

# Exactly What to Do When You've Been Sexually Harassed

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If the sheer quantity of #MeToo posts have been any indicator, almost every woman (as well as non-binary folks, and some men) has dealt with sexual harassment in one form or another. It's wonderful that these stories are coming to light and are helping take down Harvey Weinstein and some other jerk-offs (no pun intended...OK, maybe *some* pun intended).

In this national moment, many men in power are now facing the consequences of their gross actions, but sexual harassment *still happens all the goddamn time*. And there won't be national exposés for every pervy boss in America. So, what can you really do when you get harassed in the workplace?

Yeah, we all know to "say something," but what does that mean? Who do you talk to when there's no HR department? Do you need a lawyer? I spoke with experts to find ways for victims to speak out—and handle their own emotional aftermath too.

Sure, it would be great if there were way fewer #MeToo stories. But until then, here's how to handle harassment—and help take down all the Weinsteins of the world.

## What Even *Is* Harassment?

This might sound like a question with an obvious answer, but it's one a lot of people have—harassment can feel hard to define. Is it OK to go to a lawyer just to say, "He hugged me too long, and it made me feel weird?" Short answer: yes.

To know if an act is innocent or harassment, you have to go with your gut, says [Fran Walfish](#), PsyD., Beverly Hills family and relationship psychotherapist, author of *The Self-Aware Parent*. "Most people have a trustworthy inner voice that says, 'Uh, oh!' when we're in an uncomfortable or highly charged troubled situation. Adrenaline kicks in, and we can be flooded with physical sensations of accelerated heart rate, body heat, flushed cheeks, sweating, and racing breathing," Walfish says. So if a coworker's actions trigger this response, you should pay attention. "These are all signs of fight-or-flight when we are in danger."

This is why harassment is so tricky. The same action—a hug—that could cause a person to smile in one situation can bring them to tears in another. But harassment isn't

determined by what the specific action is, it's defined by how that action makes you feel. If you're made uncomfortable, your coworker is doing something wrong. Whether you need to address the issues face-to-face or file a police report will depend on the situation, but either way, you don't need to pre-judge your feelings. If you're made to feel uncomfortable (and especially if you're scared to speak up), you're experiencing a form of harassment.

## **I Was Harassed. What Do I Do?**

Whenever something inappropriate happens, write it down. From a boss telling a dirty joke that made you feel gross to a coworker grabbing your boob, document it. This creates a record of the person's behavior so you'll have evidence if you later decide to report it.

This record also helps you feel less crazy; it's easy to brush off a dirty joke and maybe convince yourself that you're being too sensitive. But when you see all the gross things that person has done over a period of time, you'll realize that you're not crazy, you're being harassed.

After writing it down, you may want to try to talk to the harasser. I know this is incredibly uncomfortable, but in some cases, this will solve the problem right away. Therapist [Bill Prasad](#) recommends that if you feel safe doing so, you should consider addressing the problem with the harasser directly. He suggests telling them that their actions (like a weird hug) made you feel uncomfortable, without accusing them of anything. Prasad says, "If you get no response or an explanation that is not suitable, your retort might be 'Again, hugging me is inappropriate, and I expect that it won't happen again.'" Then write down that you had that conversation for your records.

This simple convo might stop the problem. Sometimes, people are just a little touchy-feely or don't understand the idea of personal space. They aren't malicious, but they *do* need to learn that their actions make you uncomfortable. So if you confront someone, they sincerely apologize, and stop that behavior, you've solved the problem without getting anyone else involved.

But if you have the convo and the person is still an a-hole, you have proof that you *tried* to address the issue, and the person persisted. That will help your case against the aggressor immensely.

Of course, not all problems can be handled face-to-face. If your harasser is violent or retaliatory, you don't need to put yourself in danger by directly confronting them. But if you think there's a good chance that your aggressor will listen to you, face-to-face can actually be the quickest way to end bad behavior.

If confronting them directly doesn't work in your situation, **Justin Parafinczuk** of the law firm Koch Parafinczuk Wolf Susen says you should report it. "If someone is uncomfortable with a boss or co-worker's conduct, it is extremely important that he or she object to it and report it to a supervisor," **Parafinczuk** says. Typically, this means it's time to go to HR and file an official complaint. **Parafinczuk** adds that you should be sure that these objections are documented in writing. If you ever need to go to court, that paper trail will help make your case.

If you don't have an HR department or an HR person is doing the harassing (fun fact: that's happened to me), **Parafinczuk** suggests going to the highest-ranking person in the office. If that's not possible, consult a lawyer. Consulting a lawyer doesn't mean you have to sue: Sometimes just telling your company that you've got a lawyer on hand will scare the office into doing the right thing. Then, if the company doesn't respond, your lawyer will be ready to take legal action as a last resort.

"The most important thing is that you do not let harassment go unchecked," **Parafinczuk** says. "There can be legal ramifications to that approach." Basically, if you never report it, you'll have no legal recourse. If you do report it, even if things don't go as planned, you'll at least have a good legal standing.

