

7. Wendy Komac was hired by Gordon Food Service as a salesperson. During the course of her employment, Gordon held sales contests such as the "Winner's Circle" competition, which rewarded the salesperson who generated the most new customers. Ms. Komac's supervisor received an unsigned letter that accused Ms. Komac of falsely representing new sales customers in her report. When confronted, she denied the allegations but was eliminated from the sale competition when she stated that "other employees routinely violated the rules." Her supervisor gave a speech at the next sales meeting explaining that violations of the rules during sales competition would be grounds for termination.

During a subsequent Tyson product competition, allegations again emerged about Ms. Komac's conduct. When confronted, Ms. Komac admitted that she had reported products normally purchased by one of her long-term customers as being purchased by two other customers.

Following the second contest problem, Ms. Komac was fired. Ms. Komac filed suit alleging discrimination by Gordon. She gave examples of statements made to her over the course of her employment such as her pay being less because male employees "have a wife and three kids at home." She also alleged that no male employees were terminated for violating contest rules. However, there was no evidence that any male employees had been caught cheating in contests after the supervisor's speech. Explain whether Ms. Komac has established a *prima facie* case of gender discrimination. [*Komac v. Gordon Food Service*, 3 F. Supp. 2d 850 (N.D. Ohio 1998)]

8. Would the following actions constitute sexual harassment?

- a. Making sexual comments or innuendoes; telling sexual jokes or stories