

Following Are Examples of Employment Practices Liability Claims

Coworker crosses the line. A woman working at a hotel claims she was sexually harassed by a coworker. The hotel management investigated her allegations and issued a written warning to the woman's coworker and instructed him to apologize to the woman for any remarks or conduct which may have offended her. Thereafter, the man accused took a constructive discharge from his job.

The plaintiff has filed for damages for emotional distress, lost wages and legal fees. The plaintiff contends that if a settlement is not reached expeditiously, she will file a Charge of Discrimination with the Commission Against Discrimination. A preliminary settlement amount has been offered but not accepted.

Racial slurs don't sell cars. A car dealership is being sued by one of its salesman because the sales manager allegedly repeatedly made racial slurs and discriminated against the African American employee. The salesman alleges that the manager and several of the other salesmen frequently used racially charged language, made inappropriate remarks about African American customers in his presence, and made other discriminatory remarks. The plaintiff alleges that during one such encounter he confronted the manager about the inappropriateness of his remarks and the manager asked him to "take it outside."

Following the incident, the plaintiff was asked to write a statement about the events, but instead of being punished, plaintiff alleges that the sales manager was promoted and moved into a position where the plaintiff still has to interact with the manager frequently. Shortly thereafter, the plaintiff states that he was passed up for a promotion in favor of a white coworker with less seniority than him and lower sales figures. After he complained to upper management, the salesman alleges he was told to forget about it and just sell cars.

The plaintiff then filed a Charge of Discrimination and got an attorney. The case is in mediation at this time.

