



5 Things You Should Know About Protections from Sexual Harassment in Employment Under New Jersey Law

- 1 The New Jersey Law Against Discrimination (LAD) prohibits sexual harassment**, a form of gender-based discrimination, in employment. This means that you have the right to be free from sexual harassment at work no matter the type or size of your employer, what job you do, or what language you speak. Sexual harassment can include verbal harassment, such as obscene language or demeaning comments, whether in person, over the phone, or online; physical harassment, such as unwanted touching; or visual harassment, such as displaying or emailing pornographic images, cartoons, or drawings.
- 2 There are two types of unlawful sexual harassment in the workplace:** quid pro quo and hostile work environment. Quid pro quo harassment is when a benefit like a promotion is conditioned on sexual favors, or when an adverse action like being fired is threatened if you refuse a sexual advance. A hostile work environment exists when you are subjected to unwanted harassing conduct based on gender in the workplace that is severe or pervasive enough to create a work environment that is intimidating, hostile, or offensive.
- 3 An employer must take action to stop sexual harassment** if it knows or should have known about it. This is true regardless of whether the person engaging in the harassing conduct is a supervisor, a colleague, or a third party that you interact with at work (like a patron, client, or vendor). So, for example, if a co-worker discusses your body in graphic detail in front of your supervisor, or if you report that a patron is subjecting you to unwanted sexual touching, your employer must take action.
- 4 Federal law also protects you from sexual harassment at work**, but the LAD provides two key additional protections. First, federal law applies only to employers with fifteen or more employees, while the LAD applies to all employers in New Jersey, regardless of size. Second, the LAD also protects independent contractors from sexual harassment, while federal law only protects those workers who are legally classified as employees.
- 5 The LAD prohibits an employer from retaliating against you** for objecting to sexual harassment, filing a sexual harassment complaint, or for exercising or attempting to exercise any other rights under the law.

To find out more or to file a complaint, go to [NJCivilRights.gov](https://www.njcivilrights.gov) or call **973-648-2700**



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