

Addressing Sexual Harassment
in the Workplace:

THERE IS POWER IN MY UNION

TOOLKIT

FEBRUARY 2019

AFL-CIO

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Introduction

In March 2017, the AFL-CIO Executive Council unanimously adopted two policies that are binding for our staff, leaders and activists.

The anti-discrimination and anti-harassment policy protects officers and staff from discrimination based on certain personal characteristics, such as race, ethnicity, sex, age, sexual orientation and gender identity, among others. It also protects officers and staff from harassment, including sexual harassment.

The code of conduct provides similar protection to any nonofficer or staff member who attends one of our events: an activity, event or meeting convened by any federation body.

Additionally, it protects anyone, including officers and staff, from other behavior that is not covered by the anti-discrimination and anti-harassment policy.

You do not have to be a staff person to be protected by the code of conduct. Unacceptable behavior under the code of conduct includes such things as bullying and stalking, uninvited sexual attention or contact, physical assault (including uninvited touching or groping), and real or implied threat of physical harm.

Everyone involved in our organization should strive to help us create a positive environment free from harassment and discrimination of any kind. Leaders, members and staff are protected by these policies, and also are required to comply with them.

Implementing these policies means making them part of an ongoing conversation about how we conduct the business of our movement. It means creating a dialogue about valuing everyone's leadership and how our culture can enable members, activists, leaders and staff to make their best contributions. It means regularly reinforcing the values these policies enshrine.

Sexual harassment is just one type of unwanted behavior covered under these policies, and is a pervasive expression of power dynamics in our workplaces and meeting spaces.

Confronting harassment requires addressing the underlying conditions that drive abuse—particularly a lack of access to basic labor rights, job security and protection from retaliation. Unions are uniquely positioned to take on these challenges. Our collective bargaining agreements can empower women by paying them fairly and protecting them from discrimination, harassment and abuse. Union members have access to a grievance process that is designed to ensure justice is served. For these reasons, expanding the freedom to organize and bargain collectively would go a long way toward ending the sexual harassment epidemic.

But the labor movement has an even greater responsibility. AFL-CIO President Richard Trumka made clear that labor can and must be part of the solution: “We can combat sexism with solidarity. We can tear down misogyny with movement building. We can use our contracts to discourage bad behavior and punish bad actors.”¹

This toolkit is focused on sharing best practices and insights with our state and local federation bodies as well as national and local unions who are working to shift workplace cultures. Within the toolkit you will find resources, examples of policy and contract efforts, as well as links to research on the issue of sexual harassment. All of this is offered in the spirit of sharing effective policies and real-life examples of unions’ roles in making workplaces fairer and safer for all.

We can build a better world for all workers, but we must be united in our resolve and our efforts must reflect the need for systemic change.

¹ <https://aflcio.org/speeches/trumka-labor-has-special-responsibility-stop-sexual-harassment>



Background Information on Sexual Harassment in the Workplace: Understanding the Problem

Sexual harassment is widespread, and we are in a critical moment to meaningfully change that reality. Sexual harassment occurs in virtually every workplace, in every industry and at every level within organizations. The issue received renewed attention in the wake of the #MeToo movement, which exploded onto the national stage in October 2017. Brave individuals, primarily women, came forward en masse to describe their experiences and demonstrate how pervasive sexual harassment remains in our society. The revived media scrutiny also brought much-deserved attention to some of the dedicated activists who have been pushing employers and the government to address this issue for decades. None of the issues highlighted by #MeToo is new, but we are at a pivotal moment to organize for lasting change.

Sexual harassment is about power. Sexual harassment and other forms of gender-based violence stem from a social and political hierarchy that values and enforces traditionally defined masculinity as an expression of power and prestige. Too often, media coverage focuses on the salacious details of abusive sexual conduct by famous men when, in fact, sexual harassment takes many forms. Sexual harassment is rooted in discrimination and is about not only unwanted sexual advances, but also attempts to demean or belittle a particular sex or gender identity through offensive comments and other misconduct.

Harassment is a tool used to preserve the unequal position of women and other marginalized groups in the workplace and in society. Women are subjected to harassment at much higher rates than men, and men are usually the perpetrators. An individual's sexual orientation, immigration status, gender identity and expression, race, ethnicity, religion and age can all interact to enhance the likelihood a person will be targeted.

