geo/pdfs/maps-data/maps/reference/us\\_regdiv.pdf](https://www2.census.gov/geo/pdfs/maps-data/maps/reference/us_regdiv.pdf). In 2018, 37% of the U.S. workforce resided in the South, 24% in the West, 22% in the Midwest, and 17% in the South. NWLC calculations of U.S. Census Bureau, 2019 Current Population Survey using IPUMS.
- <sup>9</sup> U.S. Equal Employment Opportunity Commission, Select Task Force on the Study of Harassment in the Workplace 16 (June 2016), available at <https://www.eeoc.gov/select-task-force-study-harassment-workplace>.
- <sup>10</sup> U.S. Equal Employment Opportunity Commission, Select Task Force on the Study of Harassment in the Workplace 16 (June 2016), available at <https://www.eeoc.gov/select-task-force-study-harassment-workplace>.
- <sup>11</sup> Jocelyn Frye, Center for American Progress, Not Just the Rich and Famous, available at <https://www.americanprogress.org/issues/women/news/2017/11/20/443139/not-just-rich-famous/>.
- <sup>12</sup> Paige L. Sweet, The Sociology of Gaslighting, *American Sociological Review*, Vol. 85, No. 5 (2019), pp.851–875.
- <sup>13</sup> C. Garcia Moreno, A. Riechler-Rosser, Violence Against Women and Mental Health, *Indian Journal of Medical Research*, Vol 142, No. 5 (Nov 2015), 629–630.
- <sup>14</sup> Holly Kearn, Stop Street Harassment, The Facts Behind the #MeToo Movement: A National Study on Sexual Harassment and Assault (Feb. 2018), available at <http://www.stopstreetharassment.org/wp-content/uploads/2018/01/Full-Report-2018-National-Study-on-Sexual-Harassment-and-Assault.pdf>.
- <sup>15</sup> Clare McGlynn and Erika Rackley, Image-Based Sexual Abuse, *Oxford Journal of Legal Studies*, Vol. 37, No. 3 (2017), pp. 534–561.
- <sup>16</sup> Heather McLaughlin, Christopher Uggen, Amy Blackstone, The Economic and Career Effects of Sexual Harassment on Working Women, *Gender and Society*, Vol. 31, No. 3 (June 2017), 333–358.
- <sup>17</sup> People who withdraw money from retirement accounts such as 401ks or Individual Retirement Accounts (IRAs) before age 59½ are subject to a 10% penalty plus income tax. However, this 10% penalty was temporarily waived for many people in tax year 2020 as part of the CARES Act. See <https://www.irs.gov/newsroom/major-changes-to-retirement-plans-due-to-covid-19>.
- <sup>18</sup> For information about NWLC’s policy advocacy on workplace sex harassment and related resources, visit: <https://nwlc.org/issue/sexual-harassment-in-the-workplace/>



# TIME'S<sup>™</sup> LEGAL DEFENSE FUND UP

The TIME'S UP Legal Defense Fund is housed and administered  
by the National Women's Law Center Fund, LLC.  
Questions? Contact us at [legalnetwork@nwlc.org](mailto:legalnetwork@nwlc.org)