PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

ELLEN GRAUER
COURT REPORTING CO. LLC

126 East 56th Street, Fifth Floor New York, New York 10022
P: 212-750-6434  F: 212-750-1097
www.ellengrauer.com

Original File 116282.TXT
Min-U-Script® with Word Index
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

2 Court Square, 2nd Floor
Long Island City, New York

December 6, 2017
5:44 p.m.

PUBLIC HEARING in the above-entitled
action, held at the above time and place, taken
before KAREN E. RIGONI, CSR, RPR, a Registered
Professional Reporter and Notary Public of the
State of New York.
APPEARANCES:

PANELISTS:

CARMELYN P. MALALIS
LORELEI SALAS
ANA OLIVEIRA
CATHY ALBISA
CARRIE DAVIS
BEVERLY TILLERY

TESTIFIERS:

Nantasha Williams, Cozen O'Connor
Letitia James, Public Advocate
Julie Menin, MOME
Amy M. Hong, The Legal Aid Society
Employment Law Unit
Simone Pero, NYWIFT
Martha Kamber, The YWCA of Brooklyn, Inc.
Leah Rambo, Local 28 (Sheetmetal Workers) Union
Carey Castro, journey-level carpenter
Jeff Trexler, Fashion Law Institute at Fordham
Susan Scafidi, Fashion Law Institute at Fordham
Sara Ziff, Model Alliance
Lauren Switzer, Model Alliance
Maya Raghu, National Women's Law Center
APPENDICES: (Cont'd)

TESTIFIERS:

Dina Bakst, A Better Balance
Alanna Kaufman, Emery Celli Brinckerhoff & Abady LLP
Marrisa Senteno, National Domestic Workers Alliance
Daniela Contreras, National Domestic Workers Alliance
Michael Rojas, EEOC
Liz Sprotzer, Make the Road NY
Nathalia Varela, LatinoJustice PRLDEF
Laura Berger, City Bar Justice Center
Rita Pasarell, Hollaback!
Beverly Neufeld, PowHer New York
KC Wagner, The Worker Institute at Cornell ILR
LaDonna Lusher, VIRGINIA & AMBINDER, LLP
Daniela Nanau, Law Office of Daniela Nanau PC
Leslie Escobosa, ROC-NY
Richard Allman, AM Carmen De La Rosa
PUBLIC HEARING

DEAN BILEK: Good afternoon. Can you hear me?

My name is Mary Lu Bilek, and for the last year and a half, it has been my privilege to be the dean of the CUNY School of Law. My job is to welcome you here today.

In 1983, a group of progressive law teachers and progressive public interest lawyers asked the question: What would a law school look like if it was dedicated to making lawyers ready to practice? If it took seriously the obligation to diversify the profession, because that is our only hope for a civil society. And if it said it's okay for there to be one law school that's loud and proud about having a curriculum, a student body, and a faculty dedicated to creating public interest and social justice lawyers. (Applause.)

We were at that time in an elementary school drinking water out of fountains down here and getting books out of boxes in a gym. We moved here several years ago. And part of my job is to collect moments like this that fill this new building with the spirit of social justice and public interest with people who are dedicated to advancing the rule of law and making the world a
PUBLIC HEARING

more equal and fair place.

I am proud to tell you that we are ranked by
U.S. News as having the third best clinical
program in the United States. We have more women
on our faculty than any law school in the country.
We are the most diverse law school in the country.
And we graduate the highest percentage of public
interest lawyers of any law school in the country
trailed by more than 10 percent by number two.

(Applause.)

I can't think of a gathering that more honors
what we stand for than this hearing today
sponsored by the New York City Commission on Human
Rights. We are honored to have your commissioner
with us. She is a beacon to those of us who
know -- she reminds me every day of what it would
look like if we all took seriously the
responsibility that comes with the power that we
have to be publicly and out front an agent of
change. Thank you. (Applause.)

We are deeply honored to have in this room
today and so collected in the spirit of this
building for all times Congress Ember Eleanor
Holmes Norton. (Applause.)
PUBLIC HEARING

Her career stands as an emblem for all of us, what a lifelong commitment to public service, committed to deeply held values can mean and can bring, and I'm just jazzed to meet her, and really grateful that the Commission brought her to us in this space.

I am going to sit down in a minute. I just want to thank Professor Rick Rossein who helped to bring this event to us. And his work started many, many, many years ago, and he was an expert on and a pioneer on issues like sexual harassment in the workplace. We have among our faculty Judy Golshide (phonetic) who is one of drafters of the Violence Against Women's Act.

We have -- 61 percent of our students are women against a national -- a national average of 51 percent, and 65 percent of our faculty are women against 34 percent nationally, so these issues are near and dear to our hearts.

I can't sit down before I tell you what a moment it is for us to also acknowledge that among the staff attorneys of the commission are 11 of our alums. (Applause.) And among the people whose testimony you will hear today are four of
PUBLIC HEARING

our alums. I feel like what our founders set out
to do is happening in a way that is making a
difference, and I thank you for creating this
moment. (Applause.)

MR. ROSSEIN: Can everybody hear me?

AUDIENCE: No.

MR. ROSSEIN: Oh, I just had to push it on.

Now can you hear me?

AUDIENCE: Yes.

MR. ROSSEIN: Dean Bilek, Commissioner, and I
guess I was going to welcome the panelists.
They're not quite here yet today.

I want to give a little shout out for one of
our former students and alums, Hollis Fitch
(phonic) who is the deputy commissioner for
enforcement at the commission. (Applause.)

Already took away my one without the four other
alums who are testifying here today. So we
welcome all of you. And a special welcome to all
the people who are going to be testifying today of
their own stories of being targeted as sexual
harassment and their ideas about how to address
this epidemic of sexual harassment that we're
going through right now.
PUBLIC HEARING

I'm sorry, very sorry that my mom could not be here tonight. She's going to be 100 in February. And for those of you who may not know this, that's before women had the right to vote she was born.

Last night she shared with me her own story of sexual harassment. She graduated college at 20. She was one of the few women in her class at Brooklyn College. I'm here today teaching at CUNY because of her opportunities. At that time, it was free, free institution at all city university.

At 20, she graduated, she went to her first job in Manhattan, and she said she was called in the backroom by the boss who showed her something very pornographic. And she said, I didn't know what to do. I just felt uncomfortable. She had the shared this story with me some time before and forgotten that, but that's okay. The point is that we know that sexual harassment is going on for a long time.

For decades I've had the honor of representing many women in sexual harassment cases, many women who have been targeted, and these women are called the tip of the iceberg. They were courageous to come forward, but now we have to go below the sea
and deal with what's below there. We know the huge number of women -- 70 percent of women who are sexually harassed simply do not even peep about it because of the fear of retaliation and punishment and career loss. And so we're here to start trying to figure out what else needs to be done.

I have the great honor and pleasure to introduce an amazing national civil rights and feminist leader, Congressman Eleanor Holmes Norton. She was my first boss. So I wish for all my students here today, you should only be so lucky to be able to work with a fierce activist lawyer. She was a tough boss. She yelled at me a couple times. Her red pen went through my brief many times. But I hope for you that you have a similar experience.

Her accomplishments are so long and so deep that I could spend hours. I'm not going to spend hours doing that. She has served in Congress, I believe, for almost 28 years now. And I'm just going to tell a few short stories in terms of her persistent advocacy of civil rights, but focus on these issues at hand today. Sex discrimination,
PUBLIC HEARING

particularly sexual harassment.

Some of you may have seen the original series from Amazon Studios where the actress Joy Bryant plays Congressman Norton in 'Good Girls Revolt'. It is set in 1969, what was happening. Well, there was a cultural change in progress sweeping the country, but many institutions and employers and organizations were resisting and one that was focused on in this movie had to do with Newsweek Magazine. They were happy to hire really outstanding women to be researchers but not journalists. And many of the women, quite frankly, thought, well, that was good enough. They got this job. But others also wanted more. Eleanor Holmes Norton, Congresswoman Norton, represented that. And I believe, you could tell me if I'm wrong later on, it was the first class action sex discrimination case brought under the 1964 Civil Rights Act.

In any case, before representing the Newsweek women, Congressman Norton was very much engaged in the struggle for black freedom in this country. For instance, she participated in the 1964 Mississippi summer fighting against virulent
PUBLIC HEARING

oppression against black people. And sits tonight
here at the law school, and I'm sorry that we all
can't share, a group of our students are involved
in what's called The Mississippi Project which was
founded many years ago by students, and those
students go to Mississippi every intercession to
work on civil rights issues, because Mississippi
is still a backwards state and needs a lot of
struggle in that area. And there is a program
here tonight, Rita and Bill Bender, who are civil
rights activists down in Mississippi in 1964 and
beyond are actually here tonight today, too.

Later as an attorney with the American Civil
Liberties Union, she represented Julian Bond. For
those of you who might remember, Julian Bond was
the head of SNCC, the Student Nonviolent
Coordinating Committee, which was a group of
revolutionary young people who really decided that
they were going to organize in different ways, and
they were all very courageous people.

Congressman Norton was the first woman chair
of the New York City Commission on Human Rights
from 1970 to 1971, and she was the first woman to
chair the Equal Employment Opportunity Commission.
PUBLIC HEARING

I believe she was appointed by President Carter in 1977. And as chair of the City Commission on Human Rights, she held the first public hearing in the country on discrimination against women, which was -- you know, these hearings were amazing and she was one who stirred up a lot of trouble. She was a government agitator, a taxpayer. And they produced such reports that one called the women's role in contemporary society, the report of New York Commission on Human Rights was actually published as a book. Under her leadership, and I worked on some of this, the commission investigated racial discrimination employment housing and they sent testers out to find out what was going on. And I understand that's been revised, so that's great, Commissioner, that you are doing that, too. And guess what? One of the developers that was found to be racially discriminatory lived in Queens, and his name was Trump, okay? In fairness to the current occupier of the White House, it was his father, but he was closely working with him.

As I mentioned, Congresswoman Norton was appointed by President Carter in 1977 to head up
PUBLIC HEARING

the EEOC. And she and her staff were responsible for setting the very strong foundations for the development of sexual harassment of law. In 1980, the guidelines of the sexual harassment were published to inform everybody what was sexual harassment.

As we have vividly seen over the last few months, the laws and social and workplace culture require profound structural changes to be able to more effectively stop and prevent sexual harassment.

I leave you with one more image before I bring on this extraordinary person who is going to be our opening speaker for this very important and timely hearing, and this is the image. I hope some of you have seen this. In 1990, what was happening? Well, we had a hearing before the all male, all white Senate Judiciary Committee, where our hero third marshall was being replaced by a man by the name of Clarence Thomas, and there was a hearing, and of course you all know there were allegations of sexual harassment by Professor Anita Hill against him. She had worked for him when he was the chair believe it or not of the
PUBLIC HEARING

Equal Employment Opportunity Commission, and that's where the sexual harassment occurred.

And there was an attempt to shut her down and to shut her supporters down. And I remember this photograph of Eleanor Holmes Norton and five or six other women literally charging up the capitol steps -- you got to see this charge up the capitol steps -- into the Senate chambers to the man that Professor Hill be allowed to testify.

It is my great pleasure to bring this charging, demanding woman and fierce advocate for social justice, Congressman -- Congresswoman Norton to the podium. (Applause).

CONGRESSWOMAN NORTON: Thank you very much, Rick. I should stop and let you do your work. And may I apologize if I yelled at you. That's just my tone of voice when I'm trying to get something done. I have to tell you, there's a lot more yelling to do in the Congress of the United States these days. (Applause.)

And I thank you, Rick, for how you laid out some of my work. I thank Dean Bilek for being here. And I especially thank the Chair of the Commission, Carmelyn Malalis, because she is doing
PUBLIC HEARING

groundbreaking leadership work where it is most needed today.

Yes, I come from Washington. That's where leadership can come from. A lot of things you should get in leadership on these days. But the best leadership particularly on issues like sexual harassment are not going to come from those of us who are further from the people. When I was at the OC, we used to say we're on the ground, and that's how we know what's happening and that's why we have hearings to tell us more about what's happening.

So it is a very special pleasure for me to leave Washington even on a Wednesday, the busiest legislative day, to come to New York because of the work. And I think it is path-breaking work that the New York City under the chairwoman Malalis is doing, and I thank you for that work.

I must tell you that when I was invited to speak at a hearing of the New York City Commission on Human Rights, I felt right at home. This is certainly where I belong. And you're doing the kind of work that I tried to do, and I must tell you, it gladdens my heart to see the commission
PUBLIC HEARING

carrying on that kind of work today in this
environment at another time and another place, but
where it is particularly needed.

So whether in New York at the Commission or in
Washington at the EEOC or indeed in the Congress,
first, let me indicate how important the hearings
of the kind you're about to engage in are. They
were exquisitely important for the work I did at
the Commission and at the EEOC. If you don't hear
from the people, if you don't hear from those who
are affected, you cannot do your work.

Soon after I became chair of the New York City
Commission on Human Rights, you have heard that I
held the first hearing in the country -- that
late? -- on sex discrimination issues. Why is it
that -- that was, I mean, maybe almost 15 years
after the 1964 civil rights activist passe. Why
were there no hearings on women's rights? Well,
part of the reason is that we have a national
Equal Employment Opportunity Commission because
black people came forward and brought the issues
of racial discrimination to the country and
achieved the three great civil rights laws in
1964, Civil Rights Act including Title VII. It
PUBLIC HEARING

was my great honor to administer the 1965 Voting Rights Act in the 1968 Fair Housing Act. That didn't happen because government got some chime in its ears to tell it what to do. It happened because black people came forward.

So the Commission, and very often, even the New York City Commission was responsive largely to those who were responsible for getting the statute in the first place. As you know, women were literally thrown in at the last minute for Title VII for the 1964 Civil Rights Act. And imagine that, the notion that, well, you know, we know how to avoid under Sandy after slavery and discrimination for almost 400 years of discrimination against black people. But wait a minute, women are your children. Women are the people that men sleep with every night. How come you didn't know about that form of discrimination?

When I was at the New York City Commission on Human Rights, I went into the city to say to women's groups, where are you? Why am I only receiving complaints from people of color? So, yes, the burden is always going to be on those who experience the offense, and women are taking that
PUBLIC HEARING

burden, and I am here this evening because the New York City Commission on Human Rights has accepted that burden.

And I want you to know that hearings even before you engage in enforcement can promote action. At our Commission, these commissions just on women's issues and on discrimination, we heard virtually every woman who was prominently involved felt she had to testify. So we heard from people from Burrell Saunders (phonetic) of the National Welfare Rights movement and Dorothy Height of the National Council of Negro Women to academic stars like Margaret Mead and movement leaders like Betty Friedan. That's just how novel it was to have a hearing on women's issues.

You heard about a book that was published after. It wasn't a book. It was a pocketbook. It was so novel to have hearings on women's issues that (inaudible) just took it under himself to publish a pocketbook for wide distribution to be sold to members of the public. It was called Women's Role in Contemporary Society. So it tells you how broadly based those hearings were.

Those hearings produced action. Four months
PUBLIC HEARING

after the hearings, New York state legislature placed household workers under the minimum wage law of New York state for the first time ever. Hearings matter my friends. (Applause.) And I believe these hearings will matter, because the New York City Commission hearings are right on time to produce important results.

They may or may not involve changes in law. You already have a strong law. Today's hearings, though, do show that the baton has been handed and accepted to the enforcement agency to make sexual harassment grayer. (Applause).

The Commission has taken hold of a very difficult issue in the best way. They got to hear from people. They got to know what they're talking about. And when I say "know what they're talking about," don't just assume because these are experts at the New York City Commission that they know what sexual harassment is. I mean, if I were to go around this room and say: Define for me what you think sexual harassment is. I'm sure I'd get very different answers. And I'm convinced that most men and women are not sure of what sexual harassment is. There is work to be done
here, friends. But the most work to be done is
going to be done, in my judgment, by agencies like
the New York City Commission because they are
closest to typical women who experience sexual
harassment where the spotlight has yet to turn.

Periodically, this is not the first time, the
national interest is stirred by accusations of
high profile figures, from Clarence Thomas to
Harvey Weinstein. Well, thank you very much. And
it's particularly stirred when that harassment is
said to have taken place in the palaces of power,
from the Supreme Court and Congress to Hollywood
and TV. These are places of ultimate power and
influence where women incur maximum risk in
alleging sexual harassment. Yet, I believe sexual
harassment is far more likely to occur in typical
workplaces involving typical men and women. We
will find out if we have more hearings like this.
I don't believe that the average high profile man
is going around sexually harassing everybody in
place. I do believe it's much easier to engage in
sexual harassment in workplaces that you and I
know.

The Commission hearings, therefore, do mark an
PUBLIC HEARING

important day for an enforcement agent stepping forward themselves. The women who came forward have shown great courage, and you've been reading about them. They have not started a remedy for themselves. Statute of limitations has long past when these women came forward, but they have rendered. These women, they are women we never heard of before. They have rendered an important public service by exposing a national problem that had gone unattended because it floats beneath the surface of human interactions. It is very difficult to prove. No matter what happens, we do still have due process in this country. That's why the enforcement agencies cannot do this alone and can't do it by enforcement alone.

Sexual harassment is not like other forms of discrimination. It is mostly unwitnessed and uncorroborated. It is personal and not public. Therefore, it is very different from the other forms of discrimination that we are all accustomed to. Failure to hire. Failure to promote.

When I chaired the EEOC, the courts had not even embraced sexual harassment as a violation of Title VII of the 1964 Civil Rights Act. The
PUBLIC HEARING

reason is largely because the agency hadn't embraced it. There were a few district court cases and the courts didn't know quite how to deal with this that didn't look like other forms of discrimination. There was no Court of Appeals case. Employers and employees alike had no idea what these words meant. They weren't even coined by the agency. I don't know where the words came from.

So we thought the most important thing was to do what the New York City Commission is doing today, hold some hearings. Educate yourselves, enforcers, and help educate the public at the same time. Get the information, get the evidence, and get it from all parties.

What resulted were the guidelines on sexual harassment as a violation of the act and the Supreme Court ultimately embraced those guidelines where the Commission defined sexual harassment, and to this very day they're used by the courts. It's very interesting, when I came to the EEOC, I thought, well, I got rid of a backlog of cases at the New York City Commission on Human Rights, so I'm going to get remembered, if at all, for
PUBLIC HEARING

getting rid of the backlog, a notorious backlog, at the Equal Employment Opportunity Commission.

But I'm here to tell you that sexual harassment guidelines overroad the backlog, and in the public domain, sexual harassment guidelines became what was important about my service.

At the Equal Employment Opportunity Commission, women were hungry for official recognition of this workforce plague and for indication that something could be done about it.

You mean if a man comes and offers an unwelcomed sexual advance, the law enables me to do something about it, somebody ought to tell me so.

I do believe progress was made. Witnessed the thousands of women who come forward today, but only about 7,000 each year. Is that the sum total of it? I don't want to speculate. I would hope so. But think of who these women are. Think of yourself. If you were harassed, if somebody continued to come forward with an unwelcomed sexual advance, the first thing you do to run willy-nilly to the New York City Commission or to the local office, and I see Electra Yourke who worked with me both at the New York City
PUBLIC HEARING

Commission and at the EEOC and she's still at it at EEOC local office. Is the first thing you do is run to Electra or run to the New York City Commission incurring the real risk about something that had happened to you that nobody else saw and nobody else knew anything about?

Remember, women who file those complaints at the EEOC or the New York City Commission are not seeking to expose a problem the way women have done against President Trump, for example. They are not seeking a scissile remedy. In fact, they're seeking a remedy. They're not seeking any revenge or any exposure. Something has happened to them personally and they want a personal remedy for an unwitnessed act. Try that one on for size.

Notwithstanding the sexual harassment complaints that are filed in federal, state, and local commissions by courageous women. I do not believe that we have really begun to penetrate the true extent of this problem. The Congress, I can report this evening, is floundering. Last week we past a bill -- dig this -- requiring posting of employment discrimination rights and training for members of Congress and staff. I'm pleased to
PUBLIC HEARING

report that the Congress of the United States
passed that bill. No applause. One hand clapping
is quite enough.

Look, I had already done that as a member of
Congress with my own office. I had already taken
the video. It's only a half hour video. Every
member could have done that. We didn't need the
leadership to say: Now it's the law, you must do
that. All you have to ask yourself is how come
that was not a part of what Congress did when it
added a whole slew of work including Title VII to
be applied to Congress? Why did they leave this
out? It shows you how much work needs to be done.

Yes, in the early '90s, we passed 13 laws
including Title VII to make them applicable that
long after the 1964 Civil Rights Act was passed to
members of Congress. Still Congress is not
covered by every workplace law. It is required of
other employers and I have a bill pending as I
speak in the Congress to bring Congress under
every workplace law that it imposes on every other
American. (Applause.)

And remember, Congress bought itself under
Title VII in the early 1990s only after -- here we
PUBLIC HEARING

go again -- a high profile scandal involving
Senator Bob Packwood just as it took
Harvey Weinstein and his scandal to spark concern
about sexual harassment today and to get us on the
House floor last week. So it is a fair question
this evening to ask: Are women condemned to await
episodic high-profile scandals as a way to get
attention to widespread sexual harassment in the
workplace of every sector of the American economy?
Yes, women have found strength in numbers, not a
movement, but individual women one after another
coming forward. But in turn, having done that,
they have now passed the ball to where? Well, I
think the ball is with legislatures like the
Congress and enforcement agencies like the
New York City Commission on Human Rights and the
EEOC. I see New York City has accepted the
burden. I can't say the rest. I can't say the
other powerful law enforcement actors have as yet
done so.

So no longer should it be one woman against
one powerful man. Anita Hill accusing Clarence
Thomas. Actually, it has become several women
accusing Roy Moore. That's progress when these
PUBLIC HEARING

women came forward one after another. And there's not an American even in Alabama that doesn't believe each and every one of them.

So what does this represent? Are we seeing something different? I believe there has been a cultural shift. You would not see women coming forward in the way they are if there had not been a cultural shift initiated by women. And you're seeing something else which tells you there's a cultural shift. Men, real men, are apologizing, not denying the sexual harassment which has not been witnessed.

Now, we know that there are notorious holdouts like Donald Trump who's been accused of sexual harassment by more than 20 women and continues to deny it. He even denied what he said with -- that was heard by the whole world on television. And the holdout of note today is Roy Moore where half a dozen accusers have cited everything from pedophilia to aggressively seeking dates with teenagers when he was a district attorney.

Increasingly, these are an exception to men who are man enough to face up and apologize. This cultural shift should pave the way for what the
PUBLIC HEARING

country badly needs to have happen next, and the
enforcement agencies can play a leading role here.
Women are doing their part. For those who have
the tools must now step forward as the New York
City Commission is doing this evening to do their
own part.

I don't come this evening, I regret to say,
with prescriptions or answers. I don't know what
they are. I regret that I won't be able to say to
healing what the witnesses have to say so that I
could carry it back to Washington. I will be
looking forward to a report for how it informs us
as to what we ought to be doing, because Congress
has just begun to have a series of hearings. You
don't even hear a you're welcome. So I have no
advice to offer to the states or to New York City.

In fact, if you think about it, not only on
sexual harassment, but for years now, increasingly
members of Congress have been looking to states
and cities who are closer to the issues for
guidance rather than the other way around. So
today the New York City Commission on Human Rights
is performing a public service and not alone for
New York. They are stepping forward to offer
PUBLIC HEARING

leadership from where we have every reason to respect most people who are closer to the problem.

I am here, though, this evening to applaud the role that New York City is playing as it has often played. I'm going to be -- and that role is looking the problem straight in the eye, then becoming a leader to say to the rest of the nation politely, see, that wasn't so hard.

So I thank the chair. I thank the Commission for once again taking on the mantle of leadership and as one member of Congress, let me say, I look forward to following you. Thank you very much, ladies and gentlemen. (Applause.)

MS. MALALIS: I'm Carmelyn P. Malalis. I'm the chair and commissioner for the New York City Commission on Human Rights. And I have to say yet again, I'm so incredibly proud to welcome you back to New York City to, Congresswoman Norton. You know, I want to thank you for taking your time out time to leave D.C. and for you to leave D.C. for us tonight means a lot for us, but it also means a lot for this city.

I think I just said this is a historic hearing, and you have truly been an inspiration to
PUBLIC HEARING

me and my staff. I can't tell you how many times your work and your legacy particularly in these types of areas are referenced at the Commission on Human Rights as we aspire to rebuild and reinvigorate the Commission to fulfill its mission that you’ve set out for in ensuring that all New Yorkers are treated with dignity and respect.

I also personally want to thank you for paving the way for me and many other women, especially women of color, in public service. A lot of us here are here because of the work that you have done and I thank you for that. And folks in public service know that no one person can accomplish anything alone in public service. So I also want to take a moment to thank our very important partners here tonight without whom tonight's hearing would not have been pulled together so quickly or so swiftly. I want to of course thank CUNY Law School and Dean Bilek, Professor Rick Rossein and all of the CUNY law staff for being such gracious hosts. I know that you're all in the midst of wrapping up the fall semester, so we thank you for accommodating us and welcoming us here on such short notice.
PUBLIC HEARING

I also want to thank the New York Women's Foundation and their staff for being our co-sponsors tonight for providing logistical, financial, and promotional support for this hearing. New York Women's Foundation's extraordinary commitment to economic justice and safety and health for women and their families was evident when it immediately agreed to partner with the Commission on tonight's hearing, to give voice to the diversity of women and other workers we're going to hear from tonight across different industries that have been affected by sexual harassment in the workplace. So thank you.

I want to also acknowledge the presence of our public advocate, Public Advocate Leticia James is here. (Applause.) She's the first woman of color elected to citywide office in New York City and she's a fierce and unstoppable advocate for women. I also want to acknowledge my colleague Julie Menin. (Applause.) Julie Menin is the commissioner of the mayor's office of Media Entertainment. She has taken on the fight to ensure that the theater, television, and film industries are also held accountable in New York
PUBLIC HEARING

City and working with the city in making sure that we make sexual harassment a thing of the past.

I also want to give a shout out to Jacqueline Ebanks who's here tonight. (Applause.) Jacqueline is the executive director of the city's Commission on Gender Equity and a very frequent partner for the Commission on Human Rights, so thank you for being here as well.

So we're here. It's four years after the first hearing on gender discrimination were held in this country right here in New York City by the Commission on Human Rights. And while it's no longer remarkable that women lead city agencies or the City Council or a public advocate or reach the top tiers of many industries, we are still grossly underrepresented in leadership in practically all sectors. And it is no longer cute in those sectors where the greatest wealth is generated and concentrated in tech, in finance, in media and entertainment to name just a few.

The lack of women in leadership in true positions of power has facilitated and contributed to the abuse of power by others that so often leave women victimized, harassed, ostracized, and
PUBLIC HEARING

isolated preventing them from advancing in their careers or escaping oppressive, often unsafe work environments, and perpetrating a very intentional cycle that serves only those in power.

