

Sexual Harassment: Nurse Obtains Large Jury Verdict.

A jury in the Supreme Court, Queens County, New York, recently awarded a nurse \$15,000,000 for sexual harassment by a former hospital staff physician, 50% to be paid by the physician and 50% to be paid by the hospital.

Shortly after she started working at the hospital the physician began flirting with her and suggesting they date. When he cornered her and fondled her she filed a written complaint, which promptly led to the physician's staff privileges being revoked.

As a general rule, an employer is only liable for sexual harassment after the victim complains and only to the extent the employer's response to the complaint was ineffective to stop it.

In this case, however, the jury concluded that hospital management was fully aware of and therefore was liable for the physician's conduct before the nurse actually filed her complaint. **Bianco v. Flushing Hosp. Med. Ctr., 2009 WL 839234 (Sup. Ct. Queens Co., New York, February 23, 2009).**