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CONTACTS

Jasmin Tuffaha
California Employment Lawyers Association
818.274.6649
jasmin@cela.org

Jess Eagle
Equal Rights Advocates
415.575.2380
jeagle@equalrights.org

CELA and ERA Applaud Governor Brown for Signing Strongest Sexual Harassment Legislation in the Nation

#MeToo Bills Pass in California

Los Angeles – Today, Governor Jerry Brown signed into law important legislation that will help strengthen sexual harassment protections for working people across California. Co-sponsored by the California Employment Lawyers Association and Equal Rights Advocates, these commonsense bills will prevent and reduce harassment, hold serial harassers accountable, and make it easier for survivors to get the justice and healing they deserve.

SB 1300, signed today, will close several loopholes in California’s current sexual harassment laws with commonsense fixes. This bill will:

- Clarify the “severe or pervasive” legal standard for sexual harassment claims for California courts so that the standard is consistently and fairly applied to better protect victims. This clarification addresses the “one free grope” legal standard that was confirmed by the 9th Circuit Court of Appeals in 2000.
- Ban release of claims agreements and non-disparagement agreements that are often slipped into contracts that workers sign when accepting a job offer, or receiving a promotion, raise, or bonus. In many cases, workers unknowingly sign away their rights to pursue a harassment or discrimination claim or to speak out about sexual harassment and other workplace violations.
- Limit the risk that plaintiffs may have to pay for the defendant's attorney's fees and costs.

“Workers have had to endure sexual harassment in the workplace for far too long, with little or no recourse,” said Mariko Yoshihara, Policy Director for the California Employment Lawyers Association, a cosponsor of the bill. “SB 1300 will combat underhanded legal tactics that employers have used to strip workers of their right to speak out and fight sexual harassment in the workplace.”
SB 224, also signed today, will make it clear that sexual harassment by film directors, producers, elected officials, lobbyists, and investors is against the law.

“As the gig economy and work outside traditional employment flourish in California in industries ranging from entertainment to tech, this bill will protect workers of all genders from sexual misconduct,” said Jessica Stender, Senior Counsel for Workplace Justice & Public Policy at Equal Rights Advocates, a cosponsor of the bill. “No one should be denied legal protection from sexual harassment in business dealings simply because they take place outside an employment relationship.”

“While many political leaders in Washington D.C. turn their back on women, California has taken a powerful step in leading the nation with these #MeToo policy reforms,” said Noreen Farrell, Executive Director of Equal Rights Advocates.

“The Governor vetoed two other bills that would have helped survivors of workplace harassment but that won’t stop us,” Farrell said. “We will be back again next year to ensure that every bill on this slate becomes law in California. Our advocacy for women workers will not end until every state in the nation follows California’s lead.”

In celebrating today’s wins, Equal Rights Advocates and CELA applauded the leadership of Senator Hannah Beth Jackson as lead author of SB 1300 and SB 224, and the support of Hollywood advocates Mira Sorvino, Rosanna Arquette, Frances Fisher, Chantal Cousineau, and Pamela Guest.

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About California Employment Lawyers Association (CELA): CELA exists to protect and expand the legal rights and opportunities of all California workers and to strengthen the community of lawyers who represent them.

About Equal Rights Advocates (ERA): Equal Rights Advocates is a national civil rights organization dedicated to protecting and expanding economic and educational access and opportunities for women and girls.