



The long, twisted path for sexual harassment victims to find legal justice

This flowchart shows just how hard it is to pursue justice.

By Alvin Chang and Alexia Fernández Campbell | Jan 25, 2018, 1:30pm EST

Sexual harassment is illegal in every American workplace. It doesn't matter if the perpetrator is a supervisor or a co-worker; it's a form of gender discrimination under the 1964 Civil Rights Act.

But using this law to pursue legal action against your employer is a long and confusing process.

It's not as simple as filing a lawsuit against your employer and finding ways to prove the harassment occurred. Rather, there is a winding path that tries to get the accuser to resolve the case with their employer and come to a mutual agreement before even allowing the accuser to litigate the case in court. And when they get to court, the deck is stacked against the accuser to an extreme degree.

In short, the **legal system fails victims of sexual harassment.**

The process starts when an accuser files a complaint with the US Equal Employment Opportunity Commission. Walk through this flowchart to see how tangled the process is, and how difficult it can be to get justice through the current system:

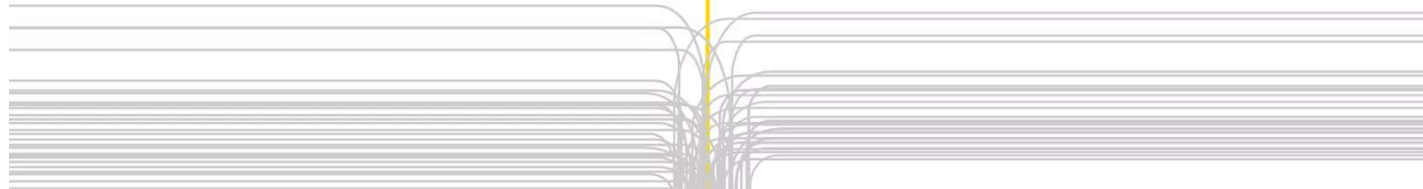
The long, winding process of pursuing legal action after being sexually harassed at work

This line represents **you.**

You have been sexually harassed at work.

You want to take legal action.

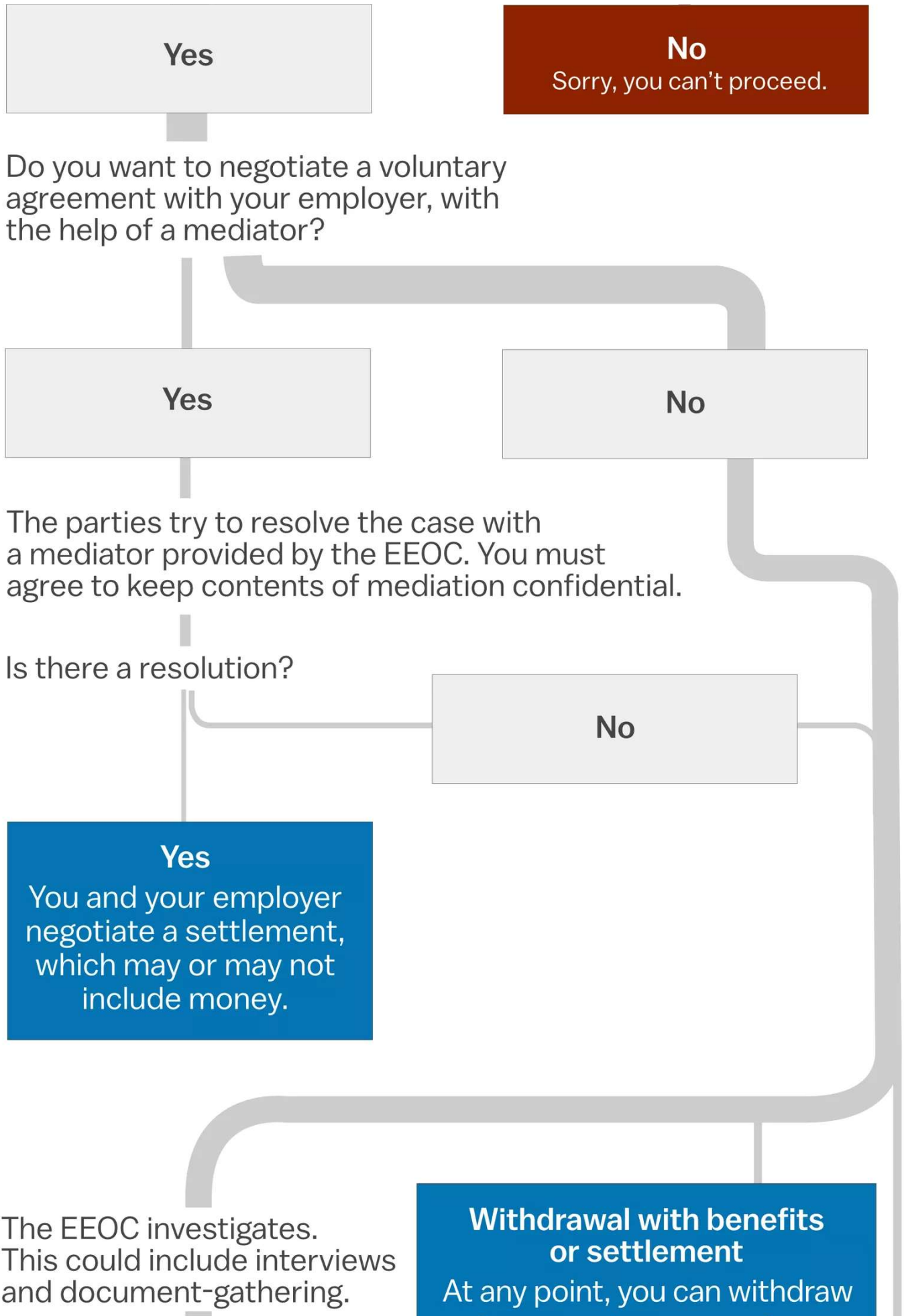
Let's follow you, and 99 others, through the process.



