

6-D | HOW DO I SHOW THAT MY EMPLOYER KNEW WHAT WAS GOING ON?

Your employer is liable if it knew or should have known of the conditions you complained of and failed to take action against it. If you complain directly to your employer about the situation, then the employer is charged with "actual knowledge," and if the condition is open and observable, the employer is charged with "constructive knowledge."⁴¹

(unknown authors)

Footnotes

⁴¹ Scelta v. Delicatessen Support Services, Inc., 57 F. Supp 2d. 1327, 1340 (M.D. Fla. 1999)

