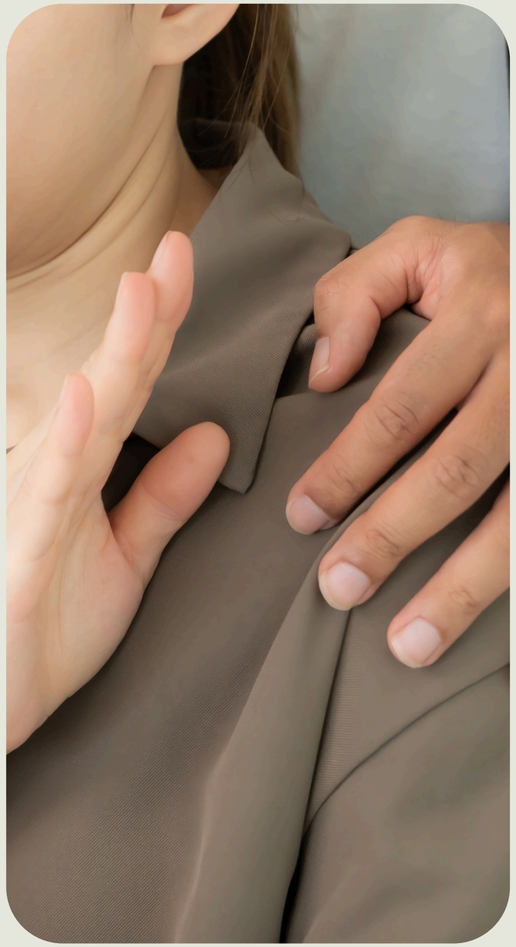
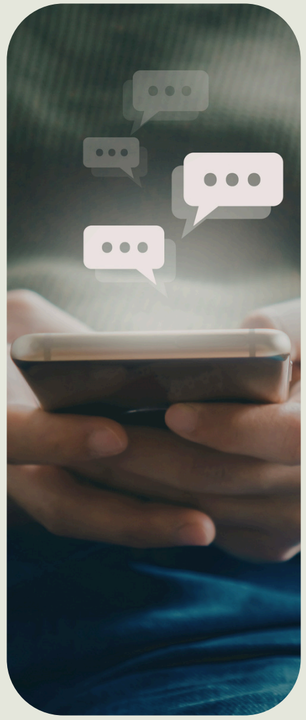




CLA Legal Firm

Supervisor Training

Sexual Harassment Prevention

August 20, 2026

Introduction

- Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 (Title VII), a federal law.
- CRM International is required to provide sexual harassment prevention training under California law.
- This presentation defines sexual harassment and also covers:
  - CRM International's anti-harrassment policy
  - Supervisor and manager responsibilities
  - Supervisor liability
  - Retaliation and why it is prohibited



Overview of Title VII



Title VII prohibits **discrimination** based on the following **protected classes**:

- Sex
- Race
- Color
- Religion
- National Origin

Title VII prohibits **adverse employment actions** against protected classes, including:

- Termination
- Failure to hire
- Demotion



What is **Sexual Harassment?**

- A form of sex discrimination that violates Title VII and equivalent state and local laws.
- Any harassment based on someone's sex or gender.



What is **Sexual Harassment?**

Any unwelcome sexual advance or conduct of a sexual nature, **when any of the following is true**:

1. Submission or rejection is made explicitly or implicitly a condition of employment.
2. Submission or rejection of the advance or conduct is used as a basis for employment decisions.
3. The advance or conduct unreasonably interferes with an employee's work performance by creating an intimidating, hostile, or offensive work environment.

2 Types of Sexual Harassment

Quid pro quo

Hostile work environment

Quid Pro Quo Harassment

Quid pro quo is Latin for “this for that.”

Quid pro quo harassment applies where a supervisor seeks sexual favors either:

- In return for a job benefit (ex: a promotion)
- To avoid a job detriment (ex: a pay cut)



Quid pro quo harassment also occurs when an employee's reaction to an advance negatively affects their employment.

