

Testimony before the Pennsylvania House Committee on Labor and Industry

Public Hearing on Harassment and Sexual Misconduct in the Workplace

By Oana Nechita, Counselor, Network of Victim Assistance

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Good morning, Chairman Kauffman and members of the House Committee on Labor and Industry. I am grateful to you for convening this hearing on workplace harassment and sexual misconduct and appreciate the opportunity to share my remarks. My name is Oana Nechita and I am a Licensed Professional Counselor at the Network of Victim Assistance, the rape crisis and comprehensive victim service agency for Bucks County. NOVA is a private non-profit, community-based organization whose mission is to support, empower, and counsel victims of sexual assault and other serious crimes in Bucks County, and to work toward prevention and elimination of violence in society through advocacy, training, community education and prevention programs.

The news over the past year has clearly revealed that workplace sexual harassment is pervasive in every industry, from the restaurant and other service industries to professional football and news outlets. I am here today to share with you the deep and wide-ranging impact that sexual harassment in the workplace has on victims of such an act of violence. In my work at NOVA, I have the privilege to meet clients who rise to meet the overwhelming circumstances of their victimizations with extra-ordinary strength and resilience.

One such client is Rachel (not her real name, to protect the client's privacy), a woman in her mid-twenties, joyful, energetic, with a passion for rock-climbing and her job with a large PA company. Rachel lives with her disabled mother for whose care she is responsible. She was hired shortly after college and was working under the tutelage of a foreman, a man she thought had the warmth and comfort of a father figure. He introduced her to the rest of the team and a short time after, they all had become friendly and enjoyed time outside of work. Rachel shared the shock, humiliation, and shame that washed over her when, one day while working on a ladder at a job site, she felt the hands of her trusted foreman groping her buttocks and genital area, grunting and describing the sexual acts that he would do to her. She froze. She couldn't move. She couldn't speak. She couldn't breathe. Her brain could not process that the fatherly figure whom she trusted was the same as her present assailant. In clinical terms, this is a classic trauma reaction: the fight/flight/or freeze response, a normal brain reaction to a perceived threat. When she came to, she told him he is making her uncomfortable and asked him to stop. The harasser did not. Paired up with him for jobs that were scheduled by the company well in

advance, Rachel found herself bound to working with her harasser over and over again, and facing, in fear, the unwanted advances and assaults each time. Because of the deep trust they had built over time, Rachel did not want to report her harasser to Human Resources for fear he would be fired. When she finally mustered the courage to share the story of the harassment with another co-worker, one of the friends she trusted, he minimized the harasser's actions and laughed at her, telling her she "needs to expect this in the field" and that he'd had those thoughts about her also. Utterly betrayed, without lateral support, and withstanding ongoing harassment, Rachel decided to escalate the issue to the team's supervisor. The supervisor told her she would be removed from the projects to which she had been assigned, and bound to what he called a "desk job", a demotion from her current position. This demotion would affect her financial resources for herself and her mother, and she refused to accept this offer. She was told to "grow thicker skin". Rachel decided to take things into her own hands and confronted her harasser. She was direct, assertive, and clear about the boundaries she wanted him to respect. He did not comply. Twelve more times, Rachel reported the harassment to her supervisor. He dismissed each complaint and did not record any of them.

By the time Rachel attended the first counseling session at NOVA, she felt betrayed by her friends, let down by the system which she believed would help her, invalidated in her efforts to disclose, and overall less than human. She blamed herself for the harassment, despite knowing she had no control over the harasser's behavior. She was cut off from her social circle, the people who now supported the harasser. Isolated and disheartened, Rachel started to slip into depression and used alcohol to numb out the anger and pain. Twelve dismissed reports and countless incidents of humiliation and harassment, had rendered Rachel in a state of learned helplessness. If her colleagues, friends, and supervisor would not believe her, would not stand up to support her – then no one would. This is the deep belief that most victims of workplace sexual harassment hold. This is why Rachel determined that our referral to the Human Resources department or a direct complaint with the EEOC was no longer an option for her. In counseling, we validated her feelings, affirmed her action against the harasser, and explored coping skills to heal from the sustained trauma of the harassment. A year after completion of services at NOVA, I received a voice-mail from Rachel: she was happy, working in a satisfying job, had found a new place to live and a new life – in North Carolina. She had struggled with making this decision for a long time, struggled to make arrangements for her mother's care, struggled to gather financial resources to move, and struggled to quit a job she otherwise loved and leave the friends she had made. All this to escape the web of humiliation and trauma triggers that existed everywhere.

Although not public or glamorized like those of Hollywood stars, the experiences of NOVA clients who have withstood workplace harassment are equally ubiquitous and continue to replicate day in and day out. They are indicative of classic trauma symptomology and hence, warrant the same degree of focused attention to seek a viable and workable solution:

- Workplace sexual harassment is traumatic. It adversely affects victims emotionally and behaviorally and it infiltrates all aspects of their family and social life.
- Sexual harassment involves a dynamic of power and control maneuvered by the harasser, to the deep detriment of the victim.
- Sexual harassment is unsafe and toxic to the workplace environment, just as any bullying or harassing activity in the community.
- Sexual harassment is an issue that transcends gender, race, or sexual orientation – it affects us all.
- Sexual harassment is not a knowledge or comprehension problem. It is an attitudinal and behavioral problem.

Sexual harassment happened to Rachel, and it can and does happen to many of our own daughters, sisters, co-workers, or staff members. It is my strong belief that instituting legislation and public policies to address sexual harassment and enforce consequences that are significant and commensurate with its traumatic impact is the ethical and moral step to take to benefit us all. Thank you.

Biography

Oana Nechita

Oana Nechita is a Licensed Professional Counselor at the Network of Victim Assistance in Bucks County, PA where she provides counseling services to victims of crime in office, school and prison settings. She holds a Master's degree in Professional Counseling and Marriage and Family Therapy from La Salle University where she is an Adjunct Professor in the Psychology Department. Ms. Nechita is a native of Romania where she worked extensively with children in orphanages and state hospitals.