

# United States Senate

WASHINGTON, DC 20510

January 18, 2018

The Honorable Lamar Alexander  
Chairman  
Committee on Health, Education, Labor & Pensions  
428 Dirksen Senate Office Building  
Washington, D.C., 20510

The Honorable Patty Murray  
Ranking Member  
Committee on Health, Education, Labor & Pensions  
428 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Alexander and Ranking Member Murray,

We write to request that you immediately call hearings on workplace sexual harassment and assault. As Chairman and Ranking Member of the Senate Committee on Health, Education, Labor & Pensions (“the Committee”), you have oversight over the U.S. Equal Employment Opportunity Commission (EEOC), the primary government body charged with enforcing federal laws against workplace discrimination, including harassment. The committee also has broad jurisdiction over matters affecting workers and workplaces.

As members of the committee, it is our duty to ensure that workers are protected from sexual assault and harassment in their jobs. The deluge of workers who have come forward to report incidents of workplace sexual harassment and assault in recent months has rightly caused Congress to reexamine existing anti-harassment and anti-discrimination policies and has forced us to question the efficacy of existing worker protections. It also suggests that the EEOC may not have the resources necessary to fulfill its mission.

Each year, the EEOC receives thousands of complaints alleging workplace harassment. In Fiscal Year 2016 alone, the Commission received 91,503 complaints, 26,934 of which alleged discrimination on the basis of sex.<sup>1</sup> Nearly 50% of sex discrimination complaints (12,860) involved sexual harassment.<sup>2</sup> This is just the tip of the iceberg—it is estimated that up to 90% of individuals who are sexually harassed never file formal complaints about their harassment.<sup>3</sup>

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<sup>1</sup> U.S. Equal Employment Opportunity Commission, “EEOC Releases Fiscal Year 2016 Enforcement and Litigation Data” (January 18, 2017) (online at <https://www.eeoc.gov/eeoc/newsroom/release/1-18-17a.cfm>).

<sup>2</sup> U.S. Equal Employment Opportunity Commission, “Charges Alleging Sex-Based Harassment (Charges filed with EEOC FY 2010- FY 2016) (online at [https://www.eeoc.gov/eeoc/statistics/enforcement/sexual\\_harassment\\_new.cfm](https://www.eeoc.gov/eeoc/statistics/enforcement/sexual_harassment_new.cfm)).

<sup>3</sup> Claire Cain Miller, “It’s Not Just Fox: Why Women Don’t Report Sexual Harassment,” *New York Times* (April 10, 2017) (online at <https://www.nytimes.com/2017/04/10/upshot/its-not-just-fox-why-women-dont-report-sexual-harassment.html>).

Though high-profile accounts of sexual assault and harassment in Congress and Hollywood have dominated the news in recent months, sexual harassment occurs in workplaces outside of the limelight every single day. A recent report by the EEOC found that “anywhere from 25% to 85%” of women have experienced sexual harassment in the workplace.<sup>4</sup> Women are more likely to experience sexual harassment than men; meanwhile, low-income women and women of color often face unique barriers to sexual harassment reporting and prevention.<sup>5</sup> But despite the pervasiveness of harassment, the Committee has yet to hold a hearing on workplace sexual harassment.

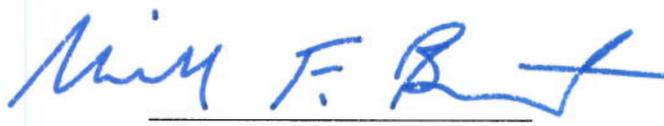
The public is rightly outraged by this scourge of sexual harassment. It’s time for Congress to play a leadership role in tackling the problem of workplace sexual harassment and assault to show that Congress, like the public, sees harassment and discrimination as unacceptable. This committee, which is charged with overseeing the EEOC and all matters related to American workplaces, should step up and take the lead.

Sincerely,

  
Elizabeth Warren  
United States Senator

  
Bernard Sanders  
United States Senator

  
Robert P. Casey, Jr.  
United States Senator

  
Michael F. Bennet  
United States Senator

  
Tammy Baldwin  
United States Senator

  
Christopher Murphy  
United States Senator

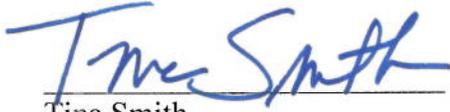
<sup>4</sup> U.S. Equal Employment Opportunity Commission, Select Task Force on the Study of Harassment in the Workplace, *Report of Co-Chairs Chai R. Feldblum & Victoria A. Lipnic* (June 2016) (online at [https://www.eeoc.gov/eeoc/task\\_force/harassment/upload/report.pdf](https://www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf)).

<sup>5</sup> U.S. Equal Employment Opportunity Commission, Select Task Force on the Study of Harassment in the Workplace, *Report of Co-Chairs Chai R. Feldblum & Victoria A. Lipnic* (June 2016) (online at [https://www.eeoc.gov/eeoc/task\\_force/harassment/upload/report.pdf](https://www.eeoc.gov/eeoc/task_force/harassment/upload/report.pdf)); Kim Parker and Cary Funk, “Gender discrimination comes in many forms for today’s working women,” *Pew Research Center* (December 14, 2017) (online at <http://www.pewresearch.org/fact-tank/2017/12/14/gender-discrimination-comes-in-many-forms-for-todays-working-women/>); Kathryn Casteel, Julia Wolfe, and Mai Nguyen, “What We Know About Victims of Sexual Assault in America,” *FiveThirtyEight* (January 2, 2018) (online at <https://projects.fivethirtyeight.com/sexual-assault-victims/>).



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Tim Kaine  
United States Senator



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Tina Smith  
United States Senator



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Margaret Wood Hassan  
United States Senator



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Doug Jones  
United States Senator