

Los Angeles Employment Law Attorney

No employee should ever have to deal with mistreatment in the workplace. Unfortunately, there are times when workers face hostile conditions, unsafe work environments, retaliation from supervisors, and even wrongful termination. At Blue Seven Content, we are here to help when you need a Los Angeles employment law attorney by your side. Our goal is to ensure that workers are treated fairly. We have no problem initiating legal actions against your employer on your behalf in order to recover the justice, dignity, and compensation you are entitled to.

Why Turn to Blue Seven Content for an Employment Law Claim?

When dealing with the inevitable stress that comes with employment law cases, you need an advocate by your side in Los Angeles who truly believes in helping people.

- At Blue Seven Content, we are dedicated to helping those wronged by supervisors and coworkers.
- We understand how these situations can affect your life, which is why we take the time to listen to your story and craft a path forward that works best for you.
- We refuse to back down from aggressive employers and their legal teams. We will not be intimidated into silence.

Why You Need a Lawyer for Your Los Angeles Employment Law Claim

Los Angeles employment law claims are challenging, particularly for those who do not have legal experience. When you work with an employment law attorney, you will have an advocate with the resources necessary to examine every aspect of your claim. The role of an attorney in these situations is multifaceted and includes:

- Investigating your claim and working to uncover the evidence necessary to prove your allegations.
- Fully investigating the employer to discover any past history of the same types of behaviors displayed in your case.
- Handling all communications and negotiations with your employer and their legal team in an effort to recover a fair settlement on your behalf.
- Preparing your legal claim for trial if necessary to ensure you are treated fairly.

What is Los Angeles Employment Law?

“Employment law” is a very broad term that covers a range of legal issues that can affect workers in Los Angeles and throughout the state and country. This area of law focuses on the relationship between an employee and their employer and consists of thousands of state and federal statutes, regulations, and judicial decisions.

Many employment laws are in place based on rules designed to ensure adequate wages. Other employment laws cover public benefits, including unemployment compensation. On this page, we will discuss some of the main Los Angeles employment law topics that can affect you.

What Laws Protect Employees in Los Angeles?

Some of the primary laws that impact workers include:

- Wage and hour laws
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA)
- Fair Labor Standards Act (FLSA)
- Whistleblower and retaliation laws
- Family and Medical Leave Act (FMLA)
- California Family Rights Act (CFRA)
- National Labor Relations Act (NLRA)
- Occupational Safety and Health Act (OSHA)
- Title VII on workplace discrimination

This is a broad overview of employment laws, though these mainly originate from the federal level. The state of California has been aggressive and forward-thinking in its protection of workers, and many state laws play a significant role in the employee/employer relationship.

Common Types of Claims We Help With

As we go through the main types of cases that we help clients with at Blue Seven Content, we want you to know that we understand how complicated these cases can be. Not every employment law claim is cut and dry. We encourage you to contact us as soon as possible so we can examine your claim and determine what type of lawsuit or complaint to file.

Workplace discrimination in Los Angeles

Nobody should have to worry about workplace discrimination. Unfortunately, this can occur in many ways. When we examine information available from the [Equal Opportunity Employment Commission](#), we can see that discrimination can occur in a wide variety of ways in the workplace. At the federal level, discrimination can occur based on:

- Age
- Disability
- Pregnancy status
- National origin
- Race or color
- Religion
- Sex
- Sexual orientation
- Gender identity
- Genetic information

Turning to the [California Department of Fair Employment and Housing](#), we see that California's regulatory bodies protect individual workers as well. California has led the way in the United States by offering protections based on individuals' sexual orientation, gender identity, and gender expression. California also protects individuals from discrimination based on their marital status.

Sexual harassment in the LA workplace

The reality is that, even in this day and age, individuals still have to contend with sexual harassment in the workplace. While this has primarily been a significant area of concern for women, men can also

suffer from harassment. Additionally, members of the LGBTQ+ community, particularly transgender employees, suffer from high rates of workplace sexual harassment and discrimination. When we turn to California Government Code ([Section 12940](#)), we can see that the term harassment, as it is related to sex, includes issues such as sexual harassment, gender harassment, harassment based on childbirth and pregnancy, or related medical conditions. There are various ways that sexual harassment can occur in the workplace, including:

- Requests for sexual favors
- Physical or verbal sexual conduct
- Unwelcome sexual advances

Often, sexual harassment in the workplace is subtle and can include situations where terms or conditions of employment or promotion are based on submission to sexual conduct.

[Los Angeles wage and hour claims](#)

Everyone deserves to be paid fairly. This includes receiving at least the minimum wage for California or a particular municipality, as well as overtime, commissions, agreed-upon bonuses, and more.

First and foremost, most employers in California are required to pay the state's minimum wage, or the minimum wage applicable to the municipality. In California, the current minimum wage is:

- \$15.00 per hour for employers with 26 or more employees.
- \$14.00 per hour for employers with 25 or fewer employees.

