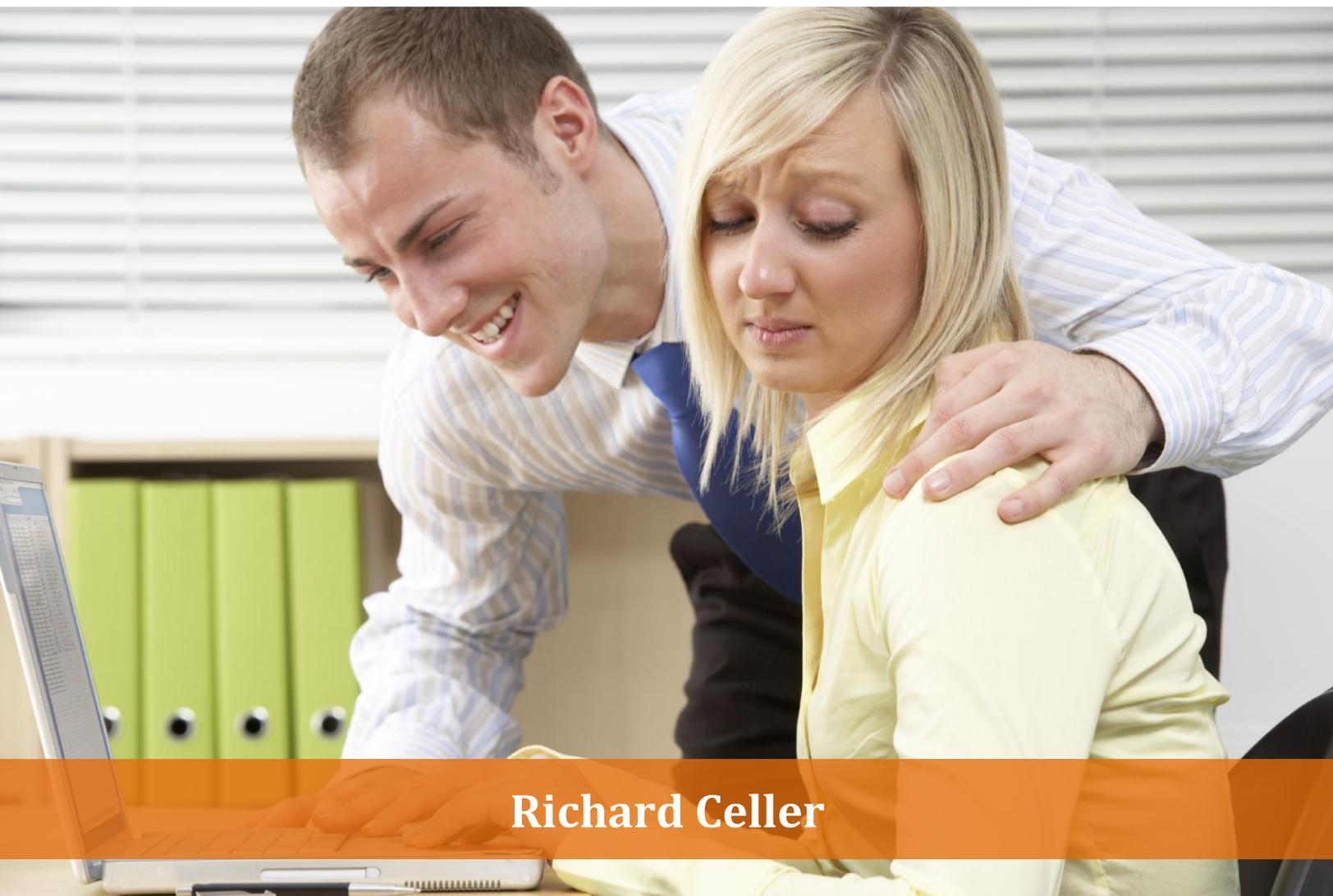


WHAT ARE SOME EXAMPLES OF SEXUAL HARASSMENT IN FLORIDA?

All Workers, Both Male and Female, are Protected from Sexual Harassment; If You are the Victim of Harassment in the Workplace, You Can Take Legal Action with the Help of an Employment Discrimination Lawyer



Richard Celler



Sexual harassment is prohibited by Civil Rights laws including Title VII of the Civil Rights Act of 1964. All workers, both male and female, are protected from sexual harassment. If you are the victim of harassment in the workplace, you can take legal action with the help of an employment discrimination lawyer.

Employers generally must have a system in place that makes it possible for you to report harassment. If this system is reasonable and does not require you to report the behavior to the harasser, then you may need to take advantage of the available workplace remedies to protect your harassment claim.

You may also pursue a claim for harassment with the Equal Employment Opportunity Commission (EEOC) or by filing a civil lawsuit. Your employment discrimination lawyer can evaluate your situation and help you to protect your right to compensation if you were harassed on the job.

