



OPHD E-news

Fall 2012

An update on bias, harassment, and discrimination issues from the
Office for the Prevention of Harassment & Discrimination (OPHD)

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NEW LAW PROTECTS RELIGIOUS DRESS AND GROOMING

Governor Brown signed into law AB 1964 which amends California's Fair Employment and Housing Act related to religious discrimination. The new law makes it clear that religious beliefs may include religious dress and grooming practices. No employer can discriminate against an employee whose religious practices may include religious clothing, head coverings, hairstyles, or facial or body hair. Employers are required to reasonably accommodate such practices in the workplace. The new law becomes effective on January 1, 2013.

FILIPINO NURSES PREVAIL IN LANGUAGE DISCRIMINATION CASE

A group of Filipino nurses at Delano Regional Medical Center near Bakersfield won a settlement after they were mocked for their accents and ordered to speak only English in the workplace. The nurses complained that they were banned from speaking Tagalog in break rooms, hallways, the cafeteria, and on the telephone. Some nurses were followed by housekeepers and security guards who monitored whether they were speaking English. The managers targeted only the Filipino nurses even though employees spoke a number of languages including Spanish, Hindi, and Bengali. The settlement, believed to be one of the largest language discrimination settlements in the U.S. healthcare industry, requires administrators to conduct regular staff training on diversity. An outside monitor will review the medical center's compliance for three years.

FRY'S ELECTRONICS PAYS \$2.3 MILLION IN SEXTING LAWSUIT

Fry's Electronics settled a sexual harassment and retaliation lawsuit for \$2.3 million. The Equal Employment Opportunity Commission (EEOC) filed suit against Fry's on behalf of a manager who was fired after informing the company that a saleswoman who reported to him had received frequent sexually charged text messages and invitations to have a drink from an assistant manager. The EEOC litigated on behalf of both the harassed employee and the

manager who was retaliated against for reporting. Under the three year consent decree, Fry's agreed to provide ongoing training for all employees and managers regarding harassment prevention and responding to complaints.

KAUAI PROSECUTOR WINS RACIAL HARASSMENT CLAIM

Former Kauai prosecutor Shannon Weigel will receive \$120,000 settlement of her claim of racial harassment. Ms. Weigel, who is Caucasian, reported to Kauai county prosecutor Shaylene Iseri-Carvalho, a Filipina American. Ms. Weigel complained that Ms. Iseri-Carvalho encouraged her to assimilate to local culture, made racially disparaging comments against her, including calling her a "haole," and suggested that she break up with her white boyfriend and date a Native Hawaiian man instead. Ms. Weigel felt that she was singled out because of her race and brought her complaint to the EEOC. The two year conciliation agreement requires the county to provide harassment prevention training for all managers and supervisors.

"LINCOLN" FILM SCREENING ON FEBRUARY 26, 2013

Please join us for two FREE screenings of the critically acclaimed film "Lincoln" on Tuesday, February 26, 2013 at 6 and 9 pm in the Price Center Theatre. Co-sponsored by OPHD, Cross Cultural Center, Women's Center, and University Centers.

DID YOU KNOW?

The theme for Women's History Month 2013 will be "Women Inspiring Innovation Through Imagination: Celebrating Women in Science, Technology, Engineering and Mathematics." One inspiring and innovative woman was Maria Goeppert Mayer (1906-1972) who helped forge the path for women in science as a founding member of UC San Diego's department of physics. She is one of only two women to win the Nobel Prize in physics—the other was Marie Curie.

BE THE VOICE—REPORT BIAS

OPHD oversees the UC San Diego online bias reporting system. All members of the UC San Diego community may report bias-motivated incidents or other acts of intolerance to reportbias.ucsd.edu, (858) 534-BIAS (2427) or ophd@ucsd.edu. Be The Voice—Report Bias.

OPHD IS ABOUT SOLUTIONS.

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