

Court decides on harassment cases

WASHINGTON (AP) — Two federal courts have ruled on sex-harassment cases involving a lifeguard abused by her supervisor and a ninth-grade Texas student lured into an affair by her teacher — could provide new rules on how employers can be forced to pay damages to the victims.

The court will decide whether employers can be held legally responsible if they were not aware of the conduct.

Sexual harassment is about the power of a harassing supervisor to inflict on a female subordinate conduct that he could not impose on any unwilling employee outside of the employment relationship, lawyers for former Boca Raton, Fla., lifeguard Beth Ann Faragher said in court papers.

Faragher seeks to force the city to pay damages for harassment by two supervisors. She says she was tackled on the rear end and groped to sexual comments on her body.

The city says it should not be responsible because the two

men were acting outside the scope of their duties and city officials did not know about the conduct.

"In this case, there never has been a contention that the city authorized or ratified the sexually harassing conduct," the city's lawyers said in court papers. The 11th U.S. Circuit Court of Appeals ruled for the city.

Faragher had complained to another supervisor who told her there was nothing he could do. The city had a written sexual harassment policy, but the policy was not circulated and there was no complaint procedure.

Faragher also sued the two men individually, and they were ordered to pay \$10,000 in damages.

The Supreme Court ruled in 1986 that on-the-job sexual harassment is illegal discrimination if it is severe or pervasive enough to create a hostile work environment.

The high court also ruled in 1992 that sexually harassed students can collect damages from school districts.

But in each case, the court did not say what standard should be used for imposing liability on employers.

Alida Star Gebser is asking the justices to revive her lawsuit against the Lago Vista Independent School District in Travis County, Texas, over a sexual relationship she had with a teacher in 1992 when she was a 14-year-old ninth-grader.

Gebser said the man used his position as a teacher and mentor to lure her into the relationship, and she acknowledged she did not tell her family or school officials about it.

School officials said they could not be held responsible unless they had "actual knowledge" of a risk of sexual harassment. The 5th U.S. Circuit Court of Appeals agreed and threw out Gebser's lawsuit.

The justices also are hearing arguments in April on whether an employer can be held responsible for a situation in which job conditions were linked to sexual favors, if the employee did not submit and suffered no adverse treatment for the refusal.

Impeachment probe creates anxiety

WASHINGTON (AP) — Lawmakers clashed sharply Tuesday over the prospect of impeachment, with Republicans lining up to approve additional bills to investigate President Clinton and Democrats accusing the GOP of a "partisan witchhunt."

Illinois Rep. Henry Hyde, who would oversee any impeachment investigation, said Democrats were reacting to "raw partisan politics," in an attempt to create an adversarial aura "where none existed."

The Democrats said it wasn't the chairman of the Judiciary Committee they were worried about, but Newt Gingrich, who has taken a prominent role behind-the-scenes GOP planning for any impeachment inquiry.

At this point we're more concerned about Dr. Hyde, quipped Rep. Barney Frank, D-Mass., a Democratic source, speaking on condition of anonymity, said Gingrich had spoken two or three times in the past several days with Democratic leader Dick Gephardt about congressional business without mentioning the subject of impeachment planning.

The infighting erupted as lawmakers freely acknowledged they have no firm information on when they will submit a report to Congress citing evidence of impeachable offenses by Clinton.

The political calculation was equally uncertain.

Clinton remains high in the public opinion polls, despite a two-month battering over alleged improper sexual conduct, and most Republicans have been reluctant to attack him.

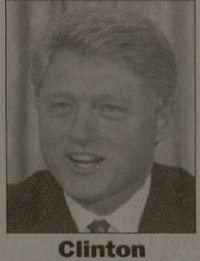
One GOP pollster, Frank Luntz, stood outside a closed-door meeting of the GOP rank and file during the day to hand departing lawmakers a memo suggesting a change in tactics.

"The season of silence must end," advised the memo, although it also said there could be a political backlash on lawmakers who choose to speak out.

Luntz suggested that Republicans begin to publicly ask questions such as "what message is Bill Clinton sending to America?" and "what example is Bill Clinton setting for our children?"

At the same time, he advised Republicans: "Do not talk about 'resignation' or 'impeachment.' Do not even mention those words, at least not until after Judge Starr has made his report."

Precisely when Starr would do so was anyone's guess — but that didn't stop the bickering.



Clinton

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