EXAMPLES OF SEXUAL HARASSMENT

Prohibited sexual harassment takes two primary forms:

- Quid pro quo harassment
- Hostile work environment harassment



Quid pro quo harassment means that your work status and/or benefits are conditioned in some way on you agreeing to engage in sexualized behavior. Quid pro quo harassment generally involves a supervisor, manager or someone else in a position of power acting in an appropriate way towards you. Examples of quid pro quo

harassment may include:

- Your boss offering to promote you if you kiss him or if you go out on a date with him.
- Your supervisor threatening to terminate you if you report sexual advances that he has made against you.
- Your supervisor suggesting that your job or promotions are dependent upon you allowing him to touch you in the hallways at work.
- A potential boss indicating that you will be hired for a job if you are willing to wear revealing, sexually suggestive clothing for his pleasure.

If your employer threatens to discriminate against you or treat you differently in hiring, firing or any terms of conditions in any way related to sexual behavior, this is considered quid pro quo sexual harassment.

It is not necessarily sexual harassment if your boss or a co-worker asks if you would be interested in going on a date. However, if you are repeatedly

propositioned, or if you feel that your job benefits were in any way conditioned on the sexual advances that were being made, this can constitute illegal sexual harassment.

The bottom line is, if you are made to feel uncomfortable because of any type of sexual behavior, you should speak with your human resources department and potentially contact an attorney for help pursuing a case for harassment.

HOSTILE WORK ENVIRONMENT HARASSMENT



An employee may be the victim of sexual harassment even if he or she is never actually propositioned in a sexual way. Hostile work environment is another

common type of discrimination that occurs in the workplace and that can result in an employee feeling uncomfortable or having his or her job performance impacted adversely.

Hostile work environment discrimination occurs when other workers, including peers and co-workers, make you feel uncomfortable on the basis of sexuality. This type of discrimination can be committed by anyone in the workplace, even your subordinates. To rise to the level of sexual harassment, the conduct must be severe, recurring or pervasive and it must be intentional. It must also interfere with your work duties and an objective reasonable person must believe that the behaviors were sufficient to create a hostile work environment.

While occasional casual teasing or isolated incidents may not be enough for a hostile work environment claim, any pattern or behavior that makes you uncomfortable can be considered illegal harassment. For example, if you are routinely shown pictures of naked women at your job or if you are subject to daily teasing because you are a female, then you could be the victim of hostile work environment harassment. Employees have even recovered compensation when they were repeatedly sent sexist emails demeaning to women.

SEXUAL FAVORITISM HARASSMENT

In some cases, you can be the victim of sexual harassment even if the inappropriate sexualized behavior is not directed towards you. For example, if your boss is sleeping with one of your co-workers and giving him or her favorable treatment as a result of the sexual relationship, this sexual favoritism may be

able to give rise to a hostile work environment claim. This type of situation can create an environment that is demeaning to other women on-the-job and that interferes with your work.

VICTIMS OF HARASSMENT COME IN ALL GENDERS

Many people think of sexual harassment as something that a man does to a woman. However, this is not always the case. Anyone, including both men and women, can be the victims of sexual harassment. This harassment can also be perpetrated by someone of the same sex. For example, a female boss can sexually harass a female subordinate or a male boss can sexually harass a male subordinate.



Sexual harassment, ultimately, is not just about sexual behavior but is about power. If your ability to do your job is affected by unwanted sexualized behavior, you should speak with an attorney about your rights.

TAKING LEGAL ACTION

Victims of sexual harassment will need to prove that the harassment occurred and caused them to experience harm. You should keep a careful record of the

incidents that you consider inappropriate. Record the dates and times of the incidents as well as other witnesses who may have observed the harassment.



When you report the harassing behavior in your workplace, keep written copies of all documentation and keep a record of who you spoke to and when. All of this information can help you to make a strong case to

recover compensation for harassment.

A [Florida employment discrimination lawyer](#) can assist you in making your claim, so you should also consult with an attorney as soon as possible if you believe you are being victimized. Your lawyer will help you to obtain the necessary evidence to make a case and will guide you every step of the way.

About the Author



Richard Celler

Richard Celler is the Managing Partner of Richard Celler Legal, P.A., a/k/a the Florida Overtime Lawyer. He created this firm after having served as the Founding Member and Managing Partner of one of the largest employee/plaintiff side employment law divisions in the United States.

In November 2013, Mr. Celler left big firm life with the idea of reopening his own litigation firm with an emphasis on something most big firms cannot provide – a lower volume of cases, and more focus on the needs and attention of every single client.

Mr. Celler's practice focuses on all areas of the employment context from discrimination, harassment, and retaliation under the Florida Civil Rights Act, Title VII, the Family Medical Leave Act, and other employment related statutes. Additionally, Mr. Celler represents individuals in whistleblower and wage and hour litigation (overtime, minimum wage, commissions, final paychecks).

Many firms charge clients for an initial consultation to discuss their claims. Mr. Celler does not. You can call him or email him to discuss your case for free. If he elects to represent you, your case will be handled on a contingency basis, which means that he only gets paid, if you get paid. We encourage you to look at the remainder of our website for information on your rights and benefits in the workplace – www.floridaovertimelawyer.com.

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