Sexual harassment is a pernicious barrier to women's equal treatment and participation in the labor market. Sexual harassment prevents many women from advancing or even participating in specific jobs and within industries and sectors. A recent study found that 80% of women who

experienced harassment changed jobs within two years, with many choosing to enter an entirely new field of work.²

Capturing a complete picture of sexual harassment and gender-based violence at work is incredibly difficult, as only a tiny percentage of victims come forward to report cases of abuse.

One 2015 report concluded that while 50% to 80% of women experience sexual harassment at work, only 25% tell anyone at all, and only 5% file any kind of formal complaint.³ This echoes findings from a 2016 report from the U.S. Equal Employment Opportunity Commission, which concluded that reporting is “the **least** common response to [sexual] harassment,” with most who experience it instead choosing to “avoid the harasser, deny or downplay the gravity of the situation, or attempt to ignore, forget or endure the behavior.”⁴

Many victims do not come forward because they fear retaliation or that they will not be believed.

Studies suggest this fear often is grounded in reality—one from 2003 found that 75% of those who reported harassment faced retaliation afterward.⁵

Economic insecurity, particularly precarious and low-wage employment, makes workers more vulnerable to harassment and abuse. Workers without stable employment or economic security are less likely to report abuse. Precarious working arrangements, particularly those involving multiple levels of subcontracting or other contingent arrangements, decrease oversight and accountability. Workers at smaller companies and independent contractors do not receive protections from federal anti-discrimination legislation. Women are the majority of part-time and temporary workers in the United States, as well as the majority of low-paid workers and those making minimum wage. Many live paycheck to paycheck and cannot afford even a brief break in employment. Confronting harassment at work requires addressing the gaps in the law, as well as the underlying conditions that drive abuse—particularly a lack of access to basic labor rights, job security and protection from retaliation for reporting abuse.

2 Bryce Covert, “This Is How Sexual Harassment Ruins Your Career,” *Elle* (Dec. 20, 2017). Available at www.elle.com/culture/career-politics/a14464625/sexual-harassment-ruins-your-career/.

3 Elizabeth Kristen, Blanca Banuelos and Daniela Urban, “Workplace Violence and Harassment of Low-Wage Workers,” 36 *Berkeley Journal of Employment & Labor Law*, 2015.

4 U.S. Equal Employment Opportunity Commission, *Select Task Force on the Study of Harassment in the Workplace* (2016). Available at www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf.

5 Tara Golshan, “Study finds 75 percent of workplace harassment victims experienced retaliation when they spoke up,” *Vox* (Oct. 15, 2017). Available at www.vox.com/identities/2017/10/15/16438750/weinstein-sexual-harassment-facts.



Representing Members

Unions create space for workers to openly discuss, identify and address sexual harassment in the workplace, and help workers defend their fundamental right to be free from discrimination. Through education, support and effective representation, unions can help end the culture of silence and ensure meaningful accountability.

What Unions Can Do

- Ensure workers know their rights on the job and where to find support and file claims.
 - Educate all members about harassment and empowering and supporting workers who come forward.
- Help end the culture of silence.
 - Use membership surveys and other tools to get a sense of the scope and scale of the problem, and how it manifests in specific sectors.
 - Foster a supportive environment for women, people of color, LGBTQ and other individuals more likely to be subjected to harassment to speak out about the issue and lead on developing solutions.
 - Partner with broader social movements for gender, racial and economic justice—including local women’s rights groups and other community organizations with specialized knowledge and training—to develop safe spaces for members to discuss and address the issue.
- Develop guidance and best practices for representing members subjected to sexual harassment.
 - Develop training guides for officers, staff members and shop stewards on handling sexual harassment claims.
 - Include training on how to handle complaints with sensitivity and ensure every complainant is heard and is treated with respect.
 - Offer advice and guidelines for how to address allegations of inappropriate conduct committed by a union member. This can be more complicated and require more fact finding, but it is important that shop stewards and other front-line representatives of the union ensure accountability and address harassment.
- Develop and share high-quality curricula on related topics, including healthy workplaces, civility and bystander intervention.

Resources

AFSCME Guide on Preventing and Combating Sexual Harassment in the Workplace

This guide helps union members and leaders address sexual harassment in the workplace. It includes sections on what sexual harassment is, what you can do to stop harassment, what the union can do, and sample contract and policy language.

