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Companies ignore sexual harassment at their peril

Sexual harassment claims have increased substantially during the past few years and employers are coping to minimize the threat of having sexual harassment claims filed against them. Just one claim can cost thousands of dollars to millions of dollars for punitive damages and court costs.

The Fair Employment and Housing Commission regulations define sexual harassment as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior. The following is a partial list:

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CORPORATE PERSPECTIVE

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisal after a negative response to sexual gestures, displaying sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct making or using derogatory comments, epithets, slurs and jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters,

notes or invitations.

- Physical conduct: touching, assault, impeding or blocking movement.

A recent jury verdict was rendered against a major law firm. The case involved a secretary who was assigned to a major partner of the firm. The partner, on several occasions made remarks to the secretary. She left the firm after a few months. The jury returned a verdict of \$50,000 for emotional damage against both the firm and the partner, \$225,000 in punitive damages against the partner and \$6.9 million in punitive damages against the firm.

How to stop sexual harassment

- When possible, confront the harasser and ask him/her to stop. The harasser may not realize the advances or comments

are offensive.

When it is appropriate and sensible, you may want to tell the harasser the behavior or advances are unwelcome and must stop. Sometimes a simple confrontation will end the situation.

- You are strongly encouraged to report sexual harassment. Contact your supervisor, personnel department or other person designated as investigative officer for sexual harassment.

Sexual harassment or retaliation should be reported in writing or verbally. You may report such activities even if you are not the subject of the harassment.

- An investigation will be conducted. The company should investigate, in a discreet manner, all reported incidents of

sexual harassment.

- Appropriate action will be taken. Where evidence of sexual harassment or retaliation is found, disciplinary action, up to and including termination, may result.

All employers should have a policy on sexual harassment that outlines the procedure to follow including the name of the manager to contact. Training programs to supervisors and managers should be conducted. With an "ounce of prevention is a pound of cure."

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