



U.S. Equal Employment Opportunity Commission

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## Press Release

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# EEOC Releases Workplace Guidance to Prevent Harassment

Builds on Previous Work, Addresses Legal Developments and Emerging Issues, Including Virtual Work Environments

WASHINGTON – Today the U.S. Equal Employment Opportunity Commission (EEOC) published final guidance on harassment in the workplace, “**Enforcement Guidance on Harassment in the Workplace** (<https://www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace>).” By providing this resource on the legal standards and employer liability applicable to harassment claims under the federal employment discrimination laws enforced by the EEOC, the guidance will help people feel safe on the job and assist employers in creating respectful workplaces.

These laws protect covered employees from harassment based on race, color, religion, sex (including pregnancy, childbirth or related medical conditions; sexual orientation; and gender identity), national origin, disability, age (40 or older) or genetic information.

Since the Commission last issued guidance on workplace harassment, notable changes in the law have occurred, including the Supreme Court’s decision in *Bostock v. Clayton County*; the EEOC convened a bipartisan Select Task Force on

Harassment in the Workplace and issued a detailed report setting forth its Co-Chairs' findings and recommendations; and new issues have emerged, such as online harassment.

The new guidance updates, consolidates, and replaces the agency's five guidance documents issued between 1987 and 1999, and serves as a single, unified agency resource on EEOC-enforced workplace harassment law. It reflects the Commission's consideration of the robust public input that it received after the guidance was posted for public comment in fall 2023.

“Harassment, both in-person and online, remains a serious issue in America's workplaces. The EEOC's updated guidance on harassment is a comprehensive resource that brings together best practices for preventing and remedying harassment and clarifies recent developments in the law,” said EEOC Chair Charlotte A. Burrows. “The guidance incorporates public input from stakeholders across the country, is aligned with our **Strategic Enforcement Plan** (<https://www.eeoc.gov/strategic-enforcement-plan-fiscal-years-2024-2028>), and will help ensure that individuals understand their workplace rights and responsibilities.”

Between fiscal years 2016 and 2023, more than a third of all discrimination charges received by the EEOC included an allegation of harassment based on race, sex, disability, or another characteristic covered by the laws enforced by the agency. Also, since fiscal year 2018, harassment has been alleged in over half of federal sector equal employment opportunity complaints. In addition, among the 143 merits lawsuits that the Commission filed in fiscal year 2023, approximately 35% of those cases included an allegation of harassment.

The guidance, approved by a majority vote of the Commission, reflects the EEOC's commitment to protecting persons who are particularly vulnerable and persons from underserved communities from employment discrimination. It includes over 70 examples illustrating unlawful harassment, including situations involving older workers, immigrant workers, and survivors of gender-based violence. It also illustrates how employees may be subjected to unlawful harassment not only by coworkers or supervisors, but also by customers, contractors, and other third parties.

In addition, the guidance addresses the growth of virtual work environments and the increasing impact of digital technology and social media on how harassment

occurs in the work environment.

“As we commemorate this year’s 60th anniversary of the Civil Rights Act of 1964, the guidance will help raise awareness about the serious problem of harassment in employment and the law’s protections for those who experience it,” said Burrows.

Along with the final guidance, the EEOC issued several educational resources, including a “**Summary of Key Provisions (<https://www.eeoc.gov/summary-key-provisions-eeoc-enforcement-guidance-harassment-workplace>)**” document, **document for employees (<https://www.eeoc.gov/questions-and-answers-employees-harassment-work>)**, and a **fact sheet for small businesses (<https://www.eeoc.gov/small-business-fact-sheet-harassment-workplace>)**.

The final guidance also highlights additional EEOC resources on workplace harassment, including the EEOC’s 2023 **Promising Practices for Preventing Harassment in the Federal Sector (<https://www.eeoc.gov/federal-sector/reports/promising-practices-preventing-harassment-federal-sector>)** technical assistance document, which provides practical tips for preventing and addressing harassment within the federal civilian workforce; the agency’s 2017 **Promising Practices for Preventing Harassment (<https://www.eeoc.gov/laws/guidance/promising-practices-preventing-harassment>)** technical assistance document; and the 2016 **Report of the Co-Chairs of the Select Task Force on Harassment in the Workplace (<https://www.eeoc.gov/select-task-force-study-harassment-workplace>)**, which included findings and recommendations about harassment prevention strategies.

The EEOC issued the proposed harassment guidance on Oct. 2, 2023, and invited the public to comment. The comment period closed on Nov. 1, 2023. The EEOC received approximately 38,000 comments and carefully considered those comments in developing this final guidance.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all by enforcing federal laws prohibiting employment discrimination. More information is available at **[www.eeoc.gov](http://www.eeoc.gov)** (**<http://www.eeoc.gov>**). Stay connected with the latest EEOC news by subscribing to our **email updates (<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>)**.

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