





#### **ABOUT THIS REPORT**

Workplace sexual harassment remains deeply pervasive in the workplace, wreaking havoc on the lives of survivors. This report fills a gap in our knowledge of the economic costs of sexual harassment for the individual women and men who experience it. Drawing on indepth interviews with survivors of workplace sexual harassment and stakeholder experts, and a review of the literature, the report provides a detailed pathway for capturing the financial consequences of workplace sexual harassment for individual workers in both the short term and over their lifetimes. The research is based on a collaboration between the Institute for Women's Policy Research and the TIME'S UP Foundation and presents the first step towards identifying the data needed for a comprehensive national assessment of the financial and economic costs of sexual harassment.



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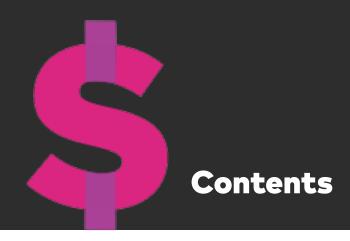
Cover: The photos depicted on the cover are meant to illustrate women who work in similar spaces as the individuals featured in this report. Photo credits: Jetta Productions/Stocksy, FG Trade/Getty Images, and FG Trade/Getty Images.

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# Paying Today and Tomorrow: Charting the Financial Costs of Workplace Sexual Harassment

# **Executive Summary**

One in four women experience workplace sexual harassment over their lifetimes, according to even the most conservative estimates. Beyond the personal toll it takes, sexual harassment can also have high financial costs for individual workers who are targeted. These costs can be seen through job loss and unemployment, lower earnings, missed opportunities for advancement, forced job changes, and loss of critical employer-sponsored benefits like health insurance and pension contributions. The financial impact of workplace sexual harassment can be detrimental and long-lasting to those who experience it, limiting their career advancement and threatening their economic security during their working lives and into retirement. The short-term and long-term impact on the economic security of those working in low-wage jobs can be particularly severe.

While there is extensive research on the impact of workplace sexual harassment on individuals' health and performance, and on the expense of workplace sexual harassment for employers, less is known about the tangible financial costs of workplace sexual harassment to targeted individuals themselves. This report fills this gap by providing new insights into the economic costs of workplace sexual harassment to individual workers. Based on in-depth interviews with 16 survivors of workplace sexual harassment, as well as with experts, this report charts the detailed pathways that lead to financial costs to individual workers as a result of workplace sexual harassment and retaliation. It draws on existing literature on sexual harassment in the workplace to contextualize these costs. Finally, it provides a set of recommendations on next steps for further research.

# **Key Takeaways**

The lifetime costs of workplace sexual harassment and retaliation were
particularly high for those pushed out of well-paid, men-dominated occupations,
reaching \$1.3 million for an apprentice in the construction trades. While lower
earnings and lower job quality in many women-dominated service sector jobs

- mean that the quantifiable costs of harassment are lower for those in these positions, for one fast-food worker forced out of her job, lifetime costs still totaled over \$125,600.
- Job loss and unemployment due to workplace sexual harassment and retaliation are major contributors to individuals' costs. All those interviewed experienced at least some loss of work or forced job change. The cost of a single year out of work for an apprentice in a construction occupation translates into a lifetime loss of \$230,864 due to lost wage progression and foregone benefits.
- Losing valuable pension and health insurance benefits are common consequences of workplace sexual harassment and retaliation. Losing employer-sponsored health insurance forced many of those interviewed to forego healthcare and therapy altogether (because they were unable to afford it) or to face high out-of-pocket costs. Reduced pension and Social Security contributions additionally translate into less economic security in old age.
- Forced career change may necessitate paying for new degrees or credentials.

  These costs came to almost \$70,000 for one woman, reflecting direct tuition costs for a two-year community college degree plus lost earnings over two years as she pursued her new degree.
- Sexual harassment contributes to the gender wage gap. Case studies in the report show how women were pushed out of well-paying careers—including in fields dominated by men such as construction, trucking, and IT—into lower-paid or less regular employment.
- The "knock-on," or consequential, costs of sexual harassment were particularly severe for those working in low-paid and precarious jobs. Loss of earnings translated into higher financial charges, lower credit ratings, mounting student loan debt, repossession of cars, evictions from housing, including temporary homelessness, and reduced retirement security.
- Policies designed to prevent workplace sexual harassment are not working. For
  every individual interviewed, the experiences of harassment were compounded
  and the costs magnified because those who were positioned to help address the
  harmful behavior (supervisors, human resources staff, colleagues) failed to act—
  or even worse, retaliated against the employees who were harassed. High costs
  of legal representation, lack of information, and uncertainty over immigration
  status left the large majority of those who experienced workplace sexual
  harassment and related retaliation without legal recourse.
- The research confirms common risk factors of sexual harassment and retaliation.
   Individuals interviewed repeatedly cited similar circumstances, including work in men-dominated industries, in physically isolated workplaces, in situations of substantial power imbalance, including due to immigration status, and in industries with no clear channels for reporting harassment because of subcontracting, franchising, and other decentralized employment structures.

   Often these risk factors overlapped.

• The dearth of nationally representative data on sexual harassment and its costs—both to individuals and the broader economy—is unacceptable. No data sources allow analysis by occupation and industry of the prevalence or the consequences of harassment, let alone data that are detailed enough to fully analyze and explore the intersectional nature and impact of harassment on the women, men, and non-binary people who face harassment at the cross-sections of multiple oppressions. Such data are urgently needed to establish benchmarks and allow us to track progress in tackling harassment over time.



Sexual harassment remains deeply pervasive in the workplace, wreaking havoc on the lives of those who experience it. Even the most conservative estimates suggest that 25 percent of women will experience workplace sexual harassment over their lifetimes.¹ Beyond the personal toll, sexual harassment takes a financial toll as well. Individual workers who are targeted can face hefty economic costs as a result of workplace sexual harassment, both in the short term and over the course of their careers. These costs can include unemployment, early departures from high-paying careers, forced job changes, and loss of critical employer-sponsored benefits like health insurance and retirement. For those working in low-wage jobs, these financial consequences can be particularly devastating—threatening their ability to meet basic needs and achieve economic security.

An extensive body of research shows the adverse mental and physical health effects of sexual harassment (Hitlan et al. 2006; Deloitte 2019). There is also considerable research to illustrate the economic costs to employers from staff turnover, increased absences, reduced productivity, and reputational damage.<sup>2</sup> Yet, with the exception of groundbreaking work by McLaughlin, Uggen, and Blackstone (2017), who found that those facing sexual harassment at work are significantly more likely to experience financial stress and be derailed from their original career path, little research systematically tracks the tangible financial effects of sexual harassment on the targeted individuals. This report fills this gap by charting the pathways that lead to financial costs to individual workers as a result of workplace sexual harassment.<sup>3</sup>

In the report, we find that the **lifetime costs of sexual harassment and retaliation** are particularly high for those pushed out of well-paid male-dominated occupations, reaching **\$1.3 million** for an apprentice in the construction trades. For workers in low-wage service jobs, forced job change as a result of sexual harassment can translate to **\$125,600** because of lower earnings and lost promotions.

These costs were the result of the following contributing factors:

 Reduced Earnings: Many of the individuals we spoke to lost thousands of dollars from cutbacks in shifts, lost promotions, and lost bonuses, either as a result of workers' performance being affected by the harassment, or in retaliation for speaking out.

<sup>&</sup>lt;sup>1</sup> Estimates of the prevalence of workplace sexual harassment for women range widely—from 25 to 85 percent—depending on the framing of survey questions and the particular population surveyed; see Feldblum and Lipnic (2016) for a review.

<sup>&</sup>lt;sup>2</sup> For research reviews, see Feldblum and Lipnic (2016) and Shaw, Hegewisch, and Hess (2018).

<sup>&</sup>lt;sup>3</sup> Workplace sexual harassment includes "unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature" (see U.S. EEOC 2020 or RAINN 2021).

- Job Loss and Unemployment: Nearly all those interviewed spent some time
  out of work as a result of the traumatic experience of harassment, leading to
  substantial direct costs. Often, harassment and retaliation made the work
  environment so hostile that the worker was forced to leave.
- Forced Career Change and Delayed Advancement: As a result of harassment, several women working in well-paying, men-dominated careers were pushed out of their occupations and into lower-paying work, often in women-dominated industries. In this way, sexual harassment reinforces the gender wage gap, through the derailing or stalling of career advancement and the loss of highearning career paths.
- Lost Benefits: Losing these jobs meant not only losing income but often also losing valuable benefits, such as retirement fund contributions, healthcare, and tuition subsidies.
- **Medical Fees and Copays:** The need for treatment for the physical and mental effects of harassment was often high at a time when job loss meant the loss of health insurance benefits.
- Retraining: Forced career change may necessitate new degrees or credentials
  and created substantial costs for interviewees. Retraining meant tuition or
  materials costs, as well as the opportunity cost of time spent learning rather
  than earning wages for people interviewed.
- "Knock-On" or Consequential Costs: Reduced earnings, particularly for workers in low-paying service industry jobs, often had serious "consequential" negative effects on personal finances, leading to late payment fees, loan defaults, lower credit ratings, housing insecurity, repossessed assets, and garnished wages.

The experiences shared by those interviewed confirmed what we know about the workplace structures and conditions that make workers particularly vulnerable to sexual harassment and retaliation.<sup>4</sup> These **risk factors** include working in mendominated industries, in physically isolated workplaces, in situations of substantial power imbalance, including power imbalances because of immigration status, and in industries where there are no clear channels for reporting harassment because of subcontracting, franchising, and other decentralized employment structures. Often these risk factors overlapped.

Further, we found that policies designed to prevent workplace sexual harassment are not working. For every individual interviewed, the experiences of harassment were compounded and the costs magnified because those who were positioned to help address the harmful behavior (supervisors, human resources staff, colleagues) failed to act—or even worse, retaliated against the employees. High costs of legal representation, lack of information, or uncertainty over immigration status left the large majority of those who experienced workplace sexual harassment and related retaliation without legal redress.

<sup>&</sup>lt;sup>4</sup> See, for example, Feldblum and Lipnic (2016).

