Dating at work is more accepted

Legal, ethical and morale pitfalls aside, office romances are irresistible to many.

By Sara Staffans
KNTCH RICER NEWSPIERS

To date co-workers or not to date them: That is the question.

Oh, sure, there's a million reasons why it's a bad idea to have a fling with that hottie in the next cubicle.

On the other hand: In survey after survey, huge portions of Americans report having enjoyed some sort of romantic experience on the job. And because we all spend so much time there, the workplace may just be your best bet for meeting a mate.

Consider, for example, the story of Nick and Kim Epperson, both 42, who met six years ago while working at a medical-device company in Pleasanton, Calif.

Kim was a longtime administrative assistant. Nick was hired as director of research and development.

"I definitely noticed her," he remembers. "We got along from the very beginning. There were good vibes between us."

They got along so well that she agreed to switch departments, in order to become Nick's assistant as he planned a new product launch.

The workload was intense, and soon, they found themselves spending most of their time together. They had long, rambling conversations about their lives.

"I think the sparks were flying by that point," Nick says. "We just didn't admit it — even to ourselves."

"He seemed very lonely, and I felt sort of protective of him," Kim says. "I remember thinking at some point: 'Uh, oh. Oh, dear.'"

"When we would talk to each other, we would be like four inches apart," says Nick.

At this point, you're either grinding like a goof or screaming in agony. "No! Don't do it! He's your boss!"

So let's skip ahead: Nick and Kim went out to dinner together, realized that they had fallen in love, and after a week or so, decided they had to confess to human resources. Kim was transferred to another department, and the rest is happily ever after. They bought a house together in San Ramon, Calif., and last February, they were married.

Oh, they know the old "secretary and boss" thing is sort of a cliche. "It was very much the wrong thing to do if you were looking at it from the outside," says Nick, who now works at Hewlett-Packard.

Still, there's no room for any of it. For one thing, neither of them still works at the company where they met. And more importantly, they have each other now.

"Where else do you meet somebody?" asks Kim. "You spend 40 See DATING Page 2

Hanky-panky checklist

It's clearly dangerous to seek paychecks and sex at the same place. And clearly, a whole lot of folks are going to say, "What the heck? Let's go for it!"

Here are some proposed ground rules:

- Before fishing off the company pier, ask yourself whether, if worse comes to worst, you're willing to find a new job. If not, consider signing up for a dating service.
- Check whether there's an official dating policy at your workplace. In some cases, you may be required to report any budding romance directly to your boss or Human Resources.
- Set some ground rules with your sweetheart. What will (and won't) happen if you break up?
- Twice before going public. The gossip mill thrives on this sort of thing; even more so if this isn't your first fling at this particular workplace.
- Absolutely no sex at the office. The rest of us shouldn't have to be afraid to set our half-eaten jelly doughnuts down on the conference table.
- Last but not least: No messing with the interns.

DATING Continued from Page 1

to 60 hours at work every week. I don't go to bars. I don't go to church. Where do you meet a nice person you can trust?"

"The reason people meet at work," says Nick, "is because that's where people are."

Consider the numbers: In survey after survey, between 40 and 50 percent of American adults admit to having dated someone they met at work.

In a recent poll commissioned by Vault.com, for instance, 44 percent of employees admitting having been involved in an office romance. And another 34 percent said they might be willing to, if the opportunity arose.

Also, more than one-fifth of respondents said they'd dated a boss or manager at some point.

The outcomes of these trysts were mixed, but more than a quarter reported that the encounter led to a long-term relationship or marriage.

Dating is common

Robert Billingham, an Indiana University professor of human development and family studies, has been studying and teaching about interpersonal relationships for the past 20 years.

Dating among co-workers is more common than ever before, he says, in part because more women are working, and because people now tend to marry later in life.

