



Call Medical Match for Colorado staffing **and** background checks. **303-980-1000**

Sexual Harassment New Ruling

The federal Supreme Court broadened what the law deems **retaliation against workers** who complain about sexual harassment. Setting a national standard, the decision gives employees the right to sue for retaliation, inside and outside the workplace, under Title VII of the 1964 Civil Rights Acts for subtle reprisals, such as being excluded from training, meetings, and activities where they previously would have been invited. Companies need to be sure that

- 1) their **policies** explicitly prohibit retaliation
- 2) **training** programs are designed with clear, real-life examples so employees understand the laws, the internal process for filing complaints, and the repercussions for victimizing co-workers.
- 3) **HR acts immediately on the complaints** to solve the problems. To stay out of the very expensive EEOC maze and courts, take the reports seriously. Diffuse the anger, then correct or *remove* the harassing or retaliating employees.

Rulings also established the Ellerth/Faragher affirmative defense. **In some cases employers can avoid liability** if they prove that the company took steps to prevent harassment and if the harassed employee "unreasonably" failed to use the internal means for getting help.

If a big company has a systemic problem, investigators can unveil the truth and courts can award compensation.

Burlington Northern/Santa Fe Railway reassigned a forklift operator to physical tasks of replacing track and cutting brush after she reported sexual harassment. She was then placed on unpaid leave for insubordination after complaining about the transfer. The federal jury determined that her response was not insubordination, had her reinstated, paid back pay, and awarded her an additional \$43,500.

Cracker Barrel Old Country Store paid \$2 million to 51 current and former employees of three of their 535 restaurants, for female and racial harassment. The company did not admit any wrongdoing.

Toyota Motor North America appointed an independent task force to investigate when an executive assistant complained of the sexual advances by the chief executive. Shortly after, the CEO retired - earlier than planned. *Todd Henneman, Workforce.*

Candidates: Watch for Warning Signs

Employers need to be aware that the interviewing process happens on both "sides." Some candidates will turn down a job offer **because of the attitude of the interviewer and the first impression of the company.** Here is an example of a recent interview for a well-paying executive position. "Within a few minutes, I found out the CEO had a plan to "clean out" the old, highly paid, executives. I listened to him "put down" his women managers. When he had a phone call, he slammed down the phone and yelled at his secretary. His responses to my questions about his company were nasty and abrupt. Would I choose to work for a negative, anti-female CEO? NO, thank you." She suggested to **question, watch, and listen carefully** before making a job decision. In addition to the wages and benefits, check the

- 1) business location, accessibility, and parking. Is the office clean, neat? Would it be safe at night?
- 2) staff welcome and the feeling of teamwork. Do you see a genuine caring for their patients?
- 3) interviewer's professionalism, eye contact, attitude. Did they explain the process? Are the questions legal?
- 4) good manners and respectfulness. Did they care enough to follow up after the meeting? It's worth thinking about.

The Family Tree of Vincent Van Gogh

The bouncy little brother	Poe Gogh	The positive thinking mother	Way-to-Gogh
His dizzy aunt	Verti Gogh	His disco loving sister	Go Gogh
His prune-eating nephew	Gotta Gogh	His magician dad	Where-diddy Gogh
His Illinois cousin	Chica Gogh	The ballroom dancing granny	Tang Gogh
The Yugoslavian grandfather	U Gogh	His stage coach driving brother	Wells-far Gogh
His bird lover uncle	Flamin Gogh	The niece who travels a lot in a van	Winnie Bay Gogh