

Sexual Harassment Case Studies

WHAT ACTION SHOULD YOU TAKE?

Directions:

For each situation described below, determine the legal and personnel issues involved and what action you should take.

1. You are the owner of an independent pharmacy. You employ two pharmacists. One of your pharmacists (a female) complains to you about the other pharmacist's behavior. He often seeks to engage her in conversations about sexual activity and turns her statements into sexual innuendos. (You have remarked yourself that too often he tends to "bring sex" into the conversation.) Both pharmacists are employees you would like to retain. He has been working for you for 4 years. You hired her 1 year ago when you decided to add a second pharmacist and cut back on your own hours.
2. You own a small chain of pharmacies. One of your pharmacist/managers regularly and unsuccessfully invites his technician out for a date. The employee has not complained to you, but you have witnessed the offers and the fact that they are not welcome.
3. A patient has on four separate occasions made sexually suggestive remarks to one of your pharmacists. The pharmacist complains to you. The pharmacist has completed a complaint form. You have already verified that the remarks were overheard by a technician on two of the occasions.
4. You notice that a sales rep always greets your technician with a sexual innuendo and leering. The technician does not encourage the behavior by commenting back.
5. You hear from the intern that one of your male pharmacists often teases the other pharmacist (a female) about her "personal attributes." She good-naturedly smiles, but does not actively participate by commenting back.
6. An employee complains to you that another employee assaulted him at work -- by grabbing the complainant's genitals and whispering an obscenity. You have investigated and determined the complaint is true.
7. You overhear two female employees discussing the sexual preferences of their married versus single friends.

8. A new female employee complains to you that her female supervisor has touched her on one occasion in a way that made her uncomfortable -- lingering hands and rubbing her back. The complainant is afraid to confront her supervisor. She tells you she wants you to fire the supervisor. You investigate the alleged harassment and cannot find any evidence to support the complaint or refute it. You do know the supervisor has an excellent employment record with no such prior incidences.
9. A newly hired technician tells her supervisor that another technician is making comments about her "great legs" and how he is going to enjoy the "improved scenery." The supervisor tells her she is being "overly sensitive" and if it really bothered her she would tell him to stop herself. She now goes to you, the director, with her complaint.
10. A technician leaves a note telling you that her male supervisor sexually harassed her during closing hours. She states she is so distraught she cannot come to work the next day but will try to return the following day. She leaves no details of the harassment. You ask the alleged harasser about the note. He tells you he cannot imagine how he might have offended the technician. You feel he is being truthful based on his nonverbal behavior while he is talking and his perfect employment record. You phone the technician at home but only get her roommate. You are careful to not mention the situation to the roommate, but you ask her to have the technician contact you as soon as possible. After one week, the technician has still not contacted you or returned to work.

Cases adapted from *Sexual Harassment Prevention Trainer's Guide*. Council on Education in Management. 1995 Walnut Creek, CA.