"Back in the 1960s, very few people even went to college, so the expectation and the social norm was you got married and started the family by the end of high school," he explains. "In the '80s and '90s, the expectation was to form the relationship in college. Now, people are going to universities saying, 'I'm focusing right now on developing my career.'

Adding to the effect is the fact that the lines between professional and personal life are becoming increasingly blurred. Email and wireless phones keep us in contact with family and friends while at the office; on the flipside, more of us are working at home.

The situation, Billingham said, has put managers and human resource departments in a terrible dilemma.

Sexual harassment policies remain an important issue for Billingham, says, because they help prevent abuse by those who might be inclined to take advantage of their power or status.

But somehow, he adds, we also need to find a place to acknowledge the knowledge that relationships can be hurtful, without being illegal or abusive.

"It's full of land mines. People are going to meet at the workplace, and they're going to fall in love with each other. There are going to be some 'happy ever after' stories, and there are going to be some catastrophic stories. Human beings are human beings."

Splits happen

A pause, now, as we contemplate the potentially terrible downside to all this.

It's called breaking up.

When your office Romeo suddenly mutates into El Jerk, you're going to have to keep dealing with him (or her) every single day — not to mention enduring your co-workers' facetious commentary on your love life.

Here's another not-so-pleasant thought, courtesy of Billingham: "Generally, if you're going to stop dating one person at the workplace, you're going to start dating somebody else at work."

That goes equally for your ex. Statistically, depressingly, any given romance is more likely to end than last. And there's no reason to think a relationship born in the workplace is any exception.

Fearing the potential legal fallout of office breakups, some companies simply ban dating among employees.

But must find that the best response is to maintain strong policies against sexual harassment, and leave it at that, says Angela Georgallis, spokesperson for the Society for Human Resource Management, which is based in Alexandria, Va.

"If you really start legislating office romance and workplace dating, you need to be sure you're sending off the right message," she says. "You don't want to come across as being uptight."

In a 1998 survey of human resource departments, the society found that only about 13 percent of companies have a formal, written policy on office romance.

The vast majority of respondents, however, said that workplace romances are either "permitted but discouraged" or simply permitted.

"Because we spend so much time at work, I think that employers realize that work is a social place," says Georgallis.

Source: Knight Ridder Newspapers
Dean at Harvard quits after porn is found on computer

By Robin Estrin
The Associated Press

CAMBRIDGE, Mass. — The dean of Harvard Divinity School was forced to step down after pornography was found on his university-owned computer, Harvard officials said Wednesday.

The university asked Ronald Thiemann to resign last fall for "conduct unbecoming" after President Neil Rudenstine learned of the situation, The Boston Globe reported Wednesday. Two university officials, speaking on condition of anonymity, confirmed the report to The Associated Press.

The material was not child pornography or in any other way illegal, one official said. A Lutheran minister, Thiemann, 52, is married with two adult children. He was dean at the school for nearly 13 years and specializes in religion in American public life and modern Protestant thought.

The matter came to light last fall after Thiemann requested help from Harvard technicians in transferring computer files at his university-owned dean's residence. The technicians found thousands of pornographic sites and told their supervisors, the officials said. The information eventually reached Rudenstine's office.

Neither Thiemann nor his lawyer, Harvard Law School Professor Charles Ogletree, could be reached for comment Wednesday.

Ogletree told the Globe that the former dean would not respond to "anonymous allegations" and would issue a statement later in the week. Ogletree also suggested he was concerned about an employer pursuing the private life of employees.

Thiemann is on a one-year sabbatical. He moved out of the dean's residence but is still being paid his Harvard salary. No tenure-revocation proceedings were initiated. After the year's leave, he is eligible to return to the university as a professor.

The mood at the divinity school was bleak Wednesday, and the topic was the subject of meetings between administrators and faculty members, students and staff. Many in the divinity school had believed Thiemann resigned because he was battling depression.

The episode "raises questions about the right to privacy and questions about punishing people because they have interests in sexual images," said Sarah Wunsch, a lawyer with the American Civil Liberties Union of Massachusetts.