We are here, however, right now experiencing this watershed moment in women's rights movements and the movement for social justice and civil rights where women and men and nonbinary people are bravely coming forward at no benefit to themselves and, in fact, at much risk to share their stories of sexual harassment and assault across industries.

The wave of people like Tarana Burke, people claiming the #MeToo, and others breaking their silence has been steady and it's been unrelenting. And it is my hope that tonight's hearing allows even more voices to be heard, even more stories to be surfaced. The power stretches out of existed for so long to allow this behavior to persist for in some cases decades to silence victims, to shame victims, and to make victims believe they are powerless, they are crumbling around us. Sexual harassment is being exposed for what it is. It's an abuse of power, an abuse of privilege. And it
PUBLIC HEARING

is being exposed with women leading the way.

While the entertainment industry dominates the headlines, we know that low wage workers,
imigrant workers, domestic workers, LGBTQ workers, and workers of color experience sexual harassment at extremely high rates, and their unique and intersecting vulnerabilities make it even harder for them to assert their rights, protect themselves, and demand justice.

We also acknowledge that sexual harassment is not limited to the workplace. It occurs in housing, it occurs on the street, in public transit, in schools, in jails, prisons, in immigrant tension, and in many other contexts. But tonight we have chosen to focus on sexual harassment in the workplace as a starting point, but there are many more stories to tell.

We are here tonight to hear from workers and advocates across industries, and despite our best efforts to reach out to as many workers, organizations, and advocates as possible in a short amount of amount of time, we will not hear from all industries where we all know that sexual harassment is particularly pervasive. If you're
PUBLIC HEARING

asking yourself why isn't someone testifying about the abuses in academia or news media? The answer is likely that there's great hesitation coming forward in speaking about one's own experiences in industries in which people still hope to have some future. This is of course a challenge workers routinely face across all industries. And so tonight we also acknowledge the bravery and the power of the people who will be speaking here tonight and to all who have shared their stories over the past few months.

We want to remind you that you may still submit written testimony to the Commission even if you do not wish to speak here tonight. The Commission will consider all written and oral testimony as we formulate a report with recommendations and findings. That written testimony can still be submitted up through the end of this month.

I also want to take a moment to note the important involvement of our city's businesses and employers. For true impacting real change cannot be made without their commitment to eradicate the sexual harassment. Indeed, the speed with which
PUBLIC HEARING

we put together this hearing was in part prompted by the many calls and other queries that the Commission on Human Rights received from New York City's employers. People asking or entities asking how can we do better? What should we be doing?

So tonight we want to learn from you on how the City can better address sexual harassment and how we can work to dismantle the systems that allow sexual harassment to continue with impunity and hold harassers and those complicit with them accountable. We want your input on how we can advise businesses and employers to act affirmatively and proactively. The New York City Human Rights Law is one of the broadest and the most protected antidiscrimination and antiharassment protection in the country, and we at the Commission are using it every day to ensure that New Yorkers have access to justice.

But we know we can do better. We know we can do more. We are here to learn from you about what you'd like us to do. How can we do things differently? How can we help you? And we look forward to working with all of you towards that.
PUBLIC HEARING

To that end, I want all Commission staff to please stand or identify yourselves, put your arms up. People in this room should know that we serve you. (Applause.) Please seek out Commission staff members. You have to see us as a resource and as a partner, and for you to do that, you need to actually know who we are. You need to see that there's actually human beings behind government.

In addition, we have several of our law enforcement bureau attorneys here tonight. They're over there. (Applause.) They're here. If you have questions tonight, if you feel so empowered tonight and you're considering bringing a claim to the Commission, please come and speak with them tonight.

Finally tonight, I'm honored to be joined by my esteemed co-panelists who I'll introduce briefly. Commissioner of the Department of Consumer Affairs, Lorelei Salas. Commissioner Salas has worked for over a decade enforcing New York state labor laws, and now the DCA oversees the implementation of key municipal work laws.

Human Rights Commissioner Cathy Albisa.
PUBLIC HEARING

Ms. Albisa is the executive director of the national economic and social rights initiative, which she's worked for over a decade on human rights abuses including in corporate supply chains, and has led to the creation of the Fair Food Program in the tomato sector which has been lotted for, among other things, being one of the most effective antisexual harassment programs for low wage workers in the country.

Human Rights Commissioner Carrie Davis.

Carrie is a health and human services leader and social worker committed to amenable change in the areas of HIV, substance abuse, health care, and human rights. She has worked extensively with and served on human rights advisory boards and planning committees for New York City and state to develop guidelines, policies, regulations, and best practices to better address the needs of lesbian, gay, bisexual, and transgender people.

Gender Equity Commissioner Beverly Tillery.

Beverly Tillery is the executive director of the New York City Antiviolence Project, an organization that works to address and end all forms of violence through organizing and
PUBLIC HEARING

education, and supports survivors through
counseling and advocacy. She's an experience
thought leader, advocate, and national organizer
with nearly three decades of experience working in
social justice movements.

We will be transcribing all remarks and will
be videotaping and web streaming the entire
hearing live on Youtube. As I mentioned, if you
have not already done so, we encourage you to
submit written testimony to the Commission by
sending it via e-mail to policy@CCHR.nyc.gov by
December 31. We're going to review all written
testimony and oral testimony to inform an upcoming
report that we will publish in 2018 the findings
and policy recommendations hopefully by industry.

Again, we thank you all for being here tonight
for this essential public hearing. I want to now
open it up to the first panel of individuals here
to testify. Thank you. (Applause.)

MS. WILLIAMS: Good evening, everybody. And,
first, I just want to thank the New York City
Commission on Human Rights for holding this very
important hearing on sexual harassment in the
workplace. Having met Tarana Burke and Anita
PUBLIC HEARING

Hill, I know I stand on the shoulders of greats. And on that note, in Mrs. Hill's opening statement on October 19, '91, when she testified before the Senate Judiciary Committee, she spoke about her encounter with sexual harassment and the government workspace. She stated that what happened to her and telling the world about it were the two most difficult experiences in her life. Well, my name is Nantasha Monet Williams, and today I say #MeToo.

While all industries have grappled with sexual assault and harassment, I find it prevalent to be distinct in high-powered fields such as entertainment, politics, and government. As a person who has spent most of her professional career in government, I have also unfortunately been exposed to the discomforting and disgusting acts of sexual assault and sexual harassment in the workplace. The media sometimes sensationalizes these experiences, and that is something I deeply wish did not occur. However, I want to publicly condemn the unwanted advances, the elongated stairs, and the hugs which were too tight and lasted too long.
PUBLIC HEARING

Upon my initial admittance into government, I felt that my quick success was attributed to my diligence and brilliance. I soon realized that many of my colleagues did not feel the same. Some did not see me or appreciate me for my hard work or intellectual contribution. There were those who saw me as eye candy, as possible instant gratification, someone who is young and naive and eager to climb the ranks by any means necessary. "Wet behind the ears" as what they call it. I often thought that maybe it was something I might have said or an outfit I may have worn. This began to strain my working situation. As people who I felt should be trusted colleagues began to make inappropriate comments and sexual suggestions, some subtle and some not so subtle but all wrong and inappropriate.

As a woman, it is easy to blame yourself because that is what the culture has taught us. It is easy to be silent and give people a pass because you are afraid that speaking up or telling them "no" may jeopardize your professional growth. This has caused me to be pressured in socializing in ways that I did not want to, and to deal with
PUBLIC HEARING

communications which made me uncomfortable,
especially normalizing the behavior.

My story as unfortunate as it may be is also
unfortunately not unique. As one of the national
organizers of the Women’s March in Washington
early this January, I have traveled to various
states and have heard a number of accounts from
powerful women who felt less than because of the
feelings which surfaced due to unwanted sexual
advances, picture messages, and other horrifying
occurrences which they experience from their
supervisors, their subordinates, and their
colleagues alike.

I have been told that the right thing to do is
to push back and to check folks. Let them know
that you will not allow professional and social
lives to be nixed and will not allow someone to
degrade you through sexual assault and sexual
harassment. The truth is that it is difficult to
do so in politics and in government. Sexual
innuendos and unwanted flirtatious atmospheres in
the workplace have been normalized for far too
long for both men and women. It wasn't until
hearings and #MeToo stories that many people began
PUBLIC HEARING

to realize how much they, we as a society have
actually normalized certain behaviors. That has
been my story. Dealing with unwanted
conversations, text messages, and e-mails. That
has also been the story of so many other people.

I think of a very good friend of mine, a young
black man in government who has discreetly shared
stories with me of him facing unwanted sexual
advances by women in the workplace, sometimes
physical and sometimes verbal. And when he was
denied such advances, having his sexuality
questioned and his professional growth and upward
mobility threatened.

That is why hearings such as this one where we
allow women and men to speak their truths is so
important. Although, we see that these sexual
advances are happening more with women, we know
that it is also about power. So that we can shed
light and address this disease which plagues our
society, so that people all over in politics,
government, construction, schools, restaurants,
athletics, and all industries know that sexual
harassment is not to be accepted and that they are
not alone, we all are not alone, it is okay to say
PUBLIC HEARING

no and I know must be respected. Thank you.

(Appause.)

MS. JAMES: To the Chair, to the Commission, to the Panel, first let me begin by saying I applaud Senator Gillibrand today for her announcement urging the resignation of Senator Frankel and I join her in that.

My name is Letitia James and I'm a public advocate for the City of New York. In the post #MeToo era, the whole world now knows what women have known since we first set foot in this workplace, since we first went to school, since we were old enough to understand the differences between right and wrong.

Sexual harassment is pervasive, it's corrosive, it has been a silent roadblock on the road to career growth for generations. Up to 85 percent of women report today that they have been sexually harassed at work according to a 2016 report by the Equal Employment Opportunity Commission. We know this. What we do not know, what we can never know is what we have lost.

How many women were forced to quit jobs or pushed out of careers they excelled at? How many
PUBLIC HEARING

women left entire industries? How many women have
shelled their ambitions, their hopes and their
deems? Lost their livelihoods because of
retaliation? How many billions of dollars in
productivity were lost due to toxic workplaces?
How many inventions were never invented and
companies never started and ladders never climbed
and glass ceilings never cracked? We just don't
know. We will never know.

What we do know is that sexual harassment
pervades every industry at every income level for
every race and sexual identity across the
political spectrum from the White House to the
halls of Congress. And one New Yorker who
contacted my office was harassed at a restaurant
job by co-workers because of her sexual
orientation. The ongoing harassment caused her so
much stress that she had a panic attack and
blacked out at the restaurant. Her doctor told
her that it was likely the high state of anxiety
that caused her to black out. She received a
large bill from the hospital she cannot afford to
pay which has increased her anxiety levels even
more. This is the one of the millions of untold
PUBLIC HEARING

stories.

... So we have a responsibility to do better to protect workers like this, New Yorkers whose jobs are at risk, whose health is at risk, whose financial security and futures are at risk. You can't live in a world where the only way harassers are held accountable -- are accountable is if they are famous enough to merit news coverage. Until women are paid the same for the same work, until women's health care is simply viewed as health care, until we can stop counting on one hand the number of women in board seats, in CEO positions, until maternity leave is a right and not a privilege, until every woman I know has more stories of empowerment than harassment, gender equity will continue to be important. We need to hold companies and individuals accountable even if their names aren't splashed across the front page.

... We need to get rid of forced arbitrations that women are harassed and viewed, they are free to speak out and seek legal remedies in court and this horrendous behavior can be put to a stop. We need more transparency and oversight, overdisclosure agreements which are often used to
PUBLIC HEARING

cover up sexual harassment or sexual
discrimination, and we also need more women to run
for office. We should consider mandating at least
one dedicated HR professional for all companies
over a certain size. We should also have
diversity officers and diversity trainings at all
city agencies including the department of
education.

I strongly commend the Chair and the New York
City Commission on Human Rights for their
extremely progressive stance on what constitutes
sexual harassment and the record level monetary
damages they secured for complainants who were
subjected to sexual harassment in the workplace.

But since I was invited to come here and make
suggestions, I would add the following to my
praise. CCHR should do more outreach both to the
broad public and employment attorneys that might
be less familiar with the Human Rights Law and let
them know that CCHR is very much open for
business. I would also recommit focusing on
additional staffing for the next round of agency
budget request. And every violation of the human
rights law is important and time sensitive, but
PUBLIC HEARING

rapid resolution of workplace, sexual harassment, and discrimination is among the most pressing.

I also suggest dedicating more resources to offering substantive training on sexual harassment and help to small and midsize organizations seeking to develop clear antiharassment policies. This includes non-for-profit as well as for-profit organizations. This sort of training offered by large firms can be costly prohibitive for a lot smaller midsize employees out of CCHR is well suited to help fill that void possibly alongside small business services.

Finally, it would be great to do more with bystander training so many careers can be saved and only victims didn't feel so alone. I was heartened to see that Time Magazine's person of the year on the silence breakers seeking out against sexual harassment instead of keeping quiet about these assaults and unlawful acts, but they spoke out and spread the word to harm others and try to stop future attacks.

I want to thank the Commission for holding this important hearing today to show these other women and workers that the government is here to
PUBLIC HEARING

protect them and to ensure that justice is done
and that perpetrators are stopped. I would be
remiss if I didn't thank the Commission today for,
again, inviting us to the forum, one of my
sheroes, Congresswoman Holmes Norton, who I
studied law school along with the late
Congresswoman Barbara Jordan. To her and to all
of those whose shoulders I stand on and the
countless women who are here in this room, we will
not tolerate, we will not normalize sexual
harassment from the White House, again, to the
halls of Congress and we will not allow our rights
to be eroded in Washington. We do that in honor
of the women's whose faces were flashed on the
screen before us. They include Mrs. Coretta Scott
King, the late Shirley Chisholm and Gloria
Steinem. It is in their honor and their tradition
that we will continue to fight to resist. Thank
you. (Applause.)

MS. MENIN: Good evening. I'm Julie Menin,
Commissioner at Mayor's Office of Media and
Entertainment. And I really want to thank the
New York City Commission on Human Rights for
hosting this important and incredibly timely
PUBLIC HEARING

hearing on sexual harassment in the workplace and
tank you for the opportunity to testify this
evening.

So as everyone who keeps up with the news
these days knows the media and entertainment
industries have been rocked by multiple reports as
sexual harassment, misconduct, and even assault on
the part of famous and powerful men in recent
months, weeks, and days, and we obviously feel
there will be more to come in that regard.

Many are calling this a watershed cultural
moment and one that is empowering women and other
victims of sexual misconduct to speak out about
experiences that were once kept secret and swept
under the rug. The fact that victims are breaking
the silence about these horrific events is clearly
a crucial first step. But quite honestly, now the
question is now what? At the Mayor's Office of
Media and Entertainment we have been acutely aware
of the underrepresentation of women in the film
and television industry since well before this
season of bombshell revelations. As we believe
this underrepresentation particularly in positions
of power in the film and entertainment industry as
PUBLIC HEARING

well as in the news media is deeply intertwined
with the problem of sexual harassment and
misconduct.

For the last 20 years, according to a recent
white paper by the Women's Media Action Coalition,
the percentage of women in key positions in the
top 250 films has remained exactly flat at
17 percent, never having reached more than
19 percent. This is despite the fact that women
make up 50 percent of film school graduates. In
prime time television, the numbers are honestly
not much better. Women have not succeeded in
breaking the 30 percent mark in key positions.

This lack of women in decision making and
green lighting positions has everything to do with
the kinds of stories that are told and how women
are represented on the ubiquitous screens that we
and our children are increasingly watching.

Only 29 percent of leading characters in top
grossing films are women despite the fact that we
are 51 percent of the population. Women of color
are even more scarce on screen. Of the leading
characters who are women, only 4 percent are
African-American, 4 percent are Latina, and
PUBLIC HEARING

2 percent are Asian. With men doing the lying share of the creating and greenlighting of shows and movies and men dominating so many writers runs, women are frequently portrayed in stereotypical and often highly sexualized fashion.

Women are rarely depicted in positions of power on screen. A third of women that are on screen and on TV are often times, according to studies, shown in provocative clothing, while just 8 percent of men are. The Women's Media Action Coalition reportedly found that female actors actually peak, what they're calling peak, at age 30, meaning that that is a prime time when they're offered the most role. Where their man counterparts are so-called peaking at age 46.

There are twice as many male characters over 50 as women on TV and on screen. Also, female characters also get killed off more frequently than men. This misrepresentation of women and the, quite frankly, obsessive attention to women's looks over their intelligence or their abilities has dire consequences for all of us certainly. But most particularly especially for girls and women who are forming their identities and their
aspirations. It is no stretch to say that it contributes in no small part to culture of sexual harassment.

Quote, media creates consciousness and is what gets put out there that creates our consciousness and determined by men who are not going to make any progress. That quote was by Jane Fonda and she said it in a documentary called Misrepresentation, or more succinctly from the same film, You Can't be What You Can't Say.

Men also dominate the news media across all platforms according to the Women's Media Center's latest report on the status of women in media. It found that 20 of the nation's top news outlets, men produce 62.3 percent of news reports analyzed during a study period, while women produce 37.7 percent of news reports. Additionally, in the broadcast news sector alone, work by women anchors, field reporters, and correspondence actually declined falling to 25.2 percent of reports in 2016 from 32 percent in prior years.

A little more than a year ago in September 2016, our office announced a five-part initiative targeting the underrepresentation of women both on
PUBLIC HEARING

and off camera. We became the first municipal agency in the country to address the stubborn gender inequity problem in film and television. The initiatives included a $5 million fund that will provide direct grants to support film and projects by, for, and about women; pitch workshops for women filmmakers and film financing contracts connecting women filmmakers with financing for their projects; and a screenwriting contest for scripts written by, for, and about women. And two finalists in that competition have now had their pilot episodes made by diverse women-led crews at the Feirstein Graduate School of Cinema. And one of those two pilots will be Green series on NYC Life which is our flagship channel.

And speaking of NYC Life, we've created an inspiring block of programs featuring women. We created a new show called 'Her Big Idea' profiling women entrepreneurs. It's our highest rated show. And we also greenlit a new series called 'The Vanguard' featuring women in media.

Clearly there is demand to see strong women in decision-making roles. If you film it, they will watch. Much more -- and I'm wrapping up. Much
PUBLIC HEARING

more needs to be done -- I'm sorry, last sentence -- much more needs to be done and can be done with change a narrative of women working in a male dominated and media entertainment field.

To quote Katie Couric: The media can be an instrument of change, it can awaken people, and change minds, but it all depends on who's piloting the plane. Thank you. (Applause.)

MS. HONG: Hi, good evening. My name is Amy Hong and I'm an attorney with the Legal Aid Societies in Employment Law Unit. We want to thank Commissioner and Chair Malalis and the partners and the Panel for hosting this hearing as it's very timely.

Victims of sexual harassment should know that civil rights agencies support them and can reenforce your employer that any unwelcomed sexual behavior will not be tolerated. At the Legal Aid Societies Employment Law Unit, we represent low wage workers, primarily immigrant workers who have various claims against their employers in state and federal court and as well as in the local and state and federal agencies.

The flood of sexual misconduct allegations in
PUBLIC HEARING

recent weeks has come largely from women in white
collar professions. However, low wage workers are
often the most vulnerable workers, and are,
therefore, less likely to speak out. Low wage
workers can't afford to lose their jobs.
Moreover, often low wage workers don't speak
English and don't know the procedure for reporting
abuse. Sometimes they are immigrants and their
status to be in this country is dependent on their
employer. Sexual harassment is about an imbalance
of power between the harasser and the victim. And
the more vulnerable the worker, the more egregious
the sexual misconduct can be.

In a case of mine, the facts are
straightforward. My client is a single mom and
sole supporter of her young child, worked as an
officer manager in a small office and endured a
campaign of harassing, sexual, harassing physical
behavior by her direct supervisor and owner of the
company. Her boss hit her on the buttocks,
likened her to a cartoon character from a
newspaper depicting a highly sexualized woman
which he hung by the office copier, and publicly
compared her to a swimsuit model in the swimsuit
addition of Sports Illustrated. He also hugged her and licked her neck. He would offer to rub her chest when she had a cough and say that sex helps with headaches and offered to help her with that.

Time and time again my client would respond to her supervisor's harassment by saying "no thank you, please don't say those things to me. That's disrespectful." Despite her objections, her supervisor continued his behavior. She endured as much as she could because her livelihood was on the line, but eventually she quit her job feeling powerless in her position and unable to stop her supervisor from harassing her.

This is just one example of the many clients we represent who want to work in peace but are sexually harassed in the workplace. Many of them are afraid to complain because it would be at the cost of potentially losing their employment and their ability to support their families.

In this particular case, the client came seeking assistance claim insurance, was unfamiliar about what her rights were to be freed from sexual harassment in the workplace. We had to educate
PUBLIC HEARING

her about what the options that were available to
vindicate her rights as many low wage workers do
not have access to such information when the
harassment begins. And we know that the
Commissioner has done a great campaign -- public
campaign to educate workers about their rights in
the workplace, and we encourage the Commission to
continue that and to specifically allocate and
increase resources to target employers where there
are higher incidents of sexual harassment or
vulnerable low wage workers.

Also, in this case described, the harasser was
our client's supervisor, HR rep, owner of the
company all wrapped into one. Thus, he was the
individual with the ultimate power in the
workplace. Our client had nowhere to complain to
her -- nowhere to complain to her employer outside
of her perpetrator.

A victim of sexual harassment should have
multiple avenues in which to file a safe
complaint. Ideally, employers should be required
to provide different points of contact and a range
of methods for a victim to complain, even
anonymously if they wanted to. However, for a
small employer in the case I just described, there
are not many places where a victim can safely
report. Because of this problem, we encourage the
Commission to develop a hotline specifically for
sexual harassment victims who are still on the
job. This would provide employees with a method
of complaining and their ability to ask for
immediate assistance.

Once an internal complaint is made, a company
should do an investigation to the allegations.
However, for small employers, a thorough and fair
investigation is unlikely. The Commission can
step in and conduct investigations and response to
complaints received on its hotline. Although the
Commission already conducts investigations
involving violations of the Human Rights Law, we
would encourage the Commission to develop a
specific unit to handle harassment and retaliation
complaints on an expedited basis, especially for
those who are still on the job. Early
intervention can stop further harassment from
continuing in the workplace and can save a job by
preventing any retaliatory behavior.

The Commission could of New York State's
PUBLIC HEARING

Department of Labor as a model for their antiretaliation unit steps in right away to warn of repercussions for violations of the law. Again, this would only be current employees of investigation or intervention occurs on an expedited basis.

The employment laws are designed to protect workers. They are useless unless they are enforced. Although resource consensus sexual ramification should filed and litigated, funding should be made available to the Commission and legal services organizations to pursue these cases for low wage workers. We would encourage the Commission's affirmative litigation unit to also litigate egregious sexual harassment cases in court on top of the City of New York. In addition, we would encourage to -- we would encourage the Commission to allocate additional resources to mediation programs so that where to resolve this can be done promptly.

While the City of Human Rights Law provides some of the protections of any law in the country, it excludes one group of workers, employers less than for employees. Thus an employer with less
PUBLIC HEARING

than four employees can sexually harass their employees without any accountability. The City should not allow this type of discrimination and should eliminate the four employee requirement for coverage under the Human Rights Law which many jurisdictions have done.

Further, the city could enact legislation that would require any sexual harassment cases that settle after a complaint is filed to be approved by the Court or the Commission. Like unpaid wage cases under the Federal Fair Labor Standards Act, settled cases involving sexual harassment claims should be publicly available. This will increase awareness and potential claims for employees and deter harassment by employers.

We thank you for hearing us and these suggestions.

MS. MALALIS: One, I'm wondering if the Legal Aid Society, to your knowledge, have you seen any changes in, say, the past few weeks specifically on sexual harassment?

MS. HONG: You know, I don't monitor the -- we do have a hotline which is live and active where you reach a live person three days a week, and I
PUBLIC HEARING

don't monitor that. You know, we have been seeing
more over time, but I wouldn't be able to quote
you any statistics at this time, but I can get
back to you with that information.

   MS. MALALIS: Great. And I'm also wondering
   how often the Legal Aid Society has to turn people
   away because of the statutory limit of four
   employees or more?

   MS. HONG: I don't know that information, but
   I can get back to you as well.

   MS. SALAS: Just a quick question For this
   unemployment insurance issue.

   MS. HONG: That's right.

   MS. SALAS: How common is it that you have low
   wage workers come to you for issues like that,
   then you find they are --

   MS. HONG: It's very common. You know,
   they'll come to us and they say, you know, oh, I
   need some sort of monetary assistance to get me
   through this firing or this layoff, you know,
   until I find my next job. They come and they, you
   know, are experiencing difficulties in their
   application for unemployment insurance and they're
denied. We represent them in a hearing. And many
PUBLIC HEARING

times, you know, we uncover many violations of the employment -- various employment laws and it's, you know, our job -- we work with them, we educate them, we talk to them about what the law states, what their rights are, and what their options are in pursuing their claims in court or within the local or state, federal agency.

MS. MALALIS: Thank you.

MS. ALBISA: I was going to ask you if you have any further suggestions around retaliations as one of the, you know, biggest obstacles --

MS. HONG: Sure.

MS. ALBISA: -- moving these cases forward.

MS. HONG: Right. And we in the employment law unit, we file and work closely with the State Department of Labor and they have recently developed this antiretaliation unit. And the director of the unit, you know, when we bring a complaint to her and we say, this is what's going on, these are the threats that are being made, this is what's happening in the particular workplace, she will get on the phone and she will make a phone call to the employer and she will say, this is what the law is. You know, if you
PUBLIC HEARING

continue to behave in this way, you know, that
would be considered retaliation and there's
consequences of that.

I mean, I think she's been very effective and
that's something where I think it scares
employers, right, to receive a personal phone call
from an agency, and I think this is something that
the Commission could do to step in right away
especially, you know, on behalf of workers who are
in the job, you know, you can really make a
difference in saving the job, right?

MS. DAVIS: My question's more general to all
the people who've spoken so far. But for victims
of this, how can we support them as they go
through this process? Because it feels, to me,
like that's one of the major barriers other than
financial support, but emotional support, this is
probably a very re-traumatizing process for them
to experience.

MS. HONG: Yeah, it takes a lot of courage for
victims to speak out. You know, they're talking
about their personal experiences and it's hard for
them to pursue, you know, their claims publicly.

But I think, you know, on the other side of
PUBLIC HEARING

that, you know, victims are often empowered, too,
you know, knowing that the law is on their side
and they can vindicate their rights. And I think
that's where the enforcement is really important
and the civil rights agencies can stand behind
them and show their support. Thank you.

