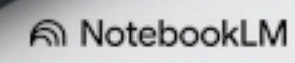


AND PROTECT YOURSELF FROM
RETALIATION IN NJ, PA,
AND PHILADELPHIA



The safest report is **clear, factual, documented**, and sent **through a channel** you can **prove**.



No Confrontation Required

You do not have to confront the harasser first before escalating the issue.



Verbal Complaints Count

A verbal complaint may be legally protected under the law.



Written is Safer

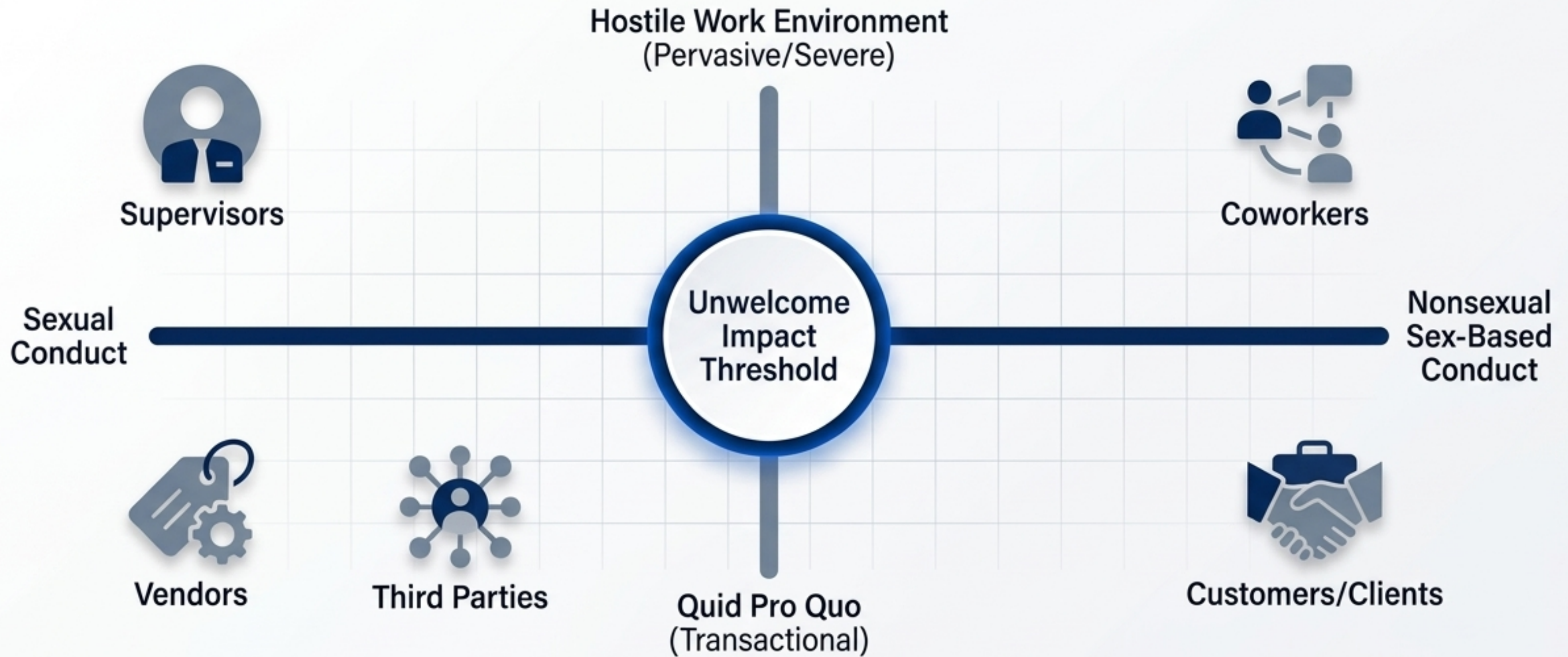
A written complaint is generally much easier to prove and track.



