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LAWYER AND LEADER.” - B.K.

UNDERSTANDING THE "SEVERE OR PERVASIVE" STANDARD IN WORKPLACE SEXUAL HARASSMENT CASES

Every employee deserves a workplace free from harassment, intimidation, and abuse. Yet, sexual harassment remains a persistent problem in the workplace — even in high-profile industries and government positions. For employees who have endured harassment, the emotional toll can be overwhelming, and the legal process can seem daunting. That’s where Barrett & Farahany steps in.

With over 20 years of dedicated experience in employment law, our sexual harassment attorneys are committed to protecting employees, holding perpetrators accountable, and ensuring that harassment is addressed under the

law.



The Legal Standard: "Severe or Pervasive"

Under Title VII of the Civil Rights Act of 1964, sexual harassment is a form of unlawful workplace discrimination. Not every inappropriate comment or act meets the legal definition — instead, the behavior must be “severe or pervasive” enough to alter the terms and conditions of employment.

This standard means:

- Severe – A single incident of extreme misconduct may be enough if it is particularly egregious, such as sexual assault, explicit threats, or physically invasive behavior.
- Pervasive – Ongoing, repeated conduct that creates a hostile work environment, such as continual sexual comments, repeated unwanted touching, or persistent sharing of explicit materials.

Courts evaluate this by looking at:

- The frequency of the conduct.
- The severity of the conduct.
- Whether the behavior was physically threatening or humiliating, or merely offensive.
- Whether it interfered with the employee’s work performance.
- The power dynamics between the harasser and the victim.

In other words, the law recognizes that both a single extreme event and a pattern of ongoing harassment can meet the threshold — depending on the

circumstances...

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Our Attorneys Represent Clients Across Several States

Our ability to offer a comprehensive array of legal services across numerous states is made possible by our strategically positioned network of attorneys. Our attorneys are situated in states across America, and proudly extend our renowned brand of resources to its respective region. Led by seasoned and highly connected legal teams, our offices deliver invaluable legal representation tailored to the unique needs of each state they serve.



Meet the Team at Barrett & Farahany

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