<https://afscmeatwork.org/harassment-conversation/preventing-and-combating-sexual-harassment-workplace#5>

Chicago Women in Trades and the National Center for Women's Equity in Apprenticeship and Employment Gender Lens Curriculum

This curriculum was developed for North America's Building Trades Unions as a companion to its Multi-Craft Core Curriculum to support pre-apprenticeship and apprenticeship programs in better addressing the specific needs of female participants. The modules include Gender Cultural Competency, Sexual Harassment Prevention, Providing Equitable Health and Safety Protection, and Interviewing. Complete with lesson plans, handouts and presentations, this curriculum builds support for women in the classroom, including differences in learning styles, and prepares them for the additional challenges they are likely to face as they compete for and enter construction apprenticeship programs or employment.

<http://womensequitycenter.org/pre-apprenticeship-providers/training/wider-opportunities-for-womens-gender-lens-curriculum/>

Being a Male Ally: Recommendations for Supporting Women's Success in the Building Trades

This short guide details how men can be allies to their union sisters in male-dominated workspaces.

<http://womensequitycenter.org/wp-content/uploads/2016/11/Being-a-Male-Ally-Recommendations-for-Supporting-Womens-Success-in-the-Building-Trades.pdf>

IBEW Resource Guide on Sexual Harassment

The Electrical Workers (IBEW) produced a guide to define, recognize and confront sexual harassment in the workplace. It encourages workers to speak out and union officials to step up and take action, including when employers fail to respond appropriately. The union trains all stewards in sexual harassment.

www.ibew.org/Portals/31/documents/CivicCommunity/Form%206305.pdf

SAG-AFTRA Four Pillars of Change Framework

SAG-AFTRA adopted the Four Pillars of Change framework to confront harassment and advance equity. This includes initiatives on Rules and Guidelines, Empowerment Through Education, Expanded Intervention Efforts, and Building Bridges and Safety Nets. Rules and Guidelines includes adopting a new code of conduct that covers all workspaces and guidelines that outline best practices for producers and other decision-makers. SAG-AFTRA created a Sexual Harassment Work Group to enhance the union's educational platform and is partnering with the entertainment industry's industrywide commission, ReFrame, #MeToo, TIME'S UP, the AFL-CIO, International Federation of Actors, the SAG-AFTRA Foundation and others to support victims and work to eradicate workplace harassment and assault across industries and borders.

www.sagaftra.org/files/call_to_action_final.pdf

www.sagaftra.org/sag-aftra-code-conduct

UAW Standing with Our Sisters Training

UAW undertook membership surveys and developed a training called Standing with Our Sisters based on the resulting data. The training is geared at both understanding sexual harassment and cultivating

bystander awareness and intervention so workers can support one another. The union is working with its women's committees to determine how to foster a safe climate for women to come forward.

<https://uaw.org/app/uploads/2018/11/Workshop-Menu-rv.pdf>

AFL-CIO Culture Change Training

The AFL-CIO developed a culture change training about addressing unwanted behaviors within the labor movement. In the two-hour session, participants examine labor movement values as a springboard to considering ways to improve workplace cultures. The curriculum teaches participants strategies for intervening and addressing unhealthy interpersonal behavior they witness in the workplace and union settings, particularly when there are power differentials at play. This workshop is a precursor to a six-hour culture change workshop that is in development.

<https://drive.google.com/open?id=1jq8KH268fg0h4bszoeVchsvZluRiPhAB>

Finding a Balance: Responses to Members Who Perpetrate Violence

This short fact sheet offers guidance on how unions can respond when a member perpetrates domestic or sexual violence and it affects the workplace. Unions need to take a stand and communicate to members that violence, both at home and at work, is not acceptable, while still adhering to the duty of fair representation—an obligation to represent all members, including those who have employment problems related to violent behavior.

www.workplacesrespond.org/wp-content/uploads/2017/01/Response-to-union-Members-Who-Perpetrate.pdf

National Women's Law Center and AFL-CIO Fact Sheet on What Unions Can Do to Address Sexual Harassment

The National Women's Law Center and AFL-CIO teamed up to share some of the ways unions can help prevent and address sexual harassment in the workplace.

<https://nwlc.org/resources/six-ways-unions-can-help-prevent-and-address-sexual-harassment-at-work/>

National Women's Law Center: Frequently Asked Questions About Sexual Harassment

This question-and-answer fact sheet, available in both English and Spanish, describes sexual harassment and how to challenge it.

