

RETALIATION CAUSE OF ACTION UNDER GOVERNMENT CODE SECTION 12940(h)

5. Did Dr. Johnson complain about being discriminated against as a result of his age?

Yes No

If your answer to Question 5 is "yes", then answer Question 6. If you answered "no", go to Question 9.

6. Did the Department of Corrections take adverse employment action against Dr. Johnson?

Yes No

If your answer to Question 6 is "yes", then answer Question 7. If you answered "no", go to Question 9.

7. Was Dr. Johnson's complaining of age discrimination a motivating reason for the Department of Correction's decision to take adverse employment action against Dr. Johnson?

Yes No

If your answer to Question 7 is "yes", then answer Question 8. If you answered "no", go to Question 9.

8. Was the Department of Correction's adverse employment action a substantial factor in causing harm to Dr. Johnson?

Yes No

If your answer to Question 8 is "yes", then answer Question 9. If you answered "no", go to Question 9.

HOSTILE WORK ENVIRONMENT HARASSMENT CAUSE OF ACTION UNDER GOVERNMENT CODE SECTION 12940(j)

9. Was Dr. Johnson subjected to unwanted harassing conduct because of his age?

Yes No

If your answer to Question 9 is "yes", then answer Question 10. If you answered "no", go to Question 14.

10. Was the harassment so severe, widespread, or persistent that a reasonable person in Dr. Johnson's circumstances would have considered the work environment to be hostile or abusive?

Yes No

If your answer to Question 10 is "yes", then answer Question 11. If you answered "no", go to Question 14.

11. Did Dr. Johnson consider the work environment to be hostile or abusive?

Yes No

If your answer to Question 11 is "yes", then answer Question 12. If you answered "no", go to Question 14.

12. Did one or more supervisors with actual or reasonably perceived authority over Dr. Johnson engage in the harassing conduct?

Yes No

If your answer to Question 12 is "yes", then answer Question 13. If you answered "no", go to Question 14.

13. Was the hostile work environment harassment a substantial factor in causing harm to Dr. Johnson?

Yes No

If your answer to Question 13 is "yes", then answer Question 14. If you answered Question 13 "no" also go to Question 14.

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