

The Disappearance Of Herman Cain And The Perils Of Sexual Harassment

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The allegations of affairs and sexually inappropriate behavior towards women involving Herman Cain, former Republican presidential candidate, have re-focused American attention on a subject — sexual harassment — that's just as much a concern for employers as ever.

Charges of sexual harassment remain a significant portion of the claims investigated by the Equal Employment Opportunity Commission (EEOC). Between 2005 and 2010, the agency received 75,494 charges of sexual harassment and recovered approximately \$294 million in settlements for harassment claims. And these numbers don't include the thousands of civil lawsuits filed by employees each year or the jury verdicts or settlements that ensue.

Many employees and employers still don't understand the concept of sexual harassment. They've missed the message about the wide variety of language and behavior that may give rise to liability. Harassment is defined as any conduct of a sexual nature that is severe or pervasive enough to create a hostile work environment.

Note that these same rules apply when it comes to harassment based on race, religion, disability, age, sexual orientation or other protected characteristics. Racial comments, jokes about religion and the like can land employers in the same soup.

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