



OSHPP E-News

Fall 2005

Office of Sexual Harassment Prevention & Policy (OSHPP)

This electronic newsletter provides an update on sexual harassment and gender discrimination issues.

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WHO PUTS THE “SUPER” IN SUPERVISOR TRAINING?

Kudos to the many supervisors, managers, and work leaders who have complied with the new state law requiring two hours of mandatory sexual harassment training. For those who have not yet completed the requirement, classes are available through Enrollment Central at <http://enrollmentcentral.ucsd.edu>. The deadline for this initial compliance period is December 31, 2005. A 2-hour online course, Workplace Answers, provided by the Office of the President will be available in mid to late October. Watch for more information regarding this option. Frequently asked questions about the law are answered on the OSHPP web site at <http://oshpp.ucsd.edu>.

“GET ME SOMEBODY HOT”

The California Supreme Court recently decided that an employee could sue for retaliation she experienced when she refused to fire a dark-skinned employee who was deemed not “hot” enough to work at a cosmetics company. A male boss at L’Oreal instructed one of his managers to fire a sales associate whom he did not find attractive. The boss expressed a preference for fair-skinned blondes and said “get me somebody hot.” The manager refused to fire the sales associate, believing that it would have been discriminatory to do so. Following her refusal to fire the sales associate, the manager received poor evaluations, the requirements of her job changed, L’Oreal restricted her travel and solicited negative information about her from her subordinates. The court ruled that employees must be protected from retaliation even if they do not explicitly complain about the alleged discrimination. This decision, Yanowitz v. L’Oreal, provides protection for whistleblowers and others who refuse to follow orders they reasonably believe violate state anti-discrimination laws.

BULLIES BEWARE

The Ninth Circuit Court of Appeals recently ruled that non-sexual bullying that is not directed at a particular sex may still violate federal law if there is sufficient evidence that the impact of the harassment suffered by females was different from that suffered by males. In this case, a male manager engaged in bullying behavior by shouting, screaming, using profanity, invading employees' personal space and using threatening gestures. No one alleged that the behavior was sexual or gender-specific. There was no evidence that the manager had any motive or intent to harass women. However, the court found that evidence of the subjective effects of the behavior were very different for women and men. If women are the primary targets of the bullying behavior, that could be discrimination based on sex. The decision is EEOC v. National Education Association.

SEX IN THE CINEMA

Sex in the Cinema presents a FREE screening of "WEDDING CRASHERS" on Tuesday, October 18, 2005 at 7 and 10 pm in the Price Center Theatre. Co-sponsored by OSHPP and University Centers.

LOVE YOUR BODY DAY

Love Your Body Day sponsored by National Organization for Women is Wednesday, October 19, 2005. Love Your Body Day helps raise awareness about women's health, body image and self esteem. OSHPP and other UCSD offices and student organizations will be hosting activities from 1 – 4 pm at the Women's Center.

INTERNATIONAL EDUCATION WEEK

Be sure to attend a FREE screening of "Osama" on Thursday, November 17, 2005 at 7 pm in the Price Center Theatre. To save her family, a girl must become a boy. Inspired by a true story, "Osama" is the first entirely Afghan film shot since the rise and fall of the Taliban. This film is part of International Education Week and co-sponsored by OSHPP, Women's Center, Cross Cultural Center, International Academic Exchange and Protocol, International Studies Program and University Centers.

PUZZLED ABOUT SEXUAL HARASSMENT? SOLUTIONS FOUND HERE.
Office of Sexual Harassment Prevention and Policy (OSHPP), (858) 534-8298, email oshpp@ucsd.edu or log on to <http://oshpp.ucsd.edu>.