

Sexual Harassment Teaching Notes

What Are the Relevant Facts?

1. The company has no policies concerning sexual harassment.
2. Richard has been sexually harassing Paula for the last month.
3. Paula's uneasiness has been reflected in her work habits.
4. Steve agrees something needs to be done about this problem.

What Are the Ethical Issues?

1. What is sexual harassment, and why is it prohibited?
2. What obligations does a company have to deal with sexual harassment issues? Does an organization have an obligation to establish written policies on sexual harassment?
3. What obligations does a manager have to deal with accusations or established incidents of sexual harassment among his subordinates? How should such incidents be handled?
4. What should be done with individuals who are accused of sexual harassment? What would be appropriate penalties for individuals found to have been involved in sexual harassment of others?
5. What obligation does a company and its managers have towards the victims of sexual harassment?

Who Are the Primary Stakeholders?

- Paula
- Steve
- Richard
- All other organizational employees
- Stockholders of the organization (if work and profits continue to be affected)
- Consumers (if distressed work habits lower the quality and safety of the final products)

What Are the Possible Alternatives?

1. Take disciplinary action toward Richard.
2. Develop harassment policies according to the EEOC guidelines.
3. Do nothing and hope the sexual harassment will decrease.

4. Paula could quit the job.

What Are the Ethics of the Alternatives?

- Ask questions from a "utilitarian" perspective:
 1. What are the long-range costs for companies that fail to deal with the issue of sexual harassment? What benefits, if any, does a company receive if it fails to act on sexual harassment issues?
 2. If Steve fails to deal with this incident of sexual harassment, what are the probable consequences?
 3. Which way of dealing with this incident would produce the greatest benefits for all the stakeholders?
- Ask questions based on a "rights" perspective:
 1. What rights does the victim expect?
 2. What rights does the violator expect?
 3. What rights does the company expect?
- Ask questions based on a "justice" perspective:
 1. Which alternative would benefit the stakeholders the most fairly?
 2. If nothing is done, which stakeholders would carry the greatest burden?

What Are the Practical Constraints?

1. As the Vice President and direct manager, Steve must consider the legal issues involved with the EEOC.
2. Paula probably does have the right to sue the company if she desires; and the burden of proof lies with the company.

What Actions Should Be Taken?

1. What actions should Paula take?
2. Should Steve address this current problem before he asks Paula to draft a harassment policy for the organization?
3. Is Paula the best choice to develop this document?
4. Should Richard be fired? Punished?

5. What are the choices Steve can take, and which would you choose? Why?
6. What ethical theories make the most sense (utilitarian, rights, justice) *concerning* this case?
7. What actions should Steve take?