

United States Supreme Court and the Controversies over Sexual Harassment in the Workplace

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Abstract

The purpose of this paper is to make an in-depth examination of five decisions concerning various controversies over sexual harassment at work rendered by the U.S. Supreme Court in the past thirteen years. In addition to the introductory and concluding remarks, the contents of the paper can be divided into five sections. Section One describes a number of legal disputes caused by the problems of sexual harassment in the workplace. Section Two examines the *Meritor* and *Harris* cases ruled on by the Supreme Court. Aside from the facts of the cases and the rulings of the District Courts and Courts of Appeals, both majority and concurring opinions of the Supreme Court are fully analyzed. Section Three discusses three related cases rendered by the Court in the 1998 session. Among them, *Oncale* concerns the issue of same-sex sexual harassment, and *Faragher* and *Ellerth* both try to clarify the scope of employer liability involving supervisory sexual harassment. Section Four details the controversies solved by these five decisions while Section Five outlines several potential issues to be faced by the Court in the near future.

Key Words: sexual harassment in the workplace, same-sex sexual harassment, supervisory sexual harassment, employer liability, United States Supreme Court