



OSHPP E news

Fall 2008

Office of Sexual Harassment Prevention & Policy (OSHPP)

This electronic newsletter provides an update on sexual harassment and gender discrimination issues.

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SUPERVISORS' "TO DO" LIST

The online program for mandatory supervisory training is expected to be back up and running in 2009. Meanwhile, supervisors are reminded that they should periodically provide their **non-supervisory staff** with education on sexual harassment prevention and policies. Supervisors may arrange for a representative from OSHPP to give a brief presentation, or they may direct their non-supervisory employees to a special online program for non-supervisory staff. The link may be found on OSHPP's website. (Please note that this program does NOT satisfy the supervisory requirement.)

TRANSGENDER EXPERT WINS

A transgender former U.S. Army Special Forces commander and terrorism expert won a discrimination lawsuit against the Library of Congress. Retired, decorated Army Colonel Diane Schroer (formerly David Schroer) complained that the Library discriminated against her on the basis of sex by not giving her a job after she disclosed her gender identity. A federal court found that transgender individuals are protected against sex stereotyping and that punishing gender non-conformity in the workplace violates Title VII of the Civil Rights Act of 1964. Twelve states (including California) and the District of Columbia have laws prohibiting discrimination based on gender identity. While gender identity is not a protected category under federal law, all individuals are protected against workplace discrimination based on sex or sex stereotyping.

BLUE ANGELS CAN'T FLY

Two Navy Blue Angels have been removed from duty for having an inappropriate consensual relationship. A Navy spokesperson did not identify the members but stated the relationship was between a man and a woman. OSHPP reminds readers to review the UCSD Policy on Conflicts of Interest Arising out of Consensual Relationships at <http://adminrecords.ucsd.edu/ppm/docs/200-11.pdf>.

VICTORY FOR BULLIED GAY STUDENTS

A California Court of appeals upheld a jury award for two former Poway High School students who were harassed by peers because of their sexual orientation. Megan Donovan and Joey Ramelli were subjected to anti-gay slurs, threatened, and Joey was physically assaulted and had his car vandalized. A jury found that the Poway Unified School District did not take appropriate action to address the harassment. The appeals court let stand the jury's award of \$300,000 to Megan and Joey.

DID YOU KNOW?

This is the 30th Anniversary of the Pregnancy Discrimination Act (PDA). The PDA, an amendment to Title VII of the Civil Rights Act of 1964, prohibits discrimination on the basis of pregnancy, childbirth or related medical conditions.

PUZZLED ABOUT SEXUAL HARASSMENT? SOLUTIONS FOUND HERE.

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