

Sex-Based Employment Discrimination

By

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*This Book Is Dedicated
To
Lindsey Marie Sowa
my niece
Born January 31, 1989.*

May the laws and cases in this book
seem unnecessary and out-of date
by the time you've grown.

Susan M. Omilian

Preface

In 1977 while in law school, I read about an emerging new workplace concern called “sexual harassment” and decided to do my independent study writing assignment on how to combat sexual harassment with existing civil rights laws. I found little resource material and got a faculty advisor only because an attorney I was clerking for enlisted the help of a labor law professor she was dating. But I got an “A” on the work with this comment from the professor: “Thanks for letting me read this paper. I sure learned a lot.”

In fact, that law school paper has evolved over the years into this volume. In the intervening 10 years of legal practice and from 20 years of activism on women’s rights, I have learned how important employment is to assuring women full membership in American society. A good job at a fair wage means a woman can live independently and adequately provide for her children. My hope is that this book will assist legal practitioners to identify, understand and litigate critical workplace issues so that women and men are treated fairly as provided by law regardless of their sex.

While the book cannot include every applicable court decision, or law, it is designed to help both beginning and more experienced lawyers spot sex discrimination issues and formulate persuasive legal arguments. And, while I have worked more extensively in the plaintiffs arena, this book is a balanced view of the law for attorneys who represent both employers and employees.

Sex discrimination is an exciting, challenging area of law that continues to evolve. Only four years ago, the United States Supreme Court issued its first opinion on the application of existing civil rights law to sexual harassment. Some days it feels good to have been ahead of my time!

Susan M. Omilian
Hartford, Connecticut
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Susan M. Omilian

About the Author

Susan M. Omilian is an attorney and writer who lives in Hartford, Connecticut. She is the author of several books on sexual harassment in the workplace and has spoken extensively on women's rights, gay rights and employment issues. She practiced law for almost five years in a public interest law firm that specialized in women's legal issues. Prior to that, she worked in a legal services program providing legal aid primarily to women facing domestic violence and cofounded a sexual assault crisis center. She also spent time as the women's editor of a weekly newspaper where she wrote everything from articles about the Equal Rights Amendment to wedding announcements and recipes. She is a 1979 graduate of Wayne State University Law School in Detroit, Michigan, and has a bachelor's degree in Journalism from the University of Michigan. Currently, in addition to writing she is employed in Connecticut state government.

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Jean Kamp is an attorney and an experienced federal practitioner. She is a 1970 graduate of the University of Chicago Law School. Currently, she specializes in employment discrimination litigation on the Northern District of Illinois.

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Table of Contents

Volume 1

PART I. OVERVIEW

CHAPTER 1. BACKGROUND

- § 1:1 Historic development of legal approach
- § 1:2 Theory and concept of illegal sex discrimination

CHAPTER 2. SOURCE OF APPLICABLE LAW

- § 2:1 Federal constitutional law
- § 2:2 Federal statutory law
- § 2:2.50 —Civil Rights Act of 1991
- § 2:3 State law
- § 2:4 Federal contractors

CHAPTER 3. AREAS OF PROHIBITED SEX DISCRIMINATION

- § 3:1 Illegal employment practices
- § 3:2 Wages and compensation
- § 3:3 Fringe benefits
- § 3:4 Pregnancy and disability
- § 3:5 Sexual harassment
- § 3:6 Educational employment
- § 3:7 Sexual orientation

CHAPTER 4. FEDERAL, STATE AND ADMINISTRATIVE REMEDIES

- § 4:1 Filing claim in administrative agency
- § 4:2 State or federal court forum

CHAPTER 5. NONLITIGATION STRATEGIES

- § 5:1 Alternative dispute resolution

PART II. Equal Pay Act

CHAPTER 6. COVERAGE

- § 6:1 Overview
- § 6:2 Statutory provisions
- § 6:3 Employers generally
- § 6:4 Public sector employers
- § 6:5 Labor organizations
- § 6:6 Employees
- § 6:7 Enterprise
- § 6:8 Comparison of coverage to Title VII

CHAPTER 7. MAKING PRIMA FACIE CASE

- § 7:1 Elements and order of proof
- § 7:2 Establishment
- § 7:3 Equal work generally
- § 7:4 Equal skill, effort and responsibility
- § 7:5 Similar working conditions
- § 7:6 Unequal pay
- § 7:7 On basis of sex
- § 7:8 Labor organizations