The Clock Keeps Ticking

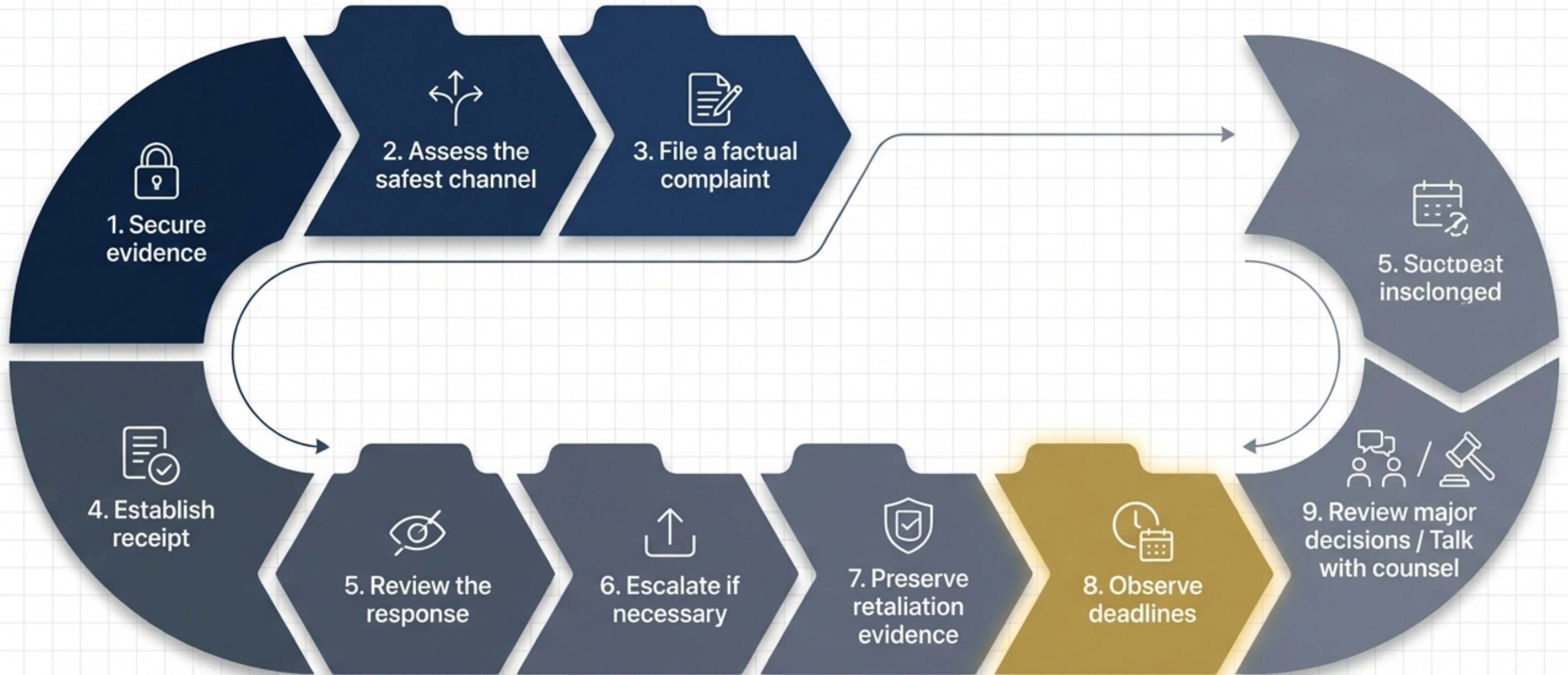
Internal HR investigations do not pause external legal filing deadlines.

Defining Workplace Harassment: Conduct and Context



Not every offensive incident satisfies the final legal standard for a lawsuit, but employees have the **right to report unwelcome conduct before it escalates.**

The SAFE REPORT Strategy: A Step-by-Step Framework



How to Document an Incident for Your Records



Crucial Rule: Maintain contemporaneous, objective notes without emotional embellishment.

Preserve Evidence Without Creating a New Problem

Lawful Preservation



Keep original messages and take screenshots.



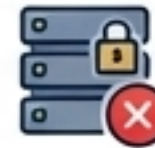
Preserve records that are lawfully available to you as an employee.



Legally Dangerous



Do not alter or delete any evidence.



Do not access digital systems or physical areas without authorization.