Workplace sexual harassment is not only a cultural and social issue, but also a deeply economic one. In addition to the myriad ways in which it negatively affects individuals' economic security, as detailed in this report, workplace sexual harassment intersects with disparities in economic and workplace power and agency as both a driver and outcome of structural sexism and racism (Kashen and Mabud 2020). It serves as a tool to exclude women from pathways of success and economic equity, and it exacerbates and sustains major structures of gender inequality such as occupational segregation (Flynn 2020). People across the wage spectrum, but especially those at the bottom, lose out when workplace sexual harassment is neither acknowledged nor remedied. Because women are more likely to be the target of sexual harassment than men, and Black women more likely than White women,<sup>5</sup> the economic consequences of sexual harassment are likely to further increase gender and racial inequality in the United States.

# **Methodological Overview**

Based on in-depth interviews with 16 survivors of workplace sexual harassment (15 women—including 1 transgender woman—and 1 man), this report charts the detailed pathways that lead to financial costs to individual workers. These case studies were complemented by expert interviews, including with sex discrimination lawyers, occupational economists, researchers, and worker advocates. These case studies focus primarily on workers who were targets of harassment in construction, tech or IT, trucking, home and domestic care, fast food, and janitorial services (see Appendix A for details). While higher-income sectors, such as Wall Street and law firms, also have high rates of sexual harassment, the financial costs to workers in those sectors are arguably better documented, not least due to several successful class action lawsuits.<sup>6</sup>

In interviews, workers shared personal examples of the harassment they experienced, ranging from repeated and unwanted sexual jokes or comments to being propositioned for sex, being groped, or being sexually assaulted while on the job. They detailed the retaliation they faced once they spoke up against the harassment and shared how the harassment negatively impacted their jobs, careers, and personal finances. Nearly everyone in this study faced periods of unemployment, ranging from one week to five years out of the workforce. Six interviewees changed their careers entirely as a result of their experiences.

<sup>&</sup>lt;sup>5</sup> In 2017, men brought 16.5 percent of the sexual harassment charges filed with the U.S. EEOC (2020); a recent online survey found men to be half as likely as women to report sexual harassment (Chattergee 2018); see Cassino and Besen-Cassino (2019) for differential rates of sexual harassment for Black, White, and Hispanic women.

<sup>&</sup>lt;sup>6</sup> See, for example, Antilla 2002; Hegewisch, Deitch, and Murphy 2011.

While those interviewed represent a convenience sample—that is, they were contacted through organizations advocating and working with survivors of harassment and thus are not a random sample of workers who experienced harassment—their experiences of the consequences of harassment are illustrative of the financial costs that arise for individual workers.

Drawing on these interviews, as well as on established practices for estimating monetary damages for plaintiffs in discrimination lawsuits, this report provides a comprehensive framework for capturing the different pathways that contribute to the tangible economic costs of harassment. The costs include both the direct financial effects as well as the downstream effects on a person's long-term financial stability and wellbeing.

This report sheds much-needed light on the financial harms of workplace sexual harassment to those who experience it. However, more intersectional data on both the prevalence of sexual harassment and consequences across different industries are ultimately needed to fully document exactly how much sexual harassment costs the United States in aggregate. The examples provided in this report indicate that, when aggregated, these costs are likely substantial for the broader economy.

The remainder of this report proceeds as follows: Section II outlines the methodology for charting the financial costs of sexual harassment, differentiating between "direct" and "knock-on" or consequential costs, and then illustrates how such costs accumulate across the lifetime through the cases of three of the women interviewed. Section III charts the myriad pathways through which workers incur direct financial costs. Section IV follows with "knock-on" or consequential costs, such as the impact of lost earnings on financial charges, debt, housing, and retirement security. Section V reviews the risk factors of workplace sexual harassment and retaliation, and Section VI provides a summary of the main findings and ends with a call for comprehensive national data to systematically assess the financial costs of sexual harassment.

# II. Charting the Financial Costs of Workplace Sexual Harassment over a Lifetime

Workplace sexual harassment can impose significant financial costs on the individuals who experience it. These costs affect workers financially through several pathways, with some costs occurring immediately and acutely, and others occurring repeatedly or over the long term. They include being fired or forced to leave one's job; cutbacks in shifts; demotions; and losing out on promotions and advancement opportunities (Hegewisch, Deitch, and Murphy 2011; McLaughlin, Uggen and Blackstone 2017; Sugerman 2018; National Academy of Sciences, Engineering, and Medicine 2018), as well as costs resulting from the need to address short-term and long-term physical and mental health effects (see for example Chan et al. 2008; McDonald 2012; Willness, Steel, and Lee 2007).

The United States lacks systematic data sources to assess the prevalence of workplace sexual harassment, and that dearth of data extends to the extent and size of costs experienced by individuals who are targeted by sexual harassment (U.S. Government Accountability Office 2020).<sup>7</sup> Intake data from the more than 3,000 individuals who contacted the Time's Up Legal Defense Fund for legal advice on workplace sexual harassment suggest that more than one in five (22 percent) faced direct financial costs (Tucker and Mondino 2020). Evidence available from lawsuits suggests that costs as a result of workplace sexual harassment can be substantial.<sup>8</sup>

Only a small number of those who are subject to harassment ever report it, let alone bring lawsuits (see Feldblum and Lipnic 2016; Society of Human Resource Management 2018). The case studies conducted for this report show that these costs are also substantial for the many workers whose experiences of sexual harassment are not considered in court.

Over a lifetime, harassment can derail individuals from their stable career trajectory, leading to long-term financial consequences from lower earnings in a new job, reduced or slower career progression, or reduced retirement or Social Security contributions. The difference between workers' actual earnings and expenses after experiences of harassment and the earnings that they could reasonably have expected if the harassment had not occurred can easily extend into the thousands of dollars. All of the workers interviewed experienced some financial costs as a result of harassment. At the lowest level the costs were \$610 for a woman janitor (and while this may appear to be relatively low, it translates into almost sixty percent of the average monthly rental and utility cost for a single person in this worker's state of residence). Yet, for most interviewed, the costs were substantially higher: four workers had costs in the

<sup>&</sup>lt;sup>7</sup> This is in stark contrast to Australia where a nationally representative survey is conducted at regular annual intervals highlighting the extent of sexual harassment and tracking (the lack of) progress over time (Australian Human Rights Commission 2018).

<sup>&</sup>lt;sup>8</sup> See Lee (2019) for recent EEOC settlements. The Civil Rights Litigation Clearinghouse (https://www.clearing-house.net/) has a searchable database of sexual harassment lawsuits; non-disclosure agreements and mandatory arbitration, however, mean that the detailed costs of sexual harassment to individuals are often not publicly available (see for example Levinson 2019).

ten thousands, six in the hundred thousands, and one higher than \$1 million. The experiences of three of the interviewees—**Denise**, who was pushed out of a union construction apprenticeship, **Sierra**, who was pushed out of an administrative position in customer service for a reputable nationwide company, and **Gabriella**, who was pushed out of her first junior management job in food services—illustrate how these costs arise and accumulate over the lifetime.

# Denise's Story: Pushed Out of a High-Paying Union Job in the Trades

Denise had completed two years of a five-year union construction apprenticeship, where fewer than one in twenty workers are women (Childers, Hegewisch, and Jackson 2021). She loved her job but experienced persistent verbal sexual harassment from a coworker. A number of other coworkers regularly berated her and graffitied the worksite with explicit sexual threats to the few women working there. She received little to no support from coworkers, foremen, or the union. Ultimately, she was pushed out. She left the trades and instead took a job as a (non-union) bus driver, at half the salary, with fewer benefits. This move meant she also lost her employer's pension contributions and the prospect of participation in the union's pension plan. If Denise continues to work as a bus driver, the estimated costs of the harassment will exceed \$1.3 million in her lifetime.

Denise's experience illustrates how sexual harassment contributes to keeping women underrepresented in highly paid men-dominated occupations. Union construction apprenticeships provide a pathway to well-paying jobs with robust benefits without requiring higher educational degrees. Sexual harassment acts as both a deterrent, discouraging women from entering the field, and as a tool to push women out of the sector, thereby perpetuating gender segregation.<sup>10</sup> This kind of occupational segregation accounts for over half of the gender wage gap in the United States (Blau and Kahn 2017).

#### DENISE'S STORY: LIFETIME COSTS<sup>11</sup>

Denise, a 30-year-old union construction apprentice, was on a high-wage job trajectory, earning \$48,339 a year, and due to make \$64,459 a year as a journey-level worker after completing her five-year apprenticeship. Her benefits were great and included health insurance and a pension. When she was sexually harassed by her coworkers, she quit her job and was unemployed for seven months. She wasn't able to collect unemployment benefits during that time. She found a job as a private sector bus driver with a \$34,320 annual salary and completed on-the-job training. Her job as a bus driver offered fewer benefits than her position in the union construction trades and did not include a pension.

<sup>&</sup>lt;sup>9</sup> The names of interviewees and some minor details from interviews with workers have been changed or obscured where necessary to maintain the anonymity of those interviewed.

<sup>&</sup>lt;sup>10</sup> For another recent example, see Sergi, Soichet, and Yang 2020. See Sugerman 2018 for a discussion of the harm of sexual harassment, and examples for addressing it in the trades.

<sup>&</sup>lt;sup>11</sup> Calculations based on a lifespan of 82 years and retirement age of 62 (see Appendix A for more detail).

#### If Denise remains a bus driver until retirement, she will have lost:12

- Lost lifetime wages and benefits = \$1,306,170 o Including:
   Lost pension value<sup>13</sup> = \$92,705
  - Lost Social Security benefits = \$51,567
- Unemployment insurance = None
- Medical and psychiatric costs = \$617
- **5** Total lifetime costs: \$1,306,787<sup>14</sup> plus physical strain, depression, and psychological trauma

#### Sierra's Story: Forced Out of Stable Employment in Customer Service

Sierra had a good job in customer service working for a large nationwide company. Her salary was decent, her benefits were great, and her position offered excellent prospects for promotions and career growth. She was on her way to her first promotion when the team supervisor—a key decision-maker in the department—invited her out and made sexually suggestive comments. When she declined his advances, Sierra started seeing work taken off her plate in retaliation. The retaliation worsened after she made a complaint to the HR department. She was removed from projects and was rated "poor" on performance reviews when previously she had always excelled. Finally, the company fired her, claiming poor performance.

