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Jury rules worker harassed by boss

Same-sex suit trial was a first for Ohio

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A Cuyahoga County jury found yesterday that a Lakewood man was sexually harassed by a male supervisor, and that he deserved \$1.65 million for his trouble.

Lazslo Hampel, one-time employee for a subsidiary of Nestle's USA, claimed that supervisor Jerry Hord taunted and humiliated him in front of two co-workers by launching into a denunciation that included a discussion of a sexual act.

Shortly after noon, the eight-member jury handed up its decision against both Hord of Cleveland and Food Ingredient Specialties Inc., a commercial food preparation plant where both men worked on W. 25th St.

Ellen Simon, Hampel's lawyer, said it was almost certainly the first same-sex harassment case to be tried in Ohio, if not the country.

Lawyers for both sides said both men are heterosexual.

A Lorain County Common Pleas judge dismissed a similar case in January before it got to trial.

That judge ruled that the law does not prohibit same-sex sexual harassment in the workplace.

Cuyahoga County Common Pleas Judge Thomas Patrick Curran, however, decided there was an issue worthy of trial and empaneled a jury two weeks ago. He said the 6th Circuit U.S. Court of Appeals last month laid the foundation by finding that same-sex harassment is a legitimate cause of legal action.

The jury of three women and five men found yesterday that there was unwelcome sexual harassment, the company did not

take timely and appropriate steps to stop it, and the company made working conditions intolerable. The jury also found that the company acted with malice toward Hampel, who suffered extreme emotional distress because of the actions of Hord and the company.

Simon said the company only reprimanded Hord. The company should have disciplined Hord more sternly and should have been willing to transfer Hampel so he no longer had to work with Hord, Simon said.

All eight jurors approved the monetary award. A simple majority of six is the only requirement for any jury decision in a civil trial in Ohio.

"It really is a landmark case," said Alice Rickel, an area attorney who is an activist on women's issues. "The whole attitude that sexual harassment can only occur by a man against a woman is outdated."

Louis Licata, attorney for the company and Hord, said he and his clients would consider appealing and explore their options.

Simon, who specializes in cases involving harassment and workplace issues, said yesterday that she was "thrilled that justice prevailed."

"This was ongoing conduct which caused severe emotional distress," Simon said. "This was not a small incident. It was ongoing, it was serious, and it was debilitating. It ruined his [Hampel's] life and he was blameless."

Hampel said the verdict was "sending out a signal to corporate America: Be careful how you treat your employees."

Hampel, who worked as a cook, said he quit last year while on medical leave because of stress related to the incident.