



STOP WORKPLACE HARASSMENT

What is Workplace Harassment?

Harassment is a form of employment discrimination. It violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disability Act of 1990 (ADA).

Harassment can be based on race, color, religion, sex (including pregnancy), national origin, age, disability, or genetic information. Harassment can become unlawful when one or both of the following circumstances are met:

- Enduring the offensive conduct becomes a condition of continued employment.
- The conduct is intimidating, hostile, or abusive.

When Does Harassment Violate Federal Law?

As mentioned above, harassment violates federal law if it involves discriminatory treatment based on race, color, sex (with or without sexual conduct), religion, national origin, age, disability, genetic information, or because the employee opposed job discrimination or participated in an investigation or complaint proceeding under the EEO statutes.

Federal law does not prohibit simple teasing, offhand comments, or isolated incidents that are not extremely serious. The conduct must be sufficiently frequent or severe to create a hostile work environment or result in a "tangible employment action," such as hiring, firing, promotion, or demotion.

Prevention of Workplace Harassment

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. Employers should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. This can be accomplished by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains.

When is an Employer Legally Responsible for Harassment by a Supervisor?

An employer is always responsible for harassment by a supervisor that culminated in a tangible employment action. If the harassment did not lead to a tangible employment action, the employer is liable unless it proves that:

- It exercised reasonable care to prevent and promptly correct any harassment; and
- The employee unreasonably failed to complain to management or to avoid harm otherwise

Where to turn to?

U.S. Equal Employment Opportunity
Commission
Tampa Field Office, 501 E. Polk St.,
Suite 1000, Tampa, FL 33602
Phone: 1-800-669-4000
www.eeoc.gov

City of Tampa
Planning and Development
Housing and Community Development
Division
Office of Human Rights
306 E. Jackson St., 3N
Tampa, FL 33602
Phone: (813) 274-5835
www.tampagov.net

The Helen Gordon Davis
Centre for Women
305 S. Hyde Park Ave.
Tampa, FL 33606
Phone: (813) 251-8437
www.thecentre.org