

Should I be afraid of retaliation for making a complaint about workplace sexual harassment?

The law prohibits retaliation against an employee who rejects sexual harassment, makes a complaint, testifies, helps or participates in an investigation, proceeding or hearing conducted by the employer or a government agency.

Prohibited retaliation includes, but is not limited to:

- demotion or pay cut
- suspension
- not considered for a job or new assignment
- failure to be impartial in recommendations
- change of your work conditions or denial of benefits

Do not be afraid to complain. Once an employer discovers sexual harassment or retaliation, the company is required by law to take disciplinary action against the harasser. The employer cannot remedy the situation in a way that harms the victim. It is illegal for an employer to involuntarily transfer a victim of harassment, or to cut that person's hours or change their work or to take any other action which would harm the victim in order to end the harassment.

You can call an attorney confidentially to get advice about how to protect your job and your right to be free from harassment. A lawyer can work with you to find a comfortable solution.

- Coachella**
1460 6th Street, Coachella, CA 92236 ♦ 760-398-7261
- Delano**
629 Main Street, Delano, CA 93215 ♦ 661-725-4350
- El Centro**
449 Broadway, El Centro, CA 92243 ♦ 760-353-0220
- Fresno**
2115 Kern Street, Suite 370, Fresno, CA 93721 ♦ 559-441-8721

- Gilroy**
7365 Monterey Road # H, Gilroy, CA 95020 ♦ 408-847-1408
- Lamont**
9715 Main Street, Lamont, CA 93241 ♦ 661-845-9066

- Madera**
117 South Lake Street, Madera, CA 93638 ♦ 559-674-5671
- Marysville**
511 "D" Street, Marysville, CA 95901 ♦ 530-742-5191

- Modesto**
801 15th Street # B, Modesto, CA 95354 ♦ 209-577-3811
- Monterey**
2100 Garden Road # D, Monterey, CA 93940 ♦ 831-375-0505

- Oceanside**
215 S. Coast Highway # 201, Oceanside, CA 92054 ♦ 760-966-0511
- Oxnard**
338 South "A" Street, Oxnard, CA 93030 ♦ 805-486-1068

- Paso Robles**
3350 Park Street, Paso Robles, CA 93446 ♦ 805-239-3708
- Proyecto de los Pueblos Indigenas**
2115 Kern Street, Suite 370, Fresno, CA 93721 ♦ 800-649-8326

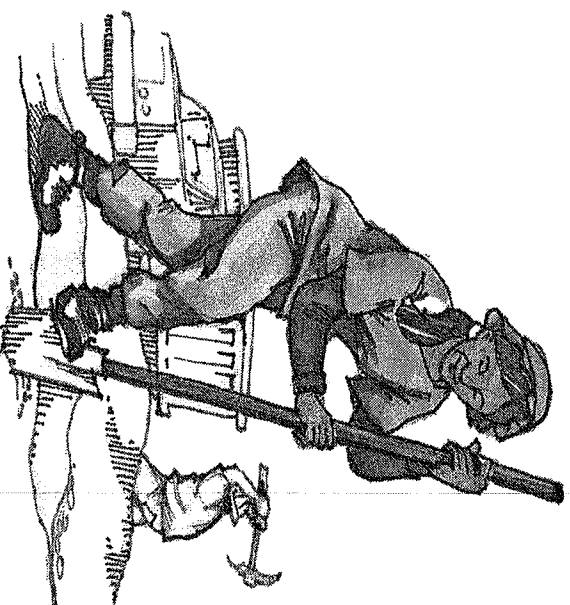
- Salinas**
3 Williams Road, Salinas, CA 93905 ♦ 831-757-5221
- Santa Barbara**
324 E. Carrillo St. # B, Santa Barbara, CA 93101 ♦ 805-963-5981

- Santa Cruz**
501 Soquel Avenue # D, Santa Cruz, CA 95062 ♦ 831-458-1089
- Santa Maria**
2050 "G" South Broadway, Santa Maria, CA 93454 ♦ 805-922-4563

