

Weekly Hot Topic

March 2025

When School Employees are Inappropriate on the Clock

A county deputy, who also served as the town's mayor and high school resource officer, is accused of engaging in an inappropriate relationship with a teacher during school hours. The school superintendent stated that the misconduct did not include physical contact, but involved improper text messaging and conversations between the two.

The city council is moving forward with removing the man as mayor, and the teacher has since resigned. Sean Larsen "School Resource Officer fired after inappropriate relationship with teacher," *www.kxii.com* (Mar. 4, 2016).

Commentary and Checklist

The above article may hint to the fact that the relationship was mutual, but certainly does not make it clear.

Title VII of the Civil Rights Act of 1964 protects individuals from sex discrimination in the workplace, including harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Under Title VII, inappropriate text messages sent in the workplace can be considered sexual harassment and can lead to a claim of a hostile work environment.

An occasional verbal or texted sexual comment likely does not rise to the level of sexual harassment, but it is clearly not proper workplace behavior.

Sexual harassment becomes illegal, however, when it is "severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive." Even if the target of the sexual comments appears to welcome and even return the flirtation, he or she may just be enduring the behavior in order to remain employed. Allowing sexual comments does not necessarily mean they are welcome.



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The following are steps that can help your organization prevent sexual harassment claims:

- Immediately address any type of sexual comment or behavior in the workplace no matter how seemingly benign. Even mild flirtation can escalate to sexual harassment.
- Meet with the parties involved and explain how flirtatious behavior can lead to sexual harassment which is prohibited.
- Train managers and supervisors on how to prevent and spot sexual harassment, to report complaints of sexual harassment to the proper individuals, and to avoid retaliating against any employees involved in the case.
- Make sure managers and supervisors understand their responsibility to stop potentially harassing behavior, and to never assume sexually suggestive conduct is welcome, regardless of the recipient's response.
- When a complaint of wrongdoing is made, make sure your organization conducts a professional and timely investigation.

Information provided by My Community Workplace

