



5 Things You Should Know About Protections from Sexual Harassment in Places of Public Accommodation Under New Jersey Law

- 1 The New Jersey Law Against Discrimination (LAD) prohibits sexual harassment**, a form of gender-based discrimination, in places of public accommodation. Places of public accommodation are places open to the public, including but not limited to schools, colleges, businesses, restaurants, summer camps, government buildings, and hospitals.
- 2 Sexual harassment can include verbal harassment**, such as obscene language or demeaning comments; physical harassment, such as unwanted touching; or visual harassment, such as displaying pornographic images, cartoons, or drawings. Sexual harassment is unlawful whether perpetrated by an employee of the public accommodation, such as a university professor or a doctor, or a fellow patron of the public accommodation, such as another student or another customer at a store.
- 3 There are generally two types of sexual harassment:** quid pro quo and hostile environment. Quid pro quo harassment occurs when a benefit (like a better grade or a discount at a retail store) is conditioned on sexual favors, or when an adverse action (like being cut from a school-sponsored athletic team or denied medical care) is threatened if you refuse a sexual advance. And a hostile environment exists when you are subjected to unwanted harassing conduct based on gender that is severe or pervasive enough to make the environment intimidating, hostile, or offensive.
- 4 A place of public accommodation must take action to stop sexual harassment** if it knows or should have known about it. So, for example, your school must act if you report that fellow students have posted derogatory sexual language on your locker, and a hospital must act if it knows that a doctor is subjecting patients to unwanted sexual touching.
- 5 A place of public accommodation cannot retaliate against you** for objecting to sexual harassment, filing a sexual harassment complaint, or for exercising or attempting to exercise any other rights under the LAD. For example, a restaurant cannot kick you out for complaining about sexual harassment by its waitstaff and a teacher cannot punish you for reporting sexual harassment committed by another student.

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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