

Patients' TV: Nurses Can Sue For Sexual Harassment.

The US Equal Employment Opportunity Commission (EEOC) filed suit on behalf of the nurses who worked for the contractor which provided kidney dialysis services to inmates of a state prison.

The prisoners sat and watched cable television while getting their dialysis treatments. The practice was for the corrections officer in charge to pick the channel and then take away the remote control to prevent the inmates from fighting over what to watch. One or more of the nurses objected to having to hear a sexually explicit stand-up routine performed by an African-American comic. The officer dismissed their objections as racially biased.

Nurses have the right under Title VII of the US Civil Rights Act not to be subjected to a sexually hostile work environment.

Nurses have the right to complain about having to work within earshot of sexually offensive programming content playing on a patient's television set.

UNITED STATES DISTRICT COURT
MICHIGAN
April 25, 2007

The US District Court for the Eastern District of Michigan ruled the EEOC's lawsuit on behalf of the nurses was on solid legal ground.

As a general rule, employees have a legitimate right to complain to their employers and their employers have to do something about conduct by customers which creates a sexually hostile work environment. This situation was basically no different, the court said. EEOC v. Kidney Replacement Services, 2007 WL 1218770 (E.D. Mich., April 25, 2007).