Unit 3 Case Study

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 Sexual harassment is the most common form of harassment and it is a major obstacle in the way of equal employment opportunity. It is considered a form of sex discrimination and Title VII of the Civil Rights Act prohibits discrimination based on sex. The court case selected for the purpose of this case study is about Element Plastics Mfg., LLC. This case is an excellent example that firing an employee as a reaction to complaints against sexual harassment only compounds the legal mess for the employer. The company was sued by the Equal Employment Opportunity Commission on 20th June on firing an employee who complained about the sexual harassment. The employee was subjected to unwanted touching, and sexually intimidating behavior (Walsh, 2015). Despite her constant complains to her direct supervisor, the employee was fired as retaliation for her complaints. Such conduct as part of an employer is against Title VII of the Civil Rights Act that protects employees against any form of harassment.

In addition, according to the law, it is illegal for employers to retaliate against an employee for opposing unlawful practices at the workplace based on sex. The complaint procedure adopted by the female employee was exactly as directed and advised by the laws. She first reported her direct supervisor and manager as she was subjected to sexual comments and sexual advances by an employee or supervisor. It all started in December 2016. Within the few weeks of her complains, she was fired as a reaction for her complaints (“Sugar Land Plastics Manufacturer”, 2019). There was no positive response in the form of taking some action against the person accused of such immoral conduct at the workplace. It is also clear from the case that the employer may not have any policy or complaint procedure for handling harassment complaints at the workplace.

Sexual harassment at the workplace reflects the negligence on part of the employer. Prevention is the most effective weapon of harassment and employers play a significant role in the prevention of such acts (“Facts About Sexual Harassment,” n.d.). Employers and higher management must bring this to notice of every employee that harassment is unacceptable by developing a strict policy. Such a policy must be communicated to all the employees. A written policy is sometimes insufficient, it must be implemented effectively through communication, enforcement and by modeling the most appropriate behavior. The support of higher management towards such a policy is also substantial. Verbal communication of the policy, timely review and reinforcement of policy in the staff meetings is equally essential. Moreover, regular training sessions must be initiated on creating awareness about sexual harassment and the behaviors that may encounter as sexual harassment. Management must create a procedure to report such incidents and at the same time must assure complaints will be processed and management will take necessary actions to protect the victims.

The victims and harasser both suffer from acts of harassment. The victim may face several mental and physical health issues disrupting her performance and productivity. The cost to the employer is also very severe, the law imposes heavy fines to prevent the cases of sexual harassment in the future. In the case under consideration, EEOC demanded back pay with interest and damages for the employees which was to be determined at the trail. Besides, such incidents reduce the morale of other employees and damages the reputation of the company as an employer. The lawsuit creates a negative image that prevents people from becoming part of this organization, customers also avoid purchasing from such companies and other business partners revert. Overall, sexual harassment has all the negative consequences and it must be stopped.

**References**

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