

# TAKING BACK POWER: ANNIE FACES AN NDA

Annie, an administrative assistant, has been sexually harassed by Ed, an Executive at her company. Ed has made sexually suggestive remarks towards Annie for the past 6 months.

Annie was considering reporting him but was fearful of possible retribution and what colleagues would say.

Last week, Ed placed a hand on Annie's shoulder and then moved it down to her breast. At that time, Annie decided to report Ed to her employer.

This comic series details Annie's experiences with her employer after she reported the sexual harassment, including being asked to sign a non-disclosure agreement (NDA).

**As you read through the comic series, consider:**

- 1. What roles do race and gender play in Annie's experience?**
- 2. How is the NDA presented to Annie? Is it done in an empowering or disempowering way?**
- 3. What can be done to better support survivors of sexual harassment in the workplace like Annie?**

ANNIE GOES TO HER SUPERVISOR TO DISCLOSE THE SEXUAL HARASSMENT AND DISCUSS NEXT STEPS.

I CAN'T KEEP QUIET ANYMORE. ED HAS BEEN MAKING SEXUAL COMMENTS ABOUT ME FOR MONTHS, AND TODAY HE ACTUALLY TOUCHED MY BREAST, I CAN'T KEEP WORKING LIKE THIS.

THANK YOU FOR TELLING ME, ANNIE. THIS IS SEXUAL HARASSMENT AND A VERY SERIOUS ALLEGATION. I CAN GIVE ED A WARNING OR WE CAN MAKE AN OFFICIAL REPORT.

I WANT TO MAKE A REPORT AND HAVE THIS INVESTIGATED. I CAN'T KEEP GOING LIKE THIS AND WHO KNOWS WHO ELSE HE IS DOING THIS TO.

OK, LET ME CALL THE HR REP AND WE'LL GET THE INVESTIGATION STARTED. I HAVE TO WARN YOU THOUGH, I HAVE NOTICED THAT THESE KINDS OF COMPLAINTS TEND TO DISAPPEAR.

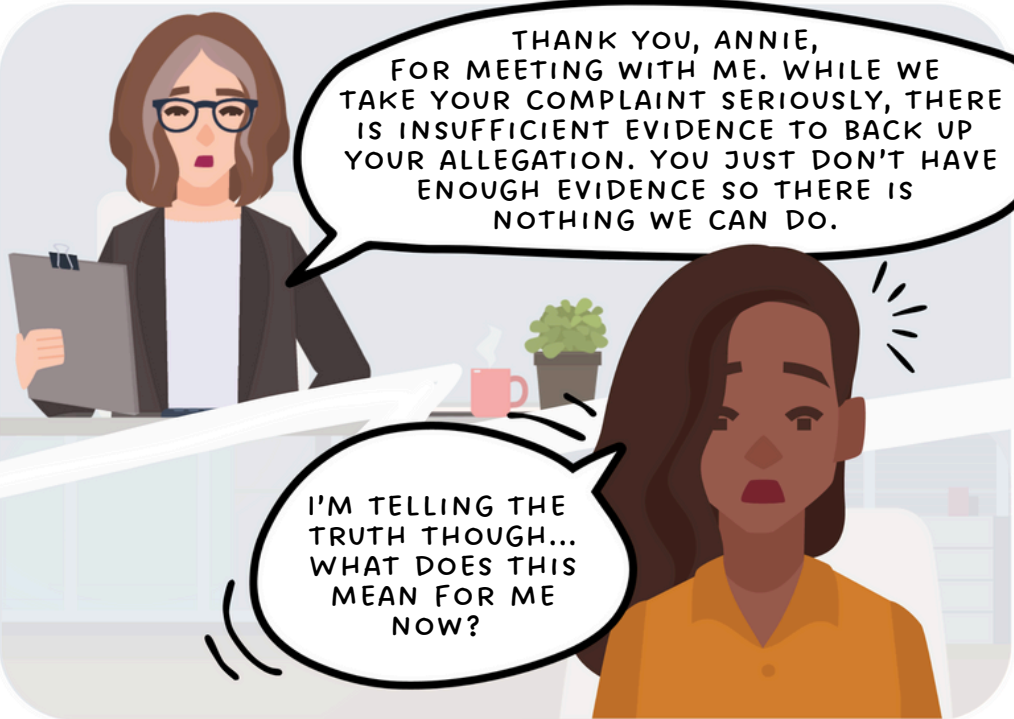
WHAT? THAT'S AWFUL!