## **I Reported and Nothing Happened**

Sadly, this happens. *The New York Times* recently wrote an article about how ineffectual most HR departments really are. The *Times* noted that the HR department is meant to do what's best for the company, not what's best for the victim. Often, complaints go ignored, or worse, the victim is told to essentially "get over it."

If this happens to you, it's lawyer time, **Parafinczuk** says. Again, you don't necessarily need to sue, but consulting a lawyer lets your company know that you won't just "get over it" and that the harasser needs to be dealt with.

## **I Reported and Got in Trouble**

This is why so many victims don't speak up! Often, companies find it easier to get rid of the "complainer" instead of the person who's actually causing the problem.

This is why so many people have dealt with Weinstein—and people like him—in silence: They feared speaking out would cost them their careers. Even after being propositioned countless times and being clearly threatened ("I will kill you, don't think I can't"), Salma Hayek still didn't speak out against Weinstein's harassment until she penned an editorial on the subject in December 2017. And she's one of potentially hundreds of

actress who encountered such behavior. Even famous stars like Hayek often don't feel safe sharing their stories—and it's often much worse for women outside the spotlight.

If you're fired after complaining of sexual harassment, you can sue the company. According to **Parafinczuk**, you'll have to provide records of your complaints, and it's helpful if co-workers can back up your stories. One downside: You'll relive your harassment on a public stage, which can take an emotional toll. Plus, this isn't free, and there's always a chance that you won't win.

### **I Don't Have the Resources to Sue. Is There Anything I Can Do?**

Not everybody wants to go to court. It's costly in both time and money, and for some victims, reliving the ordeal is too painful. But that doesn't mean you have to move on in silence.

Attorney and advocate [Alexis Moore](#) knows about harassment firsthand. At 16, she reported sexual harassment in her workplace, and the company swiftly sought retaliation. That wasn't the last time she was punished for "doing the right thing," so she later became a lawyer to fight harassment head-on. She now specializes in advocacy for victims of harassment and stalking, and wants every survivor to know that they have somewhere to turn.

Moore suggests seeking out advocates like herself in cases of retaliation. Though they may not be able to take on every case, they have expertise in the field, and at the very least, you'll feel heard and believed.

Victims' advocates work with people who have experienced harassment to find them the legal and emotional support they need. Most advocates specialize in victims of [sexual assault](#), [crime](#), or [rape](#), but you can still reach out for advice about harassment. When you aren't sure what you want to do, contacting an advocate is a good place to start.

### **This All Sounds Bad**

Here's the truth about our laws and policies surrounding harassment: It's completely unfair to the victim. In every way. Yes, it's hard to speak out against harassment. Yes, retaliation happens, and it's hard to fight back. Yes, you, the victim, will have to provide *all* the proof to take a harasser down. If you go to court, you'll spend months or possibly years trying to find justice. And after all that, you still might lose.

If that sounds terrible, well, it is.

The system is still lopsided and slow to change. In 1998, the Supreme Court ruled that companies had to provide sexual harassment training or they'd be held liable for any harassment in the workplace. Since then, we've nearly all sat through seemingly endless, awkward sexual harassment videos and exercises at school or work. *The New York Times* reported that these trainings have essentially done nothing—and in my experience, sexual harassment training only leads to colleagues snarkily discussing how stupid the training is (and it is usually very, very stupid).

But that doesn't mean things are hopeless. That same article reported that training co-workers to look for signs of harassment in others, called bystander training, led to increased reporting and decreased harassment. This makes sense: Ever been to a bar where a guy's being weird to you (Did I just hear a 'yes' from basically everyone in the world)? Sometimes, you can squirm far away from him, say "No, thank you," a million times, and the guy still won't leave you alone. But if another dude comes up and says, "Are you OK?" then suddenly Mr. Weirdo is gone with the wind.

Bystander training is that nice dude in the bar: It empowers everyone to look out for one another. And when more than one person tells someone they're being inappropriate, the aggressor is more likely to listen—and stop.

As for more official repercussions, Moore says the answer could be simple—although it'll take a while to change it. "Expand the existing Work Comp system," says Moore. "Make sexual harassment no different than any other workplace/industrial injury."

The Workers' Comp system compensates employees when an at-work incident makes them incapable of continuing their duties. When someone files a claim because a beam fell and hit them on the head, nobody asks, "Well, were you leading the beam on?" Instead, the workplace is at fault, and this system of government insurance pays for the damages.

Harassment can make it impossible for you to do your job. Moore suggests that if harassment were covered through workers' comp in every state, victims would have a clear, easy system to seek compensation and face less risk of retaliation. Moore admits that filing a harassment claim would be more complicated than filing for a broken bone, but she argues that we already have a government system in place to compensate workers for pain caused by their job. And what's harassment if not pain caused by your employment?

In fact, in 1998, the New Jersey Supreme Court ruled that "hostile work environment sexual harassment" should be reasonably covered under that state's workers' compensation. In Southern California, certain law offices recommend filing a suit and making a workers' comp claim if you face office harassment. But the laws vary

from state to state. In 1993, the Iowa Supreme Court ruled that sexual harassment was *not* covered under workers' comp, and most states don't have any definitive rulings.

