

Caro Carbide faces suit for sexual harassment, retaliation

Since 1979, Donna Smith had worked as a shipping and receiving clerk for Caro Carbide Corp., a carbide machine shop in Troy. From 1988 forward, Smith claims co-worker Timothy Sylver displayed pornographic photos and made lewd gestures and comments toward her at work. When Smith complained, she says she essentially was told to ignore him.

In 2002, Sylver printed a pornographic photo on company letterhead and posted it outside the women's restroom. When Smith complained, Sylver received a warning about misusing company stationery. By February 2005, Smith had had enough when a co-worker said Sylver stated he knew Smith wanted to "him, but he would not do it." That comment proved to be the tipping point for Smith, who told company owner Richard Cieskowski she was going to sue Sylver for sexual harassment. Cieskowski reportedly told Smith if she sued Sylver, she also would have to sue Caro.

Smith worked the next day without incident. The following day, Cieskowski asked Smith to meet with the company's attorney. Smith emerged from the meeting upset and went home for the day. When she did not return to work for two days, Cieskowski fired her. Smith sued Caro for sexual harassment and retaliation.

The court refused to grant summary judgment to Caro, noting Smith's frequent complaints and the company's lack of response.

Note: You aren't responsible for your employees' bad behavior—until you ignore it. If an employee is bothered enough to complain, it's time to intervene.