

## THE COPTHORNE CASE

In 2000, four female employees of the Copthorne Orchid Hotel in Penang filed complaints with the hotel and made police reports against their former General Manager, a German national, for various incidents where he had verbally and physically harassed them as well as two other female employees of the hotel. The employees were dismissed by the hotel after these complaints were made.

The General Manager was charged in the Magistrate's Court for outraging the modesty of three of these employees. However, he left the country before the criminal proceedings were over and has not returned since. Although the court issued a warrant of arrest against him, the warrant could not be executed, resulting in a verdict of discharge not amounting to acquittal by the court. To-date, he has not been brought back to Malaysia to answer the charges and the criminal cases remain unresolved as such.

Alongside the criminal charges, the four women had sought redress from the Industrial Court for wrongful dismissal by the hotel.

After a seven-year struggle, on 30 October 2007, the Industrial Court finally ruled in favour of these four former employees of the hotel and awarded them a total of RM308,642 in back wages and compensation in lieu of reinstatement (read the [Judgment of the Industrial Court](#) (848KBPDF) which also contains detailed facts of the case).

These women's courage and persistence in standing up for their rights and beliefs were rightly acknowledged by the Industrial Court.

Sadly, in the vast majority of cases, many victims of sexual harassment feel that they have no option but to suffer in silence. The government's lukewarm response to the issue has been a major hindrance to the effective resolution of sexual harassment cases in the country.

JAG is pushing for the issue to be taken seriously, and for the government and employers to take steps towards enacting effective legislation against sexual harassment at the workplace.

