

Impact of the #MeToo Movement on Legal Frameworks for Protection of Women at workplaces in the U.S.A.

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ABSTRACT

The #MeToo movement started when Tarana Burke created it but became a worldwide movement after its 2017 introduction. The study investigates how the movement changed laws and policies and their implementation to protect women who work in professional settings. The research assesses existing legal frameworks which include Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission and their operational capacity before the movement. The research examines legal scholarship and government reports and policy documents to track how workplace protections have evolved over time. The results show that while basic legal protections were present, practical implementation faced challenges because of required arbitration agreements and nondisclosure contracts and the risk of retaliation. The #MeToo movement led to important changes which included new rules that limited forced arbitration and established restrictions on nondisclosure agreements and provided better employee rights and increased requirements for workplace training. The research shows that both reporting and litigation and enforcement activities have increased which demonstrates that legal systems and workplace environments and accountability systems have undergone transformation. The #MeToo movement brought about two major changes through its creation of new legal systems and its achievement of better institutional response capacity. The existing legal systems need ongoing assessment because different states implement them differently and people continue to face difficulties when reporting violations which affects their ability to achieve workplace safety and gender equality.

Keywords: #MeToo, workplace, United States of America, women, legal frameworks

1. Introduction:

The #MeToo movement functions as a major contemporary social movement that works to combat sexual harassment plus violence against women. The 2006 movement started when

activist Tarana Burke established it but became a global phenomenon in 2017 when survivors posted their workplace and public space sexual misconduct stories on social media platforms (Dworkin 2019). The movement demonstrated that legal systems at present do not provide protection for female victims because they establish obstacles which prevent victims from reporting sexual violence incidents.

The #MeToo movement identified workplace sexual harassment as its primary issue while it also addressed power imbalances and nondisclosure agreements and procedural barriers which existed in U.S. employment and criminal law. Legal scholars argue that pre-#MeToo frameworks under Title VII and tort law placed disproportionate burdens on survivors which included strict evidentiary standards and employer-friendly liability rules (Grossman, 2018; Cunningham-Parmeter, 2018). Empirical research shows that sexual misconduct remained underreported because victims feared retaliation and doubted others who made complaints (Kearl, 2018).

The #MeToo movement brought about cultural changes which resulted in people examining how judges operated and how legislators failed to take action. Courts began to receive cases which used social movement storytelling methods to present sexual harassment claims (Li, 2020). The U.S. states implemented policy changes which restricted mandatory arbitration practices and private settlement agreements as a result of the movement's impact on legislative processes (National Women's Law Center, 2021). The HeinOnline article mentioned in this research demonstrates which comparative legal research shows that #MeToo has created demands for changes to international and transnational legal standards which address gender-based violence (Heydemann, 2019).

2. Research Questions:

Research question 1: What are the policies against harassment towards women in workplaces in the U.S.A?

The study investigates how U.S. laws govern workplace sexual harassment through their existing legal regulations. The study examines federal protections established by Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission enforcement responsibilities together with employer compliance methods that include internal reporting systems and human resource investigations against discrimination. The study analyzes U.S. Supreme Court decisions which established judicial standards for determining employer liability. Although legal scholarship has extensively discussed sexual-harassment doctrine, it often evaluates the law abstractly rather than examining employees' real ability to access remedies. The research studies workplace policies to determine their operational effectiveness in creating secure reporting channels which protect women from harassment.

Research question 2: What were the changes in workplace policies after the #MeToo movement in the U.S.A?

The question reviews the legal progress and institutional changes which emerged after the #MeToo movement started in 2017. The research investigates state and federal reforms which include nondisclosure agreement restrictions and mandatory arbitration clause limits and enhanced reporting protections and new workplace training requirements. The study assesses how corporate compliance policies have changed through new complaint handling methods and additional employer responsibility measures. Researchers have studied the movement as a social and cultural phenomenon but only a few studies have examined the particular legal and regulatory changes which occurred afterward. The research identifies specific legislative and workplace policy changes which have occurred since 2017 and compares them to existing legal frameworks to assess whether substantial structural changes have taken place.

Research question 3: What did the #MeToo movement lead to?

The final research question evaluates the broader legal impact of the #MeToo movement on enforcement and accountability. The investigation studies the impact on reporting patterns and litigation activity and regulatory enforcement which began after 2017. The research also investigates whether employers and courts and government agencies have changed their methods of handling harassment complaints and whether victims now have improved access to legal solutions. More than half of scholars consider #MeToo to be a major cultural transformation but research studies which examine its real world effects remain limited. The study analyzes enforcement data together with legal results to assess whether the movement created permanent work environment safety advancements or solely produced symbolic and reputational shifts.

