

Why Having a Union is Such a Powerful Tool for Preventing and Addressing Sexual Harassment

As recent events have highlighted, sexual harassment—unwanted touching, sexual comments, requests for sexual favors and even sexual assault—is a pervasive problem in the workplace. Women in all occupations and industries face sexual harassment, but women in traditionally male occupations such as construction, and women in low-wage service industries, face an even greater threat.

Working women with the benefit of a union on the job are in a stronger position to fight sexual harassment and to get it stopped when it happens. Here's why:

1. A union represents the collective power of workers at the workplace. Given that sexual harassment is an abuse of power, typically by a male manager against female subordinates, having a union and collective voice strengthens a worker's ability to stop harassment. A woman facing sexual harassment is not alone.
2. Working people with a union feel safer bringing their concerns forward, because they have the power of a collective bargaining agreement and their union behind them. So harassment is more likely to get raised and addressed in a unionized workplace.
3. The collective bargaining agreements negotiated by workers and their unions with employers typically contain anti-discrimination language and language calling for dignity and respect at work. These contractual provisions are enforced through a grievance and arbitration process at the worksite—a process typically far quicker and less expensive than outside legal proceedings. (Workers retain the ability to file a discrimination charge with the U.S. Equal Employment Opportunity Commission or state agency as well, but often the collective bargaining agreement provides stronger and quicker recourse.)
4. Unions hold employers accountable for their responsibilities. Employers have a legal duty to prevent sexual harassment. When there is a union, the employer is far more likely to have an anti-harassment policy, and to train managers and others on the issue.
5. Unions advocate for policy solutions to stop harassment. Recently as part of its “Hands Off Pants On” campaign, UNITE HERE, the hotel workers' union, won an ordinance in Chicago and other cities requiring hotels to provide panic buttons to housekeepers so they can sound the alarm if they face harassment on the job from hotel guests or others.
6. Even without a formal union, the law protects women when they act together as co-workers to stop harassment, or to demand that the employer adopt a policy or do sexual harassment training. The National Labor Relations Act protects workers engaged in collective action, regardless of whether they have a union or are trying to form one. For more information, visit www.nlrb.gov/rights-we-protect/protected-concerted-activity.

Working women who want to prevent harassment on the job will do better with a union. (They also are more likely to receive higher pay, better health care and pension benefits, and greater protections against unfair treatment on the job). The law gives workers the right to decide whether to form or join a union without retaliation by their employer. For more information about unions and their work to address sexual harassment, visit <https://aflcio.org/issues/sexual-harassment>.