ARE YOU SURE YOU WANT TO GO AHEAD WITH THE COMPLAINT AND THE HR INVESTIGATION? I CAN JUST MOVE YOU TO ANOTHER FLOOR SO THAT YOU DON'T HAVE TO SEE ED REGULARLY.

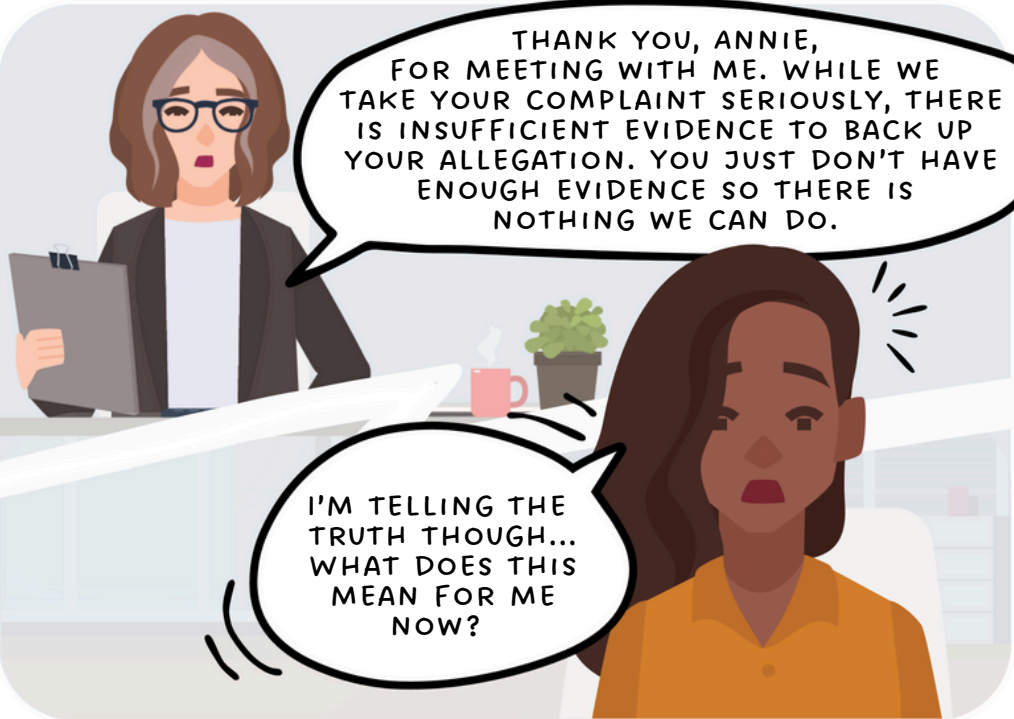
I'M SURE.

TO BE CONTINUED ...


HUMAN RESOURCES CONDUCTED THEIR INTERNAL REVIEW OF ANNIE'S REPORT WITH THE COMPANY'S LAWYERS AND SCHEDULED A MEETING WITH ANNIE.




THANK YOU, ANNIE, FOR MEETING WITH ME. WHILE WE TAKE YOUR COMPLAINT SERIOUSLY, THERE IS INSUFFICIENT EVIDENCE TO BACK UP YOUR ALLEGATION. YOU JUST DON'T HAVE ENOUGH EVIDENCE SO THERE IS NOTHING WE CAN DO.




I'M TELLING THE TRUTH THOUGH... WHAT DOES THIS MEAN FOR ME NOW?



DON'T YOU THINK IT IS BEST IF YOU LEAVE, ANNIE? FOR YOURSELF AND EVERYONE HERE. AFTER ALL, OUR HR FILES SAY THAT SOME PEOPLE SAID YOU WERE DIFFICULT TO WORK WITH.



LEAVE? I'VE WORKED HERE FOR 11 YEARS. I NEED THIS INCOME TO SUPPORT MY FAMILY...



LISTEN, ANNIE, WE'LL OFFER YOU A VERY GENEROUS SEVERANCE PACKAGE AND YOU CAN PUT THIS BEHIND YOU. YOU JUST NEED TO SIGN A FEW LEGAL PAPERS, INCLUDING, OF COURSE, AN NDA.



A NON-DISCLOSURE AGREEMENT?!



DON'T WORRY - AN NDA IS COMPLETELY STANDARD.



TO BE CONTINUED ...

ANNIE READS THE PAPERS WITH THE NDA BUT THEY ARE UNCLEAR SO SHE ASKS FOR MORE INFORMATION.

I DON'T UNDERSTAND THESE PAPERS YOU WANT ME TO SIGN. I'VE HEARD BAD THINGS ABOUT NDAS. CAN I HAVE A LAWYER LOOK AT THIS?