CHAPTER 8. DEFENSES

- § 8:1 Overview
- § 8:2 Seniority system
- § 8:3 Merit system
- § 8:4 System measuring earnings by quantity or quality of work
- § 8:5 Any other factor other than sex
- § 8:6 —Bona fide training program
- § 8:7 —Market rate factors
- § 8:8 —Miscellaneous factors

CHAPTER 9. ENFORCEMENT

- § 9:1 Overview
- § 9:2 Statute of limitations
- § 9:3 Lack of administrative prerequisites to court enforcement
- § 9:4 Private right of action
- § 9:5 EEOC actions
- § 9:6 Class actions
- § 9:7 Retaliation prohibited

TABLE OF CONTENTS

CHAPTER 10. REMEDIES

- § 10:1 Overview
- § 10:2 Back wages
- § 10:3 Liquidated damages
- § 10:4 Lack of compensatory and punitive damages
- § 10:5 Prejudgment interest
- § 10:6 Injunctive relief
- § 10:7 Attorneys' fees and costs
- § 10:8 Right to jury trial
- § 10:9 Curing violation

PART III. Title VII

CHAPTER 11. COVERAGE AND SCOPE OF LIABILITY

- § 11:1 Overview
- § 11:2 Employers
- § 11:3 —Exclusions and exemptions
- § 11:4 Employees
- § 11:5 Labor organizations
- § 11:6 Employment agencies
- § 11:7 Scope of liability
- § 11:8 —Respondeat superior
- § 11:9 Concepts of sex discrimination
- § 11:10 Proof of discrimination

CHAPTER 12. ENFORCEMENT

- § 12:1 Exhaustion of administrative remedies; filing a charge
- § 12:2 Procedure before EEOC
- § 12:3 Private actions
- § 12:4 Actions brought by EEOC
- § 12:5 Appointment of counsel
- § 12:6 Retaliation prohibited

CHAPTER 13. DEFENSES

- § 13:1 Overview
- § 13:2 Bona fide occupational qualification
- § 13:3 Business necessity
- § 13:4 Seniority, merit or productivity systems
- § 13:5 Ability tests

SEX-BASED EMPLOYMENT DISCRIMINATION

- § 13:6 Veterans' preference
- § 13:7 Affirmative action
- § 13:8 State protective laws

CHAPTER 14. REMEDIES

- § 14:1 Overview of court's discretion
- § 14:2 Injunctive relief
- § 14:3 Prospective remedial action
- § 14:4 Back pay, front pay
- § 14:5 Limited right to compensatory and punitive damages
- § 14:6 Limited right to jury trial
- § 14:7 Attorney's fees

CHAPTER 15. WAGES AS COMPENSATION

- § 15:1 Overview
- § 15:2 Equal work cases
- § 15:3 Unequal work cases
- § 15:4 Comparable worth cases

CHAPTER 16. FRINGE BENEFITS AS COMPENSATION

- § 16:1 Fringe benefits defined and conduct prohibited
- § 16:2 Retirement benefits and pension plans
- § 16:3 Health insurance benefits

CHAPTER 17. ILLEGAL EMPLOYMENT PRACTICES

- § 17:1 Advertising and recruitment
- § 17:2 Hiring
- § 17:3 Conditions of employment
- § 17:4 Job assignments, promotions, transfers and layoffs
- § 17:5 Discipline and discharge

CHAPTER 18. REVERSE DISCRIMINATION

- § 18:1 Cause of action under Title VII
- § 18:2 Constitutional standard distinguished

Volume 2

TABLE OF CONTENTS

**PART IV. PREGNANCY AND
DISABILITY**

**CHAPTER 19. LEGAL APPROACH TO
PREGNANCY DISCRIMINATION**

- § 19:1 Early case law
- § 19:2 Current quality standard
- § 19:3 State laws not preempted by federal laws

**CHAPTER 20. TITLE VII COVERAGE OF
PREGNANCY DISCRIMINATION**

- § 20:1 Overview
- § 20:2 Discharge, failure to hire or promote
- § 20:3 Leaves of absences, reinstatement
- § 20:4 Health insurance benefits
- § 20:5 Unemployment compensation benefits
- § 20:6 Health and safety concerns

PART V. SEXUAL HARASSMENT

**CHAPTER 21. THEORY OF SEXUAL
HARASSMENT CASE**

- § 21:1 Overview
- § 21:2 Early cases
- § 21:3 Application of Title VII
- § 21:4 Differences approach
- § 21:5 Inequality theory
- § 21:6 Environment theory
- § 21:7 Pervasiveness of sexual harassment