<https://nwlc.org/resources/faq-about-sexual-harassment-in-the-workplace/>

Futures Without Violence

Through *Workplaces Respond to Domestic and Sexual Violence: A National Resource Center*, Futures Without Violence is building innovative partnerships between companies, worker associations and unions, and anti-violence advocates and service providers to increase the safety and economic security of vulnerable workers. It has specific resources on how unions can prevent workplace violence.

www.workplacesrespond.org/resource-library/can-unions-prevent-respond-workplace-violence/
www.checkyourworkplace.com/

TIME'S UP Legal Defense Fund

The TIME'S UP movement, started by SAG-AFTRA members, has established a legal defense fund to enable more women and men, particularly low-wage workers, to access justice for sexual harassment. The fund will be administered by the National Women's Law Center. AFL-CIO Secretary-Treasurer Elizabeth Shuler sits on the board of the NWLC.

<https://nwlc.org/times-up-legal-defense-fund/>

www.timesupnow.com/

Examples of Campaigns and Other Responses

UNITE HERE Hands Off Pants On Campaign

UNITE HERE has worked on addressing sexual harassment in the hospitality industry in cities across the country and around the world. In the Chicago Hands Off Pants On campaign, Local 1 conducted a member survey and found that 58% of hotel workers and 77% of casino workers had been sexually harassed by a guest. As part of the #ComeForward campaign, women are encouraged to report incidents and end the culture of silent suffering. The survey gave the union critical ammunition to push for protections through both collective bargaining and eventually a city ordinance to protect both union and nonunion Chicago hotel workers. Allies, including the Chicago Federation of Labor, the building trades council and women's rights advocates, worked with UNITE HERE Local 1 to win this city ordinance.

www.handsoffpantson.org/

SEIU United Service Workers West *Promotoras* Program

SEIU United Service Workers West created a program for union and nonunion janitors to discuss sexual harassment and end the culture of silence through a partnership with the California Coalition Against Sexual Assault, Mujeres Unidas y Activas and the East Los Angeles Women's Center. The *promotoras* program helped address the trauma of violence and harassment on the job, and created a network of dedicated activists who pushed for collective bargaining protections and eventually statewide legislation in California. In 2016, the *promotoras* won legislation requiring all janitors in the state to receive training on rape and sexual harassment prevention. Now the *promotoras* are working to pass legislation requiring the mandatory trainings be conducted by fellow janitors in a peer-to-peer model. This year, the *promotoras* will open the Ya Basta Center, where janitors can become trainers.

www.seiu-usww.org/janitors/

AFA-CWA Pushes Airline CEOs to Adopt Better Policies

A recent study by the Association of Flight Attendants-CWA found that 1 in 3 attendants experienced sexual harassment. The union is working with airline CEOs to push for the adoption of a zero tolerance policy for sexual harassment.

www.afacwa.org/sexual_harassment_survey

AFT Lesson Plans to Teach Sexual Harassment in Classrooms

AFT has two websites that help aggregate lesson plans on sexual harassment, the #MeToo movement, respectful relationships and gender-based violence.

<https://sharemylesson.com/collections/me-too-movement-k-12>

www.teachhumanrights.com/gender-based-violence.html

CWA District 1 and IBEW Joint Labor-Management Training at Verizon on the Impact of Domestic Violence in the Workplace

Communications Workers of America (CWA) District 1 and IBEW teamed up with Verizon on a joint labor-management awareness program "to engage men as allies with women to address the impact of domestic violence on the workplace, and its links to male-to-male violence and workplace bullying." They partnered with the Worker Institute at Cornell and CONNECT NYC to conduct a series of trainings for both union members and management employees that took place over two years. At the end of the program, virtually all participants said they felt more prepared and willing to talk to other men about gender-based violence and to take on leadership roles to stop it in the workplace.

www.ncbi.nlm.nih.gov/pubmed/22635154



Bargaining Protections with Employers

Collective bargaining is one of the most effective tools unions can use to combat sexual harassment. Contract language can exceed the protections offered in federal and state law, and respond to the unique ways sexual harassment manifests in different worksites and industries.

What Unions Can Do

- Share recommended contract language and other bargaining resources, including:
 - Successful protections already negotiated into contracts.
 - Model contract language.
 - Member survey templates and other ways to understand the scope of sexual harassment at the worksite level so that union negotiators go into bargaining armed with facts.

Resources

AFSCME Sample Sexual Harassment Contract Language

AFSCME offers sample contract language to include in bargaining, including language on sexual harassment, on its website.

<https://afscmeatwork.org/harassment-conversation/preventing-and-combating-sexual-harassment-workplace#5>

Family Values at Work's Labor Project Union Contract Database

Family Values at Work has a database of union contracts. It contains several contracts with specific provisions on sexual harassment, including contracts negotiated by AFGE, AFSCME, AFT and Amalgamated Transit Union (ATU).

