

What is Harassment in the Workplace?

The most basic expectation of any employee is to work in a safe environment free from **harassment**. But still, many companies have problems regarding **employee harassment** and discrimination in the work environment. While state and federal labor laws enunciate the responsibilities of employers, many fail to address this problem, leading employees to continuously suffer from discrimination, unfair treatment, and a hostile workplace.

On one hand, employees too fail to recognize and assert their rights against workplace bullying thus the problem becomes cyclical often unending. At californiawagelawattorney.com, employees are educated of their rights and provides help to employees feeling harassed in workplace.

So, what is considered workplace **harassment**?

Any unwanted actions or advances by one employee toward another that lead to a sense of difficulty performing his or her job can be deemed as workplace harassment. Often, an unabated situation such as this leads to a hostile work environment. Such circumstances directly violates overlapping labor and civil rights laws such as Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and the California Fair Employment & Housing Act, among others. Under the federal and state laws, employers are held liable for failure to prevent or remedy an offensive or hostile work environment.

Employee harassment can take in various forms and can be related with several factors including age, gender, race, ethnicity, sexual orientation and genetic information. If a fellow employee or someone in the company makes you feel uncomfortable at work, perhaps, the best thing you can do is to seek legal help through californiawagelawattorney.com. Their expertise in this field of law will guide on how to respond in these situations and what legal recourses are available for you.

However, not all offhand remarks that offend you can be classified as harassment. To prove that the behavior indeed constitutes unlawful **harassment**, two of these three conditions must be established. First, the conduct must be unprovoked, unwelcome and offensive in nature. Then the aggrieved employee must express his or her objection with the behavior; such that fellow employees are aware of the harassing act and that the harasser has been given a chance to change the behavior. Third, the behavior impedes or limits the employee's capacity to work and properly execute his or her duties. Additionally, the bullying must be continuous and severe enough that the employee will find the work environment hostile or abusive and cannot work at his or her fullest potential.

While most of the popular **employee harassment** cases involve abuse of power, such as in many cases involving a supervisor harassing a subordinate, illegal workplace bullying can include a fellow employee, a non-employee, or even a supervisor of another department.

Moreover, the victim of the unlawful conduct is not just restricted to the person directly harassed but can be anyone who is affected by the behavior. For example, if you are a member of a minority group and your supervisor maligned a fellow employee because of his racial or ethnic affiliation, you may still be considered a victim of a hostile work environment or workplace harassment, even if the act was never directly pointed to you.

The state, through its laws, upholds the right of every person to work in a decent work environment. If someone makes you feel uncomfortable in the workplace, legal help from experts at californiawagelawattorney.com is often your best response.