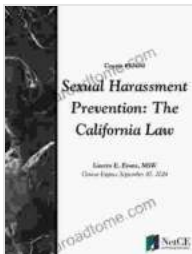


# Sexual Harassment Prevention: The California Law

Sexual harassment is a serious problem in the workplace. It can create a hostile work environment, interfere with employees' ability to do their jobs, and even lead to physical violence. California has some of the strongest sexual harassment laws in the country, and this article will provide an overview of the law and what it means for employers and employees.



## Sexual Harassment Prevention: The California Law

by Martha C. Nussbaum

★★★★☆ 4 out of 5

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## What is Sexual Harassment?

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that creates a hostile or intimidating work environment.

There are two types of sexual harassment:

- **Quid pro quo harassment** occurs when someone makes a job benefit, such as a promotion or raise, contingent on sexual favors.
- **Hostile work environment harassment** occurs when the conduct creates an intimidating, hostile, or offensive work environment.

## **What are the California Laws on Sexual Harassment?**

California has two main laws that address sexual harassment: the Fair Employment and Housing Act (FEHA) and the California Family Rights Act (CFRA).

**FEHA** prohibits employers from discriminating against employees on the basis of sex, including sexual harassment. FEHA also requires employers to take steps to prevent sexual harassment from occurring in the workplace.

**CFRA** provides employees with the right to take time off from work to care for a family member who has been the victim of sexual harassment.

## **What are the Responsibilities of Employers?**

Employers have a legal obligation to prevent sexual harassment from occurring in the workplace. This includes:

- Creating a written sexual harassment policy
- Providing training to employees on sexual harassment
- Investigating all complaints of sexual harassment
- Taking appropriate disciplinary action against employees who engage in sexual harassment

## **What are the Rights of Employees?**

Employees who are victims of sexual harassment have the right to:

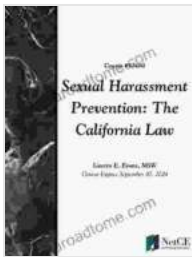
- File a complaint with their employer
- File a lawsuit in court
- Receive compensation for damages, including lost wages, emotional distress, and attorney fees

## **What are the Penalties for Sexual Harassment?**

Employers who violate the California sexual harassment laws can be subject to a variety of penalties, including:

- Back pay and benefits
- Reinstatement
- Compensatory damages
- Punitive damages
- Injunctions

Sexual harassment is a serious problem that can have a devastating impact on the lives of victims. California has some of the strongest sexual harassment laws in the country, and these laws provide important protections for employees. Employers have a legal obligation to prevent sexual harassment from occurring in the workplace, and employees who are victims of sexual harassment have the right to file a complaint and seek compensation for damages.



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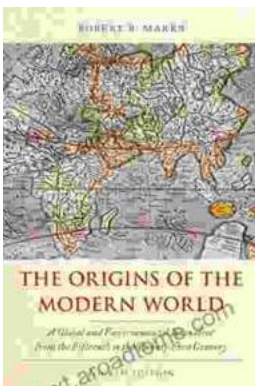
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