The harassment, retaliation, and nature of dismissal caused her substantial mental and physical pain, and the need for therapy. She did not feel able to take another job in a similar corporate environment; instead, she took a part-time job providing care for an elderly relative and returned to college. As a result of the harassment, she had lower earnings and lost benefits, much higher out-of-pocket expenses for healthcare (including for therapy), higher debt to pay for college, reduced 401(k) and Social Security contributions, and, as a result, much reduced retirement income for the future. While Sierra always intended to go back to school, she not only lost the tuition reimbursement that she would have received, but also faced the opportunity cost of being able to work full-time while studying. Over a ten-year period, she stayed in casual part-time employment. Over her lifetime, her experience with workplace sexual harassment is estimated to cost her close to \$600,000.

<sup>&</sup>lt;sup>12</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011). Detailed calculations can be accessed at https://iwpr.org/wp-content/uploads/2021/07/Lifetime-Costs-of-Sexual-Harassment-Estimates\_2021.xlsx.
<sup>13</sup> See Appendix B, based on Southwest Carpenters Pension Trust 2016.

<sup>&</sup>lt;sup>14</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).

#### SIERRA'S STORY: LIFETIME COSTS<sup>15</sup>

At age 26, Sierra had been working in customer service for three years and was making \$27,000 annually. If she had received the promotion she was expecting prior to being sexually harassed, her salary would have increased to \$31,200 per year. Her benefits from her job included a 100 percent 401(k) match up to 6 percent of her salary and a 50 percent tuition subsidy. When Sierra turned down her manager's inappropriate advances, she started to lose out on professional development opportunities, received worse performance evaluations, and eventually was fired. The unemployment insurance benefits she received for six months initially helped to offset her income loss, and she then went back to college. Eventually, she started caring for an aging relative part-time for minimal pay. To cope with the lasting trauma of her experiences, Sierra sought therapy and was prescribed medication. As a result of the harassment, she was pushed out of a stable job with clear prospects for career development into years of casual part-time work.

# Even if Sierra secures a better job than her pre-harassment position she will have lost:

- Lost lifetime wages and benefits = \$578,099
  - o Including:

    Lost 401k employer contributions and returns = \$83,113

    Lost Social Security from time unemployed and lost earnings = \$6,891
- Cost of tuition without employer subsidy = \$22,528
- Medical costs (including psychological and physical health appointments related to the trauma of harassment, and medication) = \$5,368

Total lifetime costs: \$605,995<sup>16</sup> plus physical health problems, anxiety, depression, and psychological trauma

#### Gabriella's Story: Pushed Out of a Junior Management Job in Food Service

Gabriella worked at a fast-food restaurant for over three years. She had just been promoted to shift leader and received her first raise in three years when she was physically and verbally sexually harassed by a coworker. She reported the behavior, and, although Human Resources said they would address the problem, no action was taken. Instead, she was labeled a "troublemaker" and assigned fewer and fewer shifts each week until she was forced to quit and find another job. While Gabriella found a new job relatively quickly, it paid a dollar (11 percent) less per hour.

<sup>&</sup>lt;sup>15</sup> Calculations based on a lifespan of 82 years and retirement age of 62 (see Appendix A for more detail).

<sup>&</sup>lt;sup>16</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).

Because of the decline in her earnings, Gabriella and her mother weren't able to make full rent payments on the apartment they shared and were evicted. She faced several thousand dollars in late fees for credit card payments, as well as legal costs to restore her credit rating. As a result of the psychological trauma she experienced due to her sexual harassment, Gabriella also needed medical help.

Over her lifetime, the estimated costs of the harassment come to more than \$125,000. While the cost to Gabriella is smaller in absolute terms compared to prior examples, in the first year alone the costs from her lost earnings and from credit card late fees came to more than 30 percent of her previous annual salary. The economic and housing insecurity she endured while dealing with her harassment and the retaliation she faced is a significant and immeasurable economic cost with which she and other low-wage workers who endure sexual harassment must grapple.

#### GABRIELLA'S STORY: LIFETIME COSTS<sup>18</sup>

Gabriella had finally received a wage increase and promotion to shift leader at a fast-food restaurant when she was sexually harassed by a coworker. When she reported the harassment, her hours were cut from her usual full-time down to zero over the course of a month. Gabriella quit that job and found another food service job that paid a dollar (11 percent) less per hour than she was making previously. When her earnings declined, she could no longer pay rent on the apartment she shared with her mother. They were evicted and were charged late fees for the credit card and rental payments that they owed. Gabriella slept on friends' couches until she made enough money to pay rent again. The sexual harassment and housing insecurity caused her extreme stress, resulting in long-term anxiety and PTSD, and the need for medication.

#### Over her lifetime, Gabriella will have lost:

- Lost lifetime salary and benefits = \$118,860
   o Including Lost Social Security = \$4,537
- Medical costs for 5 years (including psychiatric appointments and medication costs) = \$3,155
- Late fees on rent = \$3,153
- Legal fees to prevent harm to her credit score due to unpaid rent = \$398

**S** Total lifetime costs: \$125,566<sup>19</sup> plus eviction, homelessness, PTSD, stress, anxiety, depression, and strain on her relationship with mother

<sup>&</sup>lt;sup>17</sup> This estimate includes only the earnings lost during the four weeks until she found a new job, and the credit card-related costs, including legal fees to address credit rating. See Appendix A for more detail.

<sup>&</sup>lt;sup>18</sup> Calculations based on a lifespan of 82 years and retirement age of 62 (see Appendix A for more detail).

<sup>&</sup>lt;sup>19</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).

These lifetime costs for all three women are made up of a myriad of contributing factors. To systematically chart and make these costs visible, costs are broken down into "direct costs" or "knock-on" or consequential costs.

**Direct costs** are financial effects that are directly attributable to the harassment or retaliation that may occur as a result of quitting, being fired, speaking up, or making a complaint. Direct costs, for example, capture lost pay if hours are cut back after a complaint is made, lost earnings if someone is fired or leaves their job because of harassment, and fees for any medical treatment needed in response to harassment. Direct costs also include a comparison between the likely earnings of an individual had the harassment not occurred, assuming the person had been able to continue and advance in their career as usual (the *what if* or *base scenario*) and their actual earnings after a career change, job change, or period of unemployment resulting from the harassment (the *actual* scenario; see also Stephenson and Macpherson 2019).

**"Knock-on" or consequential costs** are second-order effects that often arise as a result of direct costs of sexual harassment. For example, reduced earnings or unemployment can make it difficult to pay bills, debts, or loans, which can lead to higher interest payments, lower credit scores, and increased housing insecurity. Such costs can be particularly substantial for those who work in lower-wage jobs and who are likely to have fewer resources to fall back on if they lose their earnings.<sup>20</sup>

<sup>&</sup>lt;sup>20</sup> See, for example, Brand 2015; Hardy and Logan 2020; McKee-Ryan and Maitoza 2018.

TABLE 1. CHARTING THE COSTS OF WORKPLACE SEXUAL HARASSMENT			
DIRECT COSTS	KNOCK-ON/CONSEQUENTIAL COSTS		
Reduced earnings from cutbacks in shifts, lost promotions, and lost bonuses  Job loss and unemployment  Forced career change and delayed advancement  Lost benefits – including retirement contributions and health insurance Increased medical fees and copays  Legal fees  Costs of retraining and education for re-entry into workforce	Adverse impact on personal finances – e.g., late fees or default on credit card payments, car loans, student debt; lower credit score  Reduced wealth and delayed asset purchases  Housing insecurity  Retirement insecurity		

#### **INTANGIBLE COSTS**

Physical health problems, psychological trauma, and harm to relationships

Before we turn to the next section and a more detailed charting of the financial costs of sexual harassment, we want to acknowledge that not all costs can—or perhaps even should—be translated into a financial sum. The **intangible costs**—physical health problems, psychological trauma, emotional suffering, and anguish experienced as a result of harassment and retaliation, and its impact on interpersonal relationships—can also be severe and long-lasting. Though juries and judges in sexual harassment lawsuits often award monetary relief for emotional distress, there is no established methodology for quantifying such amounts,<sup>21</sup> and no attempt has been made in this report to monetize emotional pain.

<sup>&</sup>lt;sup>21</sup> Compensatory and punitive damages awards for emotional distress in cases of employment discrimination (which includes sexual harassment) are subject to federal limits of \$300,000 for charges against employers with over 500 employees, with lower limits for smaller employers (U.S. EEOC 2015).

# III. Capturing the Direct Costs

The lifetime costs estimated in the stories above represent the cumulative effects of the many harmful consequences experienced by those who are targeted by harassment. The discussion below provides additional detail on the factors and mechanisms that lead to such high costs. It begins with a more in-depth discussion of lost earnings and employment loss, then addresses the impact of reduced or lost pension and healthcare benefits, the costs of having to retrain, and, finally, the costs of legal advice.

The report draws on the experience of individual workers to illustrate and estimate the detailed pathways that lead to financial costs of sexual harassment. Wherever individuals were able to provide actual bills or wage slips, they were used as the basis of the cost estimates. However, individuals did not always remember the precise amount of how much they earned or paid for a service. In those cases, the report follows established procedure and draws on national- and state-level data to fill in gaps in memory (see Appendix A for more detail).

#### **Reduced Earnings**

#### Cutbacks in Shifts, Lost Promotions, and Lost Bonuses

"Right after the sexual assault incident happened...I guess they saw me as a troublemaker, and that's when I noticed my hours were starting to get so badly cut."

