

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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DFEH Files Request for Enforcement of Court Order Compelling Riot Games, Inc. to Send Notice to Workers about their Right to Speak with the Government

Riot has delayed issuance for two months of notice to workers about their right to speak about sexual harassment and other unlawful workplace practices

SACRAMENTO- California's civil rights agency, the Department of Fair Employment and Housing (DFEH) today asked the Los Angeles Superior Court to compel Riot Games Inc.'s compliance with the Court's June 4, 2021 order requiring the company to send a notice to its workers about their rights to speak with DFEH. The notice will advise workers of their right to speak freely with the government about unlawful workplace practices and participate in DFEH's pending action, without fear of retaliation, regardless of non-disparagement and non-disclosure terms in their settlement agreements.

"Agreements that attempt to bar individuals from filing a complaint or assisting in a DFEH case run afoul of the anti-retaliation and anti-interference provisions of the Fair Employment and Housing Act," said DFEH Director Kevin Kish. "Employers cannot impose a penalty on people who engage in protected activity under statutes enforced by DFEH. The very existence of such agreements has a chilling effect on the willingness of individuals to come forward with information that may be of importance to the DFEH as it seeks to advance the public interest in the elimination of unlawful employment discrimination and harassment."

In 2019, more than a year after the government opened a company-wide investigation of sexual harassment, sex discrimination, and sexual assault at Riot Games, the company announced it had reached secret settlement agreements with approximately 100 women who waived their claims and rights, without notice of the government's actions. For the next 18 months, the DFEH sought the secret settlement agreements. The Court ordered Riot to produce them to the government in January 2021; however, Riot delayed production until April 2021. Alarmed by language in Riot's settlement and separation agreements that suggested employees could not voluntarily and candidly speak with the government about sexual harassment and other violations, and obtain relief in the government's actions, DFEH promptly moved for relief from the Court. The Court ordered Riot to issue the corrective notice; however, Riot has delayed the process for two months.

The court-ordered notice informs workers that they "may freely cooperate, participate, and obtain potential relief, if awarded," in DFEH's pending action, and that "Riot Games cannot retaliate or take any adverse action against [them] for speaking with DFEH, participating in DFEH pending action, or obtaining potential relief in such action." Moreover, "Riot Games cannot require [any worker] to either notify the company or obtain permission before speaking with DFEH," and that "[i]t is unlawful for [any] employer to retaliate against [workers] for speaking to the government or otherwise voluntarily participating or cooperating in government proceedings."

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The DFEH is the state agency charged with enforcing California's civil rights law. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's website at www.dfeh.ca.gov.