Record Nr. UNINA9910777605603321 Autore Beiner Theresa M Titolo Gender myths v. working realities [[electronic resource]]: using social science to reformulate sexual harassment law / / Theresa M. Beiner New York, : New York University Press, c2005 Pubbl/distr/stampa 0-8147-3942-3 **ISBN** 1-4294-1507-X Descrizione fisica 1 online resource (273 p.) Disciplina 344.7301/4133 Soggetti Sexual harassment - Law and legislation - Social aspects - United Law and the social sciences - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references (p. 209-252) and index. Nota di contenuto Making a more realistic assessment of what is sufficiently severe or pervasive to constitute sexual harassment -- The reasonable woman standard: much ado about nothing? -- The conundrum of "unwelcome" sexual harassment -- Conceptualizing sexual harassment as "because of sex" -- Reality bites the Ellerth/Faragher standard for imputing liability to the employers for supervisor sexual harassment -- Making targets whole and deterring defendants -- The new sexual harassment claim. Sommario/riassunto Both the courts and the public seem confused about sexual harassment—what it is, how it functions, and what sorts of behaviors are actionable in court. Theresa M. Beiner contrasts perspectives from social scientists on the realities of workplace sexual harassment with the current legal standard. When it comes to sexual harassment law, all too often courts (and employers) are left in the difficult position of grappling with vague legal standards and little guidance about what sexual harassment is and what can be done to stop it. Often, courts impose their own stereotyped view of how women and men "ought" to behave in the workplace. This viewpoint, social science reveals, is frequently out of sync with reality. As a legal scholar who takes social

science seriously, Beiner provides valuable insight into what behaviors people perceive as sexually harassing, why such behavior can be

characterized as discrimination because of sex, and what types of workplaces are more conducive to sexually harassing behavior than others. Throughout, Beiner offers proposals for legal reform with the goal of furthering workplace equality for both men and women.