The fact that Harvard owned Thiemann's residence does not necessarily mean it can fire him for things he does there, she said.
Cyber-porn poses workplace threat

By Del Jones
USA TODAY

Girlie calendars, banned from most workplaces, are being replaced by personal computers aglow with sexually explicit material.

It's sneaked up on companies via the Internet, and few yet realize their vulnerability to sexual harassment lawsuits.

Lawyer Helen Norton of the National Women's Law Center, knows of no harassment cases arising from the Internet. But she sees a short leap from pin-ups to PCs if screens are readily visible and material is "severe or pervasive."

At the Mayo Clinic, in Rochester, Minn., someone downloaded raunchy pictures from the Internet last month and left them anonymously at nurses' work stations.

Outside male contractors, working the night shift at helicopter-maker Sikorsky Aircraft, have been "checking out nudies on the Web," says Dennis Stephens, manager of program support.

Sikorsky sees the threat more clearly than most. It was once sued when a worker pinned up postcards of naked women. So when a male engineer discovered contractors looking at Internet nudies, he reported it before women saw.

Sikorsky quickly decided to spend $12,000 for software that blocks sexually explicit material much like blocking 900 phone numbers. The company will spend $3,300 more each year to make sure new unwanted World Wide Web sites don't slip through the blockade.

Managers are fully aware that workers waste time surfing for sports scores or games to play while looking busy.

But the word "sex" is, without peer, the most popular search word on the Internet, according to Internet cataloging company Yahoo! The Penthouse magazine Web site attracts 100,000 people a day, and use doesn't taper off at all during office hours.

It's all creating a boom for Webster Network Strategies, Surf Watch and at least a dozen other new software companies specializing in policing access. Most promise to block sexually explicit Web sites and chat rooms. But sites are being created every day, so Surf Watch hires graduate students to weed out new material.

With Webster, companies can block. Or, they can leave the Internet freely available to workers and monitor use to see if any isn't job related, says spokeswoman Julie Novak. Companies can print out a menu of Internet use by suspected employees at the end of each day, week or month.

Companies that buy the software believe that most abuse will stop once employees know they can be monitored.
Sexual harassment’s new twist

Should civil rights law protect a man from harassment by another man? Courts are struggling with the question, which the Supreme Court may answer early next year.

By Hayat El Nasser
USA TODAY

In Houston, a waiter says two male co-workers tried to pull down his pants in the ice cream room. In West Springfield, Mass., a lumber mill employer says a male supervisor got on the store's public address system and joked that he had had sex with him. And in Louisiana, a worker on an offshore oil drilling platform says two men rubbed up against him in the shower and threatened to sodomize him.

Crude locker-room humor or sexual harassment?

If the targets had been women, the incidents would be examples of harassment. And courts have been open to harassment charges filed by men against female bosses.

But the courts are now struggling with a new wave of lawsuits that defines conduct: Men charging other men with sexual harassment.

And there’s a new wrinkle in those same-gender suits: heterosexual men accusing their male co-workers of sexual harassment.

Some judges have ruled that the federal law that protects against sex discrimination applies to men and women sexually harassed by members of the same sex. But in a male-on-male case, the 5th Circuit Court of Appeals in New Orleans said that there is no such thing as same-gender sex harassment.

High court steps in

Now the U.S. Supreme Court, which in its just-completed term issued landmark decisions on cases ranging from the right to die to Internet censorship to sexual harassment, will decide, probably early next year, whether civil rights law protects a man who is sexually harassed by another man at work. The ruling is expected to apply in all cases of same-gender sex harassment.

Legal experts estimate that there have been at least 50 federal court decisions on same-gender harassment claims in the past five years, up from a handful in the 1980s.

And now “they’re coming out at a rate of two per month from federal district courts alone,” Houston lawyer Dale Carpenter says.