WE COULD MEET THE COMPANY LAWYER, BUT HE DRAFTED THE NDA AND WILL SAY THE SAME AS ME. ALSO, WE NEED TO HURRY - YOU HAVE TO SIGN TODAY.

I CAN'T BELIEVE I AM GETTING FIRED OVER THIS...

OH NO, ANNIE, IT'S NOT BECAUSE OF YOUR ALLEGATIONS (EYE ROLL) - THAT WOULD BE ILLEGAL. IT IS JUST THAT THE COMPANY IS RESTRUCTURING.

THAT'S NOT HOW IT FEELS... I BETTER TALK TO MY UNION REP TOO.

YOU'RE BEING DIFFICULT, ANNIE. WE ALREADY SENT THIS TO YOUR UNION REP... YOU CAN TRUST THAT WE HAVE YOUR BEST INTERESTS AT HEART.

OKAY - BUT I NEED SOME TIME TO THINK ABOUT THIS.

(SIGH) YOU CAN TAKE UNTIL THE END OF THE DAY.

TO BE CONTINUED ...



ANNIE TELLS HER FRIEND NAOMI ABOUT THE MEETING WITH HR AND THE NDA.

ANNIE, YOU ARE NOT BEING DIFFICULT. BLACK WOMEN ARE OFTEN STEREOTYPED AS ANGRY AND DIFFICULT. YOU HAVE A RIGHT TO ASK QUESTIONS.

IT'S YOUR CHOICE, ANNIE, BUT YOU SHOULD KNOW THAT NDAS ARE OFTEN SO BROAD THEY MEAN YOU CANNOT TELL ANYONE WHAT HAPPENED, INCLUDING FRIENDS AND SUPPORTS.

I GUESS.. I JUST DON'T KNOW WHAT TO DO.

WHAT?! NO ONE TOLD ME THAT. I WANTED TO GO TO THE SEXUAL ASSAULT CENTRE.

YOU SHOULD HAVE THE RIGHT TO DO WHATEVER YOU NEED TO HEAL, ANNIE.

HAVE YOU HEARD OF CAN'T BUY MY SILENCE? I THINK THEY WILL HAVE INFORMATION TO HELP YOU DECIDE.

HOW DO I EVEN START HEALING WHEN I HAVE TO DEAL WITH THIS? I NEED HELP DECIDING.

TO BE CONTINUED ...

ANNIE SEARCHES FOR CAN'T BUY MY SILENCE ON HER COMPUTER.



HMM...  
IT SAYS HERE  
THAT REPORTING  
SEXUAL HARASSMENT IS  
A LEGALLY PROTECTED ACT  
AND I CANNOT BE FIRED  
FOR THAT.