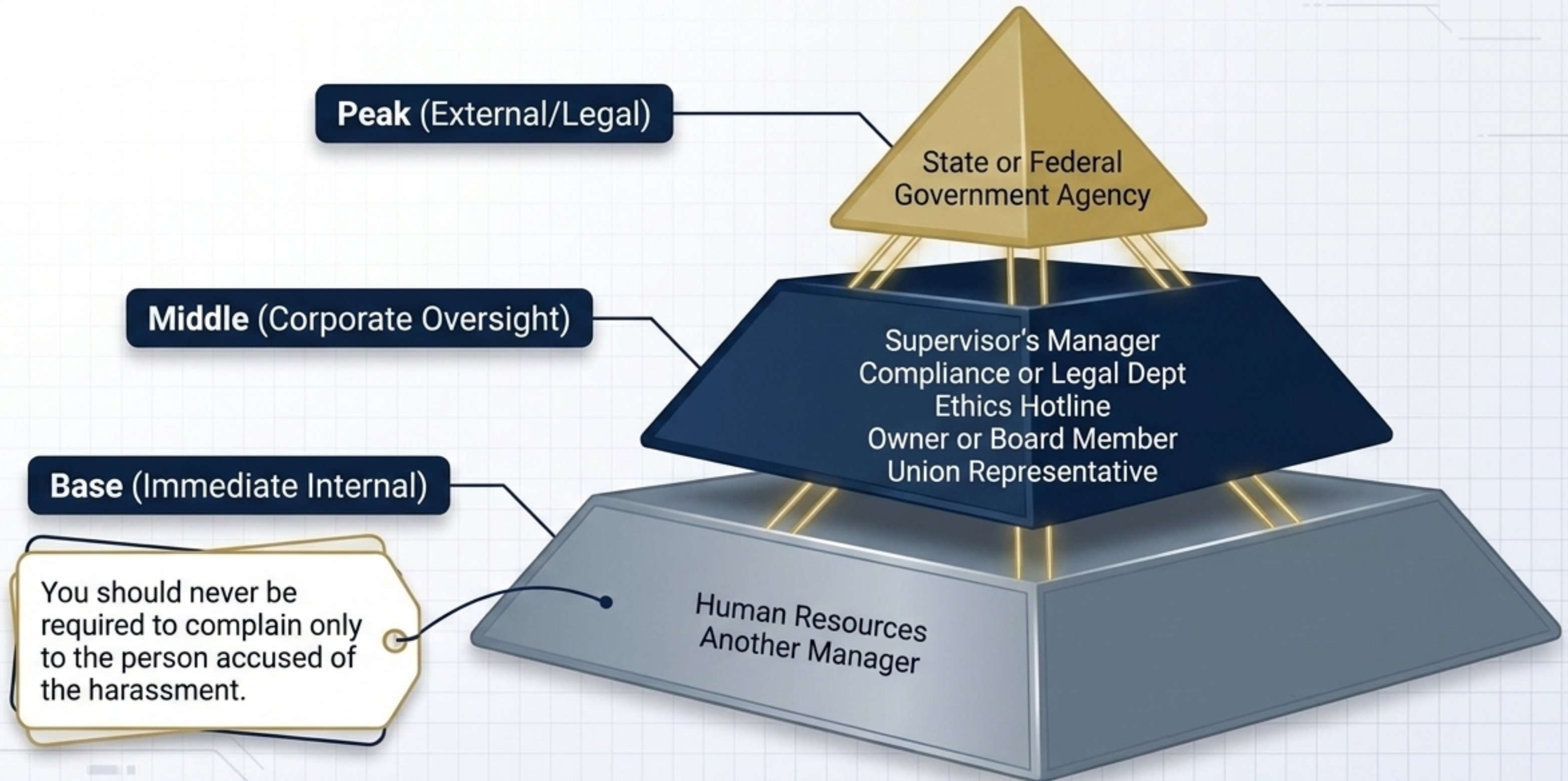
Do not take unrelated confidential, patient, customer, personnel, privileged, or proprietary records.



Check your specific state law before secretly recording audio or video.



Navigating Your Options: Choosing a Reporting Channel



Structuring the Written Complaint

- 1 Identify the purpose
- 2 Name the accused person
- 3 Describe representative incidents
- 4 Explain that the conduct was unwelcome
- 5 Identify witnesses and evidence
- 6 Explain relevant workplace impact
- 7 Request an investigation
- 8 Request record preservation
- 9 Request protection from retaliation
- 10 Ask for confirmation and next steps

The diagram illustrates an email interface with three tabs: 'Inbox', 'Sent', and 'Drafts'. The 'Inbox' tab is selected. The email header shows 'To: HR' and 'Subject: Formal Complaint'. The body of the email contains several lines of placeholder text (horizontal bars). A yellow highlighted box in the middle of the email body contains the text: 'I am making a formal complaint about unwelcome sexual and sex-based workplace conduct and am requesting an investigation.' Two arrows point from the list on the left to this highlighted box: one from item 1 ('Identify the purpose') and one from item 7 ('Request an investigation').