**You file a complaint with the
Equal Employment Opportunity Commission**

Was it within 300 days of the incident?



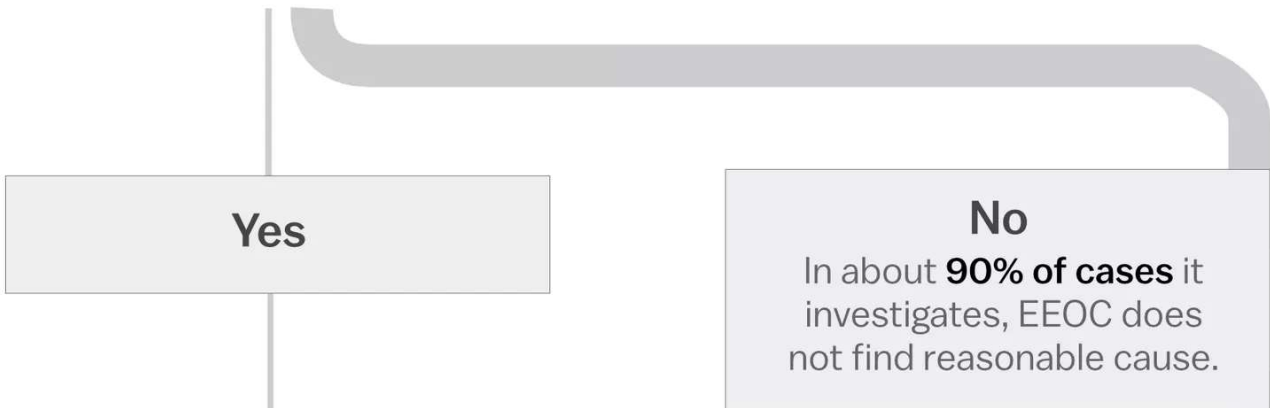


— after a settlement or after you get appropriate benefits.

Withdrawal and ask the EEOC for right to sue

You hear back in about 10 months.

Did the EEOC gather enough evidence to determine if harassment likely occurred?



EEOC tries to reach a voluntary resolution with your employer.

Resolution reached
This happens in about half the cases EEOC tries to resolve with your employer.

No
The other half of the time, the EEOC and your employer don't reach a resolution.

Your case is referred to legal staff.

Is your case one of the **very few** that they decide is serious enough or would have a wide enough impact to be worth litigating?

enough impact to be worth litigating.

Yes
 The EEOC sues employer.
 This could lead to a larger monetary benefit.

No
 The EEOC releases case for you to litigate in court.

The EEOC says you can sue your employer in court.
 This is the first time in this process **you** can sue.
 You have three months to do it.

File a lawsuit

Drop it

Federal judges have a very high bar for what is "illegal" harassment.

Get litigated relief
 This only happens in 4% of cases that go to trial.

Not get litigated relief
 In 96% of cases that go to trial, you are not awarded any damages.

Data from the US Equal Employment Opportunity Commission's 2016 data and the paper, "That's Not Discrimination: American Beliefs and the Limits of Anti-Discrimination Law" by Katie R. Eyer

Help our reporting

Have you filed a workplace sexual harassment complaint through the EEOC? Contact alexia@vox.com to share your story and complaint (Vox will not publicly identify you without your explicit consent).