

**Controversies over Same-Sex Sexual Harassment
in the Workplace—A Critical Examination of the
Decision of *Oncale v. Sundowner Offshore Services
Inc.* by the United States Supreme Court**

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Abstract

The purpose of this paper is to examine in-depth the decision rendered by the U. S. Supreme Court in 1998 regarding the case of *Oncale v. Sundowner Offshore Services, Inc.* In addition to the introductory and concluding remarks, the contents of the paper are divided into four sections. Section One delves into employment discrimination disputes caused by same-sex sexual harassment in the workplace. Section Two examines three models of decisions made by federal circuit courts in accordance with different interpretations of the meaning of “sex” in Title VII of the Civil Rights Act of 1964. Section Three details the rulings of the Court in *Oncale*, including the facts, decisions of the lower courts, and the opinions of the Court itself. Finally, Section Four provides a critical discussion of the *Oncale* case, including the issues resolved, unresolved, derived and the responsive measures adopted by employers.

Key Words: sexual harassment in the workplace, same-sex sexual harassment in the workplace, sex discrimination in employment, sexual orientation discrimination, Title VII of the Civil Rights Act of 1964