



OPHD E-news

Spring 2012

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

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CAMPUS COMPLIANCE WITH SUPERVISOR TRAINING

The UC Office of the President recently reported campus compliance with the state-mandated sexual harassment prevention training for supervisors. UC San Diego has an overall compliance rate of 87% compared with the systemwide rate of 85%. Life Theatre will return to campus in Fall to present their very popular and entertaining training which satisfies the requirement.

CIVIL RIGHTS PROTECTION FOR TRANSGENDER EMPLOYEES

The Equal Employment Opportunity Commission (EEOC) for the first time clarified that transgender individuals are protected from sex discrimination under Title VII of the Civil Rights Act of 1964. Mia Macy, a transgender woman, was promised a position at the Bureau of Alcohol, Tobacco, Firearms, and Explosives in Walnut Creek, California. When she interviewed for the job, she was living as a man. When she informed officials that she intended to legally transition from male to female, she was told that the position had been eliminated due to federal budget cuts. She later learned that someone else had been hired for the job. Macy filed a complaint with the EEOC claiming she was discriminated against on the basis of gender identity. The ruling confirms that “the term ‘gender’ encompasses not only a person’s biological sex but also the cultural and social aspects associated with masculinity and femininity.”

UC BERKELEY ASSISTANT VICE CHANCELLOR FIRED FOR CONFLICT OF INTEREST

UC Berkeley fired Diane Leite who engaged in a consensual relationship with an employee who she supervised. Leite approved five raises over two years for Jonathan Caniezo, who earned less than \$41,000 in 2005 and earned \$120,000 in 2010. Both Leite and Caniezo admitted to the affair to campus investigators. Investigators found that although Leite had completed the mandatory sexual harassment training for supervisors, she claimed that she was not aware that her actions were inappropriate. UC San Diego has a Policy on Conflicts of Interest Arising out of Consensual Relationships <http://adminrecords.ucsd.edu/ppm/docs/200-11.pdf>.

PHYSICIAN ASSISTANT AWARDED \$168 MILLION IN HARASSMENT CASE

A California jury awarded \$168 million in damages to Ani Chopourian, a cardiac surgery physician assistant at Sacramento's Mercy General Hospital. During the trial, Chopourian testified about sexually inappropriate conduct, including a surgeon who greeted her each morning with "I'm horny" and a slap on her rear end. Another surgeon called her a "stupid chick" in the operating room and made derogatory remarks about her Armenian heritage by asking if she had joined Al Qaeda. The hospital fired Chopourian after she complained about the harassment. The award to Chopourian is believed to be the largest for a single victim of workplace harassment in U.S. history.

DID YOU KNOW?

It has been 40 years since President Nixon signed Title IX into law on June 23, 1972. Title IX is the federal law that prohibits discrimination based on sex in any educational institution that receives federal funding. Title IX has had a profound impact on college athletics and educational opportunity. One example of what Title IX made possible is Pat Summitt, the greatest college basketball coach of all time (male or female), who coached the University of Tennessee's Lady Volunteers for 38 years, and won 1,098 games and eight national championships. President Obama will award her the Presidential Medal of Freedom for her remarkable career and success both on and off the court. Says Summitt "When I think of Title IX, the one word that always comes to my mind is opportunity."

BE THE VOICE—REPORT BIAS

OPHD now 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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