MS. PERO: Hi, good evening. Commissioner
Malalis and Members of the Commission on Human
Rights. I'm Simone Pero, President of the Board
of Directors of New York Film and Television,
NYWIFT. Been a longtime professional in New
York's media and entertainment industry. On
behalf of NYWIFT, we greatly appreciate you for
today's hearing and appreciate the opportunity
to offer testimony.

NYWIFT is the (inaudible) entertainment
association for women in New York advocating for
equality in the movie industry and supports women
in every stage of their careers. With more than
2,200 members of both men and men, our workforce
recognizes women's achievements, professional
programs and providing grants and scholarships.
NYWIFT is part of a network of 50 women worldwide
representing more than 10,000 members. We have
PUBLIC HEARING

been making a positive impact on women's careers
for 40 years and our work is now more critical
than ever.

Although we've been recently shaken by
numerous high profile sexual harassment incidents,
to NYWIFT and to so many of our members, this type
of behavior, while it's appalling, it's anything
but breaking news. Such stories of gender,
sexism, harassment have been pervasive and
occurring for decades in our industry no matter
what our job, level, or position.

Frankly, there's little discrimination when it
comes to who can be harassed. For us, sexual
harassment is ubiquitous. It happens on film and
television locations, in edit suites, in screen
cinemas, at client meetings, in corporate
boardrooms, at trade conventions, business/social
events and office settings. It can range from a
subtle unwelcome overture to the most overt
offense. Add in the fact that working in
entertainment typically brings long hours and
weekends and spending extensive amounts of time
with co-workers and crew in sometimes casual and
close settings. Plus our business by its nature
PUBLIC HEARING

is people facing and largely based on
interpersonal relationships and power dynamics.
It's also highly where competition is high for a
limited amount of jobs.

While this industry may be distinctive, the
challenges and concerns of our culture and the
reporting system of sexual harassment is not.
Many times if an inappropriate or abusive behavior
incident occurs, there's a longstanding culture of
silence and an unsupported reporting system that
significantly deters women from coming forward.
Fear of retribution from managers and peers
involves job opportunities and career advancement
are powerful deterrence. In addition, women's pay
and equality has also led to a collection of women
being treated differently on the job, undervalued,
and often sexualized making harassment a vicious
part of the cycle.

Therefore, today we submit three action steps
to lead to systemic and cultural change and to
secure our rights to work in a hostile free
environment. First, acknowledging that a large
portion of the production of the related work
force throughout the New York tri-state area are
PUBLIC HEARING

employed as freelancers is imperative. These freelancers also work for a small to midsize productions in noncorporate work environments. Therefore, we advocate for the development of the fundamentals. Written standard operating procedures around sexual harassment that covers all types of crew and staff. These SOPs would include an effective and improved reporting structure, an investigative body and a much needed enforcement system. We also propose creating a toolkit of education and training resources and an onset of sexual harassment policy posting with a resource member.

Second, we propose mandatory sexual harassment training for all managers. This prevention and reporting focused training would be empathetic to those disclosing and take into account psychological, cultural, and social factors that play a very large role in the prevalence to sexual harassment. It would facilitate a broken line of proactive communication among employees and be interactive and relevant to the experience of working in film and television.

Third, we propose the creation of large
PUBLIC HEARING

citywide public service announcement campaign that
provides the resource to educate and raises
widespread awareness of the issue. As one of the
most prominent public advocates for women in
New York, NYWIFT would welcome the opportunity to
work with the city on the creation of production
(inaudible) using our vast talented women writers,
directors, cinematographers, editors, and so on.

Additionally, we recommend the creation of a
task force to expand our strategies and solutions
representing a diverse mix of women and men from
all media and entertainment labor organizations
across the city, perhaps even as part of a
committee within larger state municipal
organization.

So in sum, although sexual harassment and
discrimination have been a problem from time and
memorial and there's a rightful outrage at the
present moment, a seismic shift is occurring on
how women, all women, are perceived and treated in
our workplaces. Our approach is to encourage
dialogue, provide tools and knowledge, and to
foster compassionate, conclusive communications.

So as responsible citizens of New York and
PUBLIC HEARING

representatives of the most influential industry in our culture, we encourage an open, holistic approach and to up level our discussion around this issue. We welcome the opportunity to work with you and to ensure that all women in media and entertainment work in healthy, equitable, and safe environments. Thank you. (Applause.)

MS. MALALIS: Just a few questions. You know, I admit that I'm not as familiar with your industry as I am with some background, not as familiar with film and television.

You know, prior to kind of this current historical moment, have there been attempts by industry groups to create some method of -- I mean, it seems widespread, everything we hear in the media, we what read, it seems so widespread in the industry. It always sounds like this dirty little secret everybody knows about is there. Have there been other industry attempts by, you know, not-for-profits in film and television to create something to address this that have just been kind of, you know, put under the radar or put down? I ask this question just because I personally am not familiar with any history of
PUBLIC HEARING

folks trying to come around in your industry to
dress this even though it's so widespread.

MS. PERO: Right. Right. And what has
happened -- and I will get back to you with more
specifics on organizations. But the net
television networks, studios, so the large
corporations have been addressing it through human
resource departments and their policies and
procedures. But what we are also seeing is that
so much of production happens on smaller -- in
terms of the freelance environment, and those
systems are not in place, so that's where there's
been a disconnect.

But then also even if there are these policies
on larger productions and corporations, this
industry has been just ramped with whisper
network. And fear of retribution is tremendous in
the entertainment industry and whether you've --
we've had stories of -- countless stories of my
peers that have reported to their supervisors, and
the person that did the harassing was to then --
just moved over to another production, and so
we've heard many, many examples of that. And so
that whole cycle hasn't fully been addressed.
PUBLIC HEARING

And this is why we're here today to really work with you and also say that we like to help in this discussion.

MS. MALALIS: Thank you. (Applause.)

MS. KAMBER: Good evening. Thank you for the opportunity to testify today. Thank you, Commissioner Malalis, for your vision and your leadership in this event. My name is Martha Kamber. I'm the CEO and President of the YWCA Brooklyn which is the largest and oldest organization serving women and girls in Brooklyn and the only YWCA represented in the borough.

I'm going to talk specifically today about the impact of sexual harassment on young women and on women in STEM careers. To start, I wanted to say that nothing I'm seeing in public discourse surprises me, and I imagine it probably doesn't surprise most of you either. In almost -- my almost four decades as a women's rights advocate, I don't think I've ever seen or met a woman who was not harassed in the workplace. It's just that now famous affluent white women are coming forward.

The #MeToo as many of you know was started
PUBLIC HEARING

more than a decade ago by an African-American woman named Tarana Burke. And while I'm happy it's been revived, let us not forget the millions of nameless women who have suffered in silence. So for all of us who never walked the red carpet, whose stories were never heard or believed, and who couldn't risk reporting inappropriate behavior for fear of losing their employment, this is our moment, too, and thank you, Tarana. She is my person of the year.

At YWCA Brooklyn, we provide leadership and college access programs for young women of color. We serve over 300 girls from 40 different high schools throughout the borough, and I can tell you definitively that sexual harassment does not start in the workplace. It starts in school. Our girls are everything you would imagine, smart, confident, savvy, and ambitious. They have bright futures ahead of them and they know it, but their lives are more difficult because every day in school, in the subway, and on the street, they're subjected to humiliating sexual harassment and frequent unwanted touching. Their bodies are analyzed, graded, and critiqued. This daily abuse
erodes their confidence, makes them feel ashamed, embarrassed, and ultimately impacts their self-esteem and later choices in life.

For more vulnerable girls and those with prior experiences with physical and sexual abuse, this is especially devastating. Women have been cultured that normalizes this behavior which is then internalized by young women and girls. In a 2014 study in Gender and Society, states objectification sexual harassment and abuse appear to be part of the fabric of young women's lives. They have few available safe places. Girls are harassed and assaulted at parties, in school, on the playground, on buses, and in cars. Overwhelmingly described as "normal stuff that guys do" or "tolerating what just happens", young women's sexual desire and consent are largely absent. Sex was understood as something done to them.

This problem is so pervasive that the YWCA Brooklyn's Young Women's Social Justice Council recently won a choice award for a documentary that they're making working to -- addressing the over sexualization of girls and young women. The topic
PUBLIC HEARING

was their choice.

Ironically, when I recently met with the
Department of Education, officials told me there
is no sexual harassment training or curriculum for
New York City public school which serves over
one million students. Meanwhile, a recent study
of high school students found that 37 percent of
all girls experience sexual harassment in school.
This doesn't change once young women get to
college either. In fact, one in four women will
be sexually assaulted while in college. It's
worse for women studying in STEM fields which are
more traditional dominated by men.

A 2014 survey found that 26 percent of women
conducting scientific field research had been
sexually assaulted. In academic field
experiences, harassment and assault were commonly
experienced by women respondents during trainee
career stages. Women trainees were the primary
targets of harassment or assault. Their
perpetrators were predominantly senior to them and
professionally within the research team.

A 2017 article in American Scientists state a
slew of scandals and lawsuits over the past
PUBLIC HEARING

several years have demonstrated that scientists are guilty of sexual harassment, have repeatedly been allowed to continue their careers enabling them to find new victims. Focusing on headline making cases may avert attention from the underlying issues, institutional intolerance -- institutional tolerance for the patterns of behavior, legal or illegal, that create an unwelcoming environment for women and underrepresented minorities and an incentive structure in academic science that resists changing this atmosphere. And we wonder why there aren't more women in STEM careers? Young women are often targeted for harassment specifically because they're more vulnerable and the impact this can have on their career trajectory is devastating.

A 2017 study indicates that harassment experienced by young women knocks many off course during the formative career stages. Sexual harassment plays a prominent role in shaping early career trajectories for women and because victims of sexual harassment feel uncomfortable and unsafe in workplaces, sexual harassment often acts as a
PUBLIC HEARING

push factor for women to leave their jobs. Exiting harassing workplace especially early on in a woman's career can have a significant impact on her ability for advancement as she may experience gaps in employment or subsequently be unable to find comparable work. Even more detrimental to a woman's career opportunities than a lapse in work is the loss of access to professional networks and the sacrificing the firm's tenure.

In closing, this is now a precedent watershed moment for women in this country, but I have to say that I'm alarmed from the discourse in the media and press and Hollywood and even in Congress is focusing on the men who have perpetuated this violence. I'm not interested in discussing gradations of abuse or which forms of harassment are worse or what level of punishment is appropriate. What I want to talk about is how we're going to change a culture that allows and even encourages abusive behavior by men in power, a culture that is so pervasive it conditions -- starts conditioning boys and girls from a very young age, a culture that wastes the human potential of half of the citizens of this country.
PUBLIC HEARING

Thank you. (Applause.)

MS. TILLERY: I wanted to ask a question.

Thank you for bringing the young girls and women into this space. I think it’s really important. And I was really struck by what you said at the beginning about how -- you know, thinking about how young women who are first entering into the workforce have already normalized, in some cases, a decade of harassment.

And I'm curious what you've seen or if you're seeing anything in the Y that is helping to empower young women and girls to speak out that will help them later on when they get into the workplace?

MS. KAMBER: We think about it a lot because, you know, they're going off to college and they're not going to be at the YWCA anymore, and so they have to be well equipped to handle this kind of -- and even know that this may be coming.

I think that it's really important to start telling a different story. So this isn't normative, right? It's not the way it's supposed to be. And it's not just boys will be boys. I think that having safe places where girls can
congregate with other girls and having this conversation -- actually, the commissioner came to speak to our girls and they were very interested in how she got to where she is and what her story was.

We do a lot of bringing women of color in to talk to the girls about their own experiences, which are very similar to the girls are having now. And now we're really trying to do an alumni, you know, even if it's something like FaceTiming so that as the girls go away to college, are able to keep them connected and continue to talk about these issues.

To be quite honest, we really provide the platform and the girls do the rest. And they've been doing these speak-outs with their friends that we're not even involved in. They organize it, 60 kids come, they talk about, you know, how they're feeling about -- they talk about Trump, they talk about what's going on in the country. And I feel like providing that platform is really important. It really is. And also just providing a different narrative.

MS. SALAS: Do you have any specific
PUBLIC HEARING

recommendations or ideas for what the city can do
to get to these young women -- so not just enforce
the law, but actually arm these women with the
tools they need, change that narrative?

MS. KAMBER: I have to say that I'm kind of
stunned at how pervasive it is. I talked to a
high school in New York City one year, and I have
an all girls health class, and it was one of those
high schools that was, like, a last stop high
school for girls, students who have dropped out of
other schools. And I expected them to be really
challenged academically, and they weren't. And
when I talked to them, why did you -- you're a
great student, why did you drop out? They have
all -- 100 percent of those girls have been
sexually harassed. They were the first to develop
breasts or to develop. They were, you know,
constant tormented, bullying, a lot of body image
stuff.

I think in terms of the city, you know, I
think that -- I think it's much more pervasive
than we realize. It's on the street, it's in the
subways, in schools. I think it's really
important for us to just let people know this is
PUBLIC HEARING

not okay and that there are places that you can
report this kind of behavior. School is a
problem. High school is a problem. And I don't
know what we can do about that. But if there's a
way to work with the Department of Education,
that's important. Public transportation is a
problem. So, I'm sorry, I don't have better
suggestions. Did you have a question?

MS. ALBISA: I just have one question. This
is one agency, I think it's multiple agencies,
maybe grapple with this. If you were to just, for
the record, what would be your opinion that the
first steps that the DOE should be taking?

MS. KAMBER: I was really surprised to hear
that they don't do any training with teachers and
students around sexual harassment, so that would
be where I would start. You know, we have to
teach girls that this is wrong at a young age and
we have to teach them to fight back, and we have
to teach boys at a young age to respect girls and
women, and that's really where it starts. I think
education is the key and I think starting young.

MS. DAVIS: I do have a question. Maybe
there's other teachers here about this. Do you
PUBLIC HEARING

consider -- would you have a safe person that
these girls can come to?

MS. KAMBER: Absolutely.

MS. DAVIS: I mean, I think -- I wonder if
there's a public ally. One of the other speakers
mentioned a bystander program. I think that
there's some value in making us all responsible
for this.

MS. KAMBER: I love that idea, having safe
people to come to. I was surprised at how -- you
know, we brought in -- we started our program with
just a couple of girls and they started bringing
their friends and they started bringing their
friends, so they went through 300 girls. They're
really hungry for a safe place that girls focus
where they can explore these issues with each
other and with trusted adults. Thank you.

(Applause.)

MS. SUSSMAN: Thank you everyone for your
testimony so far. I just -- I'm Dana Sussman,
Deputy Commissioner of the Commission. I just
want to remind folks that we do have unfortunately
a three-minute limit on testimony and many folks
lined up to testify, so I appreciate your
PUBLIC HEARING

attention to the time limit and apologize that we are running a little bit behind. Thank you.

MS. RAMBO: Well, first I'd like to say thank you to the New York City Commissioner on Human Rights for creating this space for us to address this very pressing topic. The recent headlines have made it abundantly clear that no industry is immune to sexual harassment, but it can be especially pervasive in a male dominated or traditionally male environments. My name is Leah Rambo and my testimony today is based on my 29 years of experience of working within the construction industry.

Currently, I am a training director for one of the building trades in New York City. And to many it may seem like this is a new epidemic because we're hearing so much about it in the news. But for women who work in my industry, this is not new at all. There was a very similar hearing to this that I spoke at about 25 years ago at City Hall, and unfortunately not a whole has changed.

Today I'm going to speak to you from my 29 years of experience just within my industry. I've been subjected to rumors of sexual exploits,
PUBLIC HEARING

rumors of sexual orientation, I've been grabbed, kissed, slapped on the butt, subjected to lewd and vulgar remarks around me, towards me, and simply cannot count the amount of unwanted sexual advances. And these might be considered to be mild for many in my industry because there certainly have been women that I know of personally that have been raped within the industry and even one of my sisters, a carpenter, Allie Hicks (phonetic), who paid the ultimate price when she was killed on the job by one of her male co-workers.

So the real question here is not does it happen? We know it does. But how do we stop it? And I think one of the ways that we stop it is to start with training and comprehensive policies and guidelines on how to prevent sexual harassment. How to report it when it happens. And it's imperative that the education happens at every construction site and during every phase of the construction project.

Training must include antibullying, respectful and professional work environments, inclusive worksites. Safety is a prime concern for
PUBLIC HEARING

construction industries. Sexual harassment should be considered as a safety hazard. A recent study out of Columbia showed that the majority of construction site accidents certainly was shortly perceived by sexual harassment in some form occurred right before the accident. One of the byproducts of sexual harassment is impaired concentration. Well, in my field, when you're working with power tools, heavy equipment, and when you work on a ladder, a scaffold, and enter the building, then it now becomes a matter of life or death.

Our jobs should require to have safety training, OSHA, carts, you cannot walk on a job without it. You have a minimum of training, ten hours, four hours of scaffolding. And the same type of diligence should be pursued towards the topic of sexual harassment. It should require that all workers receive this type of training, antiharassment, antibullying. And because it's so pervasive in the industries where it's male dominated, it's also very important that the government is dedicated to increase the number of women in industries like mine where it's very male
PUBLIC HEARING

dominated. In our industry, it's based on money. People respect fines. Just like OSHA's fine, the same thing should happen in the case of sexual harassment. Thank you again for giving me this opportunity. (Applause.)

MS. CASTRO: Hello, my name is Carey Castro, and I'm a union carpenter, a member of the United Brotherhood of Carpenters. While it's not easy to be a woman in a male dominated field, I've been experiencing sexual harassment in the workplace since the time I got my first job at the age of 13 nearly 30 years ago. My first job was working in a supermarket where a manager would send me to the stockroom in the basement and then follow me. Multiple times he tried to kiss me and finally I let him for fear of losing my job. He said if I was nice to him, I could be assistant manager within a year. I remember being confused and naively flattered. Years later, thinking back to that time, I realized how predatory his behavior was as a 32-year-old trying to seduce a 13-year-old, and that was just my first job.

There was the owner of a grocery store, later his son. There was the owner of a roofing company
PUBLIC HEARING

and his partner who's a VP of a prominent New York City real estate company who promised to turn my job permanent if I met him at a hotel across the street, et cetera, et cetera. I am embarrassed to admit that in the early days I was flattered to think these men were attracted to me, older, powerful men, and it is almost exclusively men in a power position.

When I became a tradeswoman, I wondered how long it would take to be harassed by someone on the field, and it took less than a week. It was demoralizing and disheartening and I wondered how a first-year apprentice on her first job can navigate these waters without being labeled "one of those." And while I did take a stand and yet another tradesman who propositioned me, that was just my first job site.

With harassment now in the spotlight, I usually hear men saying "now I'm afraid to say anything to women." And I usually ask if it's really that hard to not say anything inappropriate to or around women or whether they'd be okay with it being said to their wife, mother, or daughter. So far this has been met with silence or with an
PUBLIC HEARING

under the breath rumble.

About a year ago, I had an open, honest, and very personal discussion someone who works in my industry about seemingly harmless dick jokes. Pardon my language. I told him that it's not that women can't handle adult jokes. It's just that so many women have had to endure not only harassment but innuendo and jokes for so many years that, quite frankly, we are tired about hearing and/or thinking about your dicks. Again, pardon my language.

Recently in light of what's in the news, he and I revisited the topic and he claimed that he now understands what I was talking about. Though last week, I heard him make reference to his "member" in front of me and to another tradeswoman. I shot him a look and he apologized. Angrily I told him: "You just couldn't frigging help yourself, could you? I guess you understood what I told you, but you didn't care." He sheepishly apologized and walked away.

We obviously all have a long way to go with the struggle, and I can only hope that we can keep this discussion in the forefront long enough to
invoke real long-term change. Thank you for your
time. (Applause.)

MS. SALAS: Thank you for sharing. At any of
the jobs that you held where you experienced
harassment, did you ever feel like there was
someone you could go to, like within the company?

MS. CASTRO: No. No.

MS. DAVIS: So your role, your job as a union
carpenter, how precarious is that job, in other
words, how much are you dependent on favor of your
supervisors?

MS. CASTRO: For me personally, I don't
think -- I haven't personally felt like my job was
threatened or that I needed to do something to
keep my job. Although, I did feel like I needed
to keep my mouth shut as far as any instances in
order to not be labeled as something, yeah.

MS. DAVIS: Thank you. (Applause.)

MR. TREXLER: Hi, my name is Jeff Trexler, and
I'm Associate Director of The Fashion Law
Institute, and I want to thank the Commission both
for myself and on behalf of our founder,
Professor Susan Scafidi, who's also here today.

This is an incredibly important issue. We
PUBLIC HEARING

have a clinic that offers free legal advice to
everyone in the fashion industry, and I can tell
you that this is a concern that affects everyone
from designers, models, people -- and other
people, service personnel throughout the industry.
It is truly a universal concern. And to
understand why, I think it would help for a minute
to sort of maybe step out of this hearing and
imagine that you're at a fashion show. And
fashion's very glamorous -- a very glamorous
industry, but I want you to look through the
lights and think about the people. So back stage
you'll have makeup artists and hairstylists,
you'll have freelance designers who are helping
them with clothes and design assistants. You go
out front and you'll see the designers and you'll
see models walking the runway, but you also see
tradespeople putting together the stage and the
whole event. You'll have journalists,
photographers, a DJ, videographers, even lawyers
all of whom are exposed to harassment, but not all
of them are confident that they have any recourse
if something should happen.

So, for example, a designer typically is one
PUBLIC HEARING

to be employed, so they have a certain degree of
security protection under state law, but they're
thinking, if it's a small business and there's a
lot of small businesses in fashion, what about
federal law? What about city with the four
employee threshold? So they're concerned there.

A lot of the other people are going to be
freelancers, and if they've heard that there's a
certain degree of protection under New York City's
Human Rights law, they're uncertain what kind of
protection. Are they attached to a business?
What kind of freelance? What kind of independent
contractor are they? What's their recourse?
There's a lot of confusion. There's a lot of
uncertainty. And you are in a position to change
that by once and for all establishing that civil
rights are for everybody, that equal protection is
for all, that our rights come not from who hires
us, but from who we are. And by establishing
protection for all independent contractors, for
all employees, for all professions, for all
industries, you'll provide a level of security
that we just simply do not have.

And it's important -- a couple things I want
PUBLIC HEARING

to add. One, I think it's important to do this for everybody, not select professions, not select industries. Differential treatment is a dangerous prospect because it can exacerbate confusion, and also you have the risk particularly when focusing on things that people are more famous, you get more attention, privileging certain areas of an industry that are largely white and it can create some imbalances that can be very problematic.

Two other things I want to mention. One, the fashion industry already does a fair amount of work to have equal treatment, and another thing they do is auditing procedures but even -- and some procedures include sexual harassment. This can be effective across the board, across industries, across professions as a means -- as incentive to follow the law.

So if we could have some sort of mandatory reporting mechanism put in place, maintain the complainant's privacy. How many complaints do you receive? How are they disposed? Are you paying settlements? Are the complainants still with you? What happened to the harasser? That sort of basic information.
PUBLIC HEARING

We don't recommend -- just two more points. I don't recommend banning NDAs, which I know -- non-disclosure agreements -- which I know a lot of people have suggested, because for a number of people, there's still this concern about stigma, which we've talked a lot about today, stigma and negative career consequences.

And that's the last thing I want to mention to you. The more you can do to prevent retaliation, the more you can do to prevent people not being able to be hired, because there's this fear, the ones they report, they will never be in fashion again. That will be great for our industry.

It's important for you, whatever you can do to reduce stigma, to reduce negative consequences, and also to encourage employers to hashtag hire a troublemaker. So thank you so very much.

(Appraise.)

MS. SALAS: So the mandatory report would be something city law required?

MR. TREXLER: I think city law should be, because one of the things I think I've come to appreciate in all the years in working in the fashion industry, New York City is the fashion
PUBLIC HEARING

capital of the world, it's one of the global
fashion capitals. And fashion companies pay
attention to what you do here.

So the amendments that you put in place, they
will be paying attention, not just for what they
do in the city, but throughout the country and
indeed throughout the entire world. So, for
example, mandatory reporting definitely should be
part of the city -- the Human Rights law. Think
of it what you do -- like non-profits have to have
certain mandatory public reporting. Publicly
traded companies have to have certain reporting.
There are standards like The Higg Index and some
other things in fashion where you actually have to
audit for these questions and account for them so
to score what you get.

If we can do that for every business, every
non-profit, it would make a difference because
then you can't hide it anymore. Then people know
what you're doing.

MS. ALBISA: I just have one follow-up
question on that. We've done work on low wage
workplaces and unfortunately what we find is the
more abusive the environment, the fewer cases get
PUBLIC HEARING

reported, right? So it could be a sort of, what
you call it, false-negative instead of
false-positive. Any thoughts on that? You know,
the more repressive the environment, the less
you're actually going to have the need to report.
Any thoughts on that?

MR. TREXLER: Fashion has been working in
this -- in labor reform for decades. There's a
big spotlight on it, there's been major incidents,
factor fives going back to triangle. And what we
found is that the more we put in place, forms of
auditing and reporting, the more people are going
to speak up. One of the speakers mentioned
hotlines. There's a number of companies
throughout the city have put in hotlines where
workers can do reporting, and once those are in
place, there is an uptick.

So I think once you establish it as a norm, as
a public social norm or public, you know, legal
norm, that this reporting exists, their mechanisms
are doing it, people are paying attention to it,
that will encourage people to speak up. Thank you
so much. (Applause.)

MS. ZIFF: Hello, my name is Sara Ziff and I'm
PUBLIC HEARING

the founder and Executive Director of the Model Alliance, a labor advocacy organization in the fashion industry.

Too often models are treated as objects and not as legitimate members of the workforce who deserve to be able to work with the same dignity, respect, and basically hold protections other workers enjoy under New York's sexual harassment and employment laws. As a model who started working at 14 years old, I have had a good career. That said, my peers and I have experienced inappropriate demands including routinely being put on the spot to pose nude and provide sexual favors. In some cases, models are being treated more like escorts with their agencies sending them to known predators and putting them in compromising situations that no child, no person should have to deal with.

Essentially, all working models operate under fixed term exclusive contracts to their agencies who exert a great deal of control of their working lives. The agencies then contract with a client, a brand, a magazine, and the like for the model's work. Because the primary purpose and activity of
PUBLIC HEARING

the modeling agencies is to obtain this employment
for their models, they should be treated as
employment agencies under New York state law,
which would subject them to that necessary
licensing and regulation. Instead, though, these
agencies call themselves management companies
creating a huge loophole through which they evade
this closer look by the government.

Further, modeling agencies in New York argue
that models are independent contractors, not
employees. Under current federal and New York
state law, independent contractors are not
afforded the same protection from sexual
harassment in the workplace as employees.
Although New York City law protects independent
contractors against sexual harassment, because of
the multilevel structure of hiring in the modeling
industry, we're concerned that the city law
generally does not apply to models either.