Example:

- A manager tells her employee that she will give him a raise if he goes on a date with her.
- The employee is passed over for a promotion after rejecting his supervisors advances.

Hostile Work Environment Harassment

Involves harassment in the workplace that is:

- Unwelcome
- Based on protected class status
- Attributable to the employer
- Severe or pervasive enough to change the conditions of employment and create an abusive environment



Harassing conduct does not need to be directed at the affected individual to contribute to a hostile work environment claim.

Examples:

- Turning work discussions into sexual topics
- Repeatedly asking out an employee who is not interested

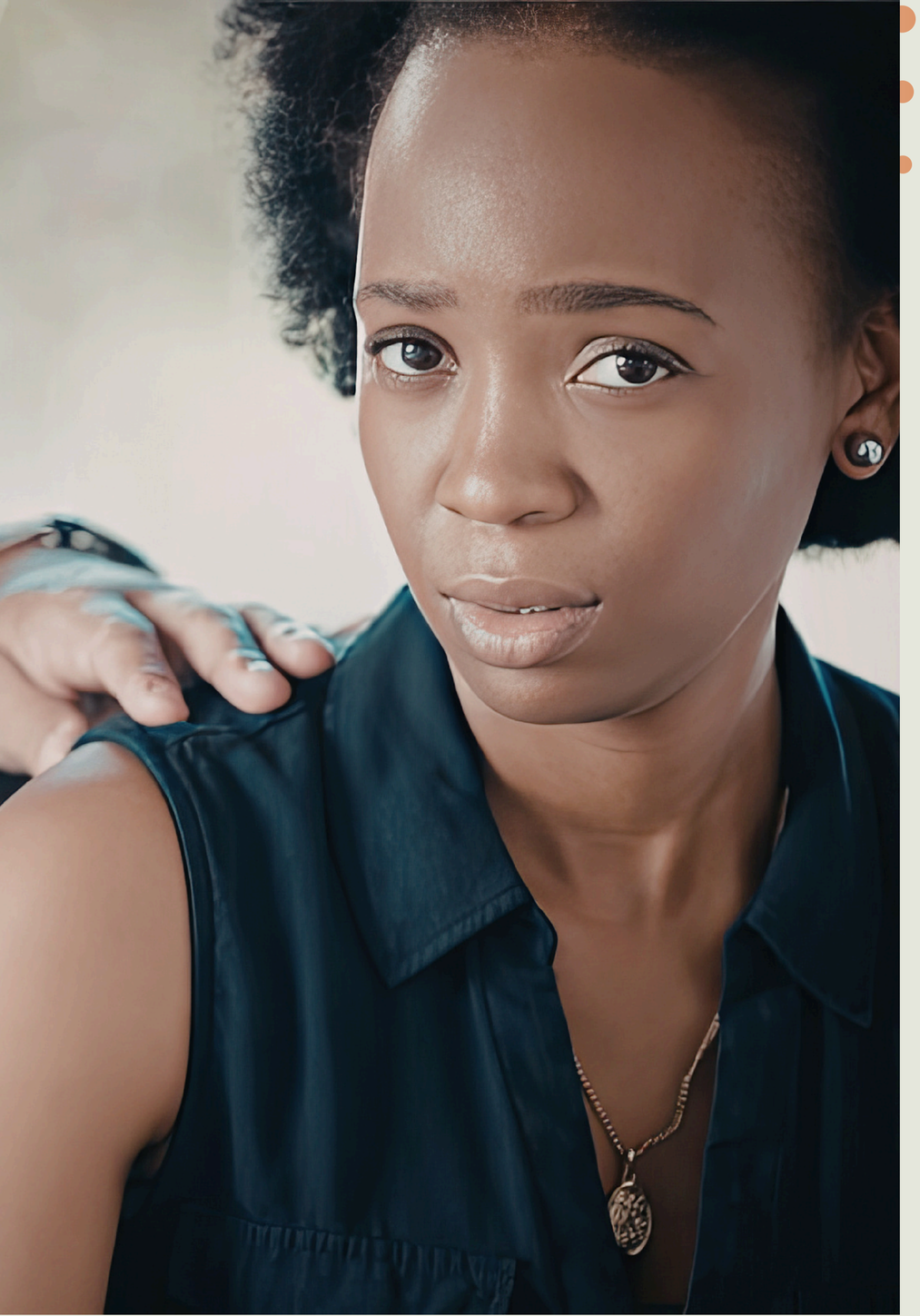
Who can be a **Harasser**?

