

When Can I Sue For A Hostile Work Environment In California?

LOS ANGELES, CA, UNITED STATES, June 7, 2021 /EINPresswire.com/ -- You might have grounds to sue your employer if they created — or failed to prevent or correct — a hostile work environment, which is a form of workplace harassment.

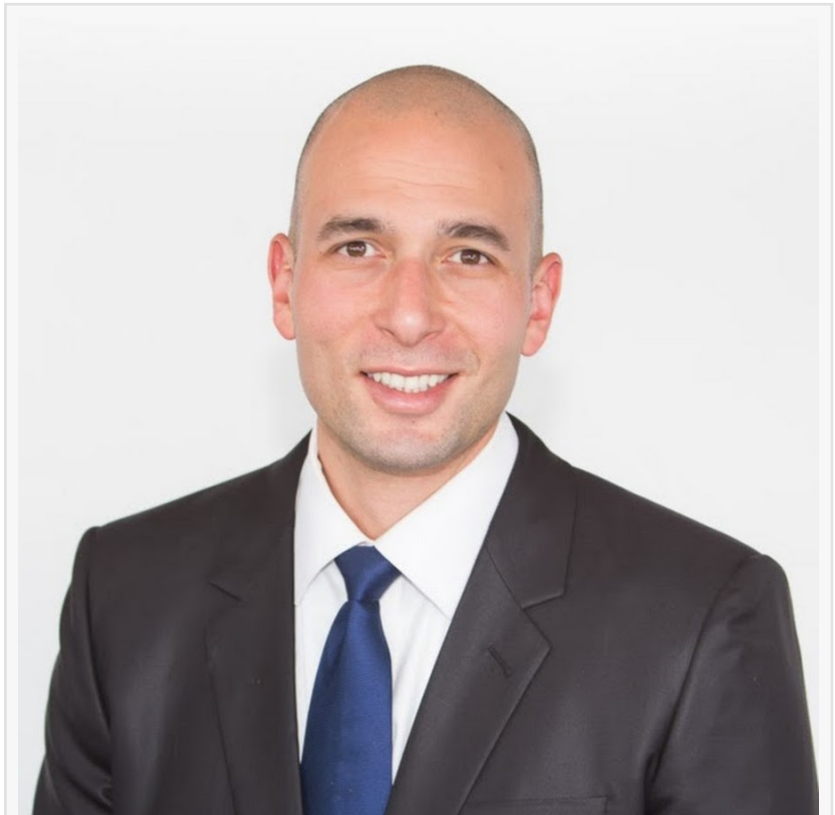
The Fair Employment and Housing Act (FEHA) prohibits hostile work harassment.

If you have been harassed at work and believe that the harassment is making your workplace a “hostile work environment,” talk to a Los Angeles employment law attorney as soon as possible.

What You Need to Know About a Hostile Work Environment:

Here are the key components of a hostile work environment that California workers should know:

- This type of harassment can be either sexual or non-sexual in nature
- To be considered a hostile work environment, the harassment must be pervasive or severe
- A hostile work environment can be created by supervisors or coworkers
- California law recognizes two types of harassment — quid pro quo (requiring an employee to



Zein Obagi Jr.



submit to an unwelcome advancement in order to receive a job benefit) and hostile work environment

-Discrimination and hostile work environment harassment are not the same thing

Note: Harassment is when you are subject to unwelcome or offensive behavior in the workplace, while discrimination occurs when you are treated differently because of a protected characteristic such as race or gender.

What is a Hostile Work Environment in California?:

You can pursue a lawsuit under the FEHA for a hostile work environment when you have been a victim of workplace harassment that:

-Can be defined as pervasive or severe; and

-Occurs because of a protected characteristic such as age, race, gender, color, national origin, marital status, sexual orientation, or other protected traits

Conversely, you may not be able to sue for a hostile work environment if the unwelcome conduct is not based on a protected characteristic. You might not have grounds to file a lawsuit if the behavior involved just a few occasional comments or isolated incidents.

If you have been harassed at work, you must prove that the conduct was severe, occurred repeatedly, or involved a threat to your safety. You should consult with a Los Angeles workplace harassment attorney to help you prove a hostile work environment.

Who Can You Sue for a Hostile Work Environment?:

Anyone can engage in offensive or inappropriate conduct in the workplace to create a hostile work environment. Under the FEHA, hostile work environment harassment can be perpetrated by:

-Employers

-Supervisors

-Managers

-Coworkers

-Independent contractors

-Clients

-Customers

However, when hostile work environment harassment occurs due to intimidating, hostile, or offensive conduct by someone other than a supervisor, it can be difficult to sue your employer.

When an employee is harassed by a supervisor, their employer will be strictly liable for hostile

work environment harassment, even if the employer's negligence played no role in the conduct.

If you become a victim of harassment in a hostile work environment by someone other than your supervisor, you may still be able to sue your employer if you can prove that your employer was negligent.

For example, if you complained about workplace harassment but the employer failed to take reasonable steps to remedy the situation and prevent future harassment, your employer may be considered negligent.

Discuss your particular case with an employment law attorney to determine if you can sue your employer for a hostile work environment in California. Contact [Obagi Law Group P.C.](#) for a consultation. Call 424-284-2401.

Aurora DeRose
Boundless Media Inc.
+ +1 951-870-0099
[email us here](#)

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