When a company directly hires an independent
contractor, the company can be sued for violating
the Human Rights law. However, when a client
contracts with a modeling agency to hire the model
and the modeling agency sends this model to the
PUBLIC HEARING

client, we're worried that multilevel contracting
will bar the model from bringing a claim against
the company.

There has for too long been a history of
institutional acceptance for, at a minimum,
recklessly ignoring sexual harassment by both
agencies and clients. Models should have the same
recourse as employees to sue employers. She
should have a direct mechanism for making
complaints and should be assured that courts are
willing and able to hold the agency and the client
for joint employers responsible for the abuses she
suffered. Regardless of how a model is
classified, it is imperative to maintain a safe
and fair working environment, especially
considering most of these girls are just children.

The modeling industry deserves a closer look
from government regulators. The perceived glamour
of the industry and gaps in the law should no
longer be viewed to models a safe workplace or
appropriate recourse if abuse occurs. We deserve
no less than any other segment of New York City's
workforce. Thanks. (Applause.)

MS. SWITZER: Hi. Thank you so much for
PUBLIC HEARING

having me. I'm just going to take you through some instances where I've been harassed. My name is Lauren Switzer and I have worked as a model in New York for the last six years. I'd like to share two accounts of abuse that I experienced firsthand.

Recently I booked a runway show for a famous French fashion designer in New York along with 30 other models, both men and women, who were mostly teenagers. The head of our agency, a woman, was present as well. The client had us stand in a semicircle, then ordered us to strip. We all looked at each other confused by her request. She said it again, strip. Our agent affirmed her request and said, everyone get in your underwear. As an older, more experienced model, my heart broke for the young girls in the room that might think this is normal. I was embarrassed and confused with all the males present, including the male translator, the models proceeded to take off their clothes. I was shocked and in disbelief. Once we were stripped down, she sized up the girls' bodies and commented on their problem areas in front of everyone. She went around the room
PUBLIC HEARING
pointing at the bigger breasted women and tapped their butts saying "too big, not professional."
The young girls started developing tears in their eyes. I was angry, but trying my best to remain calm and professional. Agents are meant to have our best interests at heart, but in this case, my agent was complicit. The abusive behavior — and enabling abusive behavior is demanding that you comply.

At another recent incident during a shoot, a male photographer would drop inappropriate, suggestive comments. While I was wearing a choker necklace he said, God, there's something to be said about something tied around a woman's neck. He would also say, you have the sexiest legs I've ever seen. He moaned in a sexual way every time he took a photo. I felt gross and unsafe. My fear of offending anyone was greater than the urge to defend myself in the moment. The stylist then brought out a sheer top. When I politely explained that I wasn't comfortable wearing a see-through top, both the male stylist and photographer said, I should be okay with showing my body, and that I was ruining the Chanel.
PUBLIC HEARING

Giving in to pressure on set to do any kind of nudity, be it implied or fully nude, left me feeling helpless and exposed. The photographer then asked for my number while we were still on set. I declined which led to an uncomfortable tension for the rest of the shoot. I returned home feeling ashamed and fooled. I had expected to be safe and protected and I was trying to be professional and do the job.

Having to dodge unwanted sexually charged comments and requests are routine in the modeling industry. Modeling is demanding and requires my full attention. Having to protect myself from harassment is exhausting and should not be part of my job. Most models are not treated with basic decency and respect because we are often seen as bodies. We should have laws and regulations in place protecting our rights. The perpetrators of sexual harassment and mistreatment are not punished because there are no clear rules or regulations set in place regarding sexual harassment.

It would be helpful to have models sign contracts before the job explicitly agreeing to
PUBLIC HEARING

anything involving nudity or any kind of sexual
tension beforehand so that they don't feel
pressured to spontaneous demands that make them
uncomfortable and feel powerless. Fortunately, we
have the Model Alliance, so there should be a
human resources department where that can prevent
this abuse from happening in the first place,
where we can report any misconduct that takes
place. Our agencies are supposed to be safe
havens, but in my experience, reporting harassment
to them has done nothing and only led to tension
between myself and the agency.

The modeling industry, if you think about it,
is a breeding ground for abuse and sexual
harassment. You have young girls, you have
foreign girls, you have girls that their visas are
held by their agencies, and then you have big
high-powered people. There needs to be a place
where we can go safely and complain about this
stuff, and these people need to be held at the
same -- in the same regard, in the same way
punished as any other workforce. For some reason,
the glamour of modeling gets in the way of
anything when it comes to that.
PUBLIC HEARING

There should be a place established where
models can voice their concerns and questions.
Many models get harassed and assaulted and have
nowhere to go to talk about their traumatizing
experience. Thanks for listening.

MS. TILLERY: I have a question. This could
be for you or for Sara. I was curious -- thank
you for sharing. I was curious about -- we've
mainly been talking about women, but men in the
modeling industry as well and what you're seeing
with men?

MS. SWITZER: Yeah, well, in my experience and
we'll let Sara go, too, I dated a male model and
he was proposed to do sexual favors for a very,
very prominent designer, and the designer offered
him, you know, a lifetime of success in his
career, all this stuff, and when he didn't take
it, he was -- he doesn't have a career anymore, so
that's...

MS. ZIFF: And I would just add -- thank you
for that question. So for the last six years I've
run grievance reporting service at the Model
Alliance all on a volunteer basis by the way, and
I hear from just as many men as women, not just
PUBLIC HEARING

models, photo assistants and the like, who I think will be coming forward shortly with allegations against prominent people in the industry.

But, yeah, it's -- I think it's always the men have it harder because there's a stigma when it's, you know, the abuse is coming from other men.

MS. TILLERY: Thank you.

MS. DAVIS: I just want to thank you and everyone here who has spoken from their personal experiences so far. It's very powerful and very difficult and I really appreciate it. Thank you very much for that. (Applause.)

MS. RAGHU: Good evening. My name is Maya Raghu and I am the Director of Workplace Equality at The National Women's Law Center in Washington, D.C. Thank you for holding this important hearing and for the opportunity to submit testimony.

In this critical moment of national reckoning, we need to ensure that we move beyond just responding to sexual harassment to rethinking our laws and our systems and our culture to ensure prevention through real long-lasting change. As a national legal organization that has worked for
PUBLIC HEARING

45 years to advance women’s equality, we then consider various policy initiatives to help create that change around sexual harassment. I want to highlight some of them here and there are further details in my written testimony. These initiatives would allow individual harassers accountable to promote greater transparency regarding the extent of harassment in the workplace and encourage prevention practices.

So, first, the City Human Rights Law should be amended to allow employees to hold individual harassers accountable to improve access to justice. Federal law does not permit victims to hold individual harassers, whether a supervisor, co-worker, client, or customer directly and personally accountable for sexual harassment. And if an employer chooses not to make -- take action against the harasser, the harasser may suffer no consequences for the behavior. Expanding liability to individual workplace harassers and with the City Human Rights Law, even to people without an ownership interest, supervisory authority who are not company officers would help ensure that meaningful remedies are available to
PUBLIC HEARING

victims who've experienced sexual harassment. Several states already permit victims to do this under their state antidiscrimination laws. And in fact, California made this change via statute instead of by court decision.

There's also much the Commission could do to improve transparency regarding the extent of harassment by a company. And here I want to echo an earlier speaker and say the Commission should consider making publicly available the type and number of discrimination charges filed against the company, whether the charges were dismissed or resolved, and information about the nature of the resolution such as if it was settled for a monetary amount. Such information can be made available on the Commission's website that members of the public could conduct searches by company name. What we see is that individuals often accept employment with a company without knowing discrimination and harassment are a particular problem in that workplace. And once employed, they're often reserved by employment agreements from discussing issues which really create horrible barriers to coming forward and report.
PUBLIC HEARING

So the city could also pilot a transparency initiative requiring contractors, prospective or current, to report regularly on the type and number of discrimination complaints or lawsuits and how they were resolved and there was a similar at the federal level which unfortunately has now been rolled back.

But the City Law could also prohibit the use of non-disclosure and other secrecy clauses in employment contracts. So even though it's forbidden by federal law to prohibit employees from discussing employment conditions including harassment, those are also part of employment contracts for forced arbitration clauses, for non-disparagement clauses, or requiring employees to waive their rights to discuss or report a violation of their civil rights laws.

So policy initiatives that prohibit these restrictions could really lift the veil of secrecy that helps high predatory behavior and really encourage employers to engage in preventative practices, and that is my last point. To go to Chair Malalis's opening remarks, you mentioned that businesses have been asking you about how
PUBLIC HEARING

they could do better. Well, preventing sexual harassment before it occurs should be a priority for any employer in the public or private sector. And New York state employees working for all executive branch agencies must participate in training on sexual harassment, and some states have gone further and extended that into the private sector for government contractors. So the city could institute mandatory training requirements for businesses operating in New York City or in the alternative and at a minimum, they should require that all city employees employ the city contractors with the sexual harassment training.

And finally, the Commission should develop guidelines and practices for employers to follow that they could develop and implementing training and effective policies and other prevention practices because there's a real derivative of information right now and we, and I know others, are getting calls from all kinds of employers including non-profits who want to do better but don't have the tools to do that. And someone else mentioned the EEOC task force report from last
PUBLIC HEARING

year, and I would just recommend that to you so that you can have as many recommendations about training and prevention practices that employers can use. Thank you. (Applause.)

MS. BAKST: Good evening, my name is Dina Bakst. I'm Co-Founder and Co-President of A Better Balance, and thank you so much for convening this important hearing. And to Commissioner Malalis, under your leadership, the Commission has shown extraordinary dedication to enforcing the City Human Rights Law of New York. So grateful for your leadership.

A Better Balance was founded with a goal of promoting fairness in the workplace, ensuring that women and mothers have fair and equal wages they deserve. I'm proud to work along to advance many of the pioneering to these issues of the City of Fairness Act and the City Caregiver Law to more recently History Ban Law.

I just wanted to offer a few -- I want to talk about the devastating consequences of sexual harassment can have particularly on low wage women. I know we've heard a lot of it in a very powerful form already. But at ABB, we hear every
PUBLIC HEARING

day on our free legal hotline from women, low
income women, about harassment and discrimination.
And women like our client Louisa who worked in a
kitchen in New York City making $10 an hour, and
one of her supervisors repeatedly touched and
groped her, but she never reported it because she
was afraid she would lose her job if she told
anyone. Then when Louisa became pregnant, she
asked her supervisor to stop touching her because
she did not want him to harm her baby. After
that, he began constantly ridiculing her for being
pregnant, and weeks later Louisa was fired after
she requested one day off to attend a prenatal
appointment.

Louisa's story demonstrates the multiple
interconnective forms of harassment low income
women face on the job every day and the impossible
choice they are forced to make in order to earn a
paycheck. We know Louisa's not alone. This is
widespread in all these industries that we've
heard from as well as domestic workers, restaurant
workers who are forced to rely on tip wages, tips
in order to make a living on minimum wage and the
construction industry. We've heard 88 percent of
PUBLIC HEARING

women working in construction experience sexual harassment in the workplace, a factor that contributes to women's low workforce participation just 2.6 percent nationally.

So a few key recommendations that have not already been mentioned. Businesses who receive our city and state's hard earned tax dollars should not sexually harass or discriminate against women, but we know they do. For example, women who leave construction sites, which we've just heard, say harassment is the key reason. Yet billions of dollars worth of New York City and state contracts go to construction services. We can and must do better on board and retain women in these higher paying jobs. And step one, New York should strengthen contract the non-discrimination requirements by explicitly requiring antiharassment and sex discrimination provisions including training requirements in state and city contracts. Moreover, the state or city should be permitted to terminate the contract and to bar the employer from future public contracting opportunities if the contractor has been found to be in violation. There are models
PUBLIC HEARING

from other industries and committees like the LGBQ committee, and I think that we should really, you know, use this contracting reporting tool to really, you know, get at the harassment and sex discrimination more broadly.

Again, as my colleagues have talked about expanding the City Human Rights Law to cover domestic workers, proactively investigating industries with rampant sexual harassment, fast-tracking sexual harassment complaints and working with the City Council to develop new policies to protect vulnerable employees really looking to strong antiretaliation provisions. And I do think there could be specific work to be done, like, for example, housekeepers, 49 percent of housekeepers survey -- a Chicago survey said that guests had exposed them, flashed them, and answered the door naked. And so, you know, and Chicago responded to this by just passing an ordinance that required hotel workers to provide a panic button to any worker who works alone in rooms with other employees present, but it also required -- policies encouraged reporting sexual harassment, making procedures clear. And this is
PUBLIC HEARING

interesting, allowing workers to immediately stop
working in dangerous settings and to be reassigned
to different work areas. We need to rethink what
retaliation means and affirmatively prevent and
secure the safety of working women. And just
strengthening sexual harassment training for
employees, ensuring that independent contractors
are aware of their rights, employers -- you know,
again, as my colleague Maya pointed out, you know,
in California, employers are provided -- are
required to provide two hours of mandatory sexual
harassment training to supervisors within
six months and at least every two years, and the
training must be interactive. It's not just,
like, cookie-cutter training, and include the
remedies that are available to victims, and that's
a good example.

We have a strong remedy here at the
City Commission, and workers need to know and
employers need to know what those remedies are. I
will conclude there. Thank you so much.

(Applause).

MS. KAUFMAN: Good evening. My name is
Alanna Kaufman and I'm an attorney at Emery,
PUBLIC HEARING

Celli, Brinckerhoff & Abady, a civil rights firm in Manhattan. A significant portion of my practice involves sexual harassment and gender discrimination in the workplace.

Recently the media had shed significant light on sexual harassment by high profile individuals, men with money and fame and influence. As we've heard so many times this evening, sexual harassment is not perpetuated only by people needs. Power is relative. Just as Harvey Weinstein empowered actresses and women working in Hollywood. Male supervisors in other industries have power over the women they work with every day and whose livelihoods they control.

Last month my law firm filed a sexual harassment and gender discrimination obtained by a woman named LaDonna Powell who worked for several years as a security guard for a major security company at JFK Airport. Her experience there is harrowing. As the complaint describes, LaDonna's supervisors repeatedly propositioned her for sex in exchange for a better promotion and shifts.
She was told that back in the day, she would be, quote, bent over in the security booths. She was
PUBLIC HEARING

shown videos of women pole dancing and asked if she knew how to dance like that. And she was even shown videos of her supervisors engaging in sex acts with other female employees.

The message could not have been more explicit. Have sex with a supervisor and get ahead or refuse and be retaliated against. LaDonna chose the latter. Instead of acquiescing to her supervisor's demands, she reported them to senior management and human resources. In response, her hours were cut and she was isolated and demeaned and ultimately terminated.

What happened to LaDonna is the same thing that happens to countless women every day in industries that are not bathed in media light. Male supervisors had the authority to control her career trajectory, her schedule and her livelihood, and they tried to exploit that power for sex.

Since LaDonna's complaint was filed, numerous other women from that same security company have contacted our law firm with similar stories about what happened to them. Many said that harassment by the same individual supervisors have been going
PUBLIC HEARING

on for years and nothing had changed because the women who spoke up were fired or forced to resign. It raises the question: What can be done?

Many things. First, I urge the Commission to publicly state that women may file complaints with the Commission and receive individual damages even in instances where an arbitration agreement may prevent them from filing in court. This sends the message to women and employers alike that sexual misconduct will not be shielded from the public view.

Second, I urge the Commission to issue damages awards that are commensurate with awards that women would receive if they brought their claims to court. The sends a message that the Commission is serious about this issue and it creates a strong deterrent for would-be harassers and their employers. There must be financial motivation for companies to stop harassment before it takes place.

Finally, we have to keep talking about this important issue. As I've learned from my experience representing LaDonna, the more we talk about sexual harassment, as she tells me, the more
women will feel safe coming forward. I applaud the Commission for holding this hearing and for its work on gender-based harassment in the workplace to date. Let's continue to make progress for LaDonna who is here today, and I thank her for letting us hear her story and for women like her across New York City. (Applause.)

MS. SENTENO: Good evening. Thank you for having me here tonight. My name is Marrisa Senteno and I am the enforcement program manager for the National Domestic Workers Alliance.

NDWA leads several campaigns and coalitions to advance providing for domestic workers by advocating for increased labor protections, racial justice, gender equity, and humane immigration policies. And the New York Bill of Rights includes domestic worker protection against harassment and discrimination by changing the previous law protecting workers in places of employment from four or more to one or more employees. Currently for discrimination, it still lies at four or more, but we are protected under the sexual harassment protections. It's key since previously like most domestic workers did work in
PUBLIC HEARING

a one employer, one employee situation.

So in the past three years, NDWA has worked with local affiliates to explore the following strategies and pursue a more work-related community supported enforcement process. We prioritize leadership development amongst domestic workers that prepares and utilizes them as key actors and supporting peers through enforcement processes. We work collaboratively with government agencies who share values and vision alignment and to explore how to leverage our collective resources and mechanisms to increase our capacity to bolster enforcement as a system and not just as in an instance.

And in turn, we strive to establish community-based organizations that work with domestic workers' employers who are essential to government enforcement processes. Our organization is to provide invaluable expertise and skills and there is a formal role for us beyond outreach and joining government-led efforts. They're often the first and most complete support that a worker is able to encounter when coming forward with egregious
PUBLIC HEARING

violations such as sexual harassment. And our affiliate organizations need the best support possible to provide the best care for domestic workers in order to move forward with their claims and support their needs while mitigating negative consequences as a result of filing cases.

We've had successes in collaborating with, for example, the City Division of Paid Care to produce citywide domestic worker convenings. And it's an example of places where we can continue these collaborations to help domestic workers understand what their rights are under domestic worker law and sexual -- anti sexual harassment law.

Even with these strategies in place and continued collaboration with city, state committee organizations, we're seeing that it still takes a very long time for workers to know who to turn to and who to trust. Domestic workers have a very hard time admitting that their workplace rights have been violated. They have an even harder time sharing accounts of sexual harassment, but continue living with the trauma and fear every day of their past experiences.

We're committed to complete screening of
PUBLIC HEARING

potential workplace violations that includes
sexual harassment violations in the workplace.
It's not enough for us to wait for a worker to
come forward when we can be in the practice of
asking in a culture sensitive and supportive way
of potential harassment violations. We're finding
that when some workers have decided to come
forward, they do so in relation to a different
complaint of a workplace situation. They use a
lesser offense to test the waters of how well they
can trust our support and our process. So for
domestic workers, it's almost never only a sexual
harassment claim. It's the insult that was added
to injury.

Unfortunately, while a worker has several
years, six years in New York state to file a
complaint, the statute of limitations runs out
much sooner for a sexual harassment claim. So one
year a barely enough for a worker to build the
stamina, support, and understanding of their
rights to come forward. And at that time, the
time that is required to distance themselves from
a job that can very well affect her ability to
find another job because of the culture of
PUBLIC HEARING

reference checking and domestic work, this
includes the threat of retaliation, threats to
immigration status and threats to personal safety
and we have workers who come forward several years
after the fact. This needs to change.

So domestic workers work under hypervigilance
and they know that every step they make is being
surveilled. Many workers are afraid to make phone
calls to any agency because they have a fear of
being recorded on the job. Others are held
accountable for every action they make and have
very little personal time to make phone calls and
seek information or visit a city agency or any
organization seeking help.

So there are ways that the city and state
agencies can be more accessible to domestic
workers who work long hours and odd schedules.
The thought of taking time from work is paralyzing
and in the eyes for a worker -- in the eyes of the
employer is a punishable offense. So now is the
time to act towards more aggressive enforcement of
domestic worker rights to prevent sexual
harassment in the workplace. And as an
organization where there's thousands of domestic
PUBLIC HEARING

workers in New York City, we know firsthand how important it is to listen to the voices of sexual assault especially in the national conversation around sexual harassment.

We know that the barriers to stop seeing workers coming forward really are around their lack of knowledge of their rights. Many employers do not consider their home as a workplace and thus aren't aware of their obligations under the law. And when domestic workers do know their rights, the next challenge is getting them to file a complaint with the department, with the appropriate enforcement agency in a timely manner in order to meet the statute of limitations.

We also know that there needs to be an ease of access to seek information support and support to file claims for -- with domestic workers who have little or no free time. In addition, domestic workers face a myriad of barriers that often dissuade them from filing altogether and enforcing their rights such as retaliation due to immigration status or fear of losing a job or a home if they happen to be a live-in worker. And once they file, the next challenge is navigating
PUBLIC HEARING

the adversarial process required by the
administrative agency charged with enforcing their
protections.

So as some solutions -- or policy solutions to
remedy these barriers, we'd like to ask the
administrative advocacy staff and the city and
state enforcement agencies charged with enforcing
the antidiscriminatory and harassment laws to be
trained in investigating and adjudicating domestic
worker cases in particular including alternative
investigatory strategies and minimize or curb
retaliation. For example, agencies can interview
or conduct mediations by phone in order to protect
workers from retaliation. Funding for legal aid
and advocacy organizations including the expansion
of enforcement by local and state federal agencies
that should partner with community organizations,
worker centers to identify cases. And we wait
often on what they're doing the preliminary
investigation and are helping workers to file
their claims in the first place.

Worker leaders and worker centers should be
seen as an equal partner with enforcement agencies
in investigating claims and providing worker
PUBLIC HEARING

support throughout the process. City funds could be allocated through social and housing services that must be provided for domestic workers to mitigate the negative consequences of filing claims. And I personally think that there also should be funding to help address the mental trauma that comes with having to file a claim and having had experienced sexual harassment.

That is all I have for tonight. Thank you.

(Applause.)

MR. TABLADA: We're going to take a quick three-minute bathroom break for folks, so please go ahead.

(Whereupon, a short break was taken.)

UNIDENTIFIED SPEAKER: So this is continuation Marrisa's testimony. This testimony is through an interpreter, so it'll be she and I. I'll do it in Spanish and she'll do her part.

(Speaking Spanish.)

MS. CONTRERAS: Good evening. My name is Daniela Contreras and I have been a domestic worker periodically since the age of 16. I am currently an organizer with the National Domestic
PUBLIC HEARING

Workers Alliance. Right now we are going through a very important cultural moment from the #MeToo campaign to the women who have been brave enough to come forward publicly and talk about the abuse they have suffered at the hands of people in power. Sexual harassment is not only a problem in Hollywood, it is in our entire society.

(Speaking Spanish.)

MS. CONTRERAS: In the last two years, I have had the opportunity to meet and talk with more than 500 women. I have been be able to listen to an infinity of stories of struggling women and workers. Unfortunately, most of these stories are full of pain, fear, trauma, and silence. It is the intimacy within the workplace that makes many employers take advantage of the situation. To achieve that these women share their stories requires a long process since it is not easy to get their trust.

(Speaking Spanish.)

MS. CONTRERAS: One, is an organizer takes on the role of a psychologist, mother, friend, woman, or sometimes even victims. Adding to the situation the fact that these workers suffer from
PUBLIC HEARING

racism, discrimination over their immigration
status, all of this complicates even more the
possibility of filing a complaint and obtaining
justice.

(Speaking Spanish.)

MS. CONTRERAS: While listening to their
stories of harassment, many of them, the moment
arrived for me to say that I had also been a
victim of sexual harassment in one of my first
jobs as a nanny.

(Speaking Spanish.)

MS. CONTRERAS: I was 16 years old when this
happened. One day I was in the house where I
worked when the father came home and went to take
a bath. All of a sudden I heard him calling me,
and when I went to see what he needed, he opened
the door to the bathroom and exposed himself to
me. I was embarrassed by the incident and I was
very fearful, so I took the child to another room,
but when he came out of the bathroom, he began
touching me and tried to abuse me in the presence
of the child.

(Speaking Spanish.)

MS. CONTRERAS: Fortunately, it was just in
that moment a neighbor began knocking on the door and I managed to go out running from the house. Because of fear and embarrassment, I was silent about this for many years and I have never told anyone and I tried to forget about it completely. But all of these cases that have been coming to light had made me see that this is the moment that I have been waiting for.

(Speaking Spanish.)

MS. CONTRERAS: Today I feel that I have done justice by that 16-year-old girl and for the thousands of women that are unfortunately going through all of this -- this whole situation day by day. We need more laws that protect domestic workers at the local and federal level.

There is another testimony. The person's name is Teresa Guzman who has given her testimony.

MS. GUZMAN: My name Teresa Guzman and I've been a worker -- a domestic worker for eight years. The reason why I am sharing my experience is because the voices of female workers in sectors such as ours up until today have not been part of thing conversation and the barriers to talk about this topic have been immense.
PUBLIC HEARING

I want to share an uncomfortable situation that is somewhat embarrassing for me. Some years ago, I had a case of sexual harassment. I was cleaning the apartment of a single man, a little older, and every time I went to his house, he would always be there. He would sit and he would watch me while I would work, and he would always find a way to cause his private parts to brush against my body. Sometimes he would insinuate that he would like to go to bed with me and he got to the point where he showed me a condom and asked me if I knew how to use it. I always prevented not to understand what he was saying because he was speaking English, and he would always insist on taking me home after work but I would always say no. One time I had to accept because I had an emergency at home.

The situation had gotten so uncomfortable for me that I commented on it one day to my sister about what was happening at work and my sister would give her support to my economically so that I could leave the job since I am a single mother. And I am the only form of support that my children have. When I told him that I would no longer work
PUBLIC HEARING

for him, he then became very upset. On several occasions when I would return to my home from my new job, I would find him outside of my house.

Because of the fear that I felt because of the harassment, I had to move from home. I also knew that if at some point I would need to ask for help, the possibility that I would actually receive it would be minimal since he was a police officer. It would have been my word against his. Unfortunately, I didn't know where to go for help or whom to turn to and I would walk around fearful all the time praying that I would never see him again.

I hope that my testimony serves so that these cases come to light and so that domestic workers will no longer be as vulnerable to this type of harassment. (Applause.)

MS. MALALIS: I have some questions for you or Marrisa. How often in New York City do you get reports or complaints of sexual harassment, but you're stymied by the four employee minimum?

MS. SENTENO: So for sexual harassment, I've been working on cases for the past two, year and a half, three workers have come forward with sexual
harassment claims. They were stymied by the statute of limitations in particular. And for discrimination, I've had three other workers who were stymied by the four or more limit.

MS. MALALIS: When four or more obstacle, do they file on the state division or go to court on state law?

MS. SENTENO: No. What happens mostly is they will prioritize cases -- prioritize. It's almost never just the one offense and will look for whatever is the most, like, clear-cut process for a different monetary fund usually around overtime pay stubs.

MR. ROJAS: Good evening. I would like to thank the commission for having my colleague Electra Yourke and myself be here today from the Equal Employment Opportunity Commission. My name is Michael Rojas and I'm in charge of outreach and education for the EEOC New York District.

