

February 19, 2026

Co-Sponsor the BE HEARD in the Workplace Act

Dear Member of Congress:

The undersigned 50 national, state, and local organizations dedicated to gender and racial justice, defending civil rights, ensuring workplace fairness, and ending gender-based violence **urge you to co-sponsor the Bringing an End to Harassment by Enhancing Accountability and Rejecting Discrimination (BE HEARD) in the Workplace Act**, legislation that will advance equality, safety, and dignity for millions of workers.

Harassment in the workplace remains a widespread, persistent problem across industries and workplaces, from corporate boardrooms to restaurants, agricultural fields, and factory floors. In fiscal year 2024, the U.S. Equal Employment Opportunity Commission (EEOC) received 35,774 charges alleging harassment, a 13% increase compared to the previous fiscal year.¹ These charge statistics do not even begin to represent the extent of harassment in the workplace, as most workers who experience harassment do not report it, and even fewer make a formal complaint such as an EEOC charge.

Workers are often subjected to multiple forms of harassment in the workplace at the same time, including on the basis of race, religion, national origin, disability, and/or sex (including sexual orientation, gender identity, sex stereotype, sex characteristics, and pregnancy, childbirth, or related medical conditions). Women of color, and Black women in particular, are disproportionately likely to experience sexual harassment at work, as are transgender and nonbinary workers, and women working in low-paid jobs, in male-dominated fields, and in industries where workers have limited bargaining power in the workplace.

For many years, workers, survivors, and advocates have been calling for change and demanding solutions to prevent and address workplace harassment. Despite a wave of recent federal and state efforts to strengthen workplace anti-harassment protections, our laws continue to come up short, especially for the most marginalized workers. More recently, the EEOC has taken steps to undermine enforcement of existing federal anti-harassment protections—for example, the agency has stopped processing harassment charges based on gender identity, and in January, it rescinded its Enforcement Guidance on Harassment in the Workplace. While these changes do not alter workers' protections under federal law, they create confusion and undermine the ability of workers to enforce their rights. In this moment, Congress must respond by strengthening and expanding workplace anti-discrimination protections for all workers, while also safeguarding existing protections. It is time for Congress to cement lasting policy change that will promote equality, safety, and dignity in the workplace for everyone.

The BE HEARD in the Workplace Act offers a groundbreaking set of reforms and answers the calls for change that have reverberated across the country. The Act is a landmark, comprehensive federal legislative proposal to address workplace harassment. It centers the lived experiences of working people, including survivors of gender-based violence at work, and offers multiple reforms to prevent and respond to all forms of harassment and discrimination, whether based on sex (including sexual orientation, gender identity, sex stereotype, sex characteristics, and pregnancy, childbirth, or related medical conditions), race, color, national origin, religion, age, or disability.

¹ See *Enforcement and Litigation Statistics, Table E2a Charges Alleging Harassment, Charge Receipts and Resolutions by Type (All Statutes) FY2010-FY2024*, U.S. EQUAL EMP. OPPORTUNITY COMM'N, available at <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0> (last visited Feb. 4, 2026).

- **The Act would extend federal protections against harassment and other forms of discrimination to all working people**, including individuals working in small workplaces, workers in the gig economy, independent contractors, and interns. Additionally, the Act expressly codifies *Bostock v. Clayton County*, recognizing that harassment and other forms of discrimination based on sexual orientation and gender identity are unlawful sex discrimination.
- **The Act addresses barriers working people face in accessing justice**, by providing additional time to file harassment and other discrimination charges with the Equal Employment Opportunity Commission; remedying unduly narrow interpretations of legal standards that have made it difficult to challenge workplace harassment and prevail; removing artificial limits on damage awards so that working people can be made whole for the harm suffered; and providing funds to support legal assistance for low-income workers.
- **The Act would increase transparency and accountability** by prohibiting forced arbitration of workplace disputes, banning nondisclosure agreements (NDAs) in the pre-dispute context, and restricting the use of NDAs in post-dispute agreements and requiring safeguards to protect the identity of victims of discrimination, including harassment. These measures would help ensure harassment cannot continue to thrive in the shadows, while protecting working people's ability to pursue their day in court.
- **The Act promotes harassment prevention** by including requirements for employer trainings and policies, and research on the prevalence and impact of workplace harassment on communities across the country.
- **The Act would ensure that tipped workers are entitled to the same minimum wage as everybody else, rather than the current cash minimum wage of \$2.13 an hour**, ensuring women, who are two-thirds of the tipped workforce, are not compelled to tolerate sexual harassment from customers as the price of making an adequate living.

The BE HEARD in the Workplace Act offers a multi-faceted approach to preventing and responding to harassment and discrimination. It provides concrete solutions and a path to creating a world in which every individual can work with safety and dignity.

We urge you to prioritize the BE HEARD in the Workplace Act in the 119th Congress by cosponsoring this historic legislation. If you have any questions, please do not hesitate to contact Lauren Khouri (lkhour@nwlc.org) or Katie Sandson (ksandson@nwlc.org) at the National Women's Law Center Action Fund.

Sincerely,

National Women's Law Center Action Fund

9to5

A Better Balance

AFL-CIO

American Association of University Women (AAUW)

American Civil Liberties Union

Association of People Supporting Employment First (APSE)

California Women's Law Center

Center for Law and Social Policy (CLASP)

Chicago Women in Trades

Clearinghouse on Women's Issues
Coalition on Human Needs
Equal Rights Advocates
Esperanza United
Feminist Majority
FL National Organization for Women
Gender Equality Law Center
Greater Boston Building Trades Unions
Greater Orlando National Organization for Women
Human Right Campaign
Institute for Women's Policy Research
Jewish Women International
Justice for Migrant Women
Labor Council for Latin American Advancement (LCLAA)
Legal Momentum, The Women's Legal Defense and Education Fund
Lift Our Voices
Massachusetts AFL-CIO
MomsRising
National Action Network
National Alliance to End Sexual Violence
National Black Worker Center
National Council of Jewish Women
National Employment Law Project
National Employment Lawyers Association
National Institute for Workers' Rights
National Network to End Domestic Violence
National Organization for Women
National Partnership for Women & Families
National Taskforce on Tradeswomen's Issues
NAWIC
Oxfam America
PowHer New York
Reproductive Freedom for All
Service Employees International Union
Solar for Women
The Sikh Coalition
Vermont Works for Women
Women Employed
Women In Non Traditional Employment Roles
Working IDEAL
WorkLife Law