

State of California Sexual Harassment Overview



SECURITY INDUSTRY SPECIALISTS
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What to Do When Harassed

Harassment is against the law whenever an individual is subjected to inferior terms, conditions or privileges of employment. At the state level, the California Fair Employment and Housing Act, or FEHA, is the primary source of sexual harassment law. Under both Title VII and FEHA, sexual harassment is considered a form of discrimination in employment. If a formal complaint to your employer yields no results, contact the Department of Fair Employment and Housing or EEOC. Employers are required by the California Code of Regulations (2 CCR § 11023) to have a policy on sexual harassment and to ensure employees are made aware of the policy. The policy must describe the process employees can follow to report harassment. Under California law, you must file a complaint with DFEH within one year of the last act of harassment or retaliation. There are also limitations on how long you can wait to file a complaint with the EEOC. In most cases, the EEOC time limit for filing a complaint is 180 days (six months), but because California has its own anti-discrimination law, in California, the federal EEOC time limit for filing a sexual harassment complaint is extended to 300 days.

Contacts

California Department of Fair Employment and Housing

The Department of Fair Employment and Housing is open Monday through Friday from eight am to five pm except on these state holidays.

If you need assistance to DFEH information, either for a disability or for a translation into another language, you can call, email or visit DFEH offices.

Communication Center

- ◆ 800-884-1684 (voice)
- ◆ 800-700-2320 (TTY)
- ◆ California's Relay Service at 711
- ◆ Email: contact.center@dfeh.ca.gov (response within 3-5 business days)
- ◆ Email: accommodations@dfeh.ca.gov or call 844-541-2877 for disability accommodations

Correspondence and Mail

- ◆ DFEH Headquarters, 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758
- ◆ <https://www.dfeh.ca.gov/locations/>

U.S. Equal Employment Opportunity Commission

- ◆ 1-800-669-4000 1-800-669-6820 (TTY)
- ◆ info@eeoc.gov
- ◆ eeoc.gov

State Statutes

California Penal Code Section 243.3.

- ◆ Major Sex Crimes
- ◆ Sexual Assault
- ◆ Sexual Abuse

FEHA Section 12940

- ◆ Outlines equal employment opportunity and harassment in the workplace.

California Code of Regulations (2 CCR § 11023)

Employers are required to distribute a written sexual harassment policy to employees.