

# Laws 310 wk 5 simulation

Law



Laws 310 Sexual harassment is a crime that is rampant in many organizations around the world. It takes time for many individuals, especially women, to report such cases for fear of prejudice and intimidation. There are rare cases of men reporting sexual abuse, but the situation is not the same as that for female employees. Even if, these cases exist male employees do not see the need to report any of the sexual advances they receive, unwanted or not. In the case provided, the plaintiff has decided to file a suit against an employee who was positively gaining from his position in the organization, to sexually assault her. This might have been for various reasons that will be seen in this paper. As a juror, it would be my duty and responsibility to provide sufficient evidence showing whether the accused might be guilty or not. This is in relation and consideration to the evidence provided.

To find out if the suit against the defendant is liable, his position at the workplace would have to be clarified. During the time of the plaintiff's arrival at the organization, the defendant, Clarence was in charge of operations and staff members. He checked the members' operations and daily dealings. He guided the team members on the right way to carry out the firm's operations. He also had the ability to assign team members various tasks in the workplace. This is sufficient evidence to suggest that Clarence, as an employee in the firm, was acting under a supervisory role as per the firm's instructions.

The fact that he could assign tasks depending on how he felt was a clear misuse of power. To prove that Clarence's behaviour constituted sexual harassment is not up for debate. Miss Darcy clearly had a hard time working for a group of individuals who made her life miserable. It is difficult enough

to wake up every day to go to work. This is especially if the field that is dominated by men. It becomes even harder if the place one works does not recognise her for her input, rather; wants her for all the sexual fantasies that her male counterparts have. This is brought out in Miss Darcy's statement about Clarence forcing himself on her a number of times.

Also, assault can be added to the charges. Assault can come in the form of words. In this case, Clarence ascertained that whatever he wanted from her, he would get. No amount of pushing away or saying no could get him to stop. When she reports the matter to a superior, all she gets is a laugh about Clarence's suggestive character. She, therefore, has no option, but to go high up in the chain of command, and report to the Human Resource Office. Anyone who has ever worked at a new job understands the pressure that surrounds employees. If she had suggested that the supervisor made sexual advances toward her, she would be subject to ridicule and prejudice. That explains her silence for a long time. Drawing attention to a hostile environment, nobody can work in a place that continues to have disregard for the employee's state of mind. Miss Darcy's emotions were toyed with as she experienced severe humiliation. The lack of options of people to turn to would have, eventually, taken a toll on her. This leads to the conclusion that, Clarence, the defendant be found guilty of sexual harassment against the plaintiff, Miss Darcy. The judge's decision was, therefore, justified.

#### References

Boland, M. L. (2005). *Sexual harassment in the workplace*. New York: PULP Publishers.

Simulation Transcript. Simulation: Sexual harassment lawsuit.