

## CHANGING LIVES

### #UNIONSTRONG

#### FACT SHEET

#### CALIFORNIA LABOR STANDS WITH WOMEN IN EVERY INDUSTRY TO END HARASSMENT, DISCRIMINATION, AND INEQUALITY

##### Background

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Sexual harassment is not about sex, it's about power. The flood of recent revelations underscores the pervasiveness across industries, regions, and political parties of men exercising that power not only to abuse women, but also to silence them.

Unions are about giving workers a collective voice so that they have the power to stand together to improve their working conditions. Women in unions have a contract that provides equal pay, prohibits retaliation, and gives women a fair process when reporting abuse.

Many unions were founded by women fighting to stop sexism and harassment on the job. From garment workers in the early 1900's who waged strikes to protest rampant sexual harassment to flight attendants in the 1950's objecting to appearance and weight restrictions and being "grounded" at age 35, women workers throughout history have had to organize to demand fair treatment and respect at work.

Just last year, women janitors organized a hunger strike outside the Capitol to draw attention to widespread rape on the night shift. The domestic workers movement also worked to call attention to the frequency of sexual abuse of women working in private homes, many of whom fear deportation if they come forward.

While each of those efforts brought real gains, there is much work still to do. From actors to farm-workers, sexual harassment remains ever-present

on the job for far too many women. It even occurs within our unions, and as a movement that fights for dignity for all workers, we must hold ourselves and each other to a higher standard. The Labor Movement must listen to and protect its own workers and ensure that there are consequences for those who violate workers' rights, just as we advocate for at all other workplaces.

We urge the Legislature to do the same and to develop real reforms to ensure that all legislative staff, and women staffers in particular, can speak out when abuse or harassment occurs without fear of reprisal.

To confront sexual harassment more broadly, we must find ways to alter the balance of power at the workplace. The more unequal the power dynamic, the harder it becomes for workers to challenge abuse. While we believe the best protections come with a union contract, due process guarantees, and an end to "at will" status, there are other ways we can empower women to speak out and ensure abusive conduct has consequences.

Women will not report abusers if the doors to justice are closed. Today, more than half of all private sector workers are required to sign arbitration agreements upon hire. These agreements prevent them from taking an abusive employer to court. Instead, they are limited to the employer's hand-picked arbitrator and a secret, confidential process. These agreements are used to discourage women from bringing sexual harassment claims and to keep any claims limited to an individual and confidential even from enforcement agencies.

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Today, women workers are increasingly hired as part-time workers with no schedule or guarantee of hours, as temporary workers with no clear employer, and as independent contractors without basic labor rights. All of these arrangements make women workers much more vulnerable to employer abuse and coercion. A boss can easily cut their hours or move them to the night shift if they reject his advances or report abuses. If we want to empower women, we need to extend greater protections to workers in the growing contingent economy.

The greatest reason women remain silent about harassment and abuse is the very real threat of employer retaliation. Workers who have a collective voice can stand together without fear of retribution. Workers who have economic security are more empowered to speak out when abuse occurs. Until all workers have that security, we must strengthen retaliation laws and ensure they offer real protection.

## What Labor Will Do

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- (1) **AB 3080 (Gonzalez Fletcher).** Prohibit employers from requiring workers to sign mandatory arbitration and non-disclosure agreements as a condition of employment.
- (2) **AB 3081 (Gonzalez Fletcher).** Increase protections for vulnerable women workers who lack job security. Expand liability on companies that allow contractors to engage in sexual harassment. Create a presumption of retaliation where a worker is disciplined or fired after reporting abuse.

California Labor is committed to the fight to protect women workers from sexual harassment, whether in the fields or in the corridors of power. Dignity on the job, in every job, is the core value of our movement. And in the words of Ella Baker, “we who believe in freedom cannot rest until it comes.”

## Key Contact

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