<https://learnworkfamily.microsearch.net/Contents>

Examples of Industry-Specific Victories

UNITE HERE Negotiates Contractual Protections for Hotel Workers

UNITE HERE has won contract language in several jurisdictions addressing sexual harassment in the hospitality industry, including Chicago, Los Angeles, New York, Seattle and Washington, D.C. The industrywide agreement between the New York Hotel and Motel Trades Council and the Hotel Association of New York City, which is available online, requires employers to provide panic buttons as part of the safety equipment for hotel housekeepers, and either provide security or allow workers to refuse service to rooms if guests behave inappropriately. The contract reaffirms that employers must respond to reports of sexual harassment and refrain from retaliation against workers who come forward. In an agreement with Hyatt in Los Angeles, the contract specifies that Hyatt's code of conduct for employees also applies to guests.

http://hotelworkers.org/images/uploads/NYC_Hotel_Industry_Wide_Agreement.pdf

Minnesota Association of Professional Employees Negotiates a Respectful Workplace Policy

Minnesota state employees have new protections guaranteeing a professional and respectful workplace after a three-year anti-bullying campaign by Minnesota Association of Professional Employees resulted in adoption of a Respectful Workplace Policy, announced in April 2015.

<https://mape.org/resources/training/anti-bullying-toolkit/respectful-workplace-policy>

IBEW Local 3 Negotiates Mandatory Training Requirements for Supervisors

The Electrical Workers (IBEW) Local 3, which represents workers in New York and New Jersey, has a collective bargaining agreement with several contractors that requires anyone placed in a supervisory role to take mandatory diversity training, which includes sexual harassment training. The union and the contractor collaborate on development of the curriculum.

Actors' Equity Contracts Protect Against Harassment and Bullying

Actors' Equity (AEA) has nondiscrimination provisions in many collective bargaining agreements. Some have additional provisions that prohibit harassment and bullying as it manifests in the theater. Industry-relevant provisions usually have language stating, "Neither the producer, nor any personnel under the producer's supervision or control, shall intentionally intimidate, harass or humiliate any actor at any time, including, but not limited to, all communications to actors in connection with artistic notes. However, it is understood that there is no intent to interfere with the original director's or original choreographer's ability to critique actors in connection with artistic notes."

www.americantheatre.org/2018/09/12/what-equity-is-doing-to-prevent-harassment-and-how-you-can-help/

Unilever Global Agreement

On the international level, global union federations negotiated agreements with multinational brands that apply throughout the supply chain. In 2016, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and IndustriALL struck an agreement with Unilever on addressing sexual harassment throughout its global operations.

www.iuf.org/w/sites/default/files/SIGNED_IUF-IA-UnileverSexualHarassmentJointCommitment-e_0.pdf
www.iuf.org/w/sites/default/files/2017sexualharassementA5bookletonlinee_0.pdf

UNITE HERE and IUF recently launched a campaign to demand that Marriott negotiate an agreement on sexual harassment that would create safe work environments throughout its operations by enacting policies to prevent sexual harassment, respond swiftly and fairly to complaints, and encourage and support workers who come forward.

www.iuf.org/w/?q=node/6188

Examples from Worker Centers and Labor Allies

Coalition of Immokalee Workers' Fair Food Program

The Fair Food Program, an agreement between farmworkers, growers and food purchasers and launched by the Coalition of Immokalee Workers, requires lead firms to agree to a code of conduct that prohibits sexual harassment and other types of exploitation. It also institutes enforcement mechanisms for subcontractors and other entities throughout the supply chain, including losing contracts. This has been very successful at reducing sexual harassment in an industry with rampant abuse.

www.fairfoodprogram.org/



Taking Collective Action: Raising Sexual Harassment in Organizing Campaigns

Sexual harassment impacts workers across different worksites and industries. Creating space in organizing campaigns to discuss and raise the issue gives workers the opportunity to demand change and shape solutions.

What Unions Can Do

- Identify how the problem manifests in different worksites and industries.
- Create space for workers to discuss the issue, both with organizers and with each other.
- Facilitate worker efforts to end the culture of silence and demand accountability.