**CHAPTER 22. PRIMA FACIE CASE
UNDER TITLE VII**

I. IN GENERAL

- § 22:1 Overview

II. ELEMENTS OF PRIMA FACIE CASE

- § 22:2 Generally

SEX-BASED EMPLOYMENT DISCRIMINATION

- § 22:3 Employee as member of protected group
- § 22:4 Employee was subjected to “unwelcome” sexual contact
- § 22:5 Distinguishing types of sexual harassment
- § 22:6 Quid pro quo cases
- § 22:7 Sexual favoritism
- § 22:8 Hostile environment cases
- § 22:9 —Sufficient illegal conduct
- § 22:10 Proof of unwelcome sexual contact
- § 22:11 —In quid pro quo cases
- § 22:12 —In hostile environment cases
- § 22:13 —When plaintiff and defendant had prior consensual sexual relationship
- § 22:14 Perspective for assessing unwelcome sexual conduct
- § 22:15 Reasonable person’s standard
- § 22:16 Sexual harassment based on sex
- § 22:17 Effect of conduct on terms or conditions of employment
- § 22:18 Respondeat superior

III. OTHER CAUSES OF ACTION; SUMMARY

- § 22:19 Other causes of action
- § 22:20 Summary

CHAPTER 23. EMPLOYER LIABILITY

- § 23:1 Overview
- § 23:2 Employer’s knowledge of sexual harassment
- § 23:3 Position of harasser
- § 23:4 Form of sexual harassment
- § 23:5 Employer liability for supervisor’s acts in quid pro quo cases
- § 23:6 Hostile work environment—Cases involving supervisors
- § 23:7 —Cases involving coworkers
- § 23:8 Individual liability
- § 23:9 Liability of employers for conduct of nonemployees
- § 23:10 Summary

CHAPTER 24. EMPLOYER DEFENSES

- § 24:1 Overview
- § 24:2 Common defenses in quid pro quo cases
- § 24:3 Pretext
- § 24:4 Affirmative defenses in hostile environment cases in general
- § 24:5 Existence of internal grievance procedures

TABLE OF CONTENTS

- § 24:6 Required elements of procedure
- § 24:7 Employer's remedial action
- § 24:8 —Employer's investigation and corrective action
- § 24:9 Discipline or dismissal of harasser
- § 24:10 Summary

CHAPTER 25. OTHER LEGAL THEORIES

- § 25:1 Overview
- § 25:2 Pendent jurisdiction
- § 25:3 Tort claims generally
- § 25:4 Right to privacy
- § 25:5 Assault and battery
- § 25:6 Intentional infliction of emotional distress
- § 25:7 Tort of outrage
- § 25:8 Negligent infliction of emotional distress
- § 25:9 Interference with contract
- § 25:10 Wrongful discharge
- § 25:11 Defense of workers' compensation bar
- § 25:12 Federal claims
- § 25:13 State statutory claims
- § 25:14 Unemployment compensation benefits
- § 25:15 Criminal law
- § 25:16 Union remedies
- § 25:17 Summary

CHAPTER 26. SPECIAL LITIGATION ISSUES

- § 26:1 Overview
- § 26:2 Evidence generally
- § 26:3 Evidence of plaintiff's prior sexual history
- § 26:4 Evidence of plaintiff's past medical or psychological treatment
- § 26:5 Evidence of plaintiff's prior illegal drug use
- § 26:6 Corroborative evidence
- § 26:7 Credibility of plaintiff's testimony
- § 26:8 Defamation actions by harassers
- § 26:9 Damages in sexual harassment case
- § 26:10 Constructive discharge
- § 26:11 Class action suits

PART VI. SEXUAL ORIENTATION DISCRIMINATION

CHAPTER 27. LESBIANS AND GAY MEN

- § 27:1 Constitutional overview
- § 27:2 Protection for federal employees
- § 27:3 Protection for state or municipal employees
- § 27:4 Limited federal law protection for private employees
- § 27:5 State law protection for private employees
- § 27:6 Coverage under local laws and ordinances

CHAPTER 28. TRANSSEXUALS AND TRANSGENDERED INDIVIDUALS

- § 28:1 Overview
- § 28:2 Some protections under Title VII
- § 28:3 Some protections under other federal anti-discrimination laws
- § 28:4 Some protections under state laws, executive orders, municipal ordinances
- § 28:5 Some constitutional protections
- § 28:6 Exclusions under Rehabilitation Act and Americans with Disabilities Act

Table of Cases

Index