Though this topic dominates headlines, it's not news to the EEOC or to the uncounted millions of women who have experienced harassment. Under the leadership of Congresswoman Norton, the EEOC issued the first guidelines on sexual harassment
in 1980. And in 1986, the Supreme Court declared that workplace sexual harassment violates Title VII of the Civil Rights Act of 1964.

In the years since, the EEOC has received charges of sexual harassment across all industries and job categories from the agricultural fields to the retail establishments to the boardrooms. The headlines scream of harassment by high-profile celebrities, but we investigate on behalf of the everyday white collar and blue collar victims whose stories are not heard and sometimes not told.

Nearly one-third of charges filed by women invoke some type of harassment and about 14 percent specify sexual harassment. We know well that this figure does not represent the full extent of these violations and does not include sexual harassment reported by males. Studies show that sexual harassment is unreported -- is highly unreported.

More specifically, through the EEOC's select task force on harassment in the workplace report that was talked about earlier today which was a 15-month study that was created -- that was
highlighted through our -- two of our commissioners and our acting chair. It reported earlier this year that 40 percent of women interviewed through this study said that they experienced some type of unwanted sexual attention or sexual coercion. Yet only 6 to 13 percent of individuals who experienced harassment filed a formal complaint. Why? Our report identifies specific risk factors for sexual harassment including cultural language differences, young workforces, companies that protect high value employees, and reflect significant power disparities. Victims fear termination, loss of promotion, retaliation, or worse, including further physical or emotional abuse and that these events go unreported and unpunished.

So what can be done? Aside from the obvious legal and moral issues, there's a compelling business case for stopping and preventing sexual harassment. Not just the cost of settlements, but the loss of productivity due to low employee morale, distorted and negative employee relationships and high turnover.

What else must be done? Correction must start
at the top. Whether it's a large corporation or a small office or retail outlet, it has to start from the top. Employees must know that their complaints will be heard and acted upon, which is important for employers to do. What our office designs a remedy for finding of sexual harassment, we require the adoption of a complaint process with monitoring requiring management to accept its responsibility for maintaining a lawful workplace. We require the training to be tailored to the specific workplace be interactive and maximize staff engagement. We also added a bystander intervention training to be included.

The EEOC has developed these new training programs and are already delivering them to employers. Currently we already have training set with several New York City agencies as well. Train over a thousand employees over the next couple of months.

We hope that our efforts will contribute to this tragically delayed public response to this epidemic of sexual harassment. Thank you.

(Applause.)

MS. SPROTZER: Good evening. My name is
PUBLIC HEARING

Elizabeth Sprotzer. I'm a staff attorney on the workplace justice legal team at Make The Road New York. Thank you so much for the opportunity to share this testimony regarding sexual harassment in the workplace and the critical importance of the city working to address the issue. Make The Road New York is a non-profit community-based membership organization with over 22,000 low income members dedicated to building the tower of Latino and working class communities.

Our workplace justice team represents hundreds of low wage immigrant workers each year to enforce their rights under labor and employment laws. We routinely represent workers in sexual harassment cases, but we only know the stories of women who have overcome many obstacles to share their stories. You can only imagine the extent of the unreported abuse.

It is critical, as many have said today, that the stories of low income, immigrant, and undocumented women who work behind the shadows, in the back of restaurants, retail, factories, homes, and actually make this city run are heard. And that we recognize the unique set of risks that
PUBLIC HEARING

they face in coming forward to report abuse.

Approximately 3.3 million New York City residents are foreign born immigrants comprising nearly 40 percent of the city's population.

52.8 percent of the foreign born population in New York is comprised of women. Immigrant women in low wage industries like restaurant services, manufacturing, domestic work, retail, clothing, and cleaning face many levels of abusive working conditions which go beyond sexual harassment including low pay, unsafe working conditions, and sexual harassment and abuse by their supervisors and co-workers, but few women come forward to report it.

As others have cited, a 2016 EEOC report states that approximately 90 percent of victims of harassment in the U.S. report never taking formal action against their employer. Typically our clients -- and that statistic counts the workplaces that actually have procedures and policies in place for reporting harassment.

Typically our clients' workplaces do not have antidiscrimination policies or formal procedures for reporting sexual harassment. Employers
PUBLIC HEARING

typically tell me, we tell everyone in the first
day to treat each other with respect. That's the
extent of the policies they have. Furthermore,
imigrant women in low wage jobs face additional
obstacles in coming forward to expose abuse
including limited job opportunities, language
barriers, lack of access to information, fear of
retaliation regarding their immigration status.

It's not uncommon for employers to retaliate
and threaten workers' job security, wages, and
deportation if they come forward. We've also seen
several cases by employers' attorneys have been
embolden and raised our clients' immigration
status in an attempt to intimidate them against
moving forward with their case.

One of our members, Maria, was subjected to
severe sexual harassment by her supervisor at her
retail job, which included repeated touching,
aggressive sexual advances, offensive comments,
and threats. Her supervisor would routinely
corner her in a private area of the store where
she worked and forcibly touch her despite her
repeatedly telling him to stop. He reminded her
that the owner was on his side and no one would
PUBLIC HEARING

believe her if she spoke up. He threatened her
that he would call Immigration.

Maria was still working for this employer when
she first came into our office. She told us she
needed a job to support her family, but she prayed
that her supervisor would stop. She was terrified
about what he would do if she complained, and she
did not even know who to complain to or even know
that this was against the law. Her employer had
no antiharassment policy or complaint procedure in
place. Eventually the supervisor fired Maria
after she continued to refuse his advances.

Subsequently another employee, the woman --
that another employee had suffered similar abuse
under this supervisor and that this employee did,
in fact, complain about the harassment to higher
management. Unfortunately, just as the supervisor
warned her, management did nothing to investigate
the employee's claims. She, too, was fired and
left unemployed for months as a single mother.

I just want to point out that low income
immigrant women also face additional hurdles to
being taken seriously when they come forward.

We've seen multiple women who reported incidents
PUBLIC HEARING

of sexual harassment to the police but found the police and the prosecution to doubt and devalue their experience and failed to move cases forward.

Transgender women of color face additional marginalization. One of our clients, Nadia, was working as a dish washer when she was transitioning. After she told her supervisor, he started to grope her and corner her. Nadia thought she had no alternative but to stay working in the restaurant because no one would hire her because of her gender identity. Our legal team was able to represent her and her claims and secure a union certification from the New York City Commission on Human Rights based on the abuse suffered.

We commend with the Commission for all it's doing to protect the rights of workers across this city and to enforce the great laws that are in place. We urge the Commission to expand coverage to domestic workers in private homes who are especially vulnerable and also to continue to expand outreach, education, and enforcement efforts to low wage workers in the communities of which they live. Thank you. (Applause.)
PUBLIC HEARING

MS. VARELA: Good evening. My name is Nathalia Varela. I work for Latino Justice as an attorney. National Civil Rights Organization engage in advocacy and impact litigation. On behalf of the Latino community, I would like to thank you for the opportunity to address you today on the important issue of sexual harassment in the workplace. In particular, how Latinas, immigrant women, low wage workers face unreported, unwanted sexual harassment, assault, various forms of gender-based discrimination throughout New York City.

As many people have pointed out today, immigrant women are particularly vulnerable, so I don't want to repeat too much of what -- especially what has just been said. However, I would like to share some examples with you as well, which is despite -- but also let you know that despite the passage of domestic workers civil right in 2010, we have repeatedly seen domestic workers complain to us of wage theft, no overtime pay, no days off, a week, despite being entitled to one week -- one week under the amended law. Minimal to no sick or vacation leave and of course
PUBLIC HEARING

being exposed to sexual harassment. We are concerned that the hard fought amendment of the Human Rights Law as well as the Labor Law as well as the Bill of Rights are not being used as often as they could be to protect domestic workers from abuse.

For example, one of our clients is a domestic worker based in Queens who worked for nearly seven years as a part-time live-in nanny and housekeeper for a family, caring for the children and the house. She was forced to sleep in tight quarters and often in the children's room tending to them all hours of the night. She experienced nearly daily harassment by her employer, the mother of the children, who would call her insulting names and use vulgar language to speak to her. She gave her sexually elicit gifts that were demeaning and offensive and made sexually laced comments or accusations. With no one to turn to, no one to complain to, and particularly no time outside of the house and away from her employer in addition to her own financial responsibilities to her family, she felt forced to put up with the sexual harassment and she never
PUBLIC HEARING

would have ordinarily accepted.

Other clients have come forward with similar stories of working in factories or restaurants where they've been exposed to supervisors who made sexually explicit or made comments to them on a daily basis. All are low wage Latina immigrant workers who work long hours in often hostile conditions. All are low wage Latina immigrant workers. And one client was pulled into a corner by a supervisor who claimed he wanted to speak to her about giving her a promotion. When he made illegal, sexual, and intimate propositions that were turned down, he retaliated by changing her work schedule which made it impossible for her to tend to her family obligations, like picking her kids up from school. This retaliatory act was ironically used as an excuse by the employer as how they responded to her complaint as an attempt to separate her from the supervisor by punishing her while leaving him with the same salary, title, schedule, and access to other employees.

We're concerned about our immigrant workers because a current anti-immigrant client -- climate where employers use a worker's immigration status
PUBLIC HEARING

as both a sword and a shield. Employers feel boldly to discriminate openly against workers by harassing them, making comments, withholding wages, or subjecting them to unsafe or unhealthy workplaces all while reminding them that they should be grateful.

When workers speak up or exert their rights, employers retaliate by threatening to call immigration officials where they could face deportation proceedings. Because of the kind of deep fear that many immigrants, including many of our clients, currently feel, they hesitate to assert their rights and challenge sexual harassment and abuse.

I would like to skip to our suggestions, which is to encourage training on how to work with immigrant workers and looking at the very small details as to how sensitive to give your address, your information, and these people who are investigating who are doing the intakes understanding that and thinking about it throughout the process of the investigation. It's very simple. They fill out these forms and then it gets handed over to the employer and they never
PUBLIC HEARING

had their home address before. It subjects their entire family to potential retaliation.

In addition to that, developing social service works for -- or social services for these workers. Once they come forward, it's important because a lot of these people don't have medical insurance and they have no other way of healing. But additionally, it also serves for the purposes of litigation because usually when you get an injury, the only way to improve injury is to have some sort of documentation of what has happened to you.

Third is coordinating with other agencies to enforcement of antiretaliation laws. The New York Labor Law has tons of antiretaliation laws, and being able to coordinate. Often when you have workers come to speak with us, it's not just, you know, sexual harassment actually comes afterwards. It's usually I still haven't received my wages. So figuring out some sort of collaboration about how to coordinate retaliation laws would be wonderful.

Also, holding info sessions in immigrant communities. And finally, it's very hard to try to convince people to bring litigation or to
PUBLIC HEARING

exercise their rights knowing what's going on in the courthouses right now. We encourage you to please speak up about how this affects your work and how it affects our work. You have powerful voices. We are a force to be reckoned with and we really would appreciate your support in providing some security in getting these immigrant workers into the courthouse. Thank you so much.

(Applause.)

MS BERGER: Hi, good evening. My name is Laura Berger, and I'm an attorney at the Immigrant Justice Project at the City Bar Justice Center. The City Bar Justice Center is a non-profit legal services arm of the New York City Bar Association and our mission is to address the justice gap in New York City, and we draw upon our relationship with the private bar to leverage pro bono legal services on behalf of low income New Yorkers. I'm also a member of the City Bar Association on the Law Committee. Through policy reports and programming, our committee addresses issues pertaining to gender and the law and ways to reduce barriers to gender equity in healthcare for work based on civic life.
PUBLIC HEARING

I'd like to thank the Commission for drawing attention to the important issue of sexual harassment in the workplace. Earlier this year, the City Bar Justice Center created an antiharassment and discrimination project in response to the increase in discriminatory harassment against minorities in the city following the 2016 elections. Our legal hotline has seen an uptick in calls concerning discriminatory or sexual harassment based on gender, and our callers are often referred to the Commission or pro bono counsel in order to fully explore their legal rights.

As the previous two speakers mentioned, immigrants are especially vulnerable to harassment and abuse in the workplace. Many of my low income immigrant clients have faced sexual harassment, and the behavior they face from employers and managers runs the gamut from sexual proposition and unwanted touch to rape.

The facet of the issue that I wanted to draw your attention to tonight is how immigrants who experience sexual harassment may be eligible for U nonimmigrant status. U nonimmigrant status is
PUBLIC HEARING

for victims of serious crimes and requires
certification of law enforcement or agencies that
have investigated authority over criminal acts,
and these qualifying crimes can include abusive
sexual contact, sexual assault, and rape, all of
this may occur in workplace sexual assault cases.
And in addition, where the perpetrator tries to
prevent the victim from reporting the sexual
harassment, they may be committing witness
tampering or obstruction of justice which also
qualifies them to request U visa status.

As one example, a client of mine worked in a
restaurant where her boss made many excuses to
touch her sexually and made overt sexual comments
to her. When other male employees saw this, they
also took that as a license to sexually harass
her. And after one employee threatened to rape
her after work, she said she would call 911 and he
threatened to stab her if she did. She decided to
quit her job to prioritize her safety and made a
report to the, at that time, the State Division of
Human Rights and I was able to advocate on her
behalf and obtain a U nonimmigrant status
certification for her so she could apply for a
PUBLIC HEARING

U visa.

I know that the City Commission on Human Rights already issues these certifications and we are very thankful, but many immigrants living in New York City are not aware of this immigration remedy and fear reporting sexual harassment because of the employment consequences as well as the fear of their immigration status being exposed, so we would like to applaud the Commission for all the work you've done to promote your U certification policy and in this era of increased immigration enforcement, we urge the Commission to ramp up efforts to raise awareness of this process and to share immigration -- or information in multiple languages to immigrant communities so that everyone, regardless of immigration status, can make a complaint to the Commission and feel safe doing so.

Thank you so much for your time today and your interest on this important and timely issue.

(Applause.)

MS. PASARELL: Good evening. Thank you for the opportunity to provide a comment on behalf of Hollaback. I'm Rita Pasarell, Hollaback's Vice
PUBLIC HEARING

Chairperson, and on a personal note, I'm a former employee of former New York State Lopez who resigned in 2012 following multiple reports of sexual harassment by staff members.

Hollaback is a global movement to end harassment and share equal access of the public space. Also, we're a story sharing board, so I want to thank everybody who was here tonight to share their stories and testimonies.

The board was created to end harassment and we've expanded to address all forms of public space harassment including online bullying. Many times this harassment is targeted by perceived identity, often gender. Public space harassment is an essential consideration for workplace sexual harassment.

First, most of us commute through public space to get to work and what happens in public space can impact the workplace.

Second, while at work, we may still be accessing public space, whether it's the physical public space or online public space of the internet.

Third, separate traumas may compound each
PUBLIC HEARING

other. Street harassment can be repeat trauma in
the workspace commute causing employees to arrive
to their jobs feeling anxious and distracted.
Personally commutes I've been groped and seeing
subway masturbators.

In 2012, Hollaback and the Worker Institute at
Cornell partnered for a study of street harassment
experiences. Reported emotional responses include
anger, fear, helplessness, and PTSD. This can
affect employees overall well-being impacting
punctuality, dependence, productivity, and
healthcare costs.

Street harassment can impact any subsequent
workplace sexual harassment by effecting workplace
response or willingness to report to workplace
harassment. Online harassment is also very
important to the discussion. For many people,
online work is professionally required, for
example, jobs for writers or in media. Online
harassment also causes emotional trauma and it
disproportionately targets women discouraging
women from writing and earning a living online.
This excludes women from professional activities
online. Women writers, especially women of color,
PUBLIC HEARING

are giving up writing online as a result. A recent pole of Time writers found that half the women on staff had considered quitting journalism because of the hatred they faced online, although none of men had. Hollaback has developed a set of open source resources for civil society organizations to better protect, to better staff online harassment.

Another important consideration that many of the other speakers have mentioned is the role of the bystander for two reasons. Witnessing harassment can cause the bystander their own trauma, but also bystanders can have some important, helpful effects on someone who's being harassed by bystander intervention.

In service industries such as hospitality or restaurant work, sexual harassment numbers are reported as particularly high, so the bystander trauma and intervention may be especially important. It's also important to note that an inactive bystander tends to increase trauma. So for that reason, employers should train their staff on bystander intervention.

So a few policy suggestions just to summarize.
I mentioned a few of them. Number one is to research the impact of street harassment and online harassment on employees' retention, turnover, productivity, and the direct link between workplace harassment. And also training for employers on how street harassment and online harassment impact their employee jobs including bystander intervention. And finally, the previous speaker had mentioned 311, 911, reports on what to do when they're getting these reports, so additional training there would be helpful as well. Thank you. (Applause.)

MS. SALAS: So you mentioned this research on street harassment experiences. Did you publish a report on this?

MS. PASARELL: There are several reports. We have two with the Worker Institute at Cornell from 2012. The titles of those are Experience of Being Targets of Street Harassment in New York City, Preliminary Findings. You'll see it. You have the testimony, it's Footnote 3. And then there's also another one that is When Street Harassment Comes Indoors, A Sample of New York City Service Agency and Union Responses to Street Harassment,
PUBLIC HEARING

also 2012, and that looks like it's Footnote 5 for the first time. Thank you.

MS. NEUFELD: Good evening. Thank you so much for the opportunity to testify today on sexual harassment in the workplace. You all are hearing and learning so much, but everyone in the audience is also. It's really very powerful to hear the stories from different sectors particularly and to see the intersection. I think we're all trying to find the intersections between these issues and this work. I think you'll know that's what I represent.

I'm Bev Neufeld, founder and President of PowHer New York. We're a nonpartisan group. We're 100 organizations working collectively to advance women's economic equality. We work on multiple issues and we are very dedicated to workplace fairness, domestic violence, sexual harassment, reproductive rights. We see the intersection of all those things.

Many of our partners spoke already today, and so I will not repeat any of the things that they said. And so, therefore, half the testimony is left which is may be something that you're
PUBLIC HEARING

welcoming. Be not surprised that I want to talk about equal pay, because I think you'll all know that that's an area that PowHer New York has been leading on. And as we have been studying this hearing so much, all the information that's coming out, other stories, for me and for many of us, we're saying, what is the emotional impact of this work of what's happened to people? 20 years later, 30 years later people still suffer. What we don't have a lot of information on is what is the financial impact? And so there is not a lot of information on that. There's not a lot of hard data. There's a lot of anecdotal information. I think I might be able to share a few things with you.

I do want to mention that PowHer looks for concrete solutions. So we worked on the transparency issue in New York state. We just celebrated the passage of the New York City salary history ban, and if anything proves that we needed that, I think today's hearing does prove that women have been suffering from many causes of wage and equity, but I don't think we always consider sexual harassment as being one of the essential
PUBLIC HEARING

causes. So as we look for, in the future, for solutions to the wage gap, we will definitely focus more on the arguments around sexual harassment and the understanding, and even when we tell companies you want to do better, you need to look at your sexual harassment rules.

I think I can just add to the fact that occupational segregation is definitely one of the ways we try to cause the wage gap. But how discouraging is it to hear the testimony today that I would have given you stats on, but instead we got stories on the construction industry, on STEM. We are pushing our girls to go into the STEM fields, and yet these are hostile and dangerous environments.

I think I can also add maybe a little bit to that by a New Yorker Magazine article just a few days ago talks about 20 senior level women in technology. It's called The Elephant in The Valley. 60 percent reported unwanted sexual advances in the workplace. A large majority of those advances were from superiors. A third of them said that they worried about their personal safety. And almost 40 percent said that they did
PUBLIC HEARING

not report the incident because of fear of
retaliation. This is the world we're preparing
women to enter, and so how important is it for us
to comp out that?

We've talked about many of the things we don't
need to continue in the tech field. I do have to
say we do have proof or knowledge that 50 percent
of the women in STEM who have had these
experiences leave the field. So think about the
trajectory of someone's career, and what happens
to, you know, their future economically and how is
that translated into the career paths?

I don't think today we've talked enough about
restaurant workers. And so in the testimony,
there are stats that are offered from Rock United
and Rock New York, and I have to say that they're
shocking. 80 percent of New York tipped
restaurant employees experience unwanted sexual
behavior in the workplace. 45 percent report say
it's a co-worker. The restaurant industry
accounts for 7 percent of working women and
37 percent of sexual harassment cases. And when
you consider that women cannot change their shifts
because the night shifts are the good shifts,
PUBLIC HEARING

that's where you get the best tips. That's why power is supporting the One Fair Wage Campaign so that every shift is going to be a well-paid fair shift. And I don't know what the city can do about that to forward that -- we have good feeling from the state this may happen.

So the real life outcome of all of this is that people quit their jobs rather than working. They seek new employment without the benefits of references. They have periods of no work. When we talked about the salary history, it's like how do you explain that you didn't work for a period of time? How can you say that you had sexual harassment issues? And so we're in this #MeToo moment.

And I just want to share that the Federal Government in the '80s and then again in the '90s calculated the cost for the Federal Government that their cost of sexual harassment, they came up with the whopping number of $327 million in costs over a two-year period. This is in the '90s and they haven't recalculated. Things are better. So I guess I wonder how's New York City doing? How much is this costing New York City? That
PUBLIC HEARING

includes sick leave, job turnover, productivity losses. So I encourage you to help the city have a #WeToo response. That means we're part of the problem, but we're also part of the solution. We will be models for other companies and, you know, for the public sector.

We applaud what you're doing. We're here to support you, the PowHer network. We'll do everything we can to promote any of the recommendations. Certainly the contractor reporting is some ways that we've been working through some of the problems with equal pay and I think that is a very good option for New York City.

Thank you very much for letting us all talk tonight. It's so important for us to share this information to see how we really are working, sometimes in separate silos, but really on the same issues. Thank you very much. (Applause.)

MS. WAGNER: It's an honor and privilege to be in this room both to witness and participate in this historic hearing. I want to just give a shout out to those staff who organized the order of the testimony because I feel like I have such a
PUBLIC HEARING

rich and vital contents in which to make my remarks.

My name's KC Wagner and I'm from the Worker Institute at Cornell. I appreciate not only this opportunity to be part of this historic moment, but with a special appreciation to Eleanor Holmes Norton who was my north star in 1980. In my early days of the movement as a community organizer and counseling director at the Working Women's Institute.

As the School of Industrial and Labor Relations at Cornell in New York City, we have an opportunity to work with unions, worker centers, and employers. I'm going to talk very specifically about three models that I have done work with in relation to unions role in leveraging their power and their unique opportunity when they partner with employers.

One example is an immigrant-led service acting union that leveraged its role as an employer to create a respectful and equitable workplace run by union values. The second is a construction union that bargained with the Industry Employer Association for required training for supervisory
PUBLIC HEARING

staff on inclusion and diversity. And the third
is a joint labor management work family committee
that launched a program to engage men and women
and allies on the issue of domestic violence as a
union issue.

In the first example, the top leadership made
a three-year commitment to this training program
with an allocation of these sources for staff time
and train the trainers model and a commitment to
union wide implementation of over 300 staff and
then subsequent training of their members who
clean our office buildings at night and greet us
at the door of our building.

The leadership has the courage to allow the
Worker Institute to conduct a staff-wide
educational needs assessment audit which enabled
us to get a witness test of the priority issues of
the staff giving the staff a voice in the creation
of this training and education program. And what
was really remarkable for me about this was
identify what they constituted the scope of
inappropriate workplace behaviors, what skill
building they wanted in the training? What did
they want to learn? What did they want their
PUBLIC HEARING

co-workers to learn? What did they want
management to learn? What did they want elected
officers to learn? So it was a really good
assessment of what would be meaningful in a
training program to them.

And then finally, an organization of cultural
climate. So we all heard about the fact of
retaliation and the fear of speaking out and all
the options to address and resolve issues. And so
I wanted to find out when you were dealing with a
co-worker, what options and strategies did you
feel were available to you? When it was a power
dynamic, what options and strategies were
available to you? And we designed and tested a
series of pilot trainings, trained 15 designated
staff that came from the union campaigns and other
leadership positions within the organization and
trainers who would then implement this world --
program union-wide. And then this model created
sustained leadership group to integrate this into
Wachodemia (phonetic). It wasn't a one off. It
was a three-hour training that was done. It was
integrated in the life of the union.

The second was a collective bargaining
agreement that was made between the
construction -- a particular construction union
and the industry employer for a mandatory six-hour
diversity inclusion training for all their
forepersons and superintendents in order for them
to get a certification as a supervisor. In
order -- just like Rita was talking about, just
like the certification that you need to sustain --
I know my time is up, so I won't go into that in a
lot of detail. But it was collectively bargained
and mandated as we did a series of trainings,
frankly, that looked at issues implicit by and
allied behavior and using that to hold peers
accountable and then leveraging that power within
their role as forepersons in safety trainings
raising it at the shop floor at the construction
site consistently just like they do safety and
health.

And finally, a joint labor management
collaboration that launched a workplace fairness
and prevention program on domestic violence that
the union workplace issue in a predominantly male
work group looking at issues of male privilege,
power, linking domestic violence and sexual
PUBLIC HEARING

harassment, heterosexism, homophobia, bullying,
workplace violence, norms of toxic masculinity and
violence that allied upstandard behavior. We
reached over 1,500 employees and 125 managers on
work time that was negotiated through a safety and
health collective bargaining agreement. So it was
on the employer's dime. And finally at the end of
the program, which was overwhelmingly male,
5 percent women, in a traditional male work
environment, 97 percent of the men polled said
that they would be more willing to talk with other
men about their role to stop violence against
women, and 99 percent of the men polled said that
they would be more willing to take a leadership
role to stop violence against women.

So engaging allied behavior, empowering women,
but having a workplace that makes this possible
thank you. (Applause.)

MS. LUSHER: Good evening. My name is LaDonna
Lusher. I'm a partner at Virginia & Ambinder.
We're a law firm in New York City that represents
workers that have been discriminated against,
derpaid, and sexually harassed. My firm has
counseled numerous employees that have suffered
PUBLIC HEARING

egregious forms of sexual harassment by their supervisor as well as their co-workers. We have counseled employees that have seen -- been shown pornographic pictures, that had cell phones stuck under bathroom stalls where photos were taken of them in their privacy. Individuals have been groped and grabbed and individuals that have been intimidated into having sex with their superiors. And while we've spoken with employees that -- in all types of industries that have experienced this harassment, I'm going to focus on tech and finance industries tonight because we counsel employees in those areas recently and I thought that that's something that I could speak to the Commission on.

One of the things that counseling these employees is that a lot of times they're given assignments on a temporary basis before they become permanent employees which makes them particularly vulnerable to harassment. There are savvy harassers that will target these employees because they know that they're dependent on getting favorable reviews before they get permanent offers of employment. One such employee that we counseled worked for a prominent bank,
PUBLIC HEARING

analyst, and she was assigned to a supervisor who consistently harassed her throughout her employment. He used her status as a temporary employee to take advantage of her.

