



Subject Text

Meeting materials
are available through

File #: 19-138, **Version:** 1

Title

Jury Instructions | Civil Jury Instructions (Release 35) (Action Required)

Summary

The Advisory Committee on Civil Jury Instructions recommends approving for publication the revised civil jury instructions prepared by the committee on the subject of workplace harassment. On Judicial Council approval, the instructions will, at publisher option, either be published immediately in print in a special edition of or supplement to CACI, or presented only online until the new 2020 print edition of the *Judicial Council of California Civil Jury Instructions (CACI)* is published.

Recommendation

The Advisory Committee on Civil Jury Instructions recommends that the Judicial Council, effective July 19, 2019, approve for publication revisions to the following civil jury instructions:

1. CACI No. 2521A. *Work Environment Harassment-Conduct Directed at Plaintiff-Essential Factual Elements-Employer or Entity Defendant*
2. CACI No. 2521B. *Work Environment Harassment-Conduct Directed at Others-Essential Factual Elements-Employer or Entity Defendant*
3. CACI No. 2521C. *Work Environment Harassment-Widespread Sexual Favoritism-Essential Factual Elements-Employee or Entity Defendant*
4. CACI No. 2522A. *Work Environment Harassment-Conduct Directed at Plaintiff-Essential Factual Elements-Individual Defendant*
5. CACI No. 2522B. *Work Environment Harassment-Conduct Directed at Others-Essential Factual Elements-Individual Defendant*
6. CACI No. 2522C. *Work Environment Harassment-Widespread Sexual Favoritism-Essential Factual Elements-Individual Defendant*
7. CACI No. 2524. *“Severe or Pervasive” Explained*

Note that for the 2521 group, the employer is the defendant. For the 2522 group, an individual is the defendant. The A instructions are for conduct directed at the plaintiff employee; the B instructions are for conduct directed at coworkers; the C instructions are for sexual favoritism. CACI No. 2524 provides additional guidance on what constitutes “severe or pervasive” conduct.