-Gabriella, Food Service

Workplace sexual harassment can lead to lower earnings, whether because an individual's performance is affected by the harassment or because the person is facing retaliation for resisting or reporting the harassment. Research shows that workplace sexual harassment can negatively impact a worker's job performance through reduced motivation and commitment, reduced ability to focus, stress, and need for time off because of the emotional and physical consequences of harassment and retaliation (Cortina and Berdahl 2008; Raver and Gelfand 2005; Chan et al. 2008; Willness, Steel, and Lee 2007; McLaughlin, Uggen, and Blackstone 2017; Lim and

Cortina 2005; Parker and Griffin 2002; Barling, Rogers, and Kelloway 2001). Retaliation for speaking up and reporting harassment affects earnings at least as much as, if not more than, the harassment itself. While the large majority of those who face sexual harassment do not speak up or report it (Society of Human Resource Management 2018), when they do, retaliation often follows (Bergman et al. 2002; Tucker and Mondino 2020). Those interviewed for this report faced retaliation in the form of reduced hours, lost bonuses, negative performance ratings, lost promotions, and being fired.

One woman in a senior management position recounted how she was systematically downgraded by her supervisor after she made a formal complaint about another

senior manager who had been harassing women on her team. Negative performance evaluations were used in retaliation to deny her the annual bonus that she typically received (and had received in the years before her complaint), as well as in justifying why she eventually was fired.

In some cases, the reduced hours or denied promotions can come from being labelled "a complainer" or "difficult," when trying to report harassment, and can prevent those who are harassed from advancing in their careers because of their tarnished reputation (Johnson, Widnall, and Benya 2018). When Celia, a janitor, spoke up against a supervisor who was sexually harassing her, her shifts were cut and she was also moved to a different location, which required much more (unpaid) travel time to reach. Her earnings decreased by about one-third, amounting to \$7,162 in lost wages over a five-month period.<sup>22</sup>

#### **CELIA: REDUCED EARNINGS & JOB LOSS**

Celia was a janitor who cleaned office buildings at night. When she experienced sexual harassment and reported it to her supervisor, Celia's daily hours were cut from six hours total to four and she was moved to a different location where she was physically unsafe and had to spend two extra hours per day commuting. She endured this for two months before leaving her job. Because she was undocumented, she was unable to apply for unemployment benefits for the three months between when she left and when she was able to find other work. She relied on her earnings, not only to afford her own food and rent, but to send money home to Guatemala to support her family.

- Wages (Base Scenario): Minimum wage x 30 hours a week for twelve months = \$17,890
- Wages (Actual Scenario): Minimum wage x 20 hours a week for two months, no earnings for 3 months, minimum wage x 30 hours a week for seven months = \$11,468
  - Two hours of additional commuting-to-work time per day = Minimum wage x 10 hours a week for two months = \$740

**\$** Total Cost of Reduced Hours and Job Loss over 5 months: **\$7,162**<sup>23</sup>

<sup>&</sup>lt;sup>22</sup> Because Celia went back to a job with the same earnings and benefits as before the harassment, her lifetime earnings losses and her actual losses are the same.

<sup>&</sup>lt;sup>23</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).

#### **Job Loss and Unemployment**

Eventually, continued harassment or retaliation can culminate in job loss and unemployment, whether employees are let go or are forced to remove themselves from a bad work environment.

"It took a huge emotional toll and I had to see counselors. At one point...I was very close to committing suicide and [it affected] my ability to look for another job. I didn't look for a better job because I didn't believe I deserved a better job."

—Mariam, Construction

Research shows that employees who experience sexual harassment are 6.5 times more likely to change jobs within two years of an incident than other workers (McLaughlin, Uggen, and Blackstone 2017). A recent intake report from the TIME'S UP Legal Defense Fund (TULDF) finds that over 70 percent of those who sought help from TULDF reported having faced retaliation, most commonly in the form of being fired (Tucker and Mondino 2020).

Securing a new job out of necessity and not choice often requires accepting worse conditions and starting again at the bottom with less seniority (Lee 2007). Faberman et al. (2017) find that those who had to look for a new job from a position of unemployment on average received job offers at wages 21 percent lower than those offered to similar employed workers. Jarosch (2021), moreover, finds that, particularly for workers in lower-paid and more precarious jobs, the likelihood of future job loss and unemployment is increased by each spell of job loss—increasing the lifetime cost of any one incident.

Of the 16 people interviewed for this report, 14 had experienced some time without work as a result of workplace sexual harassment, because they were fired or forced into a situation where leaving was the only sustainable option. The periods without work they faced as a result ranged from one week to five years. Two of the women interviewed lost their jobs in the wake of the Great Recession. As a result of the poor job market, the emotional trauma of what they had experienced, and retaliatory job references, one of them spent five years largely unemployed until she found a new job and permanent career; the other stayed in part-time irregular employment, leading to large gaps on both their resumes.

For some, the costs of losing one's job are lessened by unemployment insurance. Unemployment insurance benefits, however, on average cover only about half of lost earnings (Stone and Chen 2014) and are of limited duration.<sup>24</sup> For several of the people interviewed, the time they spent out of work went far beyond the period covered by unemployment insurance.

<sup>&</sup>lt;sup>24</sup> Weekly benefits are capped at \$500 per week in the majority of states, including five where the maximum benefit is no more than \$300 per week, irrespective of earnings before job loss. The duration of unemployment benefits is similarly dependent on state policy, lasting just 14 to 30 weeks (U.S. Department of Labor 2019).

Federal and state law typically exclude undocumented individuals from eligibility for unemployment insurance (Smith 2020). Applying for unemployment insurance was not an option for some of the janitorial workers interviewed because of their immigration status. While they paid income taxes, and had social insurance contributions deducted from their paychecks, they were unable to receive the unemployment benefits other workers could receive.

Applying for unemployment insurance was also difficult for those who left their job "voluntarily" because they could no longer stand the harassing environment. Only those who can prove they quit for "good cause" or lost their job through no fault of their own can claim unemployment insurance. And, while leaving one's job to escape harassment may qualify as "good cause," proving that can be difficult for people without resources or knowledge of the legal system.

When Denise, an apprentice in the trades, left her construction job, she did not even try to claim benefits. Sierra, who worked in IT customer service, was able to do so, but only after she successfully appealed the employer's claim that she had been fired because of poor performance.

Though it is illegal to fire employees in retaliation for reporting sexual harassment, employers may still fire or push out those targeted by workplace sexual harassment and cite other, typically false, reasons for their terminations.

#### Sexual Harassment and Retaliation Can Make it Harder to Find a New Job

The time between losing one's job and finding new employment, moreover, can often be lengthened when sexual harassment is the cause of unemployment (U.S. Government Accountability Office 2020). Those who were targeted by harassment may need time for mental healing, may underperform in job search and job interviews, or simply may not be ready yet to interact with the job market because of what they experienced.

"It took me a long time to feel better. A long time. It's honestly probably why my interviews went so poorly for months. I mean, I was rejected by 111 companies, and I think I am—I don't just think this. Everyone around me thinks I'm a very competent manager."

-Kristen, Tech

Kristen, a software engineer and team lead when harassment pushed her out of her job, took almost a year to find her next job even though the labor market was strong. While she made herself apply for work, she believes that her trauma affected her performance during interviews.

<sup>&</sup>lt;sup>25</sup> In legal terminology, this is known as "constructive discharge," where a person quits a job because "working conditions are so intolerable that a reasonable person in the same situation would quit" (McCann, Tomaskovic-Devey, and Badgett 2018). If individuals can show that they were constructively discharged, they are typically eligible for unemployment insurance. The difficulty, however, is in proving these circumstances.

Added to the mental trauma of harassment is retaliation. Finding a new job typically requires references from the last employer, and, in cases where a worker is fired or forced out of a job for rejecting advances or complaining about harassment, it is often difficult to get a fair reference. Other times an applicant may be asked why they left their last job and find it difficult to answer, not knowing whether to disclose the sexual harassment and retaliation or not.

Jacqueline, who lost a senior management position after she brought forward harassment complaints from women she supervised against a senior manager, reflects on the potential costs of having gone public with her case and the impact it had on her chances of finding a new job:

"I believe that, perhaps, it's a little tougher for me, because I did go public with my story. So that is always in the back of my head: Is somebody not willing to talk to me because I did go public with this?" —Jacqueline, Nonprofit Management

In instances where individuals pursue legal cases against their employer for sexual harassment, their employment options may be further limited by the conditions of the legal settlement. Many settlements include non-disclosure agreements that limit what a person can say about their former employer and whether they were previously employed there (Tucker and Mondino 2020; Tippett 2019). Beyond creating gaps on resumes, conditions like this can render previously well-established networks unusable or prevent workers from continuing to work in their chosen field.

Even without lawsuits, in highly concentrated job markets with a few well-known large employers and tightly integrated professional networks, those who experience harassment may have a difficult time finding other jobs in their industry given that past or known harassers may be at other firms.

Additionally—even if jobs are available—the tight networks and concentrated nature of some industries can make it harder for some employees who faced harassment to find a new job where they feel safe. One interviewee shared that seeing her harassers at top-tier employers limited her options in finding another job.

"I couldn't go to [Company A], I couldn't go to [Company B], I couldn't go to [Company C], you know? Because these people [who harassed me] are already there."

—Kristen, Tech

Gaps in employment history, whatever the reasons, quickly lead to lower lifetime earnings as workers are penalized for time out of the labor force. The longer a period of unemployment, the harder it becomes to find a new job. Being out of the labor market for more than six months can make it hard to ever catch up with peers who stay employed (Bertrand, Goldin, and Katz 2010; Madowitz, Rowell, and Hamm 2016;

"[The company I left due to harassment] was not giving a good reference. And so I had to find a way to not use them [for references], but then that put a huge employment gap [on my resume]."

-Sandra, Customer Service

Rose and Hartmann 2018). For construction trades apprentice Mariam—who was emotionally traumatized after being harassed by a coworker and then her colleagues, the union, and the contractor failed to properly address the situation—it took 13 months for her to feel well enough to return to her apprenticeship.<sup>26</sup> The cost of not working for 13 months amounted to more than two hundred thousand dollars over her lifetime when estimating the costs of lost wage progression and delayed pension contributions.