First, he started out demanding that she accompany him to lunches and dinners, then telling her later that he needed more from her in order to renew her contract. He would grab her breasts, her buttocks when she was alone in her cubicle. He consistently made degrading comments to her about her wardrobe and about the appearance of other women in the office, and he eventually demanded she have sex with him. She gave in to his advances eventually and tolerated this abuse for years because she was fearful that she would lose her job. While this employee finally decided to complain to other superiors of the bank, they dismissed her comments and simply responded that they knew that he acted inappropriately sometimes.

This leads to another issue that I believe that temporary employees face and that their complaints are often not taken seriously as permanent employees. Companies know that they can terminate the contract of these employees and
PUBLIC HEARING

think that they won't be coming back to work there. Alternatively, sometimes the company's response is to transfer the supervisor to another department thinking that this individual isn't going to prey on other employees. That's where I would echo the testimony of other individuals here that talk about mandatory training, that that can go a long way, particularly when companies think and use it as a defense often in litigation that this person, well, we've moved him to a different department.

Another area of concern for many tech and finance employees is that they have temporary authorization to work in the United States. And they're, again, fearful that if they were to complain, that that authorization may get revoked or they won't get their employment renewed. So, again, I would echo testimony that you already heard tonight that the statute of limitations should be increased for these employees to make complaints and for all employees. It takes a lot of courage for employees to get up and decide to complaint, and it may take them longer than a year to be able to get that courage. And temporary
PUBLIC HEARING

employees can often get a permanent job status
later on that then they may feel more secure in
their employment and that a longer statute of
limitations may allow them to then file a
complaint.

Finally, I will just address another area that
was raised briefly, but that's arbitration
agreements. More and more as my firm counsels
employees, we see arbitration agreements just for
daily workplace spaces. And arbitration is
important to realize in sexual harassment context
because part of the whole #MeToo is that
everyone's getting out and telling their stories
and it's bringing these issues to light, and
obviously the Commission is meeting tonight
because there have been so many stories in the
news lately.

For some of those forced to get a private
arbitration, their claims are heard by a mediator
and they're not heard in public and open court.
And there are often rules that they can't speak
about what happens particularly if a settlement is
breached. By having mandatory arbitration, it
prevents these stories from being heard, and the
PUBLIC HEARING

harassers know that the company has just paid off the employee and that they aren't subject to any kind of retaliation basically.

The thing that we would suggest as far as the mandatory arbitration agreement is that the city could refuse to do work with contractors who have mandatory arbitration agreements with their employees or they could also make it mandatory that sexual harassment complaints are exempt from arbitration, that these employees could then file their claims in court and that these issues could be addressed on a more public basis.

These are the suggestions that we have.

Again, I'd like to thank the Commission for this. I want to say on a personal note that my firm appreciates the work that the Commission does and that when a client comes into our office that has performed the work in New York City and when they have some type of claim, we know that New York City has the strongest, most liberal laws in the country, and we can evaluate that claim on a different level than we can from someone else that comes in from another area of the country and we appreciate the work that you do. Thank you.
PUBLIC HEARING

(Applause.)

MS. NANAU: Good evening. My name is Daniela Nanau. I'm a longtime Queens resident and for the last 15 years I've worked as an employment and civil rights lawyer. I now have a solo practice located in Central Queens, and I appreciate the opportunity to address you here this evening.

Throughout my career, I've represented many, many women who have been subjected to sexual harassment and other types of gender related mistreatment in the workplace, and my clients have come from all walks of life and have worked in every kind of profession imaginable. But I wanted to focus my remarks today before the Commission on some things that we have not heard this evening which are some of the significant challenges that I've observed women in tech and finance, which are two of our most important sectors in our economy face.

As opposed to workers in other sectors, people who work in tech and finance are generally better educated, more highly compensated, they spend many, many years and many hundreds of thousands of
PUBLIC HEARING

dollars preparing for those high-power jobs that
they hope they're going to one day get. But
according to an excellent report that came out
from the U.S. Equal Opportunity Commission last
year, women in high-tech only make up 30 percent
of the workforce and occupy only 20 percent of
executive positions in that sector to date. In
financial services, women comprise a larger
portion of the workforce, approximately
48 percent, but there's still a significant lack
of women leaders on top. A recent Harvard
business review reported that only 20 percent of
women occupy executive committee chairs, only
22 percent of women are in board seats, and only
12 percent of chief executive officers of large
financial firms are women in the United States
today.

Based on my experience representing women in
high-tech and finance, I believe that this gender
imbalance, particularly among those people in
power in these industries, allow discriminatory
conduct in the workplace to thrive unchecked.
Sometimes that happens passively, sometimes more
actively, that discriminatory conduct is condoned.
PUBLIC HEARING

But what I've observed is that regardless of how
intrenched sexual harassment and other
discriminatory practices are in the workplace,
when a woman comes forward in tech or in finance
and she sticks out her neck and complains, she
usually will pay a high price because retaliation
is generally swift and certain. In banks, the
boom-boom rooms of the '80s and the '90s still
exist. They're just a little bit more hidden.
I recently resolved a case that actually I didn't
even want to settle because the facts of that case
were so good and so stereotypical that I really
wanted to try the case to educate the public on
what's still going on in banks.

My client was a young lawyer, fresh out of
school, it was her first professional job and she
was the star of the department. She got all this
extra training and attention and her supervisor
told her that she want -- that he wanted to be her
mentor and nurture her and groom her, but actually
the type of grooming that he had in mind was very
different. When he went to take her out to
dinner, to celebrate the end of the year and their
projects. He plied her with many alcoholic drinks
and at some point he promised that he wanted to share with her confidential bonus information, but they needed to go to his hotel room to do it. And she was so shocked but so trusting of this person who had been like a father to her that she went and he gave her another drink and she suspected by the taste that it might have something in it, that he had actually Roofied her and then he tried to sexually assault her, and she put all this together because she is a brilliant woman in a matter of seconds and ran out of the room and collapsed in front of the hotel room in the street.

Subsequently, she went to work, took her two days to think about it, reported the conduct, nothing happened to him, but she went from a rising star to persona non grata and she was out. This is a typical story. And that's why I wanted to try that case and that's why it resolved for 100 percent of its value. This happens all the time. It happens in tech, too. Evelyn Powell, she is the patron saint of this for women in tech. She is the example that they look to when they think about coming forward with their complaints,
PUBLIC HEARING

and I think that while some women in tech have
come forward like Susan Fowler who is being
irresponsible for the termination of the CEO of
Uber and 20 other people being dismissed, and
Silicon Valley entrepreneurs have gathered
together to call out sexual predators (inaudible)
firms.

It's still a very intrenched problem, and I
think more so in tech and finance because people
invest a tremendous amount of time and energy to
get to a place in their professional lives and
it's very difficult for them to just leave which
is ultimately what they have to do when they
complain. Thank you so much. (Applause.)

MS. ESCOBOSA: Good evening. My name is
Leslie Escobosa and I am the training coordinator
at the Restaurant Opportunity Center of New York,
a chapter of the Restaurant Opportunity Center
United. For the past 16 years, ROC has advocated
for better wages and working conditions for the
11 million plus restaurant workers in our nation,
more than 200,000 of whom live and work in New
York City. Our industry is one of the largest
and fastest growing sectors and a powerful engine
PUBLIC HEARING

for the country's economy.

Although it is fast paced, exciting, and
diverse industry with a predominantly female
workforce, these women's employment is
concentrated in low wage of the forefront of the
house position. Sadly, these women are subject to
some of the highest rates of sexual harassment on
the job of any sector as reported annually to the
Equal Employment Opportunity Commission. This
harassment can come from customers, managers, and
even co-workers.

As a former restaurant worker myself, I can
attest to the various forms of this behavior which
can range from a policy as innocent as requiring a
sexy uniform to being expected to put up with the
unwanted flirtation and advances from managers and
customers for the promise of better or more
frequent shifts or higher tips. This can even
escalate to unwanted comments, touching, and
worse. Long before there was a #MeToo moment
being discussed in the media, ROC has been
documented the plight of restaurant workers being
subject to sexual harassment.

Our 2014 report calls the -- the glass floor
PUBLIC HEARING

explores this issue in details. Most of us have heard the term glass ceiling which describes difficulties for women to climb the professional ladder for better positions. However, ROC report demonstrates that standing on the floor itself has become insecure and stable and horrible for women because of sexual harassment. Women in the restaurant industry stand on the glass floor day after day, a brittle and secure surface that exposes them to sexual harassment for economic survival.

A quote from our report reads: A restaurant job is often the first job a young women obtains whether she stays in the industry her whole life or moves on to another career. Countless young women start out as early as high school working part-time positions as server, busers, hostesses, and runners in the restaurant industry that are notorious for low pay along with sexual harassment.

ROC has been working with Futures Without Violence, Connects New York, and others to develop trainings and resources for managers and restaurant workers to create a zero tolerance
PUBLIC HEARING

policy in their restaurants. ROC New York urges for the passage of One Fair Wage legislations who pay this predominantly female workforce fairly and address the disgusting practice of sexual harassment.

In my current position, ROC New York's training programs, I have to prepare future restaurant workers for the world of work. I look forward to the day when the new generations can be introduced to a workplace that is free of sexual harassment and not think that this behavior is a right of passage for an occupational hazard to be experienced if you want to get ahead.

I thank the Commissioner and the Commission on Human Rights of NYC for giving us the opportunity to speak on behalf of our membership and many others who are victims of sexual harassment.

Thank you. (Applause.)

MR. ALLMAN: Good evening. I speak tonight on behalf of assemblywoman Carmen De La Rosa, assemblywoman for the communities of Washington Heights, Inwood, and Marble Hill. First, though, a special thanks to Commissioner Malalis, to all the sponsors, co-sponsors of this evening, and
PUBLIC HEARING

their staffs who have made this evening happen.
I also want to -- having listened to so many
people speak, I want to extend an extra thanks and
appreciation for learning from all the people who
have spoken this evening.

It is certainly time for us to come together
and bring light to an issue that is impacting
women in the workplace across the nation. It is
ture that both New York City and New York state
have laws that are meant to protect employees from
abuse and discrimination in the workplace. But in
light of the fact that harassment continues to be
pervasive in many industries, it is time for us to
take a good look at how we are protecting women
and making them feel safe at home and at work.

In recent weeks as I have read the many
stories of women who've experienced the
unimaginable at the hands of powerful men in the
entertainment industry and private sector and in
government, I am glad for the moments of awareness
and displays of courage that have come through.
With that awareness also comes the realization of
the many, many untold stories of victims who have
felt that they had no recourse to stop the
PUBLIIC HEARING

harassment they are experiencing.

It is an awareness that reminds me each day
that I am a mother of a three-year-old daughter.
She will be a teenager in only ten years and an
adult woman making her way through the world not
long after that. I want to make sure that we do
everything we can so she doesn't experience the
harassment and abusive power that so many women
have experienced at work and outside the
workplace.

And as so many other speakers have noted
tonight, we must also take note of the challenges
that poverty presents in protecting women in the
workplace and how it plays out in communities
across the city. It is often reported that women
who feel or are perceived as vulnerable are more
likely to experience abuse and harassment.

Poverty is a vulnerability that can cause
women to feel especially trapped in instances
where abuse is present. In my district, about
50 percent of residents are foreign born
immigrants, 20 percent are living below the
federal poverty level, and about 60 percent are
considered rent burdened. When we look at the
unemployment rate, 13 percent of residents are
unemployed much higher than the citywide average
of 9 percent. In communities such as mine where
people are struggling to make ends meet and if
English may not be their primary language or who
maybe newly arrived in this country, we need to
ensure that women are not forced to stay in
situations where they feel no choice but to stay
silent or maintain an abusive work environment for
fear of becoming unemployed or underemployed.

Employers -- it's worth noting that employers
in these communities tend to be smaller and often
do not have proper mechanisms for employees to
file harassment complaints without reprisals. I'm
glad today that you are providing a public venue
to have this conversation in hopes of changing
this crude reality and know that we've learned on
this from many of the previous speakers.

I have been shaken by the stories of immigrant
women, mostly undocumented or newly arrived,
who've experienced abuse in the forms of threats
to their immigration status. These are women who
work in establishments where they are put on
display, where they feel they have no choice but
PUBLIC HEARING

to put up with being belittled on a daily basis
because they make ends meet. And today I ask the
Commission to pay particular attention to these
communities across their city -- across the city.
We know that the loss of a job can lead to the
loss of housing, the derailment of the pursuit of
higher education, or the loss of needed healthcare
benefits which only serve to exacerbate the cycle
of poverty. We need to make sure that the
reporting of sexual harassment incidents no longer
equals a demotion or the loss of a job.

I believe tonight that there are three things
we need to do to make sure are present in our
places of work. First is a zero tolerance
environment where employees know that from top to
bottom, everyone will be held responsible if they
participate in harassing behavior.

Second is accountability. Sexual harassment
policies must be clear as to what will happen to
anyone who participates in or even allows for
sexual harassment behavior to happen at work.

Third is transparency. We must continue to
call out abusers and report these instances for
what they are. Secrecy will only breed further
complacency. It is important that we push for independent monitoring in investigating of any instance of abuses or harassment.

As I as a legislator get ready to go back to Albany for the 2018 legislative session, the issue of sexual harassment is one my colleagues and I plan to prioritize. There are a number of initial bills being proposed in the assembly, and I will keep my district, our communities, and the Commission and co-sponsors informed as we move these bills forward.

Two final notes. As a member of the assembly's Mental Health Committee, I also plan to address the issue of sexual harassment and unintended -- intended and unintended consequences on victims' mental health and to continue this perspective. I welcome input from the Commission and others on any legislative action that addresses this issue as well as issues of the overall state of women and the challenges that we face.

Also, although we know that women face the largest number of instances of sexual harassment, I would be remiss if I did not also mention my
PUBLIC HEARING

serious concern of how sexual harassment and
violence have an outsized effect on transgender
people, gay men, lesbians, and other vulnerable
members of our communities who simply come to work
to do a work full and honest day's work.

I ask -- and I ask this knowing that as a
priority of the Commission -- you continue to look
for the input of these groups as you move forward
in formulating any plans to eradicate sexual
harassment in our city.

Again, thanks to the Commission and to
everyone for holding this groundbreaking hearing.
I look forward to working with you on an ongoing
basis and use every fiber of my being as a woman,
a friend, a neighbor, as a legislator, and to call
out injustice when I see it. And, again, ally and
advocate in this fight to eradicate sexual
harassment in the workplace. Thank you very much.

(Applause.)

MS. MALALIS: You had the great distinction of
being the last person testifying at this historic
hearing. You know, I want to say thank you of
course to all the people who've showed up tonight
to share their personal stories.
PUBLIC HEARING

We talk about bravery, courage and discrimination and harassment and its related claims and cases, but it has really been for me, you know, quite an experience to be in government right now and to be able to listen to people share their personal stories in this so very public way and in a space where really the reason you are sharing your stories is to, you know, increase protections, to make lives better, to force and compel government to take more action. So I am -- we are forever in your debt for taking that step and making yourself vulnerable in this very public way.

I want to also thank the advocates who showed up today to advocate and to share the stories that you have experienced with your clients. Being a former advocate myself, I know that as we go through these cases, we are oftentimes experiencing much of the -- I use the word burden for lack of a better term right now, but the burden of the horror and the indignity and the vulnerability that we have to hear our clients tell over and over again whether it's to government or to different entities just to make
PUBLIC HEARING

their claims. So I thank you for taking the time out of your busy schedules to do this.

I also know that taking on claims of sexual harassment like many other forms of discrimination, it's not easy and it's not cheap. And it is a great -- it takes great commitment and it takes great investment for organizations especially to take on these cases. So I thank you for doing that.

I want to thank my colleagues in government who showed up today as well to make their voices heard. I felt very strongly that government needs to be up front in this issue. That there is a very important place for government to take as we are hearing more stories of sexual harassment and discrimination generally, and so I thank you for taking the time to do that and to show up for this hearing.

I want to -- I want to thank my staff, folks from the Commission on Human Rights. I came into government almost three years ago for the first time, and I feel daily blessed, again, for lack of a better word, at how I have such committed people on staff, real believers in human rights who
PUBLIC HEARING

sacrifice time from their families and from other pursuits because they really believe in this work. They are the ones who have made this hearing happened. It would not have occurred if not for them.

I want to especially call out my deputy commissioner for policy, Dana Sussman, who's there in the back, and Edwin Tablada who's also in the back also from our policy office who are really instrumental. This hearing absolutely would not have occurred without those two people who are also responsible for putting together the order of the speakers and for really reaching out to make sure we have great diversity of speakers present.

And I want to of course thank my panelists. You know, one of the great prides I have in being in public service right now is, you know, the ability to share this, I think, very important moment especially in the local public service, with not only people who really believe in the works that we do in human rights, but people who represent the different communities that we work to provide resources to or strengthen.

Representation is very important I think in
PUBLIC HEARING

government. It's very important in places of power. I am -- this is probably one of the proudest moments of my time in public service that I'm able to share this moment and this public hearing with my fellow commissioners all of whom are also strong, you know, badass women in the fields that they're in who have taken, again, time out from their busy schedules and from their lives to listen to this testimony.

We will continue the work that we are doing so that after this hearing, we will be continuing to take in written testimony, again, until the end of the month, so if there are -- but people or entities that could not make it today that were worried that they had missed the deadline for submitting testimony, please do encourage them to do that, and we will be looking at that along with tonight's transcript and meeting to discuss what our report and what our recommendations should include.

I thank you again tonight. It's a late hour, but I will now conclude this public hearing on sexual harassment in the workplace. Thank you very much. (Applause.)
PUBLIC HEARING

(Time noted: 9:43 p.m.)
CERTIFICATE

STATE OF NEW YORK )
) ss:
COUNTY OF NEW YORK )

I, KAREN E. RIGONI, CSR, RPR, a Notary Public within and for the State of New York, do hereby certify:

That PUBLIC HEARING is a true record of the testimonies given.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of December, 2017.

KAREN E. RIGONI, CSR, RPR
Commission Number: 01RI6245518
Expires: 07/25/2019
# #MeToo - again

PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

125:18
achieved (1)
16:24
achievements (1)
65:22
acknowledge (5)
6:22;31:15,20;
34:11;35:9
acknowledging (1)
67:23
acquiescing (1)
115:9
across (19)
31:12;33:13;34:20;
35:8;45:13;46:19;
53:12;69:14;87:4;
92:16,16,17;117:8;
131:6;138:18;176:9;
177:16;179:5,5
Act (16)
6:15;10:20;16:25;
17:3,3;12:21;25;
22:18;24:16;25:17;
36:14;61:12;109:19;
121:22;131:4;141:17
acted (2)
133:5;156:20
acting (2)
132:3;158:20
action (11)
10:19;18:7,25;
51:6;52:11;67:20;
105:18;121:12;
135:19;180:19;
182:11
active (1)
61:24
actively (1)
169:25
activist (2)
9:14;16:18
activists (1)
11:12
activities (3)
149:24
activity (1)
96:25
actors (3)
26:20;52:12;118:9
actress (1)
10:4
actresses (1)
114:12
acts (5)
40:19;48:20;76:25;
115:5;146:4
actually (19)
11:13;12:11;26:24;
37:8;9:43:3;52:13;
53:21;79:3;80:4;
94:15;95:6;129:8;
134:24;135:21;
143:18;170:11,21;
171:9
acutely (1)
50:20
add (6)
47:17;66:21;92:2;
103:21;154:8,17
added (3)
25:12;120:14;
133:13
Adding (1)
125:24
addition (8)
37:10;57:2;60:18;
67:15;122:19;
140:23;143:4;146:8
additional (6)
47:23;60:19;136:5;
137:23;138:5;151:12
Additionally (3)
53:18;69:10;143:9
address (21)
7:23;36:9;38:19;
24:43;20:54:3;70:22;
71:3;83:6;124:7;
134:7;139:7;142:19;
143:2;144:16;
148:12;160:10;
166:7;168:8;175:5;
180:15
addressed (2)
71:25;167:13
dress (2)
144:22;180:20
addressing (2)
71:8;74:24
adjudicating (1)
123:10
administer (1)
17:2
administrative (2)
123:3,7
admit (2)
70:10;87:6
admissance (1)
41:2
admitting (1)
119:20
adoption (1)
133:8
adult (2)
88:7;177:6
adults (1)
82:18
advance (6)
23:13,22;105:2;
109:17;117:14;
152:17
advancement (2)
67:14;77:5
advances (12)
40:23;42:11;43:10;
12,18;84:6;136:20;
137:13;154:22,23;
164:15;173:17
advancing (2)
4:25;33:2
advantage (2)
125:17;164:5
adversarial (1)
123:2
advice (2)
28:17;90:2
advise (1)
36:14
advisory (1)
38:16
advocacy (6)
9:24;39:3;96:3;
123:7;16:19:5
advocate (13)
14:12;31:16,19;
32:15;39:4;44:10;
68:5;72:20;146:23;
181:18;182:16,18
advocated (1)
172:20
advocates (4)
34:20;22,69:5;
182:15
advocating (2)
65:18;117:15
Affairs (1)
37:20
affect (2)
120:24;149:11
affect (2)
16:12;31:13
affects (3)
90:4;144:4,5
affiliate (1)
119:3
affiliates (1)
118:4
affirmative (1)
60:15
affirmatively (2)
36:15;113:5
affirmed (1)
99:15
affluent (1)
72:23
afford (2)
45:23;56:6
afforded (1)
97:14
afraid (5)
41:22;57:19;87:20;
110:8;121:9
African-American (2)
51:25;73:2
afternoon (1)
4:2
afterwards (1)
143:18
again (26)
26:2;29:11,18;
Against (30)

age (7)
52:14, 16, 77:24; 81:19, 21; 86:12; 124:24

agencies (30)

agency (18)

agent (4)
5:20, 21:2, 99:15; 100:8

Agents (1)
100:6

aggressive (2)
121:22, 136:20

aggressively (1)
27:21

agitator (1)
12:8

ago (11)

agreed (1)
31:9

agreeing (1)
101:25

agreement (4)
116:8, 161:2, 162:7; 122:2

alleged (1)

agreements (6)
46:25, 93:4, 106:23; 166:9, 10; 167:8

agricultural (1)
131:7

ahead (4)
73:20, 115:7; 124:14, 175:14

Aid (5)
55:11, 19, 61:20; 62:7, 123:15

Airport (1)
114:20

Alabama (1)
27:3

Alanna (2)
3:5, 113:25

alarmed (1)
77:13

Albany (1)
180:6

Albisa (6)
37:25, 38:2, 63:10, 14:81, 10:94, 22

alcoholic (1)
170:25

alignment (1)
118:12

alike (3)
22:7, 42:14, 116:10

agreements (4)
13:23, 55, 25, 59:11; 104:3

alleging (1)
20:16

Alliance (7)
3:6, 7, 96:3, 102:6; 103:24, 117:12, 125:2

Allie (1)
84:11

allied (3)
161:14, 162:4, 17

allies (1)
159:5

Allman (2)
3:18, 175:20

allocate (2)
58:9, 60:19

allocated (1)
124:3

allocation (1)
159:9

allow (12)

allowed (2)
14:10, 76:4

allowing (1)
113:2

allows (3)

amongst (1)
118:7

amount (7)
34:23, 23:67; 5:9; 12:10; 166:16; 172:11

amounts (1)
66:23

Amy (1)
55:11

analyst (1)
164:2

analyzed (2)
53:16, 73:25

anchors (1)
53:20

and/or (1)
88:10

appeal (1)
74:11

appearance (1)
164:12

applaud (5)
29:4, 44:6, 117:2; 147:10, 157:8

Applause (51)

applicable (1)
25:16

application (1)
62:24

applied (1)
25:13

apply (2)
97:20, 146:25

appointed (2)
12:2, 25

appointment (1)
110:5

appreciate (10)
41:6, 65:14, 15; 82:25, 93:24, 104:12; 144:7, 158:5, 167:25; 168:8

appreciates (1)
167:17

appreciation (2)
158:7, 176:5

apprentice (1)
87:14
approach (2) 69:22;70:4
appropriate (3) 77:19;98:22;122:14
approved (1) 61:10
Approximately (3) 135:3;17:169:10
arbitration (10) 107:15;116:8;166:8,10,11,20,24;167:6,8,11
arbitrations (1) 107:15;116:8;166:8,10,11,20,24;167:6,8,11
arbitration (1) 46:20
area (7) 11:10;67:25;136:22;153:4;165:13;166:7;167:24
areas (6) 30:4;38:14;49:2;99:24;113:4;163:14
argue (1) 97:10
arguments (1) 126:9;178:7,21
arrive (1) 149:3
argue (1) 11:11
arrived (3) 126:9;178:7,21
are (1) 124:13;126:18,21;163:6
areas (6) 30:4;38:14;49:2;99:24;113:4;163:14
argue (1) 97:10
arguments (1) 126:9;178:7,21
arrive (1) 149:3
argue (1) 11:11
arrived (3) 126:9;178:7,21
article (2) 75:24;154:18
artists (1) 75:24;154:18
Asian (1) 52:2
Aside (1) 132:18
aspirations (1) 53:2
aspir (1) 30:5
assault (12) 33:12;40:13;19;42:19;50:8;75:18;21;122:4;139:11;146:6;7;17:10
assaulted (4) 74:14;75:12,17;
attorneys (4) 6:23;37:11;47:19;136:13
backlog (4) 22:23;23:2,2,5
backroom (1) 8:14
backwards (1) 11:9
badass (1) 185:7
badly (1) 28:2
Bakst (3) 3:4;109:6,7
Balance (3) 3:4;109:8,14
ball (2) 26:14,15
Ban (2) 109:20;153:21
bank (2) 163:25;164:18
banks (2) 110:9;126:21;127:2
begin (1) 44:5
beginning (1) 78:7
begins (1) 58:5
begun (2) 24:20;28:15
behalf (10) 64:10;65:14;89:23;131:10;139:6;144:19;146:24;147:24;175:17,21
become (3) 16:13;23:6;54:2;87:10;110:9;129:2
become (6) 16:13;23:6;54:2;87:10;110:9;129:2
become (3) 26:24;163:19;174:7
becomes (1) 85:12
becoming (2) 29:8;178:11
bed (1) 128:11
beforehand (1) 102:3
began (6) 41:14;45:22;5:16;110:12;126:21;127:2
began (6) 41:14;45:22;5:16;110:12;126:21;127:2
Bender (1) 11:11