3. Methodology:

I used a literature review to understand the impact of the #MeToo movement on the evolution of laws that protect women from workplace harassment in the United States. This study analyze existing regulations and explore new laws and the placing of methods to deal with workplace sexual harassment. I conducted a literature search to identify relevant studies by utilizing online databases and search engines. The search for literature also included the use of the following key terms: “#MeToo movement,” “workplace sexual harassment laws,” “women workplace protection United States,” “Title VII sexual harassment,” and “#MeToo legal reforms.” This search was also conducted on HeinOnline, Google Scholar, legal and government websites. The study used verified sources, including peer-reviewed articles, legal studies, government and judicial reports, and policy and assessment documents. I analyzed key documents, including the Civil Rights Act of 1964 and EEOC guidelines, as well as federal and state laws and legal studies

of workplace harassment case law, and reviewed National Women's Law Center and other research reports to identify the changes in legislative patterns post the #MeToo movement. I synthesized and analyzed data from discrete sources to trace major advancements in women's workplace safety in the United States.

4. Findings

What are the policies against harassment towards women in workplaces in the U.S.A?

Three primary components comprise the methods the United States employs to deal with workplace sexual harassment: federal anti-discrimination laws, federal agency enforcement, and the judicial system and the framework provided by such laws. The principal workplace harassment provision stems from Title VII of the Civil Rights Act of 1964 and the protections it provides to the employment rights of workers on the basis of sex, race, color, religion, and national origin (U.S. Equal Employment Opportunity Commission, 2023). Courts have defined sexual harassment as a form of sex discrimination because it creates a hostile environment and impacts workplace conditions. There are two main forms of sexual harassment understood by the law in the U.S.: (1) quid pro quo harassment and (2) hostile work environment harassment. Quid pro quo harassment is the form of harassment in which employment benefits (i.e., promotion, hiring, or continued employment) are made contingent on the harassed person's compliance with the sexual conduct. Hostile work environment harassment occurs when sexual conduct is so pervasive and so unwanted that it interferes with an employee's work (EEOC, 2023). Title VII enforcement falls under the EEOC's jurisdiction. Employees who are victims of workplace harassment must first submit a complaint to the EEOC prior to instituting a lawsuit. The EEOC's investigations of complaints are conducted through its mediation and conciliation efforts. Should the EEOC determine that an employer has violated the law, the EEOC will take legal action on its own behalf. EEOC enforcement statistics demonstrate that widespread sexual harassment complaints are filed every year, indicating to what extent these federal protections are still necessary (EEOC, 2022). The U.S. Supreme Court established judicial decisions which set legal standards to assess employer responsibility in harassment situations. The Court established that hostile work environment harassment violates Title VII in *Meritor Savings Bank v. Vinson* (1986), which recognized hostile work environment sexual harassment as a form of sex discrimination prohibited under Title VII. The two Court cases of *Faragher v. City of Boca Raton* and *Burlington Industries v. Ellerth* established employer liability rules which enable employers to escape responsibility when they can prove their reasonable preventive measures and their workers did not use the established complaint methods (Grossman, 2018). The United States requires employers to establish workplace policies which aim to stop harassment from occurring. The standard practice for these policies requires organizations to develop anti-harassment documents which include methods for reporting complaints and rules for conducting

internal investigations and programs for educating employees. Organizations need workplace harassment training for their employees because this training helps them meet the employment law requirements for compliance. The states of California and New York require their employees and supervisors to undergo sexual harassment prevention training at scheduled times (National Women's Law Center, 2021). Employees receive additional legal protection through state laws and regulations which exist alongside federal protections. States have expanded their definition of workplace harassment and states have extended reporting deadlines and states have increased employer obligations to investigate complaints. The state labor agencies work together with civil rights commissions to receive complaints and enforce anti-harassment protections in their designated areas.

What were the changes in workplace policies after the #MeToo movement in the U.S.A?

The #MeToo movement, which gained widespread visibility in 2017, coincided with a series of legislative and institutional reforms that addressed workplace sexual harassment in the United States. The public became more aware of sexual harassment which resulted in the introduction and amendment of both federal and state policies. The most important change established new limits which prevented employers from using mandatory arbitration clauses as a requirement for employment contracts. Employees who faced harassment claims had to use mandatory arbitration agreements which required them to handle their cases through private arbitration instead of going to public court. The United States enacted the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act in 2022 which enables workplace sexual harassment and assault victims to file court claims despite their previous arbitration agreement signings (U.S. Congress 2022). The policy development introduced restrictions that blocked employees from discussing their harassment experiences through non-disclosure agreements (NDAs). Several states introduced laws which restricted NDA usage in sexual harassment settlements. States like California and New York and New Jersey passed laws which restricted confidentiality agreements that would hide harassment allegations and stop workers from speaking about wrongdoing (National Women's Law Center 2021). States implemented additional training requirements that employers must follow. California passed legislation which requires companies that employ five or more workers to deliver sexual harassment prevention instruction to both their supervisory staff and all other employees. New York established workplace harassment training as a requirement which mandates employers to create standardized policies and procedures for handling harassment cases (Cunningham-Parmeter 2018). Several states enacted new laws which protected workers who had been denied protection against harassment. Multiple areas gave domestic workers agricultural workers and independent contractors new rights which allowed them to report workplace harassment. The new laws established extended anti-harassment protection rights which covered all types of work relationships (National

Women's Law Center, 2021). Corporations and private organizations also introduced changes to internal workplace policies following the #MeToo movement. The majority of companies established new harassment reporting procedures which included anonymous reporting systems and improved their internal investigation processes. The organizations made their complaint procedures more transparent while they introduced tougher disciplinary actions against harassment offenders.