#### MARIAM: LOST WAGES DUE TO TIME OUT OF WORK

Due to harassment, Mariam left her skilled trades apprenticeship after her first year and was unemployed for over a year before eventually returning to her apprenticeship. For the first six months, she was able to get unemployment insurance; after that she had no earnings. Because she was out of work for a year, she missed two bi-annual wage progressions that apprentices receive after completion of Terms 3 and 4 of the apprenticeship, worth more than an additional 30 percent of her first-year earnings.

# Over her lifetime, her loss of wages and benefits will come to:

- Base Scenario: Earnings and fringes = \$4,839,179
- Actual Scenario: Earnings and fringes = \$4,608,315
- Including six months unemployment insurance benefit of \$13,282



# Forced Career Change and Delayed Advancement

Workplace sexual harassment can often derail, delay, or change the career paths of those who experience it (McLaughlin, Uggen, and Blackstone 2017), leading to substantial accumulated costs over a lifetime—particularly for those who are pushed into a lower-paying field. Those interviewed included an art historian who left her dream job in a museum because of harassment and decided to retrain for a completely different field. One woman who worked in tech support with excellent career prospects and benefits was forced out by persistent harassment and retaliation; after several

<sup>&</sup>lt;sup>26</sup> She did, however, receive support from her union after she left; and her union helped and encouraged her return. <sup>27</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011). Detailed calculations can be accessed at https://iwpr.org/wp-content/uploads/2021/07/Lifetime-Costs-of-Sexual-Harassment-Estimates\_2021.xlsx.

years of unemployment and casual work, she retrained to work in a more womendominated field of community outreach. Two women were—at least temporarily—pushed out of well-paid careers as skilled construction workers, with one becoming a bus driver with much lower hourly pay and benefits, and the other eventually returning to the industry, but after a substantial period of unemployment.

Harassment also keeps women from gaining a foothold in trucking, another mendominated but potentially lucrative field, particularly for those who own their own truck and can work independently. Recent court cases are highlighting the extent of sexual harassment and assault in trucking, and the lack of efforts to address these issues, at least in part of the industry (Bernstein 2021; Pilon 2019).<sup>28</sup> Obtaining a Commercial Driver's License, a prerequisite for truck driving, requires training and driving with an experienced driver.

"There's a very specific problem in trucking. You have a lot of predators just in the training sector that prey on new women truckers that don't know anything or anyone, that know nothing about trucking. So once they get them off the property from the orientation center, they take full advantage of the situation...It can go anywhere from comments to violent rape, assault, kidnapping."

—Desiree Wood, REAL Women in Trucking

Desiree Wood, who started REAL Women in Trucking after she herself experienced harassment, described how this training system puts new women drivers at risk. The experienced drivers (usually men) with whom women are paired on overnight routes and extended drives, sometimes for several weeks to a month and often in isolated geographical areas, can take advantage of this situation to sexually harass or assault new drivers.

Sexual harassment is a barrier to both entry and success and contributes to keeping women's numbers low in these well-paying jobs. Just one in four computer and tech support workers, one in fourteen truck drivers, and fewer than one in twenty workers in the construction trades are women (U.S.

Bureau of Labor Statistics 2021). All of these fields have much higher median earnings than jobs requiring the same investment in training and education in more female-dominated occupations (Hegewisch et al. 2016).

<sup>&</sup>lt;sup>28</sup> The recently introduced *Women in Trucking Workforce Act* (S.2858: Promoting Women in Trucking Workforce Act; U.S. Congress 2020) is one attempt at tackling women's underrepresentation in trucking. As REAL Women in Trucking founder Desiree Wood points out in an interview with the authors, unless sexual harassment and assault in trucking is more systematically addressed through training, monitoring, and oversight, increasing women's representation in the field also risks increasing women's exposure to highly hazardous working conditions.

#### The Cost of Lost Employer Benefits

"My health insurance is terrible now. I'm not really in line for a pension. I don't get a vacation stamp anymore."
—Denise, Formerly Construction

Good jobs often go hand-in-hand with good benefits, including health, dental, and vision insurance, pensions and retirement funds (sometimes with an employer match), tuition-reimbursement programs, paid leave, and paid sick time (Kristal, Cohen, and Navot 2020). Benefits, particularly in higher-quality jobs, account for a substantial part of an employee's compensation. The National Compensation Survey estimates that, on average, in the private sector benefits are worth 42.2 percent of an employee's wages and salary (U.S. Bureau of Labor Statistics 2020). Losing benefits can have long term detrimental effects on workers, leading to economic insecurity and contributing to poverty in old age. Women face particularly high risks of retiring into poverty, as they typically have longer life expectancy than men, but also earn less during their lifetimes and have fewer retirement resources (see, for example, Burn et al. 2020).

#### The Costs of Lost Retirement and Social Security Contributions

Jacqueline was pushed out of a well-paid senior management position after she reported harassment. She was acutely aware of the impact of losing her retirement benefits on the plans she had for her retirement.

"I am set back, economically, in the number of years that I will have to work now, as a result of this. My plan had been to try and be done by [age] 60. I don't think I will be able to do that. It has set me back, in terms of being able to save money, contribute to a pension plan, or a 401(k), because the amount that I could contribute as an individual is far less than what you can contribute if you're employed, through an employer's plan."

-Jacqueline, Management

Denise, who was pushed out of her apprenticeship by harassment, lost out on pension benefits because those benefit entitlements are only accessible after workers have paid into the plan for at least five years and become "vested."<sup>29</sup> Because she left after three years, she was never credited for employer contributions to her pension, and will receive much lower benefits in retirement. Over her lifetime, the loss of her pension alone translated into a cost of \$123,549 (or \$518,400 at the age of retirement).<sup>30</sup>

<sup>&</sup>lt;sup>29</sup> Under many vesting systems, the employee is entitled to get back their own contributions (without interest) if they leave a job before they are fully vested in the pension scheme, but they lose the employer contribution, or any growth or share of the benefits that are provided under the scheme; see Fontinelle (2019).

<sup>&</sup>lt;sup>30</sup> The cost calculated as \$123,549 refers to the value discounted to 2020 dollars and the \$518,400 refers to the absolute dollar amount she could expect in her pension account at retirement.

When Sandra, an IT support worker, lost her job, she also lost a generous employer match of 6 percent for her 401(k) plan. After losing her job, she did not work for five years; during that period, she not only was unable to contribute additional savings, but had to withdraw some of the money she had originally saved to pay for her living expenses. After five years, she found a new job that paid slightly more than the one she had lost five years earlier but provided a lower match for her retirement fund contributions. Over her lifetime, the loss of her retirement benefits, including loss of Social Security contributions, will cost her \$53,936 if she retires at age 62, the average retirement age for women (Stephenson and Macpherson 2019).

Though not all workers have robust retirement benefits, those in standard employment arrangements do pay into and receive Social Security benefits based on their contributions while working. If a person endures a spell of unemployment due to workplace sexual harassment, or changes career paths into a lower-paying industry, this will impact their Social Security contributions as well, thereby reducing their future retirement income.

#### SANDRA: 401(K) RETIREMENT FUND AND SOCIAL SECURITY<sup>31</sup>

Sandra was an IT customer service worker at a company for 5 years before she lost her job at age 40 due to harassment. The job had an excellent retirement plan with a 6% match employer contribution. She was unemployed for 5 years and during that period accrued no contributions. She re-trained and finally found a new job that paid lower wages than her former job and offered a lower 401(k) employer match. Not only did she lose her Social Security and pension contributions during her time out of work, she also had lower Social Security contributions once she started to work again.

#### Lost 401(k) Benefits: \$33,58132

- Base Scenario: 401(k) balance at retirement with a 6% employer match Employee contributions = \$74,405
- Actual Scenario: 401(k) balance at retirement with a 4.3% match at the new job
   Employee contributions = \$41,825

#### **Lost Social Security Benefits: \$20,355**

Social Security income (Base Scenario – Actual Scenario)

# Total Lifetime Cost from Lost Retirement and Social Security Contributions: \$53,936<sup>33</sup>

<sup>&</sup>lt;sup>31</sup> Assuming the average retirement age for women of 62 (Stephenson and Macpherson 2019). If she were to continue working until age 65 (the age of Medicare eligibility), the losses to her 401(k) would be \$62,465; including lost Social Security benefits, the losses would come to \$71,125. See detailed calculations at https://iwpr.org/wp-content/uploads/2021/07/Lifetime-Costs-of-Sexual-Harassment-Estimates\_2021.xlsx.

<sup>&</sup>lt;sup>32</sup> Calculations based on a lifespan of 82 years and retirement age of 62 (see Appendix A for more detail).

<sup>&</sup>lt;sup>33</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).

#### The Costs of Lost Health Insurance

"I had good health insurance for the time, good pay for the time, and I lost all of that, because of one guy." —Sierra. Customer Service

"Now I no longer have medical insurance. I can't go to the doctor for physical checkups, I no longer have all that."

-Paula, Janitorial Services

Another important and frequently jobbased benefit is health insurance. Several of our interviewees lost significant health benefits when they were pushed out of their jobs because of harassment and retaliation. For Sierra, who had been pushed out of a good job in customer service, finding herself without healthcare

translated into medical costs of more than \$5,000 when she had an accident that required hospital care. Had she still had her job, that cost would have been covered. For Paula, a janitor, it meant losing access to preventative care and regular checkups for her eyesight.

Losing health insurance can lead to greater out-of-pocket expenses for unavoidable care and medication, as well as the need to pay for a new plan with new deductibles. Under COBRA anyone who lost their employer-provided health insurance has the right to continue as a member of that plan. However, staying enrolled in a plan often costs \$1,000 or more per month, which is hard to afford for most people who just lost their earnings. Jacqueline, a senior manager working for a nonprofit, lost her high-quality healthcare benefit. As a result, she and her husband faced much higher deductibles, greater out-of-pocket expenses, and a deterioration in the types of treatments she was able to access.

#### **JACQUELINE: HEALTHCARE AND BENEFITS**

When Jacqueline, a senior manager in her 50s, reported harassment of herself and others on her team, her boss retaliated and she was eventually fired, leading to the loss of premium healthcare benefits for herself and her spouse. She developed a number of physical issues as a result of the stress and had to seek medical treatment. While she was able to get coverage through her spouse's employer-provided insurance, the monthly enrollment costs were three times as high and deductibles were higher, with less advantageous coverage.