Examples from Organizing Campaigns

UAW Graduate Student Organizing

The UAW has been organizing university graduate workers, who repeatedly identify addressing rampant sexual harassment on campuses as a critical bargaining priority. The union launched a website to highlight the need for meaningful access to justice and support for women who come forward.

www.realrecourse.org/

CWA T-Mobile Campaign

The Communications Workers of America (CWA) made sexual harassment prominent in an ongoing T-Mobile organizing campaign. In December 2015, the AFL-CIO, the National Women's Law Center and CWA delivered 15,000 petition signatures to the German Embassy to urge the German government to use its shareholder power and press T-Mobile to abandon a company policy that silences workers who speak out against sexual harassment.

www.cwa-union.org/news/entry/for_sexual_harassment_victims_t-mobile_has_horrible_service

ITUC Campaign to Support an ILO Convention on Gender-Based Violence and Harassment

The International Trade Union Confederation coordinates with unions around the world to win a binding international agreement at the International Labor Organization on violence and harassment in the world of work. The global union movement prioritizes putting a strong emphasis on protections against gender-based violence, including sexual harassment. In June 2019, workers, employers and governments will come together to negotiate a final agreement. Once agreed, it will be an important organizing tool, as labor rights advocates around the world push national governments to ratify and implement the agreement.

www.ituc-csi.org/gender-based-violence?lang=en&debut_documents_583=6

www.ilo.org/ilc/ILCSessions/107/committees/violence-harassment/lang-en/index.htm





Advocating for Political and Legislative Change

Too many workers lack legal protection from sexual harassment. Unions have an important role to play in demanding that political leaders address current gaps in federal, state and local law. Further, several unions have successfully targeted specific industries through the creative use of city ordinances and other local and state legislation.

What Unions Can Do

- Work in solidarity to support measures to address sexual harassment.
 - Track legislation and identify opportunities to work with women's rights organizations and other allies to push for broad-based legislative change.
 - Support legislative efforts, like the Ending Forced Arbitration of Sexual Harassment Act of 2017 (S. 2203), to ban forced arbitration, which strips workers of their right to sue over violations of their workplace rights.
- Push for industry-specific regulations.
 - Unions can work together to develop initiatives that address the specific ways workplace violence and harassment manifest in different sectors.
 - Examples include panic buttons for hotel workers and others in isolated workspaces, training requirements for government contractors, restrictions on solitary night work and other industry-specific measures.

Resources

National Women's Law Center Report on Strengthening Workplace Sexual Harassment Protections and Accountability

This helpful report summarizes many of the main areas of domestic legislative reform to ensure that all workers are protected from sexual harassment, including state and local laws already on the books that could be replicated in other jurisdictions.

<https://nwlcciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/12/MeToo-Strengthening-Workplace-Sexual-Harassment-Protections.pdf>

Examples of Successful Legislative Victories

UNITE HERE Wins Protections for Hotel Workers in Chicago and Seattle

UNITE HERE has won protections for all hospitality workers, union and nonunion, in several jurisdictions, including Chicago and Seattle. In Chicago, Local 1 won passage of the Hands Off Pants On ordinance in 2018. As mentioned earlier, this ordinance requires that all hotel workers be equipped with panic buttons; requires hotel employers to develop, maintain and comply with a written policy on sexual harassment and assault by a guest; describes procedures for addressing complaints; and gives workers the right to stop work when danger is perceived, and be assigned to work on a different floor or area away from the offending guest. Seattle's Local 8 passed a similar ballot initiative in 2016 that includes additional protections that improve job security. In Long Beach, California, employers now are required to put a notice on the back of guest-room doors stating that hotel workers are protected from harassment.

Chicago Hands Off Pants On: www.franczek.com/assets/html/documents/Panic%20Button%20Ordinance.pdf
www.handsoffpantson.org/protecting-and-respecting-women/

Seattle Ordinance 124: http://clerk.seattle.gov/~cfpics/CF_319639k.pdf

www.seattle.gov/laborstandards/ordinances/hotel-employees-health-and-safety-initiative

NNU Wins California Workplace Violence Standard

National Nurses United (NNU) pushed for a new workplace violence standard from California's Division of Occupational Safety and Health that improves worker safety in health care facilities, including the use of panic buttons and changes in the way hospital units are organized to allow lines of sight into patients' rooms. The AFL-CIO, AFT, NNU and other unions have petitioned the U.S. Occupational Safety and Health Administration to develop a similar standard on the federal level.

www.dir.ca.gov/dosh/workplace-violence-prevention-in-healthcare.html

SEIU United Service Workers West Wins Passage of the Property Service Workers Protection Act

In 2016, *promotoras* from SEIU United Service Workers West came together to successfully lobby for passage of a statewide bill, the Property Service Workers Protection Act, which requires employers to institute mandatory sexual harassment trainings and keep records on workers and workplace conditions. Several *promotoras* went on a hunger strike to win passage.