- Supervisors
- Co-Workers
- Customers
- Clients
- Vendors
- Individuals or groups doing business with the employer



Examples of Sexual Harassment : **Physical**

- Touching or brushing against an individual's clothing, body, or hair
- Initiating unwanted sexual activity, such as kissing, touching, or hugging
- Rubbing or touching anyone sexually
- Exposing oneself



Examples of Sexual Harassment : **Verbal**

- Repeating requests for a date with someone who has not returned an interest
- Telling unwelcome jokes or stories, often with sexual innuendo
- Initiating unwelcome flirtations
- Making or using derogatory comments, epithets, slurs, and jokes
- Making graphic verbal commentaries about an individual's body or appearance
- Using expressions that can be belittling such as "honey," "dear," "sweetheart," "lady supervisor,“ or the like



Examples of Sexual Harassment : **Non-Verbal**

- Staring or looking someone up and down
- Blocking or impeding an individual's movement
- Following someone inappropriately
- Giving unwelcome gifts
- Making sexual gestures
- Displaying sexually suggestive objects, pictures, cartoons, books, or magazines
- Winking, blowing kisses, or licking lips



Harasser's Intent is Irrelevant

- Sexual harassment may be unlawful even if not motivated by sexual desire.

- Gender is also irrelevent

  - Men can harass women.
  - Women can harass men.
  - Men can harass men.
  - Women can harass women.

Harassment is not limited to the workplace

Sexual harassment can occur during :

- Annual meetings
- Holiday parties
- Business trips
- Sporting events



IS this Sexual Harassment?

Rebecca, a supervisor, frequently makes sexually suggestive comments to her administrative assistant, James, about his appearance and sex life. When James requests a raise after discovering a newer employee earns more, Rebecca says she'll consider it if he goes to dinner with her. James declines, explaining that he wants to maintain a professional relationship, but Rebecca continues to insist.

Later, James tells an HR friend that he feels uncomfortable with Rebecca's comments and is dreading the dinner. Human Resources investigates the comments and interviews Rebecca. Angry and embarrassed, Rebecca transfers James to a nighttime customer service position where she won't have to see him at work.



IS this Sexual Harassment?

- Is Rebecca sexually harassing James?
- What, if anything, should James do or say in response to his boss' constant comments?
- Does Rebecca's transfer of James constitute retaliation?



IS this Sexual Harassment?

Harassment: Yes. Rebecca's repeated, sexually suggestive comments over six months could constitute unlawful harassment. The conduct was pervasive, objectively offensive, and subjectively unwelcome to James, creating a potentially hostile work environment.

Response: James could have told Rebecca to stop or reported her behavior to HR sooner if he felt uncomfortable confronting her directly.

Retaliation: Yes. Rebecca's reassignment of James appears retaliatory.



IS this Sexual Harassment?

Laura is very attracted to her boss, Will. Since they're both single, she asks him out for after-work drinks. After proceeding to dinner and having a few too many drinks, they both go back to Laura's apartment and Will ends up spending the night.



IS this Sexual Harassment?

- Are there any potential problems here?
- What are the factors to consider?
- Could this be considered sexual harassment?



IS this Sexual Harassment?

Workplace Relationship: Based on the facts, the relationship appears consensual. However, whether it's permitted depends on the employer's workplace romance policy.

Potential Legal Exposure: Because Will supervises Laura, she could later claim she felt pressured to engage in the relationship for job-related reasons.

Employer Responsibility: Supervisors and employers should recognize the legal risks and potential workplace consequences of romantic relationships involving supervisory authority.