



OPHD E-news

Winter 2011

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

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WHAT HAPPENED TO OSHP?

On February 1, 2011, the Office of Sexual Harassment Prevention & Policy (OSHP) became the new Office for the Prevention of Harassment & Discrimination (OPHD). OPHD is the UC San Diego centralized bias reporting office that addresses all types of bias, harassment, and discrimination complaints from faculty, staff, and students. OPHD will continue to coordinate compliance with Title IX and with the mandatory sexual harassment prevention training requirement for supervisors. OPHD also works collaboratively with Equal Opportunity/Staff Affirmative Action in conducting informal resolution of staff complaints. OPHD remains located on the main campus at 201 University Center, corner of Gilman and Myers. You may contact OPHD at (858) 534-8298, ophd@ucsd.edu or <http://ophd.ucsd.edu>.

2010 DISCRIMINATION CLAIMS REACH RECORD HIGH

The Equal Employment Opportunity Commission (EEOC) released enforcement statistics for 2010 and complaints of discrimination reached the highest number in the agency’s 45-year history. Claims of discrimination based on disability rose 17 percent. The most frequent complaints of discrimination continue to be based on retaliation, race, and sex. For more information, visit <http://www.eeoc.gov>.

NAVY CAPTAIN LOSES DUTIES OVER LEWD VIDEOS

Captain Owen Honors, former commander of the nuclear-powered ship USS Enterprise, was relieved of duty for making a series of sexually explicit videos that were shown on the ship’s closed circuit television system. The videos included suggestive shower scenes, simulated masturbation, and homophobic slurs. In one scene, Captain Honors, noting that some crew members might not be amused by the videos, said “Why don’t you just go ahead and hug yourselves for the next 20 minutes or so, because there’s a really good chance you’re going to be offended.” A Navy spokesperson said the videos were “clearly inappropriate” and there will be an investigation.

“I’M TOO SEXY FOR MY SHIRT”

Sylvia Munoz, an employee at Prospect Airport Services, made sexual advances towards her co-worker, Rudolpho Lamas. Lamas told her that he was not interested but Munoz became infatuated with him, sending him a sexually explicit note, a photo of herself, and making suggestive remarks and gestures towards him. Co-workers spread rumors that Lamas must be gay, since he was not interested in Munoz. Lamas complained on 4 different occasions to several supervisors about Munoz, and nothing was done to stop her conduct. In fact, one manager told Lamas that he should walk around singing to himself “I’m too sexy for my shirt.” Lamas’ work performance deteriorated due to the daily harassment and he was eventually fired. The Ninth Circuit Court of Appeals decided that Munoz’s “relentless” pursuit of Lamas could create a hostile environment. The court noted “It cannot be assumed that because a man receives sexual advances from a woman that those advances are welcome...[T]hat is a stereotype...Title VII is not a beauty contest, and even if Mrs. Munoz looks like Marilyn Monroe, Mr. Lamas might not want to have sex with her, for all sorts of possible reasons.” The case, *EEOC v. Prospect Airport Services, Inc.* (9th Cir. 2010), is an example of what NOT to say to an employee who complains of sexual harassment.

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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