Thankfully, we can all help change this. Moore recommends contacting your state and federal representatives in any way possible. "The #MeToo movement is happening, and going forward because of the social media outpouring," Moore says. "So in turn, the public needs to demand our public representatives address this issue for the average person who experiences it."

Now, I know there are a million reasons to contact your representatives. Honestly, I've called Congress more than I've called my mom over the past year. But instead of tweeting #MeToo again or reposting an article about the famous sexual abuser du jour, consider sending a tweet to your representative instead.

There's no huge movement out there right now to expand workers' comp because it sounds so banal; #WorkersCompShouldIncludeSexualHarassment doesn't have much of a ring to it. But it could make a huge difference. So between fighting for healthcare, trying to keep net neutrality, and combating all the other daily horrors of this government, consider telling your representative to make a simple change that could affect women everywhere.

## **How Do I Take Care of Myself?**

Right now, there still aren't a lot of good answers for sexual harassment in the workplace. And even if you *do* successfully sue or your harasser boss gets fired, *you were still harassed*, and those emotions don't just disappear. So, you have to take time to take care of yourself.

Dr. Walfish has helped many patients deal with harassment and abuse, and she stresses the importance of talking about it. Even if you're too scared to tell someone at work, it's important to tell a family member, friend, or therapist. If you keep silent, Walfish says you're at risk for depression caused by "an overwhelming combination of powerlessness, helplessness, and unexpressed rage." Basically, if you can't express your anger directly toward your aggressor, you're likely to "implode these powerful feelings inward," Walfish says.

It's very common for victims to internalize their feelings—and start blaming themselves. "There is still so much shame and humiliation attached to being a victim," Walfish says. "Victims are still often blamed and held accountable for the assault, and end up feeling either that they brought it on somehow or could have prevented it. That is simply not true."

It's so important to work out these feelings before they affect your life and ability to work. If you can see a therapist, do it. They'll help you work through your emotions safely, and you won't risk hearing "that doesn't sound like a big deal." That assurance alone is worth the hourly fee.

In addition to therapy, Prasad recommends making sleep a priority. "Lack of sleep makes everything worse," Prasad says. "If sleep is disturbed, and more than likely it will be, after two weeks you may want to see a doctor." Go to bed early, wake up late, do whatever you need to get sleep. It will help your mental state and allow you to emotionally heal faster.

### **How Do I Deal With Harassment Clogging Up My Newsfeed?**

Whether you were harassed yesterday or 10 years ago, the current, constant news stream about harassment can be incredibly upsetting. If the news is getting you down, you're not at fault here: Prasad says that all this bad news can "raise people's levels of anger, anxiety, and a sense of not being safe. They may see some sleep interruptions and appetite changes." You can literally lose sleep because you're dealing with a new Weinstein in the news every freaking day!

So how can you cope? First, disconnect. Prasad recommends taking a break from TV and social media. That way, you avoid reliving your own harassment every time an awful story breaks. Second, Prasad says it's best to connect with people face-to-face. Whether you want to share your story or just enjoy the company of a friend, this personal contact will help ease your mind.

On the other hand, for some women, hearing about these harassment stories can be empowering. "These stories can come as validation of what they have had to deal with at work for years," Prasad says. "Their experiences have been validated along with their sense that there need to be consequences." So, if you feel fired up by every Weinstein, Spacey, and C.K. that gets taken down, keep an eagle eye on your newsfeed and enjoy this feeling of justice. But if the news forces you to relive your trauma, then it's time to take an internet break.

### **Will This #MeToo Movement Matter?**

Finally, some good news: Yes! This movement does matter. Already, sicko men who've assaulted and harassed women for years are getting what they deserve. It started with Hollywood, and it's moving to all kinds of industries. And men are starting to act more carefully.

"A number of my female patients have reported to me that their entertainment industry bosses have ceased to stand 'too close for comfort' or 'put their hands on me' and 'push me against a wall' since the #MeToo movement began," Dr. Walfish says. Whether men are actually learning that they shouldn't beg women to watch them take a shower, or if they're just scared they'll get caught, harassers are backing off.

That doesn't mean that everything is perfect (or even getting there), but this national conversation about harassment has forced a lot of men to really examine their own behavior. Nobody wants to be a Weinstein. Now that some men see how ugly and harmful that behavior is, they'll be less likely to pursue those harassing ways.

Most importantly, women are feeling more free to speak out than they did previously. And it's becoming common knowledge that if we speak out in numbers, things get done. So if you're experiencing harassment or have witnessed it in your workplace, please speak out if it's safe for you to do so. By talking about it, you can save yourself from emotional turmoil and help stop other coworkers from getting harassed. Yes, it can be scary to speak out, and you could face repercussions. But guess what? You deserve better than to work in an office full of people who don't respect you.

Even if you can't officially report it, tell someone. Who knows? Maybe that person has experienced the same thing or could speak on your behalf. Look how many women came out of the woodwork in the Weinstein case. You could be the person who takes down a serial offender and makes your workplace better for everyone.

And even if nothing that dramatic happens, it'll feel good to get that secret off your chest. Because no matter what you may think or what someone may say: *Harassment is not your fault*. And you're definitely not alone.