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Sexual-Orientation Harassment Claim Was Exempt From Arbitration Under EFAA

California Employment Law on **September 22, 2026**

Decloedt v. RadNet Mgmt., Inc., 121 Cal. App. 5th 732 (2026)

A male employee alleged that a coworker repeatedly made derogatory comments about his being gay, engaged in threatening and unwelcome physical conduct, and continued such activity despite Decloedt's complaints to supervisors and HR. The employer's motion to compel arbitration was denied. The Court of Appeal affirmed, holding that harassment based on sexual orientation is a form of sexual harassment under the FEHA and that the complaint sufficiently alleged severe or pervasive harassment to invoke the EFAA.

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