

NEW YORK POST

EXPERTS: HARASS CASES WILL SPUR MORE COMPLAINTS

By RICHARD WILNER

October 7, 2007 -- Sexual harassment in the sports world and on Wall Street isn't a surprise, employment law experts tell The Post.

"Anytime you have an environment that has been predominately male, it is more likely to foster sexual harassment cases," said Debra S. Katz, a Washington, D.C., lawyer specializing in fighting sexual discrimination in the workplace.

Katz, a partner in Katz, Marshal & Banks - speaking in the wake of the Anucha Browne Sanders' \$11.6 million sexual discrimination case win versus Madison Square Garden and the federal lawsuit brought against Bloomberg LLP for discriminating against pregnant employees - expects the high-profile legal cases to encourage other victims to come forward.

"We saw an uptick in business after Anita Hill testified against Clarence Thomas," she said.

Katz said the increase in complainants to the federal Equal Employment Opportunity Commission would come despite growing odds against success in that venue.

"The Bush Administration has gutted the EEOC and the Supreme Court has recently ruled in favor of employers, which is why you see fewer cases filed and fewer cases found to have cause," Katz noted.

Indeed, the number of cases filed with the EEOC has dropped 24 percent over the past seven years. More eye opening, the number of cases found to have cause plummeted 52 percent over the same period, to just 6.7 percent of all cases.

All plaintiffs, like Sanders, have to file a complaint with the EEOC and have it on file 180 days before they can sue in federal court.

"More than two million managers and professional leave their jobs every year solely because of bias and harassment," said Freeda Klain, the founder of the Level Playing Field Institute, a non-profit that studies hidden bias and harassment in the workplace.

"Most don't file lawsuits but simply leave after unwanted sexual advances, bullying

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██████████ and racial slurs," said Klein, the author of the upcoming book, "Giving Notice." She said harassment and bias is subtler in today's workplace.

One institutional trader, a woman with 30 years on Wall Street, feels bias against women is more of a problem than harassment. The woman, who spoke on the condition of anonymity, agrees with Klein that bias today is more subtle than it was when she first entered the workforce.

"It's very subtle," she said, noting there is "a little bit of the old boys mentality at work" that keeps women from getting the jobs they deserve.

Technology is also eliminating jobs on Wall Street, especially on the "buy side," the veteran trader said, and that is affecting women, who tend to be in the most junior positions.

With additional reporting by John Aidan Byrne

Home

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