

Exercise C

Tamika starts as a supervisor for the Commission in Yuba County. The other four supervisors and all the field crews at the Yuba County office are men. Eve, the District Administrator does not think women should be field supervisors and resents that headquarters is “forcing an affirmative action case” on her office.

Eve tells the other supervisors and crew members, “the field is no place for a woman.” She tells Tamika’s crew to “keep an eye on her” and “use your own judgment in the field.” During office meetings, around the office, and in emails, Eve consistently refers to Tamika as “little one,” “Wonder Girl,” “Oprah Jr.,” and similar names.

Tamika tells Eve she is undermining her, but Eve tells her to “grow a pair or you’ll never make it out there.”

Exercise C – Practice Test

Choose the best answer:

- A. Eve’s use of diminutive nicknames and undermining of Tamika’s authority is OK because Tamika needs to demonstrate the ability to supervise men in what can be an inherently crude environment.
- B. Eve’s nicknames and statements undermining Tamika’s authority have created a hostile work environment.
- C. Because Eve has no interest in Tamika sexually, her hostile behavior is not actionable as sexual harassment.

Exercise C – Answer

- B. Eve’s nicknames and statements undermining Tamika’s authority have created a hostile work environment.

Exercise D

Warren, a member of Tamika's crew, frequently refuses to follow her orders, saying, "your boss told me to use my own judgment." Warren and Ben routinely interrupt team meetings by burping, talking and laughing. They insincerely offer "apologies to your ladyship."

Frank tells Warren and Ben, "leave my gal alone." Frank repeatedly comments on Tamika's appearance saying things like, "you are the hottest boss I've ever had" and "doll face, you can tell me what to do whenever and wherever you want." He repeatedly asks her out even though Tamika makes clear she is happily married.

Tamika is afraid to call Eve on her behavior but complains about the treatment by her crew. Eve takes her written complaint but takes no action.

Exercise D – Test Question

Choose the best answer:

- A. Frank cannot be found liable for hostile work environment sexual harassment because he is defending Tamika.
- B. Warren and Ben are not liable for sexual harassment because there is no evidence that their disruptive actions are substantially motivated by Tamika's sex. Besides, their actions are neither severe nor pervasive.
- C. The Commission is liable for the sexual harassment of Warren, Ben and Frank because management knew or should have known of their behavior.

Submit your answer below.