



PREVENTION CORNER



Workplace Harassment

Harassment is unwelcome and unwanted behavior or conduct because of race, color, religion, national origin, sex (including pregnancy, sexual orientation, and gender identity), age (40 years and older) or disability.

According to the U.S. Equal Employment Opportunity Commission, harassment is a form of employment discrimination that violates:

- Title VII of the Civil Rights Act of 1964
- Age Discrimination in Employment Act of 1967 (ADEA)
- Americans with Disabilities Act of 1990 (ADA)

Harassment becomes unlawful when:

1. Enduring the offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a hostile work environment that a reasonable person would consider intimidating, hostile, or abusive.



What is an example of workplace harassment?

Sex-based Harassment (Example provided by U.S. EEOC)

A veterinary assistant at a nationwide veterinary clinic chain, recently announced to coworkers that she is pregnant. After the announcement, one of her supervisors begins berating her work as slow, shoddy, and scatterbrained, and accuses her of focusing more on getting ready for her new baby than doing her job.

Her supervisor also begins to scrutinize her bathroom usage and, at least once, yelled at her for “always” being in the bathroom. As the veterinary assistant’s pregnancy progresses, her supervisor refers to her as a “heifer” and makes the comment, “we don’t treat livestock at this office.” Based on these facts, the supervisor’s harassing conduct towards the employee is based on sex (pregnancy).

Harassment must be based on employee’s legally protected characteristic. Employers should promptly investigate complaints and take appropriate corrective action.

Source: [Enforcement Guidance on Harassment in the Workplace | U.S. Equal Employment Opportunity Commission \(eoc.gov\); https://schac.sc.gov](https://schac.sc.gov)

U.S. Equal Employment Opportunity Commission

News & Notes

Press Release

4-29-2024

U.S. EEOC Releases Guidance to Prevent Harassment



WASHINGTON – On April 29, 2024 the U.S. Equal Employment Opportunity Commission (EEOC) published final guidance on harassment in the workplace, “[Enforcement Guidance on Harassment in the Workplace](#).”

By providing this resource on the legal standards and employer liability applicable to harassment claims under the federal employment discrimination laws enforced by the EEOC, the guidance will help people feel safe on the job and assist employers in creating respectful workplaces.

- These laws protect covered employees from harassment based on race, color, religion, sex (including pregnancy, childbirth, or related medical conditions; sexual orientation; and gender identity), national origin, disability, age (40 or older) or genetic information.
- The new guidance updates, consolidates, and replaces the agency’s five guidance documents issued between 1987 and 1999, and serves as a single, unified agency resource on EEOC-enforced workplace harassment law.
- Along with the final guidance, the EEOC issued several educational resources, including a “[Summary of Key Provisions](#)” document, [document for employees](#), and a [fact sheet for small businesses](#).

Read the entire article at: [EEOC Releases Workplace Guidance to Prevent Harassment | U.S. Equal Employment Opportunity Commission](#)

Source: <https://www.eeoc.gov/newsroom/eeoc-releases-workplace-guidance-prevent-harassment>

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Resources & Tools

U.S. Department of Justice (DOJ) Civil Right Division

Sexual Harassment in the Workplace Initiative

In 2018, the Civil Rights Division of the U.S. Department of Justice announced that the Employment Litigation Section would lead the Sexual Harassment Workplace Initiative to further their work of preventing and correcting sexual harassment in state and local government.

Sexual harassment is a barrier to equal opportunity in the workplace.

Fact sheets and other resources can be found on their resource page:

<https://www.justice.gov/crt/shwi-resources>

Source: <https://www.justice.gov/crt/sexual-harassment-workplace-initiative>

EEO laws are designed to protect the rights of ALL individuals.

****Please Note: This newsletter is not intended to be used as legal advice.**



**If you feel like you have experienced discrimination,
contact us for help.**

(800) 521-0725, Relay 711 or 803-737-7800

**South Carolina Human Affairs Commission
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<https://schac.sc.gov/>



The mission of the South Carolina Human Affairs Commission is to Prevent and Eliminate Unlawful Discrimination in Employment, Housing, and Public Accommodations.

The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (*including the SC Pregnancy Accommodations Act and the SC Lactation Support Act.*), the SC Fair Housing Law, and the SC Equal Enjoyment and Privileges to Public Accommodations Law.