Attorney Toni Jaramilla Discusses #MeToo Movement-Inspired Legislation on Panel of Experts

Los Angeles workers’ rights attorney Toni Jaramilla, of A Professional Law Corporation, participates in a Daily Journal roundtable with other employment law experts to examine the legislation spurred by the #MeToo movement.

LOS ANGELES (PRWEB) January 23, 2019 -- #MeToo advocate Jaramilla, named one of the Top 75 Labor & Employment Lawyers for 2018, was the only workers’ rights attorney on the panel. She provided perspective to the Daily Journal roundtable on how recent legislation strengthens protections for California workers as well as the importance of gender and race diversity in the workplace.

“I had the benefit of actually working with the California Employment Lawyers Association (CELA) and women’s rights organizations on several of these bills that were signed into law, including SB 820, the ‘secret settlement’ bill, as well as SB 1300, the omnibus bill,” said Jaramilla.

SB 820, introduced by Senator Connie Leyva (D), limits confidentiality and bans silencing victims. The ban on keeping sexual harassment settlements confidential applies only when there is a civil or administrative action. Therefore, a plaintiff has the choice to allow confidentiality by not filing a court arbitration, DFEH, or EEOC action. Furthermore, the settlement amount does not have to be disclosed, nor the identity of the plaintiff whether an action is filed or not. Additionally, SB 820 addresses the issues of secrecy in sexual harassment cases and public accountability.

“For plaintiffs’ attorneys, it is hard to find witnesses in sexual harassment cases when such conduct happens where there are no eye witnesses. It is even harder when past victims are bound by confidentiality provisions,” noted Jaramilla. “A law that says we can’t silence victims with confidential settlements anymore will deter harassers and the companies that enable them, thereby protecting potential victims.”

Although these bills were inspired by the #MeToo movement and focus primarily on sexual harassment, if one looks at the language of the bills, they have applicability beyond sexual harassment cases. For example, SB 1300 clarifies the severe or pervasive standard, which also applies to other forms of harassment, such as racial or religious harassment. It also expands protections by establishing that third-party harassment is not just limited to sexual harassment under FEHA, but all forms of harassment based on a protected category.

“SB 1300 also bans sneaky releases and non-disparagement agreements that are often slipped into employee hiring documents, which has broad applicability,” concluded Jaramilla, who testified in Sacramento before the Legislature in favor of SB 1300. “It ensures workers are free to speak out about what’s happening to them in the workplace.”

About Toni Jaramilla, A Professional Law Corporation
Toni Jaramilla is committed to achieving the best possible results for employees who have experienced problems in the workplace. Serving clients throughout Los Angeles, her focus is on achieving positive social change for workers. Through zealous and ethical advocacy, lawyers at the firm have built a reputation for excellence in the practice of employment and labor law. For more information, please call (310) 551-3020, or visit www.jaramilla.com. The office is located at 12100 Wilshire Blvd., Suite 600, Los Angeles, CA 90025.
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