Most are filed by men against other men, many by blue-collar workers. But it’s not clear how many of the cases involve heterosexual men.

The experts say the increase may be a result of changing attitudes about male behavior. There is less stigma attached to a man complaining of sexual harassment. And there is a higher probability of offensive behavior in the workplace.

“Now courts have had a chance to see that there can be sexual harassment from someone of the same gender,” says E. Wayne Cremers, constitutional law professor at the University of Southern California. “But how do you know if it’s not just people not being nice to each other?”

The Equal Employment Opportunity Commission (EEOC) does not track the numbers of same-gender harassment claims. But the number filed by men against both sexes has gone up: 490 in 1990 vs. 1,534 in 1995.

Ten years ago, men complained of being sexually harassed by other men “would have been laughed at; they would have been considered wimps…poor sports,” says Alvin Barrett, director of the Men’s Center Counseling in Washington, D.C. “Now, instead of going along with it, they’re openly declaring, ‘I don’t like it; stop it.’”

Kenneth Billups, for example, is suing his former employer, Ninfa’s Inc., a Houston chain of Mexican restaurants, accusing it of discrimination. Billups is gay. While working as a waiter, he says, he was harassed by male co-workers, both gay and heterosexual.

“The cashier would follow me when I went into the bathroom and would try to come to the stall. Two other guys were always grabbing me and trying to pull me in the liquor room to take my pants off,” says Billups, 40.

He says he complained to supervisors but nothing was done. Ninfa’s denies the allegations and says it does not condone harassment or discrimination of any kind.

Billups filed a complaint with the EEOC, then quit his job. But because Texas is part of the Fifth Circuit Court of Appeals, Billups’ suit is in limbo until the Supreme Court rules.

Employers envision a surge in lawsuits if the Supreme Court says federal law covers same-sex harassment. And they predict stricter codes of conduct at work.

“That means no dirty jokes, even if it’s among the guys,” says Carla Walworth, employment law expert at Stanford, Conn. “No Playboys. No more Animal House pranks.”

Civil rights

It’s doubtful that lawmakers could have dreamed up such a scenario when they enacted Title VII of the U.S. Civil Rights Act of 1964. The act makes it illegal for employers “to discriminate against any individual because of such individual’s race, color, religion, sex or national origin.” For more than a decade, courts have agreed that sexual harassment on the job is discrimination based on sex.

Many courts have said the same rules apply when men or women complained of sexual advances by supervisors who are gay or lesbian. But most lower courts have rejected harassment claims when everyone involved is of the same sex and no one is homosexual.

Gay rights groups say that someone’s sexual orientation should have little to do with deciding the validity of a sexual harassment claim.

“There isn’t anything in the law that provides that any conduct that occurs between people of the same sex should be judged any differently than the conduct of people of different sexes,” says Beatrice Dohrn, of the Lambda Legal Defense and Education Fund, a gay rights group.

The Supreme Court could resolve the issue when it rules on Joseph Oncale’s case.

Oncale filed an employment discrimination suit against Swenson Offshore Services. He said he was forced to quit his job on an oil-drilling platform in Louisiana in 1991 because of repeated harassment. He says two co-workers rubbed his thighs and urinated on him.

The company says the incidents were heterosexual horseplay, and a federal judge threw out Oncale’s claim before trial.

The 5th Circuit Court of Appeals said that even if the incidents occurred, they did not violate the law. Oncale appealed, and last month the EEOC and the Justice Department urged the Supreme Court to hear the case.

If the court rules in his favor, lower courts will have to decide, case by case, if behavior alleged by people like Oncale constitutes horseplay or sexual harassment.

“It used to be that if one called someone a mama’s boy, they’d punch you in the nose. Now it’s a question of whether that’s male-on-male sexual harassment,” Walworth says. “Is Title VII becoming good-manners statute?”
Most surveys show that a large portion of working women have been sexually harassed at work; the figure ranges from 40 percent to 65 percent. In a 1994 survey of federal workers, 44 percent of women and 14 percent of men responding to the survey reported experiencing some form of sexual harassment.