B
baby (1) 110:11
background (1) 70:11

Min-U-Script® Ellen Grauer Court Reporting Co. LLC (3) approach - Bender
<table>
<thead>
<tr>
<th>Word</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>beneath</td>
<td>1</td>
</tr>
<tr>
<td>benefit</td>
<td>1</td>
</tr>
<tr>
<td>benefits</td>
<td>2</td>
</tr>
<tr>
<td>bent</td>
<td>1</td>
</tr>
<tr>
<td>Better</td>
<td>25</td>
</tr>
<tr>
<td>Betty</td>
<td>1</td>
</tr>
<tr>
<td>Bev</td>
<td>1</td>
</tr>
<tr>
<td>Beverly</td>
<td>3</td>
</tr>
<tr>
<td>beyond</td>
<td>4</td>
</tr>
<tr>
<td>Big</td>
<td>4</td>
</tr>
<tr>
<td>Bigest</td>
<td>1</td>
</tr>
<tr>
<td>BILEK</td>
<td>5</td>
</tr>
<tr>
<td>Bill</td>
<td>7</td>
</tr>
<tr>
<td>billions</td>
<td>2</td>
</tr>
<tr>
<td>bills</td>
<td>2</td>
</tr>
<tr>
<td>bisexual</td>
<td>1</td>
</tr>
<tr>
<td>bit</td>
<td>3</td>
</tr>
<tr>
<td>black</td>
<td>7</td>
</tr>
<tr>
<td>blacked</td>
<td>1</td>
</tr>
<tr>
<td>blame</td>
<td>1</td>
</tr>
<tr>
<td>blessed</td>
<td>1</td>
</tr>
<tr>
<td>block</td>
<td>1</td>
</tr>
<tr>
<td>blue</td>
<td>1</td>
</tr>
<tr>
<td>board</td>
<td>7</td>
</tr>
<tr>
<td>boardrooms</td>
<td>2</td>
</tr>
<tr>
<td>Bob</td>
<td>1</td>
</tr>
<tr>
<td>bodies</td>
<td>3</td>
</tr>
<tr>
<td>body</td>
<td>5</td>
</tr>
<tr>
<td>boldy</td>
<td>1</td>
</tr>
<tr>
<td>bolster</td>
<td>1</td>
</tr>
<tr>
<td>bombshell</td>
<td>1</td>
</tr>
<tr>
<td>Bond</td>
<td>2</td>
</tr>
<tr>
<td>bono</td>
<td>2</td>
</tr>
<tr>
<td>bonus</td>
<td>1</td>
</tr>
<tr>
<td>book</td>
<td>3</td>
</tr>
<tr>
<td>booked</td>
<td>1</td>
</tr>
<tr>
<td>books</td>
<td>1</td>
</tr>
<tr>
<td>boom-boom</td>
<td>1</td>
</tr>
<tr>
<td>booths</td>
<td>1</td>
</tr>
<tr>
<td>born</td>
<td>4</td>
</tr>
<tr>
<td>both</td>
<td>12</td>
</tr>
<tr>
<td>bottom</td>
<td>2</td>
</tr>
<tr>
<td>bought</td>
<td>1</td>
</tr>
<tr>
<td>boxes</td>
<td>1</td>
</tr>
<tr>
<td>boys</td>
<td>4</td>
</tr>
<tr>
<td>branch</td>
<td>1</td>
</tr>
<tr>
<td>brand</td>
<td>1</td>
</tr>
<tr>
<td>brave</td>
<td>1</td>
</tr>
<tr>
<td>bravely</td>
<td>1</td>
</tr>
<tr>
<td>bravery</td>
<td>2</td>
</tr>
<tr>
<td>breached</td>
<td>1</td>
</tr>
<tr>
<td>break</td>
<td>2</td>
</tr>
<tr>
<td>breakers</td>
<td>1</td>
</tr>
<tr>
<td>breath</td>
<td>1</td>
</tr>
<tr>
<td>breed</td>
<td>1</td>
</tr>
<tr>
<td>breeding</td>
<td>1</td>
</tr>
<tr>
<td>brief</td>
<td>1</td>
</tr>
<tr>
<td>briefly</td>
<td>2</td>
</tr>
<tr>
<td>bright</td>
<td>1</td>
</tr>
<tr>
<td>brilliance</td>
<td>1</td>
</tr>
<tr>
<td>Brinckerhoff</td>
<td>2</td>
</tr>
<tr>
<td>bring</td>
<td>8</td>
</tr>
<tr>
<td>bringing</td>
<td>7</td>
</tr>
<tr>
<td>brings</td>
<td>1</td>
</tr>
<tr>
<td>brittle</td>
<td>1</td>
</tr>
<tr>
<td>broad</td>
<td>1</td>
</tr>
<tr>
<td>broke</td>
<td>1</td>
</tr>
<tr>
<td>broken</td>
<td>1</td>
</tr>
<tr>
<td>Brooklyn</td>
<td>4</td>
</tr>
<tr>
<td>Brooklyn's</td>
<td>1</td>
</tr>
<tr>
<td>Brotherhood</td>
<td>1</td>
</tr>
<tr>
<td>brought</td>
<td>6</td>
</tr>
<tr>
<td>brush</td>
<td>1</td>
</tr>
<tr>
<td>Bryant</td>
<td>1</td>
</tr>
<tr>
<td>budget</td>
<td>1</td>
</tr>
<tr>
<td>build</td>
<td>1</td>
</tr>
<tr>
<td>building</td>
<td>7</td>
</tr>
<tr>
<td>buildings</td>
<td>1</td>
</tr>
<tr>
<td>bullying</td>
<td>3</td>
</tr>
<tr>
<td>bureau</td>
<td>1</td>
</tr>
<tr>
<td>Burke</td>
<td>3</td>
</tr>
<tr>
<td>called</td>
<td>9</td>
</tr>
<tr>
<td>callers</td>
<td>1</td>
</tr>
<tr>
<td>calling</td>
<td>3</td>
</tr>
<tr>
<td>calls</td>
<td>6</td>
</tr>
<tr>
<td>calm</td>
<td>1</td>
</tr>
<tr>
<td>came</td>
<td>16</td>
</tr>
<tr>
<td>campaign</td>
<td>6</td>
</tr>
<tr>
<td>campaigns</td>
<td>2</td>
</tr>
<tr>
<td>Can</td>
<td>112</td>
</tr>
</tbody>
</table>

**PROCEEDINGS**

December 6, 2017

**PUBLIC HEARING ON SEXUAL HARASSMENT IN THE WORKPLACE**

**Ellen Grauer Court Reporting Co. LLC**
candy (1) 41:8

capacity (1) 118:14

capital (1) 94:2

capitals (1) 94:3

capitol (2) 14:7,8

care (6) 38:14;46:11,12; 88:21;119:4,9


careers (8) 33:3;44:25;48:15; 65:20;66:2;72:16; 76:4,14

caregiver (1) 109:19

carey (1) 86:7

caring (1) 140:11

carmelina (2) 14:25;29:15

carmen (2) 3:18;175:21

carpenter (3) 84:10;86:8;89:10

carpenters (1) 86:9

carpet (1) 73:6

carrie (2) 38:11,12

carry (1) 28:12

carrying (1) 16:2

cars (1) 74:15

carter (2) 12:2,25

cartoon (1) 56:22

carts (1) 85:15


castro (4) 86:7;78:9;8,13

casual (1) 66:24

categories (1) 131:7

cathy (1) 37:25

cause (4) 128:9;150:13; 150:14;177:19

causd (3) 41:24;45:18,22

causes (3) 149:21;153:23; 154:2

causing (1) 149:3

cCHR (3) 47:18,21;48:11

celling (1) 174:3

cellings (1) 45:9

celebrate (1) 170:24

celebrated (1) 170:24

celebrities (1) 131:10

cell (1) 163:5

cell (2) 3:5;114:2

center (7) 3:11;104:16; 144:13;14;145:5; 172:18,19

centers (3) 123:19;23;158:14

center's (1) 53:13

central (1) 168:7

CEO (3) 46:13;72;10;172:4
certain (8) 43:3;47:6;91:2;10; 92:8;94:12;13;170:8
certainly (6) 15:23;52;23;84:8; 85:15;177:11;176:7
certification (6) 138:14;146:3;25; 147:12;161:7,9
certifications (1) 147:4
cetera (2) 87:5,5
chains (1) 38:6
chairperson (1) 148:2
chairs (1) 169:14
chairwoman (1) 15:18
challenge (4) 35:7;122;12;25; 142:14
challenged (1) 80:13
challenges (4) 67:7;168:18; 177:13;180:21
chambers (1) 14:9
Chanel (1) 100:25
change (18) 5:21;10;7;35;23; 38:13;54:17;8, 67:21;75:10;77:20; 80:5;89;29;1;91;16;102:4;105:4;106:5; 121:6;155:24
changed (2) 83:22;116:2
changes (3) 13:10;19;9;61:21
changing (4) 76:13;117:19; 141:14;178:17
channel (1) 54:16
chapter (1) 172:19
character (1) 56:22
characters (4) 51:20;24;52;17,19
charge (2) 14;8;130:19
charged (3) 101:11;123:3,8
charges (4) 106:12,13;131:6,14
charging (2) 14:7,12
cheap (1) 183:6
check (1) 105:18
checking (1) 121:2
cheet (1) 57:4
Chicago (2) 112:17,20
chief (1) 169:16
child (4) 56:17;96:18; 126:20,23
children (6) 17:17;51;19;98:17; 128:24;140:11,16
children's (1) 140:13
chime (1) 17:4
Chisholm (1) 49:17
choice (5) 74:23;75:2;110:19; 178:9,25
choices (1) 74:4
choker (1) 100:13
chooses (1) 105:18
chose (1) 115:8
chosen (1) 34:16
Cinema (1) 54:14
cinemas (1) 66:17
cinematographers (1) 69:9

PROCEEDINGS
December 6, 2017

PUBLIC HEARING ON SEXUAL HARASSMENT IN THE WORKPLACE

Ellen Grauer Court Reporting Co. LLC

(5) candy - claimed
claiming (1) 33:15
clapping (1) 25:3
Clarence (3) 13:21;20:9;26:23
class (4) 8:8;10:18;80:9; 134:11
classified (1) 98:15
clauses (3) 107:10,15,16
clean (1) 159:13
cleaning (2) 128:5;135:10
clear (5) 48:7;83:8;101:21; 112:25;179:20
clear-cut (1) 130:12
clearly (2) 50:17;54:23
clients (11) 57:16;98:8;135:20; 138:6;140:8;141:3; 142:13;145:18; 168:13;182:17,23
clients' (2) 135:23;136:14
client's (1) 58:14
climacteric (2) 141:24;160:8
climb (2) 41:10;174:4
climbed (1) 45:8
clinic (1) 90:2
clinical (1) 5:4
close (1) 66:25
closely (2) 12:23;63:16
closer (4) 28:21;29:3;97:9; 98:18
closest (1) 20:5
closing (1) 77:11
clothes (2) 90:16;99:22
clothing (2) 52:10;135:9
Coalition (2) 51:6;52:12
coalitions (1) 117:13
coefficient (3) 132:7
Co-Founder (1) 109:7
coined (1) 22:8
collaborating (1) 119:8
collaboration (3) 119:16;143:20; 161:21
collaborations (1) 119:12
collaboratively (1) 118:10
collapsed (1) 171:13
collar (3) 56:3;13:11,11
colleague (3) 31:20;113:10; 130:16
colleagues (6) 41:5;15:42;14; 112:7;180:7;183:11
collect (1) 4:22
collected (1) 5:23
collection (1) 67:16
collective (3) 118:13;160:25; 162:7
collectively (2) 152:16;161:11
college (7) 8:7;9;73:13;75:11; 12:7;17;19:12
color (9) 17:23;30:11;31:17; 34:6;51:22;73:13; 79:7;138:5;149:25
Columbia (1) 85:4
comfortable (1) 100:22
coming (19) 26:13;27:7;33:10; 35:4;67:12;72:23; 78:20;104:3;7;
106:25;117:2; 118:25;122:7;127:7; 135:2;136:6;153:6; 165:2;171:25
commend (2) 47:10;138:17
commensurate (1) 116:14
comment (1) 147:24
commented (2) 99:24;128:20
comments (11) 41:16;100:13; 101:12;136:20; 140:20;141:6;142:4;
146:15;164:11;19; 173:20
Commission (110) 5:14;6;6;7;17; 11:23;25;12;3,11,13; 14:2;25;15;21,25;
16:5;10;14;21;17;7;8; 20;18;3;7;19;7,14,19; 20:4;22;12;20;24;
23:3;9;23;24;25,9; 26:17;26;8;23;29;10; 17:30;4;63;10; 32:7;8;13;35;14,16;
36:19;37,2;15; 39:11;23;4;42;22; 47:11;48;23;49;4,24;
58:8;5;13;16,18; 25:60;12;19;61;11; 64:9;65;9;82;22; 89:22;106:7;10;
108:16;109:11; 113:20;116:5;7,13; 16:11;7;130;16,18;
138:15;17;20;145,2; 13:14;7;3,11;14,19; 163:15;166;16;
167:15;17;168;16; 169:5;173;10; 175:15;179;4;
180:11;18;18;8,12; 183:21
commissions (2) 132:3;185:6
Commission's (2) 60:15;106:17
commission (6) 6:3;31;7;35;24;
159:8;10;183:7
committed (4) 6:4;38;13;119:25;
183:24
Committee (11) 11:18;13;19;40;5;
69:15;112:3;119:16;
144:21,22;159:3;
169:14;180:14
committees (2) 38:17;112:2
committing (1) 146:10
common (2) 62:15;18
commonly (1) 75:18
communication (1) 68:22
communications (1) 13:9
communications (2) 60:11
communications (12) 134:11;138:24;
143:24;147:17;
175:22;175:17;
178:4;13;179;5;
180:10;181:5;184:23
community (4) 118:6;123:18;
139:6;158;9
community-based (2) 118:17;134:8
commute (2) 148:18;149:3
commutes (1) 149:5
comp (1) 155:5
corporations (13) 45:8;46;18;47,5;
94:3;13;95;15;97;7;
116:20;132:12;
154:6;157:2;64:24;
165:9
company (17) 56:21;15;159;10;
86:25;87;3;89;7;
97:21;22;98:4;
105:24;106:9;13,18;
20:11;20;15:22;
167:2
company's (1) 165:3
comparable (1) 77:7
compared (1) 56:25
compassionate (1) 69:24
compel (1) 96:18
<table>
<thead>
<tr>
<th>Term</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>concentrated</td>
<td>32:20;173:6</td>
</tr>
<tr>
<td>concentration</td>
<td>85:9</td>
</tr>
<tr>
<td>concerned</td>
<td>91:7;97:19;140:3;141:23</td>
</tr>
<tr>
<td>concerning</td>
<td>145:10</td>
</tr>
<tr>
<td>concerns</td>
<td>67:7;103:3</td>
</tr>
<tr>
<td>conclude</td>
<td>113:22;185:23</td>
</tr>
<tr>
<td>conclusive</td>
<td>69:24</td>
</tr>
<tr>
<td>concrete</td>
<td>153:18</td>
</tr>
<tr>
<td>condemn</td>
<td>40:23</td>
</tr>
<tr>
<td>condemned</td>
<td>26:7</td>
</tr>
<tr>
<td>conditioning</td>
<td>77:23</td>
</tr>
<tr>
<td>conditions</td>
<td>77:22;107:13;135:11:12;141:9;172:21</td>
</tr>
<tr>
<td>condom</td>
<td>128:12</td>
</tr>
<tr>
<td>conditioned</td>
<td>169:25</td>
</tr>
<tr>
<td>conduct</td>
<td>59:14;106:18;123:14:159:16;169:23:25;171:16</td>
</tr>
<tr>
<td>conducting</td>
<td>75:16</td>
</tr>
<tr>
<td>conducts</td>
<td>59:16</td>
</tr>
<tr>
<td>confidence</td>
<td>74:2</td>
</tr>
<tr>
<td>confident</td>
<td>73:19;90:23</td>
</tr>
<tr>
<td>confidential</td>
<td>171:3</td>
</tr>
<tr>
<td>confused</td>
<td>86:19;99:14:20</td>
</tr>
<tr>
<td>confusion</td>
<td>91:15:92:5</td>
</tr>
<tr>
<td>congregate</td>
<td>79:2</td>
</tr>
<tr>
<td>Congressman</td>
<td>9:11:10:5:22;</td>
</tr>
<tr>
<td>connected</td>
<td>79:13</td>
</tr>
<tr>
<td>connecting</td>
<td>54:9</td>
</tr>
<tr>
<td>Connects</td>
<td>174:23</td>
</tr>
<tr>
<td>consciousness</td>
<td>53:5,6</td>
</tr>
<tr>
<td>consensus</td>
<td>60:10</td>
</tr>
<tr>
<td>consent</td>
<td>74:18</td>
</tr>
<tr>
<td>consider</td>
<td>35:16;47:4;82:2;105:3:106:11;122:9;153:24;155:24</td>
</tr>
<tr>
<td>consideration</td>
<td>148:16;150:10</td>
</tr>
<tr>
<td>considered</td>
<td>64:3;84:6;85:3;150:4;177:25</td>
</tr>
<tr>
<td>considering</td>
<td>37:14;98:17</td>
</tr>
<tr>
<td>consistently</td>
<td>161:18;164:3:11</td>
</tr>
<tr>
<td>constant</td>
<td>80:19</td>
</tr>
<tr>
<td>constantly</td>
<td>110:12</td>
</tr>
<tr>
<td>constituted</td>
<td>159:22</td>
</tr>
<tr>
<td>constitutes</td>
<td>47:12</td>
</tr>
<tr>
<td>Consumer</td>
<td>37:20</td>
</tr>
<tr>
<td>contact</td>
<td>38:23;14:6</td>
</tr>
<tr>
<td>contacted</td>
<td>45:16;115:23</td>
</tr>
<tr>
<td>Cont'd (1)</td>
<td>3:1</td>
</tr>
<tr>
<td>contemporary</td>
<td>12:10;18:23</td>
</tr>
<tr>
<td>contents</td>
<td>158:2</td>
</tr>
<tr>
<td>contest</td>
<td>54:10</td>
</tr>
<tr>
<td>context</td>
<td>166:12</td>
</tr>
<tr>
<td>contexts</td>
<td>34:15</td>
</tr>
<tr>
<td>continuation</td>
<td>124:17</td>
</tr>
<tr>
<td>continued</td>
<td>23:21;57:11;119:16:13:17</td>
</tr>
<tr>
<td>continues</td>
<td>27:16;176:13</td>
</tr>
<tr>
<td>continuing</td>
<td>59:23;185:12</td>
</tr>
<tr>
<td>contract</td>
<td>96:23;111:17:22;164:9:25</td>
</tr>
<tr>
<td>contracting</td>
<td>98:2;111:22;112:4</td>
</tr>
<tr>
<td>contractor</td>
<td>91:14:97:22;111:24:157:11</td>
</tr>
<tr>
<td>contribute</td>
<td>133:21</td>
</tr>
<tr>
<td>contributed</td>
<td>32:23</td>
</tr>
<tr>
<td>contributes</td>
<td>53:3:111:4</td>
</tr>
<tr>
<td>contribution</td>
<td>41:7</td>
</tr>
<tr>
<td>control</td>
<td>96:22;14:15;115:17</td>
</tr>
<tr>
<td>convening</td>
<td>109:9</td>
</tr>
<tr>
<td>conveining</td>
<td>119:10</td>
</tr>
<tr>
<td>conventions</td>
<td>66:18</td>
</tr>
<tr>
<td>conversations</td>
<td>42:2:43:5</td>
</tr>
<tr>
<td>convince</td>
<td>143:25</td>
</tr>
<tr>
<td>convinced</td>
<td>19:23</td>
</tr>
<tr>
<td>cookie-cutter</td>
<td>113:16</td>
</tr>
<tr>
<td>coordinate</td>
<td>143:16:21</td>
</tr>
<tr>
<td>Coordinating</td>
<td>118:18;143:13</td>
</tr>
<tr>
<td>coordinator</td>
<td>172:17</td>
</tr>
<tr>
<td>co-panelists</td>
<td>37:18</td>
</tr>
<tr>
<td>copier</td>
<td>56:24</td>
</tr>
<tr>
<td>Co-President</td>
<td>109:7</td>
</tr>
<tr>
<td>Coretta</td>
<td>49:16</td>
</tr>
<tr>
<td>Cornell</td>
<td>3:14;149:8:151:18;158:5:13</td>
</tr>
<tr>
<td>corner</td>
<td>136:22;138:9;141:10</td>
</tr>
<tr>
<td>corporate</td>
<td>38:5;66:17</td>
</tr>
<tr>
<td>corporation</td>
<td>133:2</td>
</tr>
<tr>
<td>Correction</td>
<td>132:25</td>
</tr>
<tr>
<td>correspondence</td>
<td>53:20</td>
</tr>
<tr>
<td>corrosive</td>
<td>44:17</td>
</tr>
<tr>
<td>co-sponsors</td>
<td>31:4;175:25;180:11</td>
</tr>
<tr>
<td>cost (4)</td>
<td>57:20;132:21;156:19:20</td>
</tr>
<tr>
<td>costing (1)</td>
<td>156:25</td>
</tr>
<tr>
<td>costly (1)</td>
<td>48:10</td>
</tr>
<tr>
<td>costs (2)</td>
<td>149:13;156:21</td>
</tr>
<tr>
<td>cough (1)</td>
<td>57:4</td>
</tr>
<tr>
<td>counsel</td>
<td>145:13;163:13</td>
</tr>
<tr>
<td>counseled</td>
<td>162:25;163:4:25</td>
</tr>
<tr>
<td>counseling</td>
<td>39:3;158:10;163:16</td>
</tr>
<tr>
<td>counsels</td>
<td>166:9</td>
</tr>
<tr>
<td>count (1)</td>
<td>7 (concentrated - co-workers)</td>
</tr>
</tbody>
</table>
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

29:21,21:104:17
DCA (1) 37:22
De (2) 3:18;175:21
deadline (1) 185:16
deal (5) 9:22;4:41:25;
96:19,22
Dealing (2) 43:4,160:11
DEAN (5) 4:2,5,7,11,14;23;
30:20
dear (1) 6:20
dead (1) 85:13
debt (1) 182:12
decade (4) 182:12
decad (4) 37:21;38:4;73:2;
78:10
decades (6) 8:21;33:21;39:5;
66:11;72:20;95:9
December (1) 39:13
decency (1) 101:17
decide (1) 179:12
decision (2) 165:23
decided (4) 11:19;120:8;
146:20;164:17
decision (2) 51:15;106:6
decision-making (1) 54:24
declared (1) 131:2
declined (2) 53:21;101:6
dedicated (7) 4:10,16:24;47:5;
85:24;134:10;152:18
dedicated (1) 48:4
dedication (1) 109:11
deems (1) 45:4
deep (2) 9:19;142:12
deeply (4) 5:22;6:4;40:22;
51:2
defend (1) 100:20
defense (1) 165:10
define (1) 56:23
deportation (2) 136:12;142:11
defender (3) 7:16;82:22;184:7
demolishment (1) 179:7
derivative (1) 108:20
described (3) 58:13;59:2;74:16
describes (2) 114:21;174:3
deserve (3) 96:7;98:22;109:17
deserves (1) 98:18
design (1) 90:16
designated (1) 160:16
design (2) 60:8;160:15
designer (4) 90:25;99:9;103:16;
16
designers (3) 90:5,15,17
designs (1) 133:7
desire (1) 74:18
despite (8) 34:20;51:10;21;
57:10;136:23;
139:19,20,23
detail (1) 161:11
details (3) 105:6;142:19;
174:2
deter (1) 61:16
determined (1) 53:7
deterrence (1) 67:15
deterrent (1) 116:18
deters (1) 67:12
detrimental (1) 77:7
devalue (1) 138:3
devastating (3) 74:7;76:18;109:22
develop (10) 38:18;48:7;59:5;
18:80;17,18;108:16,
18:112:12;174:23
developed (3) 63:18;133:15;
150:6
PUBLIC HEARING ON SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

Min-U-Script®

Ellen Grauer Court Reporting Co. LLC

(9) developers - EEOC
growth (3) 41:23;43:13;44:18
guard (1) 114:19
guess (4) 7:12;12:18;88:20; 156:24
guests (1) 112:18
guidance (1) 32:22
guidelines (9) 13:5;22:17;19; 23:5;6;38:18;84:18; 108:17;130:25
guilty (1) 15:4
guys (1) 74:17
Guzman (3) 127:18;19,19

gym (1) 4:20

H

hairstylists (1) 90:14
half (7) 4:4;25:7;27:19; 77:25;129:25;150:3; 152:24
Hall (1) 83:21
halls (2) 45:15;49:13
hand (3) 9:25;3:46:12
handed (2) 19:11;142:25
handle (3) 59:19;78;19:88:7
hands (2) 125:6;176:19
happen (10) 17:4;28;2:4:15; 86:4;90:24;12:24;22; 156:7;176:2;179:20; 22
happened (13) 17:5;24;6;14;40:8; 71:5;92:24;115:14; 24:126:14;143:12; 153:9;171:17;184:5
happening (9) 7:3;10;6;13;18; 15:11;13;43:18; 63:22;102:8;128:21
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEDINGS
December 6, 2017

helped (1) 6:9
helpful (3) 101:24;150:15; 151:12
helping (3) 78:12;90:15; 123:21
helpless (1) 101:4
helplessness (1) 149:10
helps (2) 57:5;107:21
hero (1) 13:20
hesitate (1) 142:13
hesitation (1) 35:4
heterosexism (1) 162:2
Hi (5) 55:10;65:8;89:20; 98:25;144:11
Hicks (1) 84:11
hidden (1) 170:10
hide (1) 94:20
Higg (1) 94:14
high (20) 20:9,20:26;2:34:7; 45:21;66:6;67:4; 73:14;75:8;80:8,10; 10:8;14:10;17:21; 114:7;132:12;24; 150:19;170:7;174:17
higher (6) 58:11;111:16; 137:17;173:19; 178:3;179:8
highest (3) 5:8;54:20;173:8
highlight (1) 105:5
highlighted (1) 132:2
highly (5) 52:6;56:23;67:4; 131:20;168:24
high-power (1) 169:2
high-powered (2) 40:14;102:19
high-profile (2) 26:8;131:9
high-tech (2) 169:6,20

