

# 3rd woman sues city dentist

## Claims Zarkin spied on bathroom while she worked for him

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OF THE PATRIOT-NEWS

A third woman who formerly worked for a North Front Street dentist has filed suit in Dauphin County Court, claiming her employer was spying on female employees using the bathroom and calling his actions "vile, humiliating and dehumanizing."

The employee, identified as Katherine Doe in the suit, was a dental assistant in Jere I. Zarkin's office from 1978 until she quit after the alleged incident.

She joins Zarkin's former financial coordinator and receptionist, who filed actions last month after they placed graphite around a peephole and then allegedly caught him using the hole to look into the bathroom.

Meanwhile, Zarkin's attorney, Jeffrey B. Rettig, has responded to the first suit, arguing the claims are barred by the state's

Workers' Compensation Act. The act says any injuries occurring at work, even if they are caused intentionally, must be pursued through workers' compensation claims.

Rettig also argues that since only one woman was using the rest room when they say Zarkin emerged with graphite around his eye on Nov. 1, the others don't have a claim against him.

However, both suits say Zarkin admitted placing the peephole there in February and confessed to watching the women.

All three quit their jobs immediately and are seeking psychological counseling, according to the suits.

Patrick F. Lauer Jr., the attorney representing the first two women, criticized Zarkin's attempt to dismiss the suit without facing the allegations.

"He has not come forward and told the public and his patients whether he did this," Lauer said. "He's hiding behind the workers' comp laws to dismiss the complaint without confronting the real issue as to whether or not he did this."

"Our position is when an employee utilizes a bathroom that does not encompass work-relat-

ed duties," Lauer said, adding he also filed sexual harassment complaints in federal court.

However, in his response, Rettig says the courts already have decided that even if an employer causes harm intentionally, a workers' compensation claim is the only legal remedy.

Mifflin County District Attorney Stephen Snook, who represents the third woman, said his client cannot return to work for Zarkin.

Rettig also asks that references to Zarkin's criminal record, which includes indecent exposure, open lewdness and patronizing a prostitute, should be stricken from the record as irrelevant.

Zarkin was arrested twice in 1980 for indecent exposure and once in 1985 for open lewdness, all misdemeanors. He was admitted in 1980 and 1985 to Accelerated Rehabilitative Disposition, a probationary program for first-time offenders, for those charges, records show.

Zarkin, 49, also was arrested in 1988 for patronizing a prostitute, according to court records. He pleaded guilty and paid a \$200 fine that November, the records show.

Dentists are required to renew licenses with the state every two years. The current renewal forms ask if the applicant had entered an ARD program. But the forms used at the time of Zarkin's arrests asked only about convictions for felonies and misdemeanors.