



OPHD E-news

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

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OPHD SEX IN THE CINEMA PRESENTS FREE SCREENING OF “CAPTAIN AMERICA: CIVIL WAR”

OPHD’s popular Sex in the Cinema series is back, screening “Captain America: Civil War” on September 20 at 6:00 pm at the Price Center Theater. Captain America: Civil War features three black superheroes, prompting NPR to call 2016 the “Age of the On-Screen Black Superhero.” Admission is free and there will be trivia and prizes before the film!

QUALCOMM SETTLES GENDER DISCRIMINATION LAWSUIT FOR \$19M

In July, Qualcomm Technologies Inc. [agreed to pay \\$19.5 million to settle a gender discrimination class-action lawsuit](#) alleging women were denied equal pay and job opportunities to their male counterparts. The settlement also requires that the San Diego-based chip maker implement policy changes and programs to better promote female employees working in STEM (Science, Technology, Engineering and Math). Qualcomm said in a statement that it “has strong defenses” to the claims but agreed to make improvements. The plaintiffs’ lawyers say the changes could greatly affect the male-dominated industry, where women face significant barriers. The lawsuit affects a class of about 3,300 women in STEM at Qualcomm. Women hold less than 15 percent of senior leadership positions at Qualcomm, according to the complaint. According to court documents, women in STEM and related positions in Qualcomm’s U.S. operations earn less than their male counterparts. The complaint alleges that due to the fact that Qualcomm’s managers are mostly male, women are promoted less often than men. The settlement was reached during mediation sessions, following analysis of employment and payroll data, and many months of negotiations, plaintiffs’ lawyers said.

APPEALS COURT ALLOWS TITLE IX LAWSUIT BY MALE COLUMBIA STUDENT ACCUSED OF SEXUAL ASSAULT TO PROCEED

A male undergraduate student at Columbia University alleged that Columbia violated Title IX by discriminating against him on the basis of sex in investigating and suspending him for alleged sexual misconduct. The U.S. Court of Appeals for the Second Circuit [found on July 29, 2016](#) that

the student's case should proceed because the student had alleged facts to suggest that University officials were motivated by pro-female, anti-male bias, and that those alleged biases were, at least in part, adopted in response to criticisms that Columbia was mishandling female students' charges of sexual misconduct. In a footnote that legal experts say will be widely cited by future male accused students, the court stated that even if the University was not motivated by "ingrained or permanent bias," it had practiced illegal sex discrimination if it had even temporarily adopted policy favoring one sex over the other in a disciplinary dispute in order to avoid bad publicity.

FEDERAL JUDGE AWARDS \$1.47M IN DAMAGES IN Z FOODS FARMWORKER SEXUAL HARASSMENT AND RETALIATION LAWSUIT

On July 22, 2016, the Equal Employment Opportunity Commission (EEOC) [announced](#) that a federal judge had ordered Z Foods, Inc., once one of the largest dried fruit processors in the United States, to pay \$1,470,000 in damages in a sexual harassment and retaliation lawsuit. EEOC had charged that Z Foods allowed male supervisors to sexually harass a class of female employees and fired male and female employees when they complained about the sexual harassment. The sexual harassment took the form of conditioning promotions and employment on sexual favors, continuous sexual advances, stalking female employees, unwanted physical touching and leering. Male employees, who witnessed the egregious harassment, complained about the abuse alongside their female employees and were retaliated against and discharged soon after their complaint. Anna Park, regional attorney for the EEOC's Los Angeles District stated, "The solidarity that male employees displayed here in supporting and speaking up along with their female co-workers about the severe harassment is a critical component of remedying the pervasive problem of sexual harassment. The court's findings vindicate the courage it took for these workers to stand up and demand a workplace free of sexual harassment."

DID YOU KNOW? A bill moving through the California state legislature—[SB1146](#)—would remove a longstanding exemption from anti-discrimination laws for religious institutions. Currently, religious institutions can assign housing based on sex, not gender identity, and discipline students for violating moral codes of conduct, which can include anti-transgender or strict sexuality provisions. The law faces an upcoming test in the state Assembly after passing the Senate. Bill supporters say it would be the first law of its kind in the nation and would ensure a safe space for LGBT students at all colleges. Under the proposed state law, schools would also have to disclose if they have been granted exemptions from federal Title IX rules against discrimination to prospective and current students, faculty and staff members.

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 or ophd@ucsd.edu. Be The Voice—Report Bias.

OPHD IS ABOUT SOLUTIONS.

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