- San Luis Obispo**
1160 Marsh St. # 114, San Luis Obispo, CA 93401 ♦ 805-544-7997
- Santa Rosa**
725 Farmers Ln. #10 Bldg B, Santa Rosa, CA 95405 ♦ 707-528-9941

- Stockton**
20 N. Sutter # 203, Stockton, CA 95202 ♦ 209-946-0605
- Watsonville**
21 Carr Street, Watsonville, CA 95076 ♦ 831-724-2253

Sexual Harassment



YOU DO NOT HAVE TO SACRIFICE YOUR DIGNITY TO KEEP YOUR JOB



What is sexual harassment?

Under state and federal law in California, sexual harassment includes sexual advances, asking for sexual favors or other physical or verbal conduct of a sexual nature. One kind of harassment is called "quid pro quo," where the favors are requested in exchange for some work-related benefit. The other kind of harassment is called "hostile workplace," and refers to conduct by co-workers which makes you feel uncomfortable or threatened sexually.

Sexual harassment exists when . . .

.. a worker feels that he or she has to accept the conduct in order to get the job, receive a raise or a promotion, or to keep their hours or their position. A worker might feel this way due to explicit or implied actions or attitudes.

.. acceptance or denial of the conduct could affect decisions about your employment.

.. such conduct has the purpose or effect of blocking an employee's work or creating a hostile, offensive or threatening environment on the job.

You DO NOT have to accept sexually charged conduct in order to obtain work or benefits at your job—the law protects you!

You do not have to work in a place where there is uncomfortable behavior that is sexual in nature. You do not have to tolerate graphic pictures or photographs or unpleasant conversation (even if you are not a part of the conversation.)

So, does this mean that you can never compliment a woman, or ask a woman you work with out on a date?

When in doubt, don't ask her out!

There are various forms of sexual harassment

a) Verbal harassment

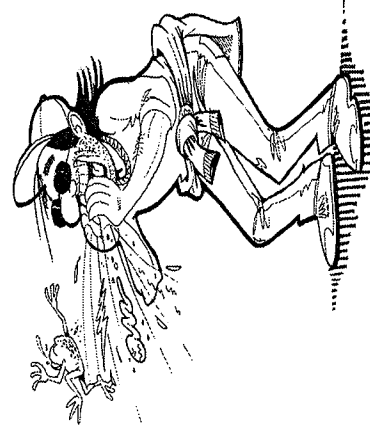
Includes flirtation, disparaging comments and observations of a sexual nature which make you feel uncomfortable. For example: nicknames with sexual meanings, descriptions of others which are obviously sexual, or sex jokes. Also, you do not have to tolerate commentary about your body or your clothing, rude noises or statements, questions about your sex life, or any other disrespect.

b) Physical harassment

Includes rape, assault, blocking or obstruction of your movement or any kind of physical interference in your work or normal movement. For example: touching; pinching; tapping; caressing or hitting your body; or requiring you to dress in a sexual or suggestive way.

c) Visual/environmental harassment

Includes calendars, signs, drawings, cartoons or photographs of a sexual nature.



Do sexual harassment laws only protect women?

NO

The law protects everyone against harassment!



Does the law only apply to the boss's conduct?

NO. Harassment by a supervisor or any other employee is also prohibited. Your employer is responsible for the conduct of her or his managers and supervisors, whether or not the employees complain. But among co-workers, if the employer is unaware of the conduct, she or he cannot be held responsible. The boss must end all harassment once an employee makes a complaint.

What should you do if you are a victim of sexual harassment?

Take immediate and appropriate action!

- Reject the harassment. Do not respond in a playful or flirtatious manner. Speak clearly, saying that you do not like the behavior.
- As soon as possible, make written notes about what happened, who was involved, the time and date and who else heard or saw what happened.
- Make a written complaint to your employer. Include all the details possible and sign and date the complaint. Be sure to keep a copy of this for yourself.
- The company is required to investigate, in a discrete manner, each report of sexual harassment and retaliation.
- Call a lawyer.