#### **General Benefits Cost:**

- Base scenario benefits (all benefits, including healthcare) value: \$60,488/year Including the costs of no longer having health insurance through her employer:
  - Original Plan (Base scenario, before being fired) = \$2,800
    - Plan cost: \$200/month, or \$2,400/year
    - Annual deductible: \$400
- Husband's Plan (Actual scenario, after being fired) = \$9,455
  - Husband's plan cost: \$650/month, or \$7,800/year
  - New deductible for husband's plan: \$1,655
- Total Annual Cost of Lost Health Insurance (Base Scenario Actual Scenario): \$6,655



S Total Annual Cost of Lost Benefits: \$60,488/year

# **Out-of-Pocket Costs for Medical Care and Therapy**

Losing healthcare coverage as a result of harassment can exacerbate another common cost resulting from workplace sexual harassment: the cost of medical and therapeutic treatments. Sexual harassment can cause well-documented, significant injuries to a person's mental, emotional, and physical health. These effects range from depression, stress, anxiety, disordered eating, self-blame, reduced self-esteem, emotional exhaustion, anger, and lowered satisfaction with life (Leskinen, Cortina, and Kabat 2011; Chan et al. 2008; Miner-Rubino and Cortina 2004; Schneider, Tomaka, and Palacios 2001) to physical health effects such as headaches, exhaustion, sleep and gastric issues, respiratory, musculoskeletal, and cardiovascular issues, and prescription drug and alcohol abuse (Nichols et al. 2010; see Cortina and Berdahl 2008 for a review).

Medical and therapeutic treatment can be expensive. Depending on the severity of the harassment, the need for therapy and medical treatments may continue for several years. If someone is forced out of their job because of sexual harassment and loses their health insurance, they may have to forgo the type of treatment that would help them heal fastest. Even with health insurance, having to cover copays when you are out of a job can become a luxury. Of those interviewed, nine sought medical or therapeutic treatment as a result of their experiences with workplace sexual harassment. For Gabriella, the fast-food worker, the cost of her treatments across five years came to over \$3,000 for the costs of quarterly visits to a psychiatrist and continued prescriptions for medication.

Even more disturbingly, the loss of earnings and health insurance sometimes forces workers to forgo needed treatments altogether. For Luz, who was pushed out of her job as a janitor, getting therapeutic help was not an option.

"I couldn't talk to anyone at that time after the harassment, after all the financial problems I had, I couldn't talk to any professional."

—Luz, Janitorial Services

# The Cost of Retraining

For workers forced out of their jobs as a result of workplace sexual harassment, finding a new job or entirely new career path may require additional training or education that they might not have needed otherwise. Education and training can be costly and may require workers to take on additional debt, such as student loans, to pay for programs, particularly if they are unable to work full-time while pursuing education. Even if tuition costs are manageable, pursuing additional education also incurs the opportunity cost of not being able to work and earn income during the period of retraining. Had the harassment not occurred, workers would not have needed to forgo earnings while returning to school; instead, they would have continued to progress in their careers, with opportunities to build up wealth and retirement savings.

This was the case for Sierra (see Section II) who had worked for an employer with excellent benefits before she was pushed out of her job. She had always intended to pursue college-level education and counted on the company's tuition benefit to obtain that education while working. When she was forced to leave her job, she had to pay the full costs of her college education, more than \$22,500, as well as having only marginal employment income while she was in college.

In Amy's case, the costs of retraining after sexual harassment come to almost \$70,000. Amy was pushed out of her chosen career as a museum curator as a result of sexual harassment and ended up pivoting to a completely different career, as a lab technician. This change required her to go back to school and get the appropriate training. In addition to the out-of-pocket costs for two years of college education, she also lost two years of earnings that she would have earned, had she been able to stay in her field.

#### **AMY: RETRAINING**

Amy left her professional job in a museum due to a culture of harassment and quid pro quo expectations for sexual favors. Effectively forced out of her former profession, she decided to get an associate's degree in biology at her local community college. She studied full-time for two years and earned little to no income. In total, her new degree cost her \$67,584 in tuition and lost earnings.

• Tuition:  $$4,032 \times 2 = $8,064^{34}$ 

Lost salary while in school for two years = \$59,520<sup>35</sup>

**\$** Total Cost: \$67,584

# The Costs of Legal Advice to Challenge Harassment

While always reprehensible, workplace sexual harassment and retaliation are also illegal in most workplaces.<sup>36</sup> If a worker is the target of workplace sexual harassment, faces retaliation, and/or loses or is forced out of their job because of sexual harassment, they may decide to pursue legal action against their former employer. Legal fees can be high without funding support. If a lawsuit is successful, the legal costs are typically covered through the monetary compensation awarded. But not everyone who pursues a lawsuit is successful and, of course, not everyone who seeks initial legal advice will decide to pursue legal action (not least because of the upfront cost and uncertain outcomes). And while firms may agree to provide legal advice on a no-fee basis (meaning that the lawyer will get a portion of the monetary relief if the case is successful), often it is difficult to find a law firm to provide legal advice on that basis, particularly for workers in lower-wage jobs where monetary recoveries are typically lower. Only one of the women interviewed found a firm willing to take her case on a no-fee basis. Two others were paying their lawyers out of their own pockets; both reported legal bills in excess of \$30,000. Those who decide to pursue a lawsuit typically also must spend many hours to prepare the case—time that is unpaid and lost to them.

<sup>&</sup>lt;sup>34</sup> See Community College Review (2020).

<sup>35</sup> Earnings reflect entry level job as an art historian, based on O\*Net-Online (2021).

<sup>&</sup>lt;sup>36</sup> Workplaces with 15 or more employees are covered by the prohibition of sexual harassment as illegal employment discrimination and of retaliation under Title VII of the Civil Rights Act; several states have extended coverage to smaller workplaces (see for example National Conference of State Legislatures 2015).

As Sharyn Tejani of the TIME'S UP Legal Defense Fund noted in an interview with the authors of this report:

"Workers who faced sexual harassment and retaliation should be able to hold their employer to account. In practice that is often not the case. Many workers are unaware of the statutes of limitation—that they must file a charge with the EEOC within 180 days or 300 days of the incident, depending on the state they live in, if they want to bring a federal claim. Even if they do seek legal representation, because backpay is set based on the wages the employee earned and low-paid employees can rarely afford the type of medical treatment or expert necessary to prove higher compensatory damages—even if they have suffered harm—lawyers may be unwilling to take the case because the amount they stand to make from it is less than the work that they will put into it."
—Sharyn Tejani, TIME'S UP Legal Defense Fund

Not surprisingly, given these barriers, the majority of those we interviewed had not pursued official sexual harassment charges against their (former) employers. In many cases, a lack of knowledge about what legal options are available, or the very real threat of re-traumatization in court, can also prevent victims from seeking legal aid. As Alexander and Prasad (2014) describe, to a large extent, enforcing workers' rights in the United States relies on a "bottom-up" system: instead of independent oversight by government agencies, workers themselves must seek redress by challenging illegal employer behavior. As they also note, this leaves workers at a disadvantage because they often lack both procedural legal knowledge to access the proper enforcement procedures and the power and economic security to risk retaliation by challenging their employer.

These barriers to accessing legal redress are especially high for immigrant and undocumented workers. Even though workplace sexual harassment and assault are illegal under Title VII of the Civil Rights Act no matter an individual's immigration status, many workers may not feel that they can risk approaching any official organization for help. When asked whether she ever sought legal advice after she was pushed out of her union janitor job, Luz explained.

"No, [I never got legal help] precisely because of the problem with my legal status, and the ignorance of not knowing who could help me."

—Luz, Janitorial Services

# IV. Capturing the "Knock-On" or Consequential Costs

The direct costs charted in the previous section are those that are typically recognized in lawsuits charging employment discrimination and sexual harassment. While such a legal framework provides a good basis for capturing many of the costs that targets of harassment may experience—in both the short and the long term—it fails to capture the broader impact on the financial and economic security of those who were targeted by sexual harassment. As a result of harassment, workers may be thrown into debt and financial insecurity, lose their housing, and, in the long term, face greater poverty and economic insecurity in old age.

# **Escalating Debt Payments**

In losing an income source, some workers, especially those who live paycheck to paycheck, may find it difficult to continue to repay loans and debts, such as credit card debt or payday loans, which in turn affects a person's ability to get credit in the future. The temporary or prolonged loss of income and benefits from losing a job can also lead individuals to amass interest payments on debt and additional debt from late fees and fines, which can in turn lower credit scores.

When Sandra was pushed out of her job, she was no longer able to service her student loans or her car loan. The interest on her student loans rapidly increased. Her car was repossessed—depriving her of mobility and access to economic opportunities—but even though she no longer had the car, interest and financial penalties kept accumulating for the loan. When she finally was able to return to employment, her wages were garnished for several years to repay the outstanding loan plus an additional several thousand dollars for accumulated interest and late fees. She ended up having to withdraw her retirement savings early to cover these debts and bills, thus endangering her long-term economic security in order to deal with the consequences of harassment.

#### SANDRA: LOST CAR AND ADDITIONAL DEBT

Sandra lost her job because she was sexually harassed and retaliated against when she tried to report it. She had purchased a car before she lost her job, and still owed \$5,000 on her car loan. During the resulting period of unemployment, she was unable to make payments on the loan and the loan company took her to court. As a result, her car was repossessed, and her future wages were garnished for the remaining balance plus interest.

Car: \$24,800 (estimated car value) + \$9,018 (garnished wages for fees and interest)

**\$** Total cost: \$33,818<sup>37</sup>

When Gabriella, the fast-food worker, was pushed out of her job, she was unable to contribute to rent payments on the apartment where she lived with her mother, leading to their eventual eviction; Gabriella was forced to sleep on friends' couches while searching for new work. The late fees she accumulated because of unpaid rent came to several thousand dollars, equal to two months of pre-harassment earnings. She also incurred legal fees to clear her credit record.