These wages will increase by \$1.00 an hour until 2023, which will culminate in \$15 per hour for all workers, regardless of how many employees there are. Currently, the minimum wage in Los Angeles County is \$15 an hour.

Non-exempt employees in California are also entitled to overtime pay if they work more than 8 hours during a single day or more than 40 hours during a single workweek. Employers must pay time and a half (1.5) for any hours a person works over these limits. Additionally, employees in Los Angeles are entitled to double their hourly wage if they work more than 12 hours during a single workday or more than eight hours on their seventh consecutive workday of the week.

In addition to these minimum wage and overtime issues, there are other types of violations that could occur that result in a wage and hour violation against an employee. The state of California also has laws in place regarding:

- Pay for rest and meal breaks
- Work that occurs off the clock
- Being paid in a timely manner
- Payment after termination
- Lower wages for employees who receive tips
- Reimbursement for expenses

[Wrongful termination in Los Angeles](#)

California is an at-will state, which means individuals are free to leave a job for any reason and at any time. Additionally, employers can usually terminate a person's employment for just about any reason as

well. However, a person cannot be terminated if the job loss amounts to a violation of law or public policy on the employer's part.

In many situations, a wrongful termination case will be tied into other areas of employment law due to the nature of the termination. For example, a wrongful termination claim in Los Angeles could revolve around discrimination in the workplace. Wrongful termination could also occur due to a variety of other factors, including:

- Reporting discrimination or sexual harassment in the workplace
- Reporting unequal pay between women and men in the workplace
- Reporting unsafe work conditions
- Participating in investigations by state or federal agencies
- Refusing to participate in fraudulent activities
- Reporting fraudulent or illegal activities
- Reporting a workplace injury or making a workers' compensation claim
- Requesting allowable ADA accommodations
- Serving in the military or National Guard

FMLA and CFRA cases

Both the Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) protect an employee's right to take time off for certain events, including a personal illness, the birth of a child, or the illness of a close family member. However, employers in California sometimes fail to abide by these laws.

Typically, both the FMLA and CFRA allow employees to have up to 12 weeks off for several reasons, including:

- Health issues that require a person to take time off for recovery
- The birth of a child or the arrival of a newly adopted child
- Caring for a child, spouse, or parent who has a serious health condition

Depending on circumstances, individuals may also be able to take additional leave, including leave for pregnancy. This is made available through California's Pregnancy Disability Leave Law (PDLL), in which pregnant women are allowed to take up to four months off, though the leave is unpaid.

Not every employer is required to abide by regulations in the FMLA and CFRA. Under the FMLA, employers who have had at least 50 workers over the last 20 weeks in the current or previous year are required to afford FMLA protections to their workers. Additionally, employees who need time off under the FMLA must have:

- Worked for the company at least a year
- Worked at least 1,250 hours over the prior year
- Worked at a location with at least 50 workers within a 75-mile radius

Hostile work environment

There are various ways that individuals can face hostile work environments. Often, a hostile work environment is caused by continual discrimination or harassment in the workplace or due to retaliation for reporting safety issues. Other ways that a hostile work environment can occur include:

- Physical harassment, which includes unwanted touching of any kind.
- Verbal threats, whether these threats are implicitly stated or implied
- Inappropriate jokes, derogatory remarks, and innuendos
- Request or insinuations related to sexual favors
- Any type of bullying behavior by coworkers or supervisors

It is an employer's responsibility to prevent a hostile work environment from occurring. [California law](#) requires employers to take reasonable steps to prevent workplace harassment, discrimination, and retaliation, and these steps can go a long way in preventing hostile work environments.

Whistleblower claims

In some cases, it may be necessary for an employee to come forward to report unsafe work environments, employer violations of law, or instances of harassment or discrimination. Employees should be protected through both state and federal whistleblower laws.

California does have strong whistleblower protection laws. These laws are in place to make sure that workers are not retaliated against when they come forward with damning information about their employer. Whistleblower protections extend to:

- Workers who come forward to law enforcement officials or regulatory agencies to report fraudulent, unsafe, or illegal activities in the workplace. Additionally, these protections extend to those who report "suspected activity," even if there is no direct evidence.
- Workers who file internal reports with supervisors or internal watchdog divisions.
- Those who participate as witnesses for government entities or commissions conducting investigations.

In addition to employees, whistleblower protection laws in California also protect those who do not work directly for the employer, including third-party contractors.

Employee misclassification

It is not uncommon for employers in California to purposely misclassify employees as independent contractors in order to avoid paying benefits or fair wages. While the use of independent contractors is accepted in some circumstances, improper classification is a violation of law. Assembly Bill 5 was passed into law and took effect on January 1, 2020. This law expanded on a California Supreme Court decision from 2018 (*Dynamex Operations West, Inc. vs. Superior Court of Los Angeles*) and established a three-prong test to assume that workers will be considered employees unless they:

- Are free to perform their services with no control or direction from the employer.
- Perform tasks outside of the employer's business as typical business activities.
- Are typically engaged in an independently established trade, occupation, or business of the same nature and work they perform for the employer.

