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Sex Harassment Suit Against San Jose Hotel

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By Jamie Beckett*

A former employee at the Fairmont Hotel in San Jose who says she was sexually assaulted by her boss has filed a sexual harassment lawsuit against the hotel, claiming managers knew about the harassment and did nothing to stop it.

The woman's lawsuit, filed in Santa Clara County Superior Court, alleges that her boss made repeated sexual overtures that culminated in an attack involving sexual assault with a "foreign object."

Even after the assault, which occurred during the night shift in the hotel's Les Saisons Restaurant and Lounge, and after the woman complained to hotel management, the Fairmont failed to take action, the lawsuit says.

Instead, the restaurant manager was permitted to keep his job, whereas the woman was offered a transfer to another department, the suit said. When she declined, she was subjected to further harassment by hotel staff members. One threatened her life, and others made sexually suggestive remarks, the lawsuit says.

At one meeting she attended, managers discussed female anatomy and attire, the woman claims. Eventually, she was forced to quit her job and seek psychiatric counseling. The suit was filed last month.

"She's suffered severe emotional distress," said the woman's attorney, Dru Anne Keegan. "It's affected her work. It's affected her family."

The suit, which names Imad Abouhala, the restaurant manager who allegedly assaulted the woman, accuses the hotel of creating a "hostile, offensive and sexually intimidating work environment." It seeks an unspecified amount of damages, including lost wages and medical expenses.

Officials from the elegant hotel, a downtown San Jose landmark, said they could not discuss specifics of the case. ***But the Fairmont's attorney, Clement Kong, said the hotel has a strict policy against sexual harassment. "We just don't tolerate it," he said.***

Abouhala, who no longer works at Les Saisons, was not available for comment.

According to the lawsuit, Abouhala began making sexual overtures and sexually suggestive remarks to the woman soon after she started her job at Les Saisons in late 1994. He would frequently invite her for cocktails at his home and attempted to forcibly kiss her, the woman said. He also made suggestive remarks to other female employees, the suit claims.

When she complained to hotel management, her complaint "fell on deaf ears," the lawsuit says. In January, when Abouhala and the woman were alone closing the restaurant, he allegedly attacked her sexually in the dining room, according to court documents.