#### **GABRIELLA: HOUSING**

Gabriella, a food service worker whose weekly hours went down to zero after she reported an incident of sexual harassment, wasn't able to pay rent on the apartment she shared with her mother due to the loss of income. She was charged late fees for her rent and evicted, forcing her to sleep on friends' couches for several months.

Late fees: \$3,153Legal fees: \$398

**\$** Total cost: **\$3,551**<sup>38</sup>

<sup>&</sup>lt;sup>37</sup> Cost calculations have been discounted to present value for the date of harassment and are inflation-adjusted to 2020 dollars throughout, per the industry standard (see Bendick 2011).
<sup>38</sup> Ibid.

#### Reduced Wealth and Delayed Asset Purchase

"I wanted to buy a house and I couldn't because of the time I wasn't working. I had to spend the savings. ... There was a time when I couldn't have a car either, I had to ... wait until the subway line opened in the morning to be able to come home."

-Teresa, Janitorial Services

An income, good credit score, and low debt are typically required to make major purchases, such as buying a home, car, or other large asset. Each of these factors can be affected by workplace sexual harassment, and therefore can force workers to postpone the accumulation of major wealth-building assets that they may have been planning to make.

Another woman, Mariam, who was pushed out of her union apprenticeship

for 13 months because of harassment, shared how losing her earnings led to different economic choices and delayed major purchases:

"If I was working, yeah [I would have gotten a mortgage earlier]. Absolutely. Because I'm on a schedule for how much of my paycheck I take aside. And then at the end of the month I send the money over so I could pay my mortgage."

—Mariam, Construction

For workers of color, and in particular women of color, these costs reinforce significant wealth gaps by race and gender in the United States. Home ownership has historically been an important asset for working-class and Black and Latinx families, while systemic inequalities in lending, housing, and debt have long prevented generational wealth-building in marginalized communities.

# **Housing and Retirement Insecurity**

"During that period, my family and my children helped me. They had me living in the small apartment that they had and I slept in an armchair in the living room. I could no longer pay my rent, I had to sell my car to be able to support my food expenses; after that the money for the car ran out and I had to ask my family for help. I was definitely at zero money."

—Gloria, Janitorial Services

At least five of the people we interviewed had difficulties paying rent and/or faced eviction as a result of sexual harassment. Housing insecurity can lead to additional stress and even periods of homelessness. More than one person reported having to withdraw savings from their retirement fund to help pay for living expenses and debt when they were pushed out of their jobs because of harassment. Women are much more likely to face financial hardship and poverty in retirement than men (Oakley et al. 2016); sexual harassment can be one contributing factor.

Incurring the financial penalties of increased economic insecurity and housing insecurity are some of the major risks individuals face in deciding whether to take action against their harassers, particularly for those at the economic margins. Having to choose between basic survival needs and reporting harassment creates an imbalanced scale, where many people may decide that tolerating harassment is far less costly than reporting it. This creates perverse incentives for under-reporting and encourages women and other victims to endure circumstances that are at best uncomfortable and at worst unsafe.



# V. Risk Factors for Workplace Sexual Harassment

Across the stories shared by workers in our interviews, several common themes arose, especially around how workplace structures and conditions made workers vulnerable to harassment and how coworkers and management dealt with the harassment. Sexual harassment can occur in any workplace, but not all workplaces and not all workers face the same level of risk for experiencing sexual harassment and potential retaliation. Several of these risk factors also create barriers to reporting harassment and increase the risk of retaliation.

A number of interviewees worked in industries with characteristics that elevate the risk of harassment, including work that heavily relies on performance assessment by customers or clients; work that is physically isolated, decentralized, or removed from administrative oversight; and work that involves significant power differentials or that involves precarious contracts through temporary employment or undocumented and non-permanent immigration status (see Feldblum and Lipnic 2016; Hersch 2015; Ilies et al. 2003; U.S. Government Accountability Office 2020 for reviews).

#### **Male-Dominated Industries**

"Every time I bent down he would pretend to have sex with me...There were a few guys that were good about it but most of them were, like, 'Well, did you talk to him? Do you know where this is coming from?'... I got a lot of resentment... There's always resentment in the union if a man does something that a woman doesn't like and you speak up. There's always going to be resentment."

-Mariam, Construction

The risk of harassment is substantially higher in workplaces where women are the minority of workers and in occupations that are male-dominated (Folke et al. 2020; U.S. Government Accountability Office 2020).

Women working in construction, transportation, or utilities, for example, are more than four times as likely to have filed official claims of sexual harassment with the EEOC than women working in education and health services (Hersch 2011). Five of the women who agreed to share their

experiences for this report worked in such male-dominated environments, including the construction trades, trucking, and IT (both at a software engineer level and at lower levels in tech support).

## **Physically Isolated Workplaces**

Several interviewees worked in physically isolated environments, as is common in construction, trucking, and janitorial work, and for health or domestic care work performed in a client's home. Such physical isolation can make workers more

"I was harassed by a manager of the building where I worked. I washed bathrooms and he always came in the bathroom with his penis out, telling me to give him oral sex all the time. He came showing it to me and telling me that he was very horny, that if I gave him oral sex I could keep my job, that I would never be out of work, even that he was going to give me money."

-Rosa, Janitorial Services

vulnerable by placing them in work environments with harassers and few witnesses. Six of the people interviewed for this report, five women and one man, were janitorial workers, and one was a personal care worker.

#### **Power Imbalances**

Many of the people interviewed found that, when they tried to report the harassment, their harasser was seen as a more 'valuable' employee than the harassed, and so little action was taken to address the issue— an experience that is widely supported by research (Feldblum and Lipnic 2016).

"Of course the complaint was not taken seriously because [my harasser] was someone who had more value than a person like me."

—Celia, Janitorial Services

Another power imbalance can arise when an employee's pay is tied to their performance or good evaluations from clients. This is particularly the case in tipped work, where servers and other tipped workers might feel pressure to accept harassing behaviors to ensure they are tipped well (Restaurant Opportunities Center United 2018).

One of the biggest power imbalances can come from immigration status. Sexual harassment and assault are particularly common in industries with high numbers of immigrant workers.<sup>39</sup> Several of the workers interviewed were undocumented, making it much more difficult for them to feel that they could challenge the harasser or officially report the harassment, particularly as several of them were financially responsible for families back home. Their precarious employment status is exacerbated by a lack of knowledge of how to access legal supports.

<sup>&</sup>lt;sup>39</sup> See for example American Civil Liberties Union and National Employment Law Project 2019; Fitzgerald 2019; Hegewisch, Deitch, and Murphy 2011; Pottenger, Bustamante, and Carvajal 2019; Yeung 2018.

#### **Fractured or Decentralized Employment Structures**

"As a [shift] manager, I was never informed that you are able to communicate via human resources over the telephone, email, or anything like that. They never speak to you personally about that, and it's very detrimental when it comes to those types of situations. It's literally just a piece of paper that's just got the numbers and names ... it's all the way back towards where you have to go to the cooler, but the way the door opens, it blocks the posters."

—Gabriella, Food Service

Another burden commonly confronting those who face harassment in the workplace is a lack of a clear channel for reporting harassment. In the construction industry, for example, work is often performed by small subcontractors who do not have a dedicated human resource management person or may even be too small to be covered by Title VII–related sexual harassment prohibitions.<sup>40</sup> This

is also a frequent issue for janitorial staff, personal care workers, and others working in decentralized or franchised workplaces. Instead of working directly for one employer, they may be performing services for a joint employer or sub-contractor (Forden 2019; Waldinger et al. 1996). Many fast-food workers are employed at franchises, far removed from headquarters' human resource management oversight, without clear accountability systems for harassing behavior; in some organizations local management may be discouraged or may discourage workers from reporting incidents up the chain of command (Feldblum and Lipnic 2016; Sugerman 2018). This was the experience of a woman fast food worker interviewed for this study.

## Indifference, Incompetence, Broken Reporting Systems, and Retaliation

For nearly every one of the individuals interviewed, the costs of sexual harassment were increased because management, and sometimes peers, failed to take adequate action to stop the harassment, or even worse, retaliated against the employee when they reported incidents and sought help. As part of this retaliation, interviewees faced cuts in hours or shifts, being moved to shifts with difficult times or locations, exclusion from advancement opportunities, negative performance reviews (when they had been glowing before), social isolation, and loss of employment, whether they were let go for contrived "other reasons" or because they could no longer endure the conditions at their workplace, as well as negative references which made it harder to find a new or equivalent job.

Not being taken seriously was a major component of the decision for those who left their jobs—one that clearly could have been avoided if employers had taken appropriate action.

<sup>&</sup>lt;sup>40</sup> See note 36 above.

All of the above points to the desperate need for action against workplace sexual harassment and the retaliation that workers too often face when trying to report it. While the cost analysis in this report helps to deepen our understanding of the myriad financial costs that workplace sexual harassment inflicts on workers, the solutions lie in adequately addressing the above issues of risk and retaliation across industries to prevent the costs from arising in the first place.



Workplace sexual harassment imposes high financial costs on those who are targeted. Every person interviewed for this report detailed multiple ways in which experiencing workplace sexual harassment imposed financial costs or delayed or denied economic opportunities. For the 16 individuals who experienced workplace sexual harassment, the financial cost ranged from \$600, or a quarter of that worker's monthly earnings—leading to housing and food insecurity—to \$1.3 million over a lifetime.

Almost everyone we spoke to was pushed out of their job because of sexual harassment; thus, the most immediate and substantial cost was losing their wage or salary, often for prolonged periods of time. The cost of even a year or two without earnings compounds quickly and leads to a lifetime of lower earnings. Loss of income also means lower Social Security benefits, which can be particularly devastating for lower-income earners when they reach retirement.

For those interviewed, the "knock-on" effects of being pushed out of a job because of harassment were severe—including lost housing, lost credit, and repossession of assets such as cars, (thereby restricting their employment options even further going forward). These effects also reduced individuals' ability to provide for their families and build wealth.

These absolute costs are particularly high for those women who were pushed out of well-paid male-dominated careers, where earnings are much higher for a given level of education and training than they are in more typically female-dominated occupations (Hegewisch et al. 2016). Of the five women who lost jobs in male-dominated industries, three ended up working in lower-paying or female-dominated industries instead. In this regard, sexual harassment is an important but under-recognized contributor to the gender wage gap.

