



## OSHPP E-News

Spring 2007

### Office of Sexual Harassment Prevention & Policy (OSHPP)

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

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#### SUPERVISOR TRAINING TIME

It's that time again! California law now requires all supervisors to receive 2 hours of sexual harassment training every two years. All supervisors, including academic appointees, were required to receive this training by December 31, 2005 and every two years thereafter. \*\*\*THOSE WHO COMPLETED THEIR TRAINING IN 2005 MUST AGAIN COMPLETE TRAINING BY DECEMBER 31, 2007.\*\*\* OSHPP is offering monthly in-person training through Enrollment Central. Departments that wish to provide special in-person training for 30 or more may contact OSHPP. If you would like to take the online training, Workplace Answers will have a new program launched by fall. We will also offer additional in-person training in fall. Stay tuned.

#### MCDONALD'S PAYS \$550,000 IN SEXUAL HARASSMENT SUIT

McDonald's has agreed to pay \$550,000 to settle a sexual harassment lawsuit filed by the Equal Employment Opportunity Commission (EEOC). The EEOC filed the suit on behalf of 8 young women, some of whom were only 14 years old, who were sexually harassed by a male manager who worked in Northern Arizona. The manager grabbed the women around the waist, touched their breasts, put his hands in their pockets and rubbed up against them. He had worked at another McDonald's where similar incidents occurred. McDonald's knew about the incidents and did not take action to stop the behavior from reoccurring. As part of the settlement, McDonald's is required to train employees about sexual harassment.

## LODGE AT TORREY PINES LIABLE FOR SEXUAL ORIENTATION HARASSMENT

A gay employee who worked at the Lodge at Torrey Pines was awarded \$1.5 million for enduring sexual orientation discrimination and retaliation in violation of the California Fair Employment and Housing Act (FEHA). Two of complainant's supervisors made sexual remarks daily, used profanity, viewed nude images and directed graphic gay-bashing jokes at him. When the employee complained, he was written up for poor work performance. The complainant took a disability leave and when he returned to work, he was excluded from meetings and advised to "watch his back." Following months of continued harassment, the employee resigned. In ruling against the Lodge, the court cited FEHA which makes it clear that employers can be held strictly liable for the sexually harassing behavior of supervisors. In addition, supervisors can be held personally liable for harassment and retaliation.

## UNIVERSITY EMPLOYEE FIRED FOR MISLEADING EMAIL

A University of Virginia human resources employee was fired for using her work email account to criticize the university's position on proposed legislation. The employee sent a personal email that included her university electronic signature line at the bottom of the message. Some recipients of her email forwarded her message believing she had done legislative analysis on behalf of UVA human resources. The university fired her for using her university title to disseminate information that did not represent the university's position. The court noted that the signature line misled people into thinking she spoke for the university and compared the signed email message to a note written on university letterhead. Work related speech is not entitled to the same First Amendment protection as private citizen speech. OSHPP reminds readers to think carefully before sending email using their UCSD account.

## SEX IN THE CINEMA PRESENTS "NOTES ON A SCANDAL" JUNE 5, 2007

A teacher has an affair with her student which leads to obsession, jealousy, blackmail and betrayal. Oscar winners Judi Dench and Cate Blanchett star in Academy Award nominated "Notes on a Scandal." Please join us for two FREE screenings on Tuesday, June 5, 2007 at 6 and 9 pm in the Price Center Theatre. Co-sponsored with the Women's Center and University Centers.

## PUZZLED ABOUT SEXUAL HARASSMENT? SOLUTIONS FOUND HERE.

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