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2079

AFT Pushes for the Campus Accountability and Safety Act

AFT has championed federal reform to prevent and redress sexual assault on campus, something that would protect both students and staff members.

www.huffingtonpost.com/2014/12/16/aft-sexual-assault-petition_n_6331230.html

Examples from Worker Centers and Labor Allies

ROC United One Fair Wage Campaign

Restaurant Opportunities Centers United (ROC United) has been pushing for a fair wage for restaurant workers, through state and local legislation and ballot initiatives. As documented in the 2014 report "The Glass Floor," restaurant workers face particularly high rates of sexual harassment due to the precarious nature of the job, with workers generally paid below minimum wage and dependent on tips, which requires currying favor and tolerating abuse. The campaign has won recent victories in Maine; Flagstaff, Arizona; and Washington, D.C., and is actively organizing in Massachusetts, Michigan and New York.

<http://onefairwage.com/>

http://rocunited.org/wp-content/uploads/2014/10/REPORT_TheGlassFloor_Sexual-Harassment-in-the-Restaurant-Industry.pdf



Leading by Example: Adopting Best Practices as Employers

Unions have a great opportunity to model innovative best practices and lead by example as employers. Too often, employers are narrowly focused on avoiding liability, not actually creating a workplace free of discrimination and harassment. The labor movement is uniquely situated to live its values and foster an inclusive environment where every worker is treated with fairness and respect.

What Unions Can Do

- Make a clear commitment from leadership at the highest level to address sexism and misogyny within the institution and actively create a culture where offensive behavior of any kind is considered abhorrent and not tolerated.
- Create robust procedures for meaningfully addressing all offensive conduct, both as an employer and as a host for events and gatherings. This includes:
 - Adopting a robust code of conduct.
 - Ensuring complaint mechanisms are adequately resourced and staffed by individuals with the necessary skills and trainings to conduct thorough and sensitive investigations.
 - Treating individuals who come forward with respect and taking all complaints seriously.
 - Holding harassers accountable through discipline that is proportional to the gravity of the offense.
 - Creating internal incentive structures that reward managers and supervisors who respond to complaints and holding those who fail to act accountable for that failure.
- Ensure all employees who work for unions are trained in policies on how to bring forward a complaint.
 - The most effective trainings are in-person, feature specific examples of conduct and are geared toward changing behavior, not beliefs.
 - Develop skills-based training on respectful workplaces, focused on how to build an inclusive, positive workplace. This includes bystander intervention training to ensure that ending harassment is something everyone in the organization is focused on. It also includes how to give and receive feedback on behavior.

Resources

AFL-CIO Resources

The AFL-CIO has a three-pronged approach to issues of unwanted behavior in our movement and our institutions:

1. Promoting standards of behavior and processes for addressing unwanted behavior.
2. Convening affiliates to develop culture-shift work that begins to help workers and leaders see their own role in stopping unwanted behavior.
3. Coordinating work with affiliates that effectuates systemic change, focused on addressing dynamics of power in **the workplace, at the bargaining table and in our unions.**

AFL-CIO Code of Conduct

The AFL-CIO Executive Council adopted a code of conduct to address harassment and discrimination in March 2017. It is binding on the national AFL-CIO, all state and local bodies, and any large meetings and events convened at any level of the organization. The code goes beyond current protections in U.S. law, because it covers conduct like bullying that is not covered by anti-discrimination laws and applies to event attendees who are not employees. It establishes a process for immediately addressing any problems that surface so that everyone involved in AFL-CIO events abides by union values and treats one another with respect. The AFL-CIO's 2017 Convention in St. Louis opened with an announcement about the code of conduct, signaling the importance of a harassment-free environment.

<https://aflcio.org/sites/default/files/2018-02/Code%20of%20Conduct.pdf>

Additional code of conduct resources, including a meeting checklist, Spanish language materials, and member and board training on the code can be found here: [go.aflcio.org/codeofconduct-resources](https://aflcio.org/codeofconduct-resources)

AFL-CIO Anti-Discrimination Policy

In March 2017, the AFL-CIO Executive Council adopted an anti-discrimination policy for the officers and staff members of the national AFL-CIO, and required all state and local organizations to adopt an anti-harassment and anti-discrimination policy and complaint procedure modeled on it. The AFL-CIO conducts trainings and webinars on a quarterly basis on these new requirements, and offers a roundup of other resources to implement a robust policy at the below link.