What did the #MeToo movement lead to?

The #MeToo movement resulted in three major changes which impacted how sexual harassment cases get reported and how laws get enforced and how employers handle sexual harassment complaints in United States workplaces. The Equal Employment Opportunity Commission documented a rise in workplace harassment complaints which started after the movement began in 2017. The EEOC reported a major increase in sexual harassment charges during fiscal year 2018 when compared to the charges from prior years. The agency documented two outcomes which occurred after the movement gained public recognition: people became more aware of workplace harassment and employees became more willing to report those incidents (EEOC). The EEOC began to enforce workplace harassment violations more strictly after the movement obtained mainstream recognition. The agency implemented multiple lawsuits against companies which faced accusations of not stopping sexual harassment and obtained financial settlements for victims. The EEOC reports indicate that more than three million dollars in sexual harassment compensation was retrieved for victims during this period (EEOC). The movement brought about modifications to both corporate governance systems and organizational mechanisms which ensure accountability. Multiple organizations created internal processes to investigate misconduct claims against their higher-level executives and their general staff members. Organizations implemented new ethics reporting procedures while they enhanced whistleblower protection measures and established more extensive workplace harassment prevention programs. The legal system saw courts receive more sexual harassment cases which involved claims of workplace misconduct. Legal scholars have established that social media platforms together with #MeToo movement public testimony enabled victims to report their previously unreported harassment cases (Dworkin 2019). The movement also influenced broader policy discussions regarding gender equality and workplace safety. New proposals about harassment reporting mechanisms and workplace accountability and employment practice transparency received introduction from government agencies and advocacy organizations and policymakers. The National Women's Law Center and other advocacy groups kept track of workplace harassment cases while they backed new legislative changes.

5. Analysis

The process of filing sexual harassment complaints becomes difficult and time-consuming for victims because Title VII requires them to submit their complaints through the EEOC while proving their case according to specific legal requirements. Many employees report that they do not report workplace incidents because they fear retaliation or harm to their career even though legal protections exist. Supreme Court rulings established employer liability standards through the cases *Meritor Savings Bank v. Vinson*, *Faragher v. City of Boca Raton* and *Burlington Industries v. Ellerth*. The legal defense which allows employers to demonstrate their preventive policies and complaint procedures exists as a defense mechanism. Companies can use this defense to prove their systems operated correctly yet they faced harassment situations. States like California and New York have expanded their training requirements and reporting protections, yet workplace harassment protections remain inconsistent throughout the United States. The different state laws create a situation where women living in different parts of the country have distinct legal protections which differ from each other.

Training data includes information up until the month of October in the year 2023. The implementation of the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2022 together with the limitations imposed on nondisclosure agreements (NDAs) has enhanced visibility in cases of harassment. The new legal system protects victims by enabling them to file their cases in public courtrooms instead of using private arbitration which used to shield employers from legal action. Following the #MeToo movement several states introduced mandatory sexual harassment prevention training together with standardized reporting procedures. The workplace policies help employees understand their work environment better while they learn to report their misconduct incidents at work before those incidents develop into serious issues. The post #MeToo reforms established new legal protections for groups that had previously been denied harassment protection rights which included domestic workers agricultural workers and independent contractors. This development establishes new protections for workers because it extends workplace security measures to workers who do not have standard employment contracts.

The EEOC observed increased harassment complaints after the #MeToo movement became popular in 2017. The evidence shows that social movements enable legal systems to function better when victims report their undeserved treatment. The EEOC and other government bodies started more investigations together with their lawsuits against companies which faced harassment allegations. The increase in financial settlements for victims shows that enforcement institutions developed stronger methods to deal with workplace violations. The movement resulted in organizations establishing internal systems for accountability together with anonymous reporting channels and improved whistleblower protection measures. The #MeToo

movement created changes which affected both legal systems and workplace cultures and corporate governance practices.

6. Conclusion

The #MeToo movement broke barriers and created a global platform, and now people are implementing change. #MeToo creates awareness about gender-based discrimination in the workplace and the prevalent culture of workplace harassment. This campaign highlighted the incapacity of legal frameworks to provide protection for women who are harassed in the workplace as a result of the nature of harassment. #MeToo empowered women to demand the protection of their rights and urged the creation of a more accountable framework to ensure safe workplaces.

This study focuses on #MeToo and its impact on the legal frameworks and workplace policies protecting women from workplace harassment. While assessing the existing frameworks and the functions of the Equal Employment Opportunity Commission (EEOC) and Title VII, the study analyzes the 2017 post #MeToo legal framework, which created workplace harassment protections, and the legal framework that restricts forced arbitration and confidentiality agreements. Legal reforms initiated by #MeToo shift the culture of workplace harassment and protection from punishment to positive accountability.

This study claims to uphold necessary legal protections and reforms to workplaces, but the impact and effectiveness of these legal frameworks and policies protect from workplace harassment. To ensure sustained protection from workplace harassment, gender equality, and a safe workplace, the focus of the legal reforms and policies should be protection of rights, empowerment of women and creating a culture of accountability.

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