As those we interviewed described, losing a job with good pay often also means being stripped of valuable benefits—such as paid vacation, family and medical leave, retirement fund contributions, healthcare, or tuition benefits. Losing health insurance took an immediate financial toll on many individuals. Those who needed care because of the harassment often faced substantial out-of-pocket costs; in other instances, interviewees were forced to forego such treatment because they simply could not afford it. Some of those interviewed incurred higher costs for non-harassment-related care that their employer-sponsored insurance would have covered. Losing retirement benefits will impose a less immediate but at least as devastating cost on these individuals, as well as increasing the number of American workers who are underprepared for retirement and exacerbating existing gender disparities in old-age poverty.

Perhaps most strikingly, virtually all of these costs could have been avoided had employers responded responsibly and as required by law when employees reported harassment. Indifference and retaliation not only cut workers' wages and benefits but also intensified the emotional distress caused by the harassment. These stories highlight profound defects in workplace sexual harassment policies and protections for those who come forward with complaints.

Better policies and practices are essential to prevent harassment, as is better enforcement of measures to prevent retaliation. Such policies include mandatory anti-harassment training, better anti-harassment policies and accountability, and employee climate surveys to detect and prevent harassment, as well as the prohibition of mandatory nondisclosure agreements in harassment lawsuit settlements and the extension of statutes of limitations for sexual harassment claims. Improved measures also include targeted oversight and monitoring and the development of new tools for addressing harassment in industries with particularly high levels of harassment, such as construction, trucking, restaurants, and janitorial and in-home care work.

As our interviews revealed, harassment imposes profound and long-lasting financial damage on individual women and men. In order to comprehend the full extent of harassment's economic costs, nationally representative data are vital. This includes a need for more accurate and frequent figures on the prevalence of workplace sexual harassment in different industries and occupations across the United States, and on the consequences of harassment for individual workers, including its financial and economic costs (U.S. Government Accountability Office 2020). Other nations already collect such data, including Australia, which regularly conducts the Australian National Workplace Sexual Harassment Survey (Australian Human Rights Commission 2018; Deloitte 2019). Further research is also required regarding the intersectional nature and effects of harassment for women, men, and non-binary people who hold multiple identities and often face harassment at the cross-sections of those oppressions.

Until better and more regular data are collected, the prevalence and cost of workplace sexual harassment will continue to be an under-recognized and marginalized issue, keeping lawmakers and experts from understanding the fluctuations and dynamics of sexual harassment as an economic issue and therefore preventing them from identifying and implementing effective solutions. Without a deeper understanding of how sexual harassment and the economy intersect, individuals, employers, and the country as a whole will continue to see major financial and societal losses.

<sup>&</sup>lt;sup>41</sup> See Johnson, Menefee, and Sekaran (2019) and Christiansen (2020) for more detailed discussion and examples of existing state statutes.

## **Appendix A: Methodology**

The financial costs of sexual harassment in this report were estimated by conducting individual interviews with 15 women and 1 man; each of the persons interviewed had experienced sexual harassment. Participants were identified through outreach of organizers and other intermediaries. These include organizations working with tradeswomen, Coworker, Ya Basta, Survivors Know, United for Respect, Fight for 15, and the Service Employees International Union (SEIU). Interviews were conducted remotely, over Zoom, and lasted 45 to 60 minutes. Interviewees were asked to describe the circumstances of their harassment, as well as a detailed list of the financial consequences, including reduced earnings, impact on promotions, time out of work, lost benefits, difference in earnings and benefits in subsequent employment, and related expenses for legal fees, medical and therapy fees, adverse effects on personal finances and loans, housing insecurity, retraining and education. Fifteen (15) of the participants were women and one was a man. Fourteen (14) women and one man were cisgender and one woman was transgender. 42 Six were Hispanic or Latina/o, two were Black or African American, at least four were White, and four did not specify a race or ethnicity. Names and minor identifying details from interviews with workers who have experienced harassment have been changed where necessary to maintain anonymity.

Where explicitly described by interviewees, actual costs are used. For instance, some interviewees kept detailed records of the costs they incur, including legal bills, medical bills, and late fees. To estimate costs that interviewees mentioned but were unable to recall the exact dollar amounts for, researchers followed standards and procedures commonly used in court cases to establish claims for monetary relief, as outlined in Stephenson and Macpherson (2019) and Bendick (2011), such as drawing on national or regional employment and earnings data for a detailed occupation.

Costs are discounted back to present value for the date at which the harassment occurred based on the 90-day treasury bill rate for each year (estimated for future years). We also provide the present value in 2020 dollars (adjusted for inflation using the Consumer Price Index for All Urban Consumers) so that the costs are comparable for different individuals.

Lost earnings are calculated by comparing the *actual earnings scenario* (in which sexual harassment occurred and the individual stopped working or changed jobs) to the *base scenario* (in which no sexual harassment occurred, and the individual persisted in their job as expected; Stephenson and Macpherson 2019; Bendick 2011). Where a person is not working, the actual scenario is calculated by multiplying the hourly earnings in the job they held prior to the harassment by the number of work hours lost;

<sup>&</sup>lt;sup>42</sup> Due to the small sample size, this report is unable to study the prevalence and impact of sexual harassment for trans individuals compared to others. However, other research suggests that trans people experience higher rates of workplace harassment than cisgender people: One study found that 90 percent of trans individuals surveyed experienced some form of workplace harassment (Burns and Krehely 2011).

if, as a consequence of the harassment, their hours were reduced, the actual hourly earnings are subtracted from earnings under the base scenario.

If an interviewee did not record their exact hourly wages, "Year O" earnings—earnings before the sexual harassment event—are set at the national median for the detailed occupation of the person who experienced sexual harassment, based on U.S. Bureau of Labor Statistics Occupational Outlook data for national median annual salaries. To capture expected earnings growth, for each consecutive year an increase of 3 percent is applied; this is a conservative estimate of average long-term growth in nominal wages in the U.S. labor market (Bendick 2011; Stephenson and Macpherson 2019).

Where individuals spent some time receiving unemployment benefits, unemployment insurance or disability insurance received is added to the total income in the actual scenario. Unemployment benefits are calculated based on state regulations for the interviewee's state of residence in the relevant year—these calculations are based on weekly wages and state laws for duration of UI benefits.<sup>44</sup>

Benefits: To estimate the financial costs of losing benefits such as health insurance, paid leave, or retirement funds, U.S. Bureau of Labor Statistics data for employer costs for employee compensation for private industry workers by occupational and industry group are applied (U.S. Bureau of Labor Statistics 2020; Stephenson and Macpherson 2019; and Bendick 2011). We divide the cost of benefits per hour by the cost of wages per hour to find benefit value as a percent of wages, and then apply this percentage to earnings each year to calculate annual benefits value. The actual benefit value (accounting for any time out of work without any benefits) is subtracted from the base scenario benefit value.

Loss of 401(k) contributions: We assess how much would be in the worker's 401(k) plan when the worker reaches retirement age, had they continued with the employer where harassment occurred, and continued to receive the employer contribution to retirement savings. The expected value of a worker's 401(k) in the base scenario is valuated based on base salary, a three-percent salary growth rate, pre-harassment 401(k) balance, a four-percent rate of return on investments in the retirement fund (Madowitz, Rowell, and Hamm 2016), expected remaining time in the workforce, and employer match.<sup>45</sup> The total employee contributions and the pre-harassment 401(k) balance are subtracted from the total expected 401(k) value to find the cost of harassment on 401(k) value.

Loss of defined benefit retirement plans: The value of participation in a defined benefit pension plan is calculated using publicly available information about a given

<sup>&</sup>lt;sup>43</sup> Accessible online: https://www.bls.gov/ooh/.

<sup>&</sup>lt;sup>44</sup> Unemployment Benefits Calculators available from the webpages of most State Unemployment Insurance Offices, see U.S. Department of Labor 2021.

<sup>&</sup>lt;sup>45</sup> 401(k) value can be estimated using a web app, such as https://www.bankrate.com/retirement/calculators/401-k-retirement-calculator/.

pension plan. For example, the Southwest Carpenters Pension Trust (2016) explains that monthly pension payments are a function of number of years employed, benefit accrual rate (based on annual hours), and the benefit factor (based on average pension contribution rate). This number is multiplied by the number of months an individual is expected to receive pension payments: the period between the estimated retirement date and their estimated date of death (both based on sex, race, and birthdate, as per Stephenson and Macpherson 2019).

Reduced Social Security benefits are calculated based on income earned over an individual's lifetime. Employer Social Security contributions are included in the basic assessment of the value of fringe benefits, as provided by the U.S. Bureau of Labor Statistics (2020). Lost Social Security income is calculated by comparing Social Security income earned in the actual scenario with Social Security income earned in the base scenario, based on the U.S. Social Security Administration Benefit Calculator Web App; the web calculator provides a monthly average rate based on an individual's retirement data, which we converted into equal annual payouts over the projected lifetime of the worker.

Costs for medical and psychological treatment were based on whether individuals had health insurance, whether a chosen provider was covered by insurance, how many sessions were covered, how long an individual received treatment, and copays as described by interviewees or based on state averages for the individual's state of residence.

**Training and education** costs of those who decided to change their career were based on in-state tuition at the interviewee's chosen educational institution (or the local public university if no school was specified). Financial aid was calculated using the mandated Financial Aid Calculator Apps on institutions' websites and subtracted from the cost of attendance provided on the school's official website.

# Appendix B: Detailed Calculations for Loss of Defined Benefit Pension

To calculate the lifetime loss in pension, we look at:

- Annual hours worked: 2,080 hours (full time, year-round)
- Average Contribution Rate: \$3.00 (and therefore a Benefit Factor of 0.75)
- Benefit Accrual Rate (based on annual hours): \$100
- Monthly pension benefit accrued each year: \$75 (\$100 Benefit Accrual Rate x 0.75 Benefit Factor = \$75)
- \$75 x 32 years = \$2,400 per month
- \$2,400 per month x 12 = \$28,800/year
- $$28,800/year \times 18 years = $518,400$

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