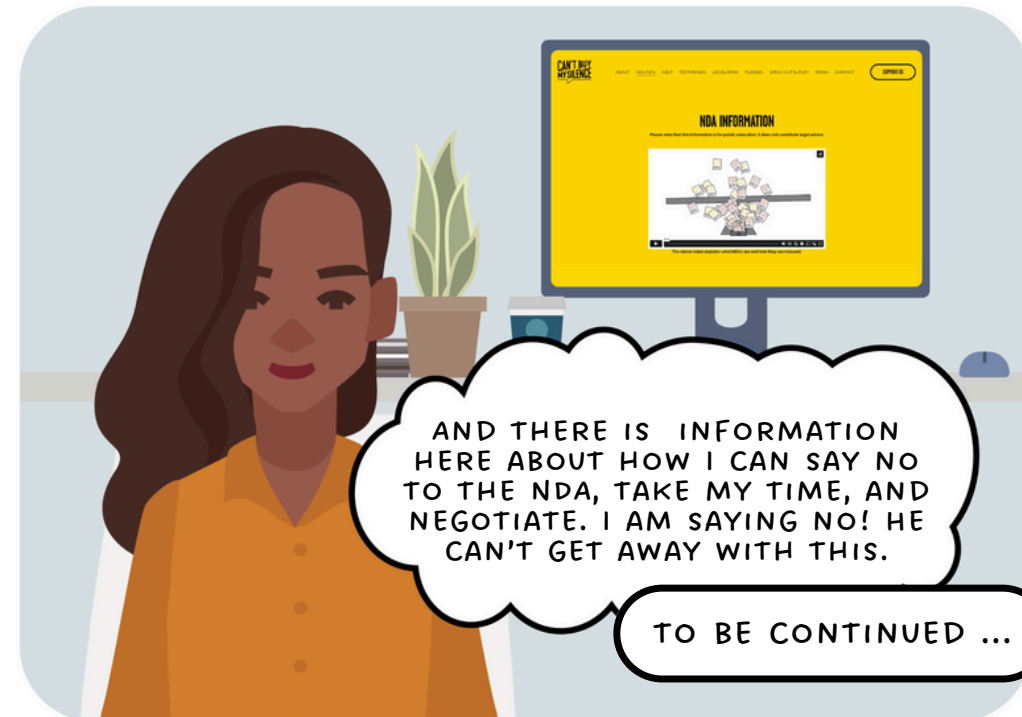


WOW - THERE  
ARE OTHER PEOPLE IN THE  
SAME SITUATION AS ME... I'M  
NOT ALONE, THERE ARE SO  
MANY OF US, BUT SO MANY  
OF US ARE SCARED INTO  
SILENCE....




AND THERE IS INFORMATION  
HERE ABOUT HOW I CAN SAY NO  
TO THE NDA, TAKE MY TIME, AND  
NEGOTIATE. I AM SAYING NO! HE  
CAN'T GET AWAY WITH THIS.


TO BE CONTINUED ...




ANNIE GOES TO HR TO SPEAK TO THEM ABOUT THE NDA AFTER TALKING TO HER FRIEND AND FINDING INFORMATION FROM CAN'T BUY MY SILENCE.




HELLO ANNIE, HAVE YOU SIGNED THE AGREEMENT NOW THAT WE HAVE GIVEN YOU EXTRA TIME?




NO. AND I'M NOT SIGNING AN NDA. I'VE INFORMED MYSELF - I KNOW I DON'T NEED TO SIGN THIS AND YOU CAN'T MAKE ME.




I WANT TO BE FREE TO SPEAK TO OTHERS AND TO TAKE CARE OF MYSELF. HOW COULD I DO THAT WITHOUT TALKING ABOUT HAPPENED TO ME?




I'LL LEAVE THIS JOB SINCE I KNOW YOU WON'T PROTECT ME, BUT I WANT MY SEVERANCE PAYMENT WITHOUT AN NDA. OR I'LL GET A LAWYER...



FINE BUT WILL YOU SIGN THE AGREEMENT TO MAKE NO LEGAL CLAIMS AGAINST THE COMPANY FOR THE PAYMENT?



YES, I WILL SIGN TO THAT SO LONG AS THE NDA IS NOT INCLUDED.



OK, OK.... I GUESS WE CAN LIVE WITH THAT.

TO BE CONTINUED ...



YOU ARE  
NOT ALONE!



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LEARNING NETWORK

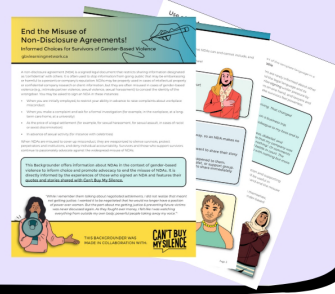
CAN'T BUY  
MY SILENCE

MANY SURVIVORS HAVE HAD  
EXPERIENCES LIKE ANNIE.

REMEMBER THAT IT IS  
**YOUR CHOICE** TO SIGN OR  
NOT SIGN AN NDA.



Want to learn more about how NDAs are misused in cases of gender-based violence? **Check out our Backgrounder on NDA myths and facts!**



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Violence Against Women & Children  
LEARNING NETWORK

**CAN'T BUY  
MY SILENCE**

### **More about Can't Buy My Silence**

Can't Buy My Silence is a campaign committed to building a global coalition to ban the misuse of NDAs to buy victims' silence. The campaign focuses on 4 strategies:

1. Lobbying government to recognise that NDAs are currently being used to create dangerous environments and that the law needs to be changed
2. Building public awareness of the immoral use of NDAs and giving people the information and power to say "no" to signing.
3. Advocating that regulators, businesses and institutions adopt a code of practice that will not allow NDAs to hide information about harmful people, practices and products.
4. Providing a safe platform for people who have been pressured to sign an NDA to anonymously step forward and share how it has affected them.

### **Citation**

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### **More about the Learning Network**

The Learning Network is a knowledge mobilization initiative that bridges the gap between current gender-based violence (GBV) research, practice-based knowledge, and lived experience to enhance the capacity of the GBV sector and movement (e.g., legal help, shelter support, advocacy, education, sexual assault counselling). This knowledge is essential to preventing violence across diverse communities, supporting survivors and allies, and promoting gender equity.

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