To: HR

Subject: Formal Complaint

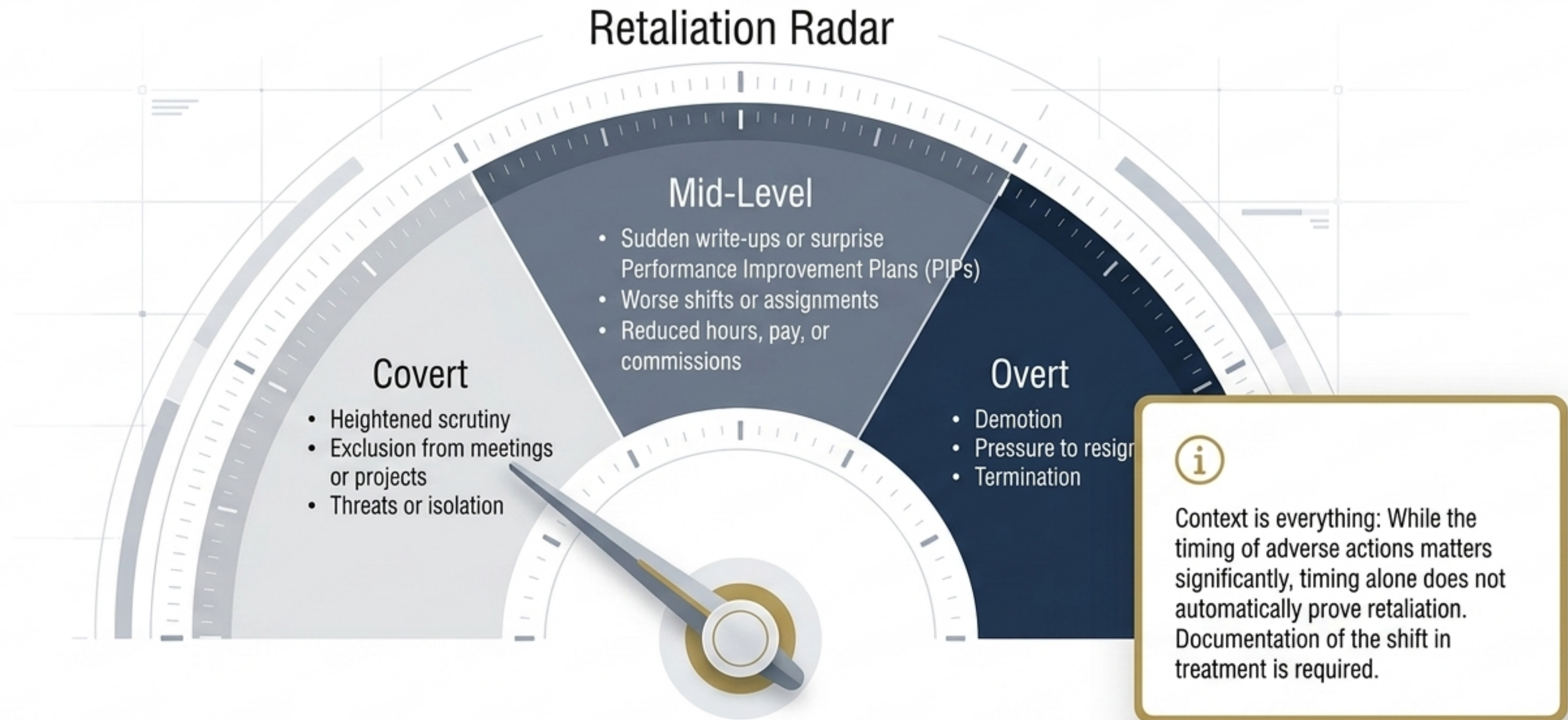
I am making a formal complaint about unwelcome sexual and sex-based workplace conduct and am requesting an investigation.

What Should Happen After You Report?



Crucial Context: An "unsubstantiated" internal HR finding does not automatically mean the employer **believes you lied**, nor does it give them permission to retaliate against you.

Recognizing the Warning Signs of Retaliation



Navigating Agency Options in NJ, PA, and Philadelphia

General filing periods only—this is NOT a deadline calculator.

Jurisdictional Comparison Matrix

Agency / Law	Minimum Employees	General Filing Deadline
EEOC / Title VII	Generally 15+ employees	Typically 180 days (sometimes 300 days)
NJ DCR / NJLAD	All NJ employers	Generally 180 days administratively
NJLAD Court Action	(Applies to NJ)	Generally two years
Pennsylvania PHRC / PHRA	Generally 4+ employees	Generally 180 days
Philadelphia PCHR	Generally 1+ employees (with Phila connection)	Generally 300 days

Document what happened. Make the report clear. Protect the timeline.

1.
2.
3.
4.
5.

• **Create a factual chronology**

• **Preserve evidence lawfully**

• **Review the reporting policy**

• **Report through a safe channel**

• **Keep proof of receipt**

LEGAL RESOURCES

Firm: **Swartz Swidler Employment Lawyers**

Focus: Fighting for workers' rights in New Jersey and Pennsylvania

Locations: Cherry Hill (Headquarters) & Philadelphia

Contact: (856) 685-7420 for a free, confidential consultation.

Commitment: Cases accepted on a **contingent basis**—we do not get paid unless we **recover money for you**.