

# EMPLOYMENT PRACTICES LIABILITY

## THIRD PARTY LIABILITY

A country club denied membership to an applicant stating they were not able to accept any more members at that time. The applicant sued for racial discrimination stating that the country club had a pattern of denying African American applicants membership and had no African American members.

## INTERNET/EMAIL LIABILITY

An employee who desired to e-mail a pornographic joke to only a single recipient accidentally pressed the wrong button, sending the off-color joke to the company's entire workforce. The employer made the employee send a follow-up email apologizing to the workforce. Two months later, during a company downsizing, an employee sued for a hostile work environment and used the e-mail as evidence.

## SPOUSAL LIABILITY

The company president was being threatened with a sexual harassment suit by one of his employees. The president transferred most of his assets into his wife's name to avoid being personally sued and subjecting his personal assets to any claim settlement against him. The employee sued the president and named both the president and the president's wife because of her ownership interest in the president's assets, which were later subjected to the settlement provisions.

## RETALIATION

An African American employee of a barge repair and painting firm complained to management that some of his coworkers were using racial slurs and jokes. His supervisor transferred him to an inside warehouse position at a reduced hourly rate stating that it would be better for him to work alone rather than be exposed to those workers. The employee later sued for discrimination and retaliation for reporting the discrimination

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SRN121870C