What is sexual harassment?

Sexual harassment can range from a proposition to rape — or it can be more subtle. Whatever form it takes, sexual harassment has two key components — it’s unwanted and it affects your job.

It can take many forms, including:

- A look, “friendly pat” or squeeze.

- Suggestive remarks, lewd jokes, references to your body.
- Persistent requests for a date.
- Leering, catching a person alone for a kiss or a pinch as he or she walks by.
- A person repeatedly brushing against your body.
- Work areas decorated with sexually explicit posters or pictures.

Sources: 9to5, National Association for Working Women; “Stopping Sexual Harassment,” by Camile Colatosi; staff and wire reports

**GEORGIA**

Sexual harassment complaints filed in Georgia with the EEOC and other state and local agencies.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td>173</td>
<td>286</td>
<td>422</td>
<td>528</td>
<td>601</td>
<td>611</td>
</tr>
</tbody>
</table>

Source: EEOC, Washington

**NATIONWIDE**

Sexual harassment complaints filed with the EEOC nationwide.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td>6,883</td>
<td>10,532</td>
<td>11,908</td>
<td>14,420</td>
<td>15,549</td>
<td>15,342*</td>
</tr>
</tbody>
</table>

*Estimate*  
Source: EEOC

**Susan Phillips,** a former insurance secretary at Bill Heard Chevrolet in Columbus, claims she was sexually harassed by some of her male co-workers. She has filed a lawsuit against the dealership. Phillips is pictured with her lawyer, Jonathan Melnick of Atlanta.

Photo by W.A. BRIDGES, graphics by PAIGE BRADDOCK / Staff
Employers focus of harassment case

It's up to the Supreme Court to decide how much Boca Raton, Fla., officials should have done to stop the activity

By Laura Parker
USA TODAY

BOCA RATON, Fla. — While they worked as lifeguards at the public beaches in Boca Raton, Beth Ann Faragher and Nancy Ewancheck endured humiliating comments about their breasts, as well as unwanted rubbing and touching and invitations to have sex in the back of a pickup.

This treatment came not from swimmers but from a chief lifeguard and another male lifeguard who worked for the city of Boca Raton. One of them, David Silverman, repeatedly banged on the shower door at the end of the day, demanding to be let in while the female lifeguards showered.

About these facts, there is no dispute. They were established in federal court in 1994. The women won a sexual harassment lawsuit against the city and the city in 1994. The city said it was not responsible for its supervisors' actions, because the women did not complain to City Hall until after they had quit. In 1996, the U.S. Court of Appeals for the 11th Circuit ruled that the city was liable.

On Wednesday, the issue of the city's liability will be heard before the U.S. Supreme Court. For all employers, the case has important implications because it will clarify the scope of their financial responsibility under sexual harassment laws for the behavior of managers.

The lifeguards' appeal will be heard with another case, done more to prevent it and notified employees about how to file complaints.

"The only way the city didn't know is because it walked into a closet and shut the door," says William Amlong, the women's lawyer. "The city did not want to know. If you don't find out about sexual harassment, then you don't have to do anything about it."

From 1985 to 1990, Faragher and Ewancheck were among the lifeguards on the city's three public beaches. There were four other women on the job. Faragher was hired in 1985 and worked part time while she was a student at Florida Atlantic University. Ewancheck joined the staff in 1987 and hoped to make lifeguarding a career.

Both women later testified that the harassment began immediately after they went to work.

Ewancheck rejects the notion that the men were just making romantic overtures.

"In my experience, no man ever came up to me and rubbed ... against me to initiate a relationship," she says.

The city, at the time, had a written sexual harassment policy. But it was not distributed to the lifeguards at the beach, so neither the supervisors nor the women were aware of it. The two women complained to a mid-level supervisor, Robert Gordon, who had befriended them.

