

**- U.S. Senator Tammy Baldwin -**  
**The Fair Employment Protection Act**

*When Our Workers Have the Opportunity to Succeed, America Succeeds*

National and local organizations representing workers and their families are sharing their support for the **Fair Employment Protection Act**, legislation that restores workplace protections weakened by the Supreme Court's 2013 *Vance v. Ball State University* decision to ensure that Americans harassed on the job by their supervisors are treated fairly and receive the justice they deserve.

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"The *Vance* decision made low wage workers more vulnerable than ever to harassment and intimidation from management. By redefining 'supervisor' to exclude the managers that interact with workers on a day-to-day basis, the Supreme Court has given corporations and middle management a free pass to skirt liability for abusing employees and lowered penalties for when they're found guilty. Times have never been more precarious for the American worker and passing this bill is an important step toward ensuring greater security and peace of mind for our workforce."

**- Nancy Zirkin, Executive Vice President of The Leadership Conference on Civil and Human Rights**

"Since the Supreme Court made it harder for survivors of harassment to have their day in court, it's critical to pass the Fair Employment Protection Act. This bill recognizes the reality of the American workplace, where many harassers don't have the power to hire and fire but still have significant authority over millions of workers. Strong protections are especially important for workers in low-wage jobs who are particularly vulnerable to harassment and are often overseen by those with significant authority over their work lives other than hiring and firing power. The bill will restore the ability of survivors to effectively challenge their harassment."

**- Fatima Goss Graves, National Women's Law Center Vice-President for Education and Employment**

"Unfortunately, both sexual and racial harassment remain pervasive problems in workplaces all across the country, and women workers—and women workers of color—are particularly vulnerable to having to endure this odious conduct. The *Fair Employment Protection Act* is vital to ensuring that American workers have meaningful legal recourse when any of their supervisors abuse their authority and engage in unlawful harassment. We strongly urge Congress to quickly pass this important legislation."

**- Johnathan Smith, Assistant Counsel of the Economic Justice Practice,  
National Association for the Action of Colored People Legal Defense and Educational Fund**

"No one in this country should have to face harassment at work, especially at the hands of the very people who have the power to control their day-to-day work and inflict the most harm. Yet sexual and other forms of workplace harassment persist, and the U.S. Supreme Court's deeply troubling *Vance* decision has only made it easier for insidious forms of supervisor harassment to go unchecked. The *Fair Employment Protection Act* is a critical proposal that would restore essential protections for workers and help victims of supervisor harassment of all kinds hold their employers accountable. Its passage should be a priority."

**- Debra L. Ness, President, National Partnership for Women & Families**

"In *Vance*, the Supreme Court's decision to severely narrow the definition of supervisor and to put additional burdens on workers challenging workplace harassment was fundamentally unfair and did not reflect the way the modern workplace operates, particularly in industries employing low-wage workers. The *Fair Employment Protection Act* restores these critical protections and ensures strong, commonsense protections from harassment for all workers."

**- Deborah J. Vagins, Senior Legislative Counsel, American Civil Liberties Union**

“Gender-based harassment affects women across industries and in many occupations, but it is especially pervasive for low-wage and immigrant workers. These women frequently face harassment by their direct superiors - the individuals who direct their daily activities, set their schedules, tell them what to do and when to do it. These harassers leverage their positions of relative authority to make women’s lives miserable, often intimidating workers into silence by threatening and stoking fears of retaliation. The *Fair Employment Protection Act* will help to ensure that such harassment cannot be committed with impunity.”

- **Jennifer A. Reisch, Legal Director, Equal Rights Advocates**

“Once again, the Supreme Court just doesn’t get the modern workplace. Senator Baldwin’s bill overturns a horrible court decision that gives a green light to sexual harassment as long as it doesn’t come from “the boss.” It’s time for Congress to remind the Supreme Court what it is like to work in the real world. Without this legislation, it’s open season for sexual harassment in the workplace.”

- **Lisa Maatz, Vice President of Government Relations, American Association of University Women**

“The *Fair Employment Protection Act* is necessary because of court decisions that contradict long-standing interpretations by the Equal Employment Opportunity Commission and the Courts, and are a step backwards for workplace fairness. 9to5 remains committed to combating discrimination, providing information and support to working women and men whose rights are violated in the workplace, and advocating for stronger protections against discrimination. We appreciate Senator Baldwin’s leadership to remedy these decisions by passing legislation that restores the purpose of our nation’s civil rights in employment laws – to eliminate and prevent workplace discrimination.”

- **Martha De La Rosa, State Director, 9to5 Wisconsin**

“Latinos will account for 74% of the growth of the US workforce over the next ten years. The *Fair Employment Protection Act* is necessary to restoring critical civil rights protections for workers. Harassment on the basis of race and ethnicity should not be tolerated and this step will go a long way in protecting workers.”

- **Eric Rodriguez, Vice President, Office of Research, Advocacy, and Legislation, National Council of La Raza (NCLR)**

### **Full List of Supporting Organizations for the Fair Employment Protection Act**

9to5, Adhikaar, African American Ministers in Action, American Association for Affirmative Action, American Association of University Women (AAUW), American Civil Liberties Union (ACLU), American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), American Federation of State, County and Municipal Employees, American Federation of Teachers, CASA de Maryland, Coalition of Labor Union Women, Coalition on Human Needs, Communications Workers of America, Employment Justice Center, Equal Rights Advocates, Garment Worker Center, Gender Justice, Hadassah, The Women’s Zionist Organization of America, Inc., Institute for Science and Human Values, International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Labor Project for Working Families, Lawyers’ Committee for Civil Rights Under Law, Leadership Conference on Civil and Human Rights, Legal Momentum, MALDEF, Maryland Law Disability Center, MomsRising, NAACP, NAACP Legal Defense and Educational Fund, Inc., National Center for Lesbian Rights, National Consumers League, National Council of Jewish Women, National Council of La Raza (NCLR), National Domestic Workers Alliance, National Education Association (NEA), National Employment Law Project, National Fair Housing Alliance, National Organization for Women, National Partnership for Women & Families, National Women’s Law Center, National Women’s Health Network, New Jersey Citizen Action, Pathways PA, Restaurant Opportunity Centers United, Sikh American Legal Defense and Education Fund (SALDEF), UNITE HERE, United Food and Commercial Workers, UNITED SIKHS, Wider Opportunities for Women, Women’s Law Project, and Working America.