

Quid Pro Quo Harassment: What Every Worker Should Know

A Guide to Understanding Your Rights and
Taking Action in New Jersey & Pennsylvania








What Does “Quid Pro Quo” Actually Mean?

Latin for “This for That”: The core of this harassment is a supervisor demanding a sexual favor in exchange for a work-related benefit.

The Unfair Bargain - Three Common Forms:

-  **Offering a Benefit:** A supervisor offers something the employee wants (e.g., a promotion, a raise) in exchange for satisfying a sexual demand.
-  **Threatening a Detriment:** A manager states they will not fire or reprimand an employee *if* the employee performs a sexual favor.
-  **At the Application Stage:** An offer of employment is made dependent on the applicant’s acceptance or rejection of sexual advances.

You Are Not Alone: A 2017 ABC News – Washington Post Poll found that 54% of American women have experienced unwanted and inappropriate sexual advances.

The Two Pillars of a Legal Claim

To prove a quid pro quo claim, the court will look for evidence of two key elements. It's crucial to understand that even if you reluctantly gave in to the advances, you may still have a valid claim.



Unwelcome Sexual Conduct

The harasser made unwanted sexual advances or engaged in other verbal or physical conduct of a sexual nature.

The key is that the conduct was unsolicited and offensive *to you*. Your consent given under duress does not make the conduct “welcome.”



Tangible Employment Action

Job benefits were conditioned on your acceptance of the sexual advances.

A significant job action resulted from the harassment, such as:

- Being fired or not hired
- Being denied a promotion
- A significant change in benefits or duties

What Quid Pro Quo Looks Like in Practice



The Hiring Condition: A manager touches an applicant in a suggestive manner during an interview and says, “Do you *really* want this job?” when the applicant objects or pulls away. The job offer is then rescinded.





The Promotion Block: A supervisor tells a subordinate, “Your career could advance much faster if we had a better relationship outside of the office.” After the employee declines dinner invitations, they are passed over for a promotion they were next in line for.



The Threat to Fire: An employee makes a mistake on a report. Their manager says, “This is a fireable offense... unless you’re willing to make it up to me this weekend.”

Two Types of Harassment: A Clear Distinction

While both are illegal, the law treats quid pro quo and hostile work environment claims differently.

Quid Pro Quo Harassment	Hostile Work Environment
	
<ul style="list-style-type: none">• “This for That” – A direct exchange or proposition.	<ul style="list-style-type: none">• “Pervasive & Severe Conduct” – An intimidating or offensive atmosphere.
<ul style="list-style-type: none">• Action by a Supervisor with power over your job.	<ul style="list-style-type: none">• Can be committed by anyone in the workplace (co-workers, clients).
<ul style="list-style-type: none">• Tied to a Tangible Employment Action (e.g., firing, promotion).	<ul style="list-style-type: none">• Conduct unreasonably interferes with your ability to perform your job.
<ul style="list-style-type: none">• A single incident can be enough to form a valid legal claim.	<ul style="list-style-type: none">• Usually requires a pattern of repeated conduct (jokes, comments, etc.).

The Law is On Your Side

A powerful framework of federal and state laws makes quid pro quo harassment illegal and gives victims a path to justice.



Federal Law: Title VII of the Civil Rights Act of 1964

- The foundational U.S. law prohibiting sex discrimination, which includes sexual harassment.
- Enforced by the Equal Employment Opportunity Commission (EEOC). Claims must be filed with the EEOC within 180 days of the harassment.



New Jersey Law: Law Against Discrimination (NJLAD)

- One of the nation's strongest anti-discrimination laws, offering broad protections to workers in NJ.



Pennsylvania Law: Human Relations Act (PHRA)

- Provides robust state-level protections against harassment for employees in PA.

Your First Steps: Taking Control

If you believe you are a victim, taking clear, methodical steps is crucial to protecting your rights.

1.



Document Everything.

- Write down dates, times, locations, and exactly what was said or done. Note any witnesses.
- Gather all inappropriate texts, emails, notes, or other evidence.
- **Crucially:** Keep your documentation in a safe, personal place—*not* on a work computer or device.

2.



Report the Harassment in Writing.

- Follow your company's official reporting procedure (check the employee handbook).
- An email to HR or the designated manager creates a permanent record that is stronger than a verbal complaint.

3.



Consult an Attorney.

- Contact an employment lawyer to understand your options and protect your rights. An attorney can help you file a formal complaint with the EEOC and ensure you meet critical deadlines.

What Employers Are Legally Required To Do

The law places a clear responsibility on employers to maintain a harassment-free workplace. When an employer knows or should have known about harassment, they have a legal duty to act.



Prevent

Establish and enforce a clear anti-harassment policy and provide regular training to employees and managers.



Investigate

Take all complaints seriously and conduct a prompt, thorough, and impartial investigation.



Correct

If harassment is found, take immediate and appropriate action to stop the behavior, prevent it from recurring, and protect the victim from any form of retaliation.

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- **Fighting for Workers' Rights:** Our firm is exclusively dedicated to representing employees, not corporations. We understand your situation because this is all we do.
- **Deep Experience in NJ & PA:** We have extensive knowledge of the federal, state, and local laws that protect you.
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 - Lost wages and benefits
 - Emotional distress
 - Reinstatement to a job
 - In some egregious cases, punitive damages
- **No Fee Unless We Win:** We handle cases on a contingent basis. You pay nothing unless we recover money for you.

Take the First Step Today.

Your consultation is free, confidential, and comes with no obligation. We will take all the time necessary to fully evaluate your claims and advise you on all your legal options.



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