<https://aflcio.org/about-us/afl-cio-anti-discrimination-and-anti-harassment-policy>

AFL-CIO Culture Change Training

The AFL-CIO developed a culture change training about addressing unwanted behaviors within the labor movement. In the two-hour session, participants examine labor movement values as a springboard to considering ways to improve workplace cultures. The curriculum teaches participants strategies for intervening and addressing unhealthy interpersonal behavior they witness in the workplace and union settings, particularly when there are power differentials at play. This workshop is a precursor to a six-hour culture change workshop that is in development.

<https://drive.google.com/open?id=1jq8KH268fg0h4bszoeVchsvZluRiPhAB>

Other Resources

EEOC Checklists and Chart of Risk Factors

The Equal Employment Opportunity Commission released a comprehensive report on harassment in the workplace in 2016.

www.eeoc.gov/eeoc/task_force/harassment/task_force_report.cfm

This includes practical checklists and charts for employers on:

- Leadership and Accountability
- An Anti-Harassment Policy
- A Harassment Reporting System and Investigations
- Compliance Training
- Risk Factors and Responsive Strategies

www.eeoc.gov/eeoc/task_force/harassment/checklists.cfm

Resources for Employers from the National Center for Women's Equity in Apprenticeship and Employment

The National Center for Women's Equity in Apprenticeship and Employment has many resources for employers in the building trades and in traditionally male-dominated jobs.

www.womensequitycenter.org/employers/creating-equitable-worksites/



Safer Workplaces and Better Meeting Spaces

The code of conduct was written and intended to help create a proactive model of addressing unwanted behaviors before they start, and to set forth a process by which they can be addressed even when the person subject to the unwanted behavior is not an employee but a guest or participant at an event sponsored by the organization. This is especially important in the context of coalition work, where multiple organizations are involved.

Better meeting spaces depend on clear expectations being set forth from the beginning, and on all attendees being aware of those expectations and the process for addressing any issues that arise during the meeting or event.

What Unions, State Federations, and Area and Central Labor Councils Can Do

1. Adopt the code of conduct formally. See the previous section, Leading by Example: Adopting Best Practices as Employers, for more information and resources about the code.
2. Identify and train at least one person, preferably two or more people, as your organization's designee, who will be responsible for conducting an investigation if necessary and recommending remedial action to the principal officer/organizational leadership.
3. Implement the best practices below to help signal the shift in your organization's culture.

Best Practice No. 1: **Train, Train, Train.**

- Train all staff members when hired and annually thereafter.
- Orient new executive board members to the policy and code of conduct.
- Train delegate body annually.
- Distribute the policy and code of conduct annually, and require staff members, officers, executive board members and delegates to sign indicating they have received and read them. See the training guide for a suggested outline and format, or contact the AFL-CIO for more information.

Best Practice No. 2: Include Reference to the Policy and Code of Conduct in the Oath Your Delegates Take When They Are Sworn In.

Here's a sample, with added language in italics for emphasis:

I, (state your name), do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability, and to uphold the constitution and bylaws of this area labor federation/central labor council/federation and of the AFL-CIO. I further promise to deliver all property in my possession belonging to this ALF/CLC/federation to my successor in office and to surrender such property to the president of the AFL-CIO upon official demand.
I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this ALF/CLC/federation.

Best Practice No. 3: Announce and Emphasize Our Values and the Code of Conduct at All Meetings.

Read this paragraph and introduce the designee:

The (name the organization holding the meeting) is committed to providing an environment free from discrimination and harassment. We ask all meeting participants to embrace our values of equity and equality, and conduct themselves in this meeting consistent with those values. We have designated (name the designee) as the first point of contact for anyone who thinks they have experienced discriminatory, harassing or otherwise unacceptable behavior, and we urge you to contact (him/her) if you have any concerns.

Best Practice No. 4: Integrate the Code of Conduct into Your Conventions, Conferences and Regular Meetings.

Here are some easy ways to highlight the policy and code of conduct in your convention proceedings:

- Print the code of conduct in your convention book.
- Print the statement of values (the paragraph above or something similar) on the back of every participant's nametag or distribute it on a card to participants at registration.
- Announce the code of conduct and introduce the designee at the beginning of each day.
- Offer training that highlights the importance of building an equitable culture as part of the convention workshop lineup. (The AFL-CIO can help with curriculum and propose facilitators.)

AFL-CIO

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