415.10 ISSUES ON PLAINTIFF’S CLAIM

The law prohibits an employer from retaliating against an employee for engaging in protected activity.

The [next] issue(s) you must decide on the claim of (claimant) against (defendant) [is] [are] whether (defendant) retaliated against (claimant) by [discharging] [suspending] [demoting] [him] [her] [or] [(describe defendant’s alleged action)] because (claimant) engaged in protected activity and, if so, whether the retaliation was a legal cause of [loss] [injury] or [damage] to (claimant).

NOTE ON USE FOR 415.10

If there are issues concerning vicarious liability that require a preemptive instruction or jury resolution, see (and modify, as necessary) instructions 401.13, 401.14, and 401.17.

(Revised November 22, 2017; June 30, 2021.)