This law is in place to prevent employers from actively misclassifying workers. However, voters in the state of California passed Proposition 22. This Proposition allowed for rideshare services to continue to classify workers as independent contractors, but it did require that certain "gig" economy employers provide certain protections for workers, including health care subsidies and various types of insurance.

Workplace retaliation

When employees voice legitimate concerns about workplace conditions, fair pay, discrimination, or harassment, or when they sustain a workplace injury and file a claim, they should not face retaliation from supervisors or employers. Similar to wrongful termination claims, workplace retaliation claims are often intertwined with other areas of employment law.

Types of Compensation Available for Your Case

There may be various types of compensation available to employees who file lawsuits against their employers in Los Angeles. The types of compensation available will vary depending on the actual type of claim that gets filed. For example, the compensation available for a person who has not received fair wages may look different from the compensation paid to a person who experiences sexual harassment in the workplace.

However, our goal is to generally recover the following types of damages on behalf of our clients:

- **Lost pay.** Individuals should be able to recover compensation for any wages they lose as a result of the employment law violation. This could include wages a person loses as a result of wrongful termination or wages lost because a person was denied a promotion due to discrimination, harassment, or retaliation. The total amount of lost pay will vary depending on several factors, including how quickly you were able to gain employment if you were wrongfully terminated. If you are not able to find employment at the same wage, you may be able to recover compensation to make up for the difference between your previous pay and your current wages.
- **Lost benefits.** Individuals should be able to recover the value of any benefits lost as a result of wrongful termination or denied promotions. The cost and value of benefits can be difficult to determine, and your attorney may work with employment and economic experts to evaluate exactly how much you have lost. Some of the benefits that a person could lose and these situations include pension or 401K plans, stock options, medical and dental insurance, and more.
- **Emotional distress.** In some situations, an employment law violation could result in significant emotional distress for the employee. You may see these losses referred to as “pain and suffering damages.” The total amount of emotional distress damages will vary depending on the overall actions of the employer and the circumstances surrounding each particular situation.
- **Attorney fees.** Individuals may be entitled to court costs and legal fees depending on the type of employment-related claim.
- **Punitive damages.** Punitive damages may be awarded as a result of employment law actions. However, this is not always the case. Unlike other types of damages, which are intended to reimburse an employee for their losses, punitive damages are intended to act as a punishment to the employer and to deter similar behavior by other employers in the future.

How Much Compensation Will You Receive?

There is no set amount of compensation available for victims of employment law-related violations. Rather, each case will be evaluated individually. There are various factors that can affect how much compensation a person receives if their claim is successful. These factors can include the egregiousness

of the violation, how much income a person has lost as a result of the violation, the level of pain and suffering the victim has endured, and other factors.

We strongly encourage you to work with a skilled attorney who can enlist assistance from economic and financial experts to adequately calculate your total losses.

Time Limit for Filing Los Angeles Employment Law Claims

There are various deadlines in place when it comes to filing employment law-related claims. In addition to the multiple types of actions, we also have to be cognizant of deadlines in place at both the state and federal levels. These claims are guided by separate laws at these levels.

Cases filed with the Equal Employment Opportunity Commission (EEOC) at the federal level must be made within 180 days from the date of the alleged violation. However, this 180-day filing deadline can be extended to 300 days if the charge is also covered by state or local anti-discrimination laws in place. In California, employees can seek recourse through the Department of Fair Employment and Housing (DFEH).

If the EEOC or the DFEH does not complete their investigation, then they must issue a notice of “right to sue” to the employee, and the employee will then have 90 days from the date they receive the right to sue to file a civil action against their employer in court.

However, these time limits do not apply to the Equal Pay Act. Under this Act, individuals do not have to file a charge with the EEOC first in order to have the right to have their claim heard in court.

The statute of limitations for sexual harassment violations in the workplace is different. Assembly Bill 9 (AB 9) became effective on January 1, 2020. This law extended the time that an employee has to file harassment charges or discrimination charges with the DFEH to three years from the date of the alleged incident. Under this law, an employee is required to file a charge with the DFEH before they can file a lawsuit in civil court. Under previous laws, an individual only had one year to file a claim with the DFEH.

After receiving a right to sue letter from the DFEH, an individual will have one year in California to file a lawsuit against their employer for the alleged violation.

The deadlines in place for filing employment law claims can be incredibly confusing. It is crucial to work with a skilled employment law attorney in Los Angeles who has a deep understanding of these laws and can guide you on the best path forward for your claim.

Call a Los Angeles Employment Lawyer Today

If you have faced unfair treatment in your Los Angeles workplace, you need to speak to an attorney immediately. At Blue Seven Content, we have the training and experience necessary to help you every step of the way. We will provide an initial consultation of your case, help formulate a plan, and work to recover justice and compensation on your behalf. When you need a Los Angeles employment law attorney, you can contact us for a [free consultation by filling out the contact form](#) at the bottom of this page, or you can call us at (888) 772-2529.