I

immigration (15) helped - immigration
immune (1) 83:9
impact (11) 66:2;72:15;76:16;77:4;139:5;148:20;149:14;151:3,8;153:8,12
impacting (3) 35:23;149:11;176:8
impacts (1) 74:3
impaired (1) 85:8
imperative (3) 68:2;84:20;98:15
implement (1) 160:19
implementation (2) 37:23;159:11
implementing (1) 108:18
implicit (1) 161:13
implied (1) 101:3
importance (1) 134:6
imposes (1) 25:22
impossible (2) 110:18;141:15
improve (3) 105:13;106:8;143:11
improved (1) 68:9
impunity (1) 36:11
inactive (1) 150:22
inappropriately (1) 41:16,18;67:9;73:8;87:22;96:13;100:12;159:23
inappropriately (1) 164:20
inaudible (4) 18:20;65:17;69:8;172:7
incentive (2) 76:11;92:18
incident (4) 67:10;100:11;126:19;155:2
incidents (5) 58:11;66:6;95:10;137:25;179:11
include (9) 49:16;68:9;84:23;92:15;113:18;146:5;149:9;185:21
included (3) 54:5;133:14;136:19
includes (5) 48:8;117:18;120:2;121:3;157:2
inclusion (2) 159:2;161:5
inclusive (1) 84:24
income (8) 45:12;110:3;17;134:10;21;137:22;144:19;145:17
increase (7) 58:10;61:14;85:24;118:13;145:7;150:22;182:9
increased (4) 45:24;117:15;147:13;165:21
Increasingly (3) 27:23;28:19;51:19
incredibly (3) 29:18;49:25;89:25
incur (1) 20:15
incurring (1) 24:5
indeed (3) 16:6;35;25:94:8
independent (8) 91:13;21;97:11,13;16,21;11:3;180:3
Index (1) 94:14
indicate (1) 16:7
indicates (1) 76:19
indication (1) 23:11
indignity (1) 182:22
individual (9) 26:12;58:16;105:7;12,15;21;115:25;116:7;165:5
individuals (8) 39:19;46:18;106:19;114:7;132:8;163:7;8;165:7
Indoors (1) 151:24
Industrial (1) 158:12
industries (30) 31:13;25:32;16;33:13;34:20;24:35;6;8:40:12;43:23;45:2;50:7;85:22;22;91:23;94:24;17;110:21;112:2;10;114:13;115:16;131:6;135:8;150:17;163:11;13;169:22;176:14
industry (51) 34:3;39:16;45:12;50:22;25;65:13;19;66:11;67:6;70:2;11;15,18;20;71:2,17;19;83:8;14;19;24;84:7;10;86:2;88:5;90:3;6;12:9;12;93:14;25;96:4;97;19;98:18;20;101:13;102;14;103:11;104:4;110:25;154:13;155:21;158:24;164:1;172:24;173:4;174:9;15;19;176:20
inequity (1) 54:4
infinity (1) 125:13
influence (2) 20:15;114:8
influential (1) 70:2
inf (1) 143:23
inform (2) 13:6;39:14
153:6;11;13,14;157:18;171:3
informed (1) 180:11
informs (1) 28:13
initial (2) 41:2;180:8
initiated (1) 27:9
initiative (3) 38:3;53:24;107:3
initiatives (4) 54:5;105:3;7;107:19
injury (3) 120:15;143:10,11
injustice (1) 181:17
involuntary (1) 180:12
intentional (1) 33:4
interactions (1) 21:12
interactive (3) 68:23;113:15;133:12
intercession (1) 11:7
interconnective (1) 110:17
interest (7) 4:8;16;24:5;9;20:8;105:23;147:21
interested (2) 77:16;79:4
interesting (2) 22:22;113:2
interests (1) 100:7
internal (1) 59:10
internalized (1) 74:9
internet (1) 148:24
interpersonal (1) 67:3
interpreter (1) 124:19
intersecting (1) 74:8
intersection (2) 152:10;21
intersections (1) 152:11
intertwined (1) 51:2
intervention (7) 59:22;60:6;133:14;150:16;20;24;151:9
interview (1) 123:13
Min-U-Script®

Ellen Grauer Court Reporting Co. LLC

PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

11:46:18;9:79:18

involved (3)
114:18;9:79:18

involvement (1)

interviewed (1)
132:5

intimacy (1)
125:16

intimate (1)
141:13

intimidate (1)
136:15

intimidated (1)
163:9

into (19)
14:9:17:21:41:2;
58:15:68:18:78:5:8;
14:108:8:137:5;
141:10:144:9;
154:14:155:13;
160:21:161:10;

intolerance (1)
76:7

intrenched (2)
170:3:172:9

introduce (2)
9:10:37:18

introduced (1)
175:11

invalid (1)
118:20

invented (1)
45:7

inventions (1)
45:7

invest (1)
172:11

investigate (2)
131:10:137:19

investigated (2)
12:14:146:4

investigating (5)
112:9:123:10:25;
142:21:180:3

investigation (5)
59:11:13:60:6;
123:21:142:23

investigations (2)
59:14:16

investigative (1)
68:10

investigatory (1)
123:12

investment (1)
183:8

invited (2)
15:20:47:16

inviting (1)
49:5

invoke (2)
89:2:131:15

involving (1)
19:9

involved (3)
114:18;9:79:18

involvement (1)

Jacqueline (2)
32:5:6

jails (1)
31:4:14

James (3)
31:16:44:49

Jane (1)
53:8

January (1)
42:7

jazzed (1)
6:5

Jeff (1)
89:20

jeopardize (1)
41:23

JFK (1)
114:20

job (55)
4:5:21:8:13:10:15;

K

KAMBER (7)
72:6:10:78:16;

Katie (1)
55:6

Kaufman (3)
3:5:113:24:25

KC (2)
3:14:158:4

keep (6)
17:11:22:18:10:18

keeping (1)
48:19

keeps (1)
50:5

kept (1)
50:15

key (8)
37:23:51:7:14;
81:23:111:6:12;
117:24:118:8

kids (2)
79:19:141:17

killed (2)
52:19:84:12

kind (16)
15:24:16:2:8;
81:3:91:11:13:13;
101:2:102:2:142:11;
167:4:168:15

kinds (2)
51:17:108:22

King (1)
49:17

kiss (1)
86:16

kissed (1)
84:3

kitchen (1)
110:5

knew (5)
129:6:164:20

knocking (1)
127:2

knocks (1)
76:20

knowing (4)
65:3:106:20:144:2;
181:7

knowledge (4)
155:8

known (2)
44:12:96:17

knows (3)
44:11:50:6:70:19

La (2)
3:18:175:21

labeled (2)

LaDonna (7)
3:15:114:18:115:8;
162:20

LaDonna’s (2)
114:21:115:21

laid (1)
14:22

large (9)
68:20:25:7:133:2;
154:22:169:16

largely (6)
17:8:22:2:56:2;
67:2:74:18:92:9

larger (3)

largest (3)
72:11:172:24;
180:24

last (20)
4:3:8:6:13:8;
17:11:24:22:26:6;
51:5:5:2:80:10;
88:16:93:99:5:
108:25:114:16;
125:10:168:5:169:5;
181:22

lasted (1)
40:25

late (4)
16:16:49:7:17;
185:22

lately (1)
166:18

later (11)
<table>
<thead>
<tr>
<th>Page</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Min-U-Script® Ellen Grauer Court Reporting Co. LLC</td>
</tr>
<tr>
<td>2</td>
<td>PUBLIC HEARING ON SEXUAL HARASSMENT IN THE WORKPLACE</td>
</tr>
<tr>
<td>3</td>
<td>PROCEEDINGS</td>
</tr>
<tr>
<td>4</td>
<td>December 6, 2017</td>
</tr>
</tbody>
</table>

### Table of Contents:

- **Law (78)**
- **lawsuits (2)**
  - 75:25:10:75 |
- **lawyer (3)**
  - 9:15:16:8;6:17:16 |
- **lawyers (5)**
  - 4:8,10,17:5,9; 90:21 |
- **layoff (1)**
- **leaders (3)**
  - 18:14:12:23:13; 169:12 |
- **leadership (21)**
- **leading (5)**
- **leads (2)**
  - 117:13:164:21 |
- **Leah (1)**
  - 83:12 |
- **learn (6)**
  - 36:8,22;159:25; 160:2,3,4 |
- **learned (2)**
  - 116:23:178:18 |
- **learning (2)**
  - 152:7:176:5 |
- **least (2)**
  - 47:4:113:14 |
- **leave (14)**
- **leaving (1)**
  - 141:21 |
- **led (4)**
- **left (4)**
- **legislature (1)**
  - 180:5:181:16 |
- **legislatures (1)**
  - 26:15 |
- **legitimate (1)**
  - 96:6 |
- **legs (1)**
  - 100:16 |
- **lesbian (1)**
  - 38:20 |
- **Leslie (2)**
  - 3:17:17:2:17 |
- **less (8)**
- **lesser (1)**
  - 120:11 |
- **Leticia (1)**
  - 31:16 |
- **Leita (1)**
  - 44:9 |
- **letting (2)**
  - 117:7:157:16 |
- **level (11)**
- **levels (2)**
  - 45:24:135:10 |
- **lever (2)**
  - 118:12:14:18 |
- **leveraged (1)**
  - 158:21 |
- **leveraging (2)**
  - 158:17:161:15 |
- **lew (1)**
  - 84:3 |
- **LGBTQ (1)**
  - 34:5 |
- **liability (1)**
  - 105:21 |
- **liberal (1)**
  - 167:21 |
- **Liberties (1)**
  - 11:15 |
- **license (1)**
  - 146:17 |
- **licensing (1)**
  - 97:6 |
- **licked (1)**
  - 57:3 |
- **lies (1)**
  - 117:23 |
- **life (10)**
  - 40:10:54:16:17; |
- **living (5)**
- **Liz (1)**
  - 3:9 |
- **LLP (2)**
  - 3:5,15 |
- **local (9)**
- **located (1)**
  - 168:7 |
- **locations (1)**
  - 66:16 |
- **logistical (1)**
  - 31:4 |
- **long (19)**
- **longer (9)**
- **long-lasting (1)**
  - 104:24 |
- **long-standing (1)**
  - 67:10 |
- **long-term (1)**
  - 89:2 |
- **longtime (2)**
  - 65:12:168:4 |
- **look (19)**
- **looked (2)**
  - 99:14:161:13 |
- **looking (7)**
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

Min-U-Script®
Ellen Grauer Court Reporting Co. LLC
(19) looks - mentioned
necesary (2)
41:10
neck (3)
57:3
necklace (1)
100:14
need (24)
25:8
need (11)
15:3
needs (14)
9:7
negotiated (1)
162:6
Negro (1)
162:6
neighbor (2)
127:2
network (3)
65:24
Neufeld (3)
3:13
New (132)
3:13
non-profits (2)
94:11
Nonviolent (1)
11:17
norm (3)
95:19
normal (2)
74:16
normalize (1)
49:11
normalized (3)
42:23
normalizing (1)
42:3
normative (1)
78:23
norms (1)
162:3
north (1)
158:8
Norton (15)
5:25
next (6)
28:2
nice (1)
86:18
night (6)
8:6
nobody (2)
24:6
non (1)
171:18
nonbinary (1)
33:9
noncorporate (1)
68:4
non-disclosure (2)
93:4
non-discrimination (1)
111:18
non-disparagement (1)
107:16
none (1)
150:6
non-for-profit (1)
48:8
nonimmigrant (3)
145:25
nonpartisan (1)
152:15
non-profit (3)
94:19
numbers (3)
26:11
objectification (1)
74:11
objections (1)
57:10
objects (1)
96:5
obligation (1)
4:11
obligations (2)
122:10
observed (2)
16:18
obsolescent (1)
52:21
obstacle (1)
130:6
obstacles (3)
63:12
obstacles (1)
136:6
obstruction (1)
14:6
obtain (1)
122:10
obtaining (1)
114:17
off (9)
52:19
offer (5)
28:17
offers (3)
23:12
officials (2)
75:4
official (1)
23:9
occurrences (1)
42:12
occuring (2)
66:11
occurs (6)
34:12
October (1)
40:4
odd (1)
121:18
off (9)
52:19
offense (5)
17:25
offensive (2)
136:20
offering (1)
48:5
Office (21)
3:16
Offices (4)
47:7
often (36)
17:7
October (1)
40:4
odd (1)
121:18
off (9)
52:19
offense (5)
17:25
offensive (2)
136:20
offering (1)
48:5
offers (3)
23:12
Office (21)
3:16
Offices (4)
47:7
often (36)
17:7
occurrences (1)
42:12
occuring (2)
66:11
occurs (6)
34:12
powerless (3) 33:23;57:14;102:5
Powell (5) 3:13;152:15;153:4, 17;157:9
practically (1) 32:17
practice (5) 4:10;114:4;120:5; 168:7;175:5
practices (7) 38:19;105:10; 107:23;108:17;20; 109:4;170:4
praise (1) 47:18
prayed (1) 137:6
praying (1) 129:13
precarious (1) 89:10
preceded (1) 77:11
predators (2) 96:17;172:7
predatory (2) 86:21;107:21
predominately (4) 75:22;161:23; 173:4;175:4
pregnant (2) 110:9,13
preliminary (2) 123:20;151:21
 prenatal (1) 110:14
prepare (1) 175:8
prepares (1) 118:8
preparing (2) 155:3;169:2
prescriptions (1) 28:9
presence (2) 31:15;126:22
present (7) 69:20:99:12;20; 112:23;177:21; 179:14;184:15
presents (1) 177:14
President (6) 12:2;25:24;11; 65:10;72:10;152:14
press (1) 77:14
pressing (2) 48:3;83:7
pressure (1) 101:2
pressured (2) 41:24;102:4
prevalence (1) 68:20
prevalent (1) 40:13
prevent (9) 13:11;84:18;93:10, 11;102:7;113:5; 116:9;121:23;146:9
preventative (1) 107:22
prevented (1) 128:13
preventing (4) 33:2;59:24;108:2; 132:20
prevention (6) 68:16;104:24; 105:10;108:19; 109:4;161:22
prevents (1) 166:25
previous (4) 117:20;145:15; 151:9;178:19
previously (1) 117:25
prey (1) 165:6
price (2) 84:12;170:7
prides (1) 184:17
primarily (1) 55:21
primary (3) 75:20;96:25;178:6
prime (3) 51:12;52:14;84:25
prior (3) 53:22;70:13;74:5
prioritize (5) 118:7;130:10,10; 146:21;180:8
priority (3) 108:3;159:18; 181:8
prisons (1) 34:14
privacy (2) 92:21;163:7
private (8) 108:4,9;128:9; 136:22;138:21; 144:18;166:19; 176:20
privilege (5) 4:4;33:25;46:15; 157:21;161:24
privileged (1) 12:2
PRL/DEF (1) 3:10
pro (2) 144:18;145:13
proactive (1) 68:22
proactively (2) 36:15;112:9
probably (3) 64:19;72:18;185:3
problem (18) 21:10;24:10;21; 29:3;7;53:5;44; 59:4;69:18;74:21; 81;4;8;99:24; 106:22;125:7;157:5; 172:9
problematic (1) 92:10
problems (1) 157:13
procedure (2) 56:8;137:11
proceded (1) 99:21
proceedings (1) 142:11
process (12) 21:14;64:16,19; 118:6;120:12;123:2; 124:2;125:19; 130:12;133:8; 142:23;147:15
processes (2) 118:10,19
produce (4) 19:8;53:16,17; 119:9
produced (2) 12:9;18:25
production (4) 67:24;69:7;71:11, 23
productions (2) 68:4;71:16
productivity (5) 45:6;132:22; 149:12;151:5,157:2
profession (2) 4:12;168:15
professional (16) 40:16;41:23;42:17; 43:14;75:6;55:12,22; 77:9;84:24;100:3,6; 101:10;59:24; 170:17;172:12;174:4
professionally (2) 75:23;149:19
professions (4) 56:3;91:22;92:3,17
Professor (5) 6:9;13:23;14:10; 30:21;89:24
profile (5) 20:9,20;26:2;66:6; 114:7
profiling (1) 54:19
profounded (1) 13:10
program (13) 5:5,11:10;38:7; 82:7,12;117:11; 159:4,8,20;160:6,20; 161:22;162:9
programming (1) 144:22
programs (7) 38:9;54:18;60:20; 65:23;73:13;133:16; 175:8
progress (5) 10:7;23:15;26:25; 53:8;117:6
progressive (3) 4:7,8;47:12
prohibit (3) 107:9,12,19
prohibitive (1) 48:10
Project (5) 11:5;38:23;84:22; 144:13;145:6
projects (3) 54:7,10;170:25
prominent (6) 69:5;76:22;87:2; 103:16;104:4;163:25
prominently (1) 18:9
promise (1) 173:18
promised (2) 87:3;171:2
promote (5) 18:6;21:22;105:8; 147:11,157:10
promoting (1) 109:15
promotion (3) 114:23;132:15; 141:12
promotional (1) 31:5
prompted (1) 36:2
promptly (1) 60:21
proof (1) 155:8
proper (1) 178:14
propose (3) 68:11,15,25
proposed (2)
proposition (1)
145:20
propositioned (2)
87:17;114:22
propositions (1)
141:13
prosecution (1)
138:3
prospect (1)
92:5
prospective (1)
107:3
protected (3)
36:17;101:9;
117:23
protecting (4)
101:19;117:20;
176:15;177:14
protection (8)
36:18;91:3;10,12;
18,21;97:14;117:18
protections (6)
60:23;96:8;117:15;
24;123:4;182:10
protects (1)
97:16
proud (4)
4:4;5;3;29:18;
109:17
proudest (1)
185:4
prove (2)
21:13;153:22
proves (1)
153:21
provide (14)
54:6;58:23;59:7;
69:23;73:12;79:15;
91:23;96:14;112:21;
113:12;118:20;
119:4;147:24;184:24
provided (2)
113:11;124:4
provides (2)
60:22;69:3
providing (8)
31:4;65:23;79:22;
23;117:14;123:25;
144:7;178:16
provisions (2)
111:20;112:14
provocative (1)
52:10
psychological (1)
68:19
psychologist (1)
Min-U-Script®

Ellen Grauer Court Reporting Co. LLC

(26) reason - responses

PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

reason (8)
16:20;22:2:29:2;
102:23;111:12;
127:21;150:23;182:8
reasons (1)
150:12
reassigned (1)
113:3
rebuild (1)
30:5
recalculated (1)
156:23
receive (7)
64:7;85:20;92:22;
111:7;116:7;15;
129:9
received (5)
36:4;45:22;59:15;
131:5;143:19
receiving (1)
17:23
recent (10)
50:9;51:5;56:2;
75:7;83:7;85:3;
100:11;150:3;
169:12;176:17
recently (10)
63:17;66:5;74:23;
75:3;88:13;99:8;
109:20;114:6;
163:14;170:11
recklessly (1)
98:7
reckoned (1)
144:6
reckoning (1)
104:20
recognition (1)
23:10
recognize (1)
134:25
recognizes (1)
65:22
recommend (4)
69:10;93:2;3;109:2
recommendations (7)
35:18;39:16;80:2;
109:3;111:6;157:11;
185:20
recomm (1)
47:22
record (2)
47:13;81:13
recorded (1)
121:11
recourse (5)
90:23;91:14;98:9;
22:176:25
red (2)
9:16;73:6
reduce (3)
93:16;16;144:24
reenforce (1)
55:18
reference (2)
88:16;121:2
referred (1)
30:4
references (1)
156:11
reflected (1)
145:12
reflect (1)
132:13
reveal (1)
95:9
regulation (1)
37:6;60:10;68:14;
69:3;71:9
regulations (3)
58:14
regulators (1)
98:19
reinvigorated (1)
30:6
related (3)
67:24;168:12;
182:3
relation (2)
120:9;158:17
Relations (1)
158:13
relationship (1)
144:17
relationships (2)
67:3;132:24
relative (1)
114:11
relevant (1)
68:23
rely (1)
110:23
remain (1)
100:5
remained (1)
51:8
remarkable (2)
32:14;159:21
remains (1)
39:7;84:4;107:24;
158:3;168:16
remedies (4)
46:22;105:25;
113:17;21
remedy (8)
21:5;24:12;13;15;
113:19;123:6;133:7;
147:7
remember (5)
11:16;14:5;24:8;
25:24;86:19
remembered (1)
22:25
remind (2)
35:13;82:23
reminded (1)
136:24
reminding (1)
142:6
reminds (2)
5:17;177:3
remiss (2)
49:4;180:25
rendered (2)
21:8;9
renew (1)
164:9
renewed (1)
165:18
rent (1)
177:25
rep (1)
58:14
repeat (3)
139:16;149:2;
152:23
repeated (1)
136:19
repeatedly (5)
76:3;110:6;114:22;
136:24;139:21
repercussions (1)
60:4
replaced (1)
13:20
report (37)
12:10;24:22;25:2;
28:13;35:17;39:15;
44:19;21:53:14;59:4;
81:3;84:19;93:13;20;
95:6;102:9;106:25;
107:4;17:108:25;
131:23;132:9;135:2;
15:16;18;146:22;
149:16;151:16;
155:2;20:169:4;
173:25;174:5;13;
179:24;185:20
reportedly (1)
52:12
reporters (1)
53:20
reporting (23)
56:8;67:8;11;68:9;
17:73;8;92:20;94:9;
12:13;95:13,17,21;
102:11;103:23;
112:4;24:135:22,25;
146:9;147:7;157:12;
179:11
reports (11)
12:9;50:7;53:16;
18:22;129:21;
144:21;148:4;
151:10,11,17
represent (9)
27:5;55:20;57:17;
62:25;131:17;
134:15;158:13;
152:13;184:23
Representation (1)
184:25
representatives (1)
70:2
represented (5)
10:17;11:15;51:18;
72:13;168:10
representing (6)
8:21;10:21;65:25;
69:12;116:24;169:19
reps (2)
134:12;162:22
repressive (1)
95:5
reprimals (1)
178:15
reproductive (1)
152:20
request (4)
47:24;99:14,16;
146:12
requested (1)
110:14
requests (1)
101:12
require (7)
13:10;61:9;85:14;
19:108:13;133:8,11
required (10)
25:19;58:22;93:21;
112:21;14:132;
120:23;123:2;
149:19;158:25
requirement (1)
61:5
requirements (3)
108:11;111:18,20
requires (3)
101:13;125:19;
146:2
requiring (6)
149:9;151:25
research (4)
75:16;23;151:3,14
researchers (1)
10:12
reserved (1)
106:23
resident (1)
168:4
residents (3)
135:4;177:22;
178:2
resign (1)
116:3
resignation (1)
44:7
resigned (1)
148:4
resist (1)
49:19
resisting (1)
10:9
resists (1)
76:12
resolution (2)
48:2;106:15
resolve (2)
60:21;160:10
resolved (4)
106:14;107:6;
170:11;171:20
source (5)
37:6;60:10;68:14;
69:3;71:9
sources (10)
48:5;58:10:60:20;
68:12;102:7;115:11;
118:13;150:7;
174:24;184:24
respects (7)
29:3;30:8;81:21;
86:3;96:8;101:17;
136:3
respected (1)
44:2
respectful (2)
84:23;158:22
respond (1)
37:7
responded (3)
112:20;141:19;
164:19
respondents (1)
75:19
responding (1)
104:22
response (7)
59:14;115:11;
133:22;145:7;
149:16;157:4;165:4
responses (2)
149:9;151:25
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

Min-U-Script®

Ellen Grauer Court Reporting Co. LLC

(29) shielded - stalls
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

169:23
throughout (11)
67:25,73:15,90:6;
94:7,95:16,124:2;
139:12,142:23;
164:3,168:10
thrown (1)
17:11
Thus (3)
58:15,60:25,122:9
tied (1)
100:15
tiers (1)
32:16
tight (2)
40:25,140:12
timely (5)
38:21,22,78:3;
103:7,104:8
titles (1)
122:14,147:21
times (11)
5:24,9:16,17,30:2;
52:9,63:2,67:9;
86:16,114:9,148:14;
163:17
tip (2)
8:24,110:23
tipped (1)
155:18
tips (3)
110:23,156:2;
173:19
tired (1)
88:10
Title (8)
16:25,17:11,21:25;
25:12,16,25,131:4;
141:21
titles (1)
151:19
today (51)
4:6,5:13,23,6:25;
7:13,19,21:8,9:9,13;
25:11,13,15:3,16:2;
22:13,23,16,26:5;
27:19,28,23,40:11;
44:6,19,48:24,49:4;
67:20,2,7:14;
83:12,23,89:24,93:7;
117:6,127:11,23;
130:17,131:24;
134:20,139:8,14;
147:20,152:5,22;
154:11,155:14;
168:16,169:18;
178:16,179:3;
182:16,183:12;
185:15
Today's (3)
19:10,65:15;
153:22
together (7)
30:19,36:2,90:19;
171:11,172:7,176:7;
184:13
told (15)
42:15,45:20,51:17;
75:4,88:6,19:21;
110:8,114:24,127:5;
128:25,131:13;
137:5,138:8,170:20
tolerance (3)
76:8,174:25;
179:15
tolerate (1)
49:11
 tolerated (2)
55:19,16:4,15
tolerating (1)
74:17
tomato (1)
38:7
tone (1)
14:18
tonight (33)
8:3,11,2,11,13;
29:22,31:4,12,32:5;
34:16,19,35:9,11,15;
36:8,37:11,13,14,16,
17:39,17,17:10;
124:10,145:23;
148:9,157:17;
163:13,165:20;
166:16,175:20;
177:13,179:13;
181:24,185:22
tonight's (4)
30:18,31:10,33:17;
185:19
tons (1)
143:15
took (10)
4:11,5:18,7:18;
18:20,26,3:87:12;
100:18,126:20;
146:17,171:15
tool (1)
112:4
Toolkit (1)
68:12
tools (5)
28:5,69:23,80:5;
85:10,108:24
top (12)
32:16,51:8,20;
53:15,60:17,100:21;
23:133:2,145:7;
169:12,179:16
topic (6)
74:25,83:7,85:19;
88:14,127:25,130:21
tormented (1)
80:19
total (1)
PUBLIC HEARING ON
SEXUAL HARASSMENT IN THE WORKPLACE

PROCEEDINGS
December 6, 2017

1,500 (1)
ZO.
1,500 (1)

1

Y

year (17)
4:3:23:17:48:18;
86:19:88:3:109:2;
120:20:129:24;
42:4:11:9:22;
11:6:16:17:15:17;
28:3:19:10:51:5;
53:22:66:3:76:2;
99:5:103:22:105:2;
113:14:114:19;
116:2:118:3:120:17;
17:1:125:125:10;
126:13:127:5:21;
128:3:131:5:140:10;
153:9:10:164:16;
168:5:25:172:20;
177:5:183:22

works (5)
38:24:88:4:112:22;
143:5:184:22

workshops (1)
54:7

worksites (1)
84:25

workspace (2)
40:7:149:3

world (11)
4:25:27:18:40:8;
44:11:467:9:24:2;
155:3:160:19:175:9;
177:6

worldwide (1)
65:24

worn (1)
41:13

worried (3)
98:2:154:24;
185:16

worse (4)
75:13:77:18;
132:5:173:21

worth (2)
111:13:178:12

would-be (1)
116:18

wrapped (1)
58:15

wrapping (2)
30:23:54:25

writers (5)
35:4:69:8:149:20;
25:150:3

writing (2)
149:23:150:2

...