Before the justices, Rissetto says he will argue that the city is not responsible for the supervisors on their own agenda when they harassed the women.

"The question is: Were these supervisors acting within the scope of their employment?" he says. "They weren't doing the city's business."

But the city counters: "The law is that the city abused the power the city gave them. Boca Raton put no limits on their conduct."

Since the women sued, the city has revised its sexual harassment policy. New employees are told to sign a document that provides instructions for what to do in case harassment occurs.

Faragher, 32, now works as a lawyer in Denver. Ewancheck, 37, does not "help" a stay-at-home mom and has given up professional lifeguarding, although she is still in school at Florida Atlantic University. Ewancheck joined the staff in 1987 and hoped to make lifeguarding a career.

"In my experience, no man ever came up to me and rubbed ... against me to initiate a relationship," she says.

The city, at the time, had a written sexual harassment policy. But it was not distributed to the lifeguards at the beach, so neither the supervisors nor the women were aware of it. The two women complained to a mid-level supervisor, Robert Gordon, who had befriended them. But he told them the city wouldn't do anything about their treatment and he didn't pass the complaints up the chain of command.

Ewancheck quit her job in 1988. Faragher a year later. Ewancheck wrote the city in 1990 and told officials of the supervisors' behavior. Unsatisfied that the men were allowed to stay on the public payroll, Faragher and Ewancheck sued in 1992.

After trial, Terry and Silverman were jointly ordered to pay Faragher $10,500 in damages and Ewancheck $35,000. That judgment still stands.

Both of the men, who were discharged from their jobs, appealed to the Supreme Court in 1996. Neither was involved in the decision. Amlong says he believes his clients have a good chance of winning.

"The thing is, they were trying to minimize this — 'Oh, this is just about lifeguards,'" Amlong says.

"Tell me the last time you saw one of the guys on 'Baywatch' grab one of the women's breasts. That's not the kind of conduct you see on TV."
Businesses insure against harassment claims
Woman entitled to sue over being called ‘Monica Lewinsky’

Associated Press

NEW PALTZ, N.Y. — A woman who claims she was sexually harassed when her professor referred to her as “Monica Lewinsky” is entitled to sue, a federal judge ruled.

Inbal Hayut filed suit last May against the State University of New York at New Paltz and professor Alex Young, claiming Young created a “sexually hostile environment” by repeatedly calling her by the name of the former White House intern.

“Young observed that (Hayut) wore the same color lipstick as Monica Lewinsky, and made comments such as, ‘How was your weekend with Bill,’ and ‘Shut up, Monica. I’ll give you a cigar later.’ All these comments were made in front of the entire class,” Northern District Judge David Hurd wrote in his Dec. 18 decision that allowed the suit to continue.

Young’s lawyer, Kenneth J. Kelly, called the charges “ridiculous.”

“This is not sexual harassment,” Kelly said Friday.

In his ruling, Hurd granted defense motions to dismiss parts of the lawsuit, including the allegations of intentional infliction of emotional pain and discrimination based on origin. But he denied a defense motion to dismiss the sexual harassment charges.

Hayut, now 23, said the professor, who taught two of her classes in 1998, ignored her pleas to stop the name-calling and that the school refused to take any action. She said the humiliation eventually affected her grades, and she left the school in the spring.

“She’s a sweet, shy girl and this was very difficult for her,” said her lawyer, William Martin. “Some of the students didn’t know her by any other name but Monica.”

Lewinsky’s spokeswoman, Juli Nadler, said Lewinsky is dismayed, “but that was in 1998, when her name was linked to presidential scandal.” Nowadays, she added, people think of Lewinsky as “handbag designer, e-commerce entrepreneur, Yahoo Internet Life cover girl. ... Clearly, she has moved on and taken her good name with her.”

Young, 72, has retired from the school. He could not be reached for comment; his lawyer declined to give out his phone number or say where he lives.