

"Music as Harassment" – a New Frontier of Hostile Work Environment Claims

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On June 7, in *Sharp v. S&S Activewear, LLC*, the Ninth Circuit held that hip-hop and rap music played over loudspeakers in a 700,000-square-foot warehouse could give rise to a hostile work environment sexual harassment claim under Title VII of the Civil Rights Act of 1964. 69 F.4th 974 (9th Cir. 2023). The decision presents a new extension of harassment liability and begs the question of how a California court in the post-#MeToo era might approach this type of undirected, environmental harassment that exists quite literally in the air.

Related Professionals

- **Anthony J. Oncidi**
Partner
- **Philippe A. Lebel**
Partner