

# Employment Practices Liability Claims Scenarios

## California Sexual Harassment

- A former employee of a fitness center sued her employer alleging that she and other female employees were subjected to sexual harassment by male club managers, salesmen and personal trainers despite repeated complaints to management. The employees were awarded \$3.6M (Arbitration).
- A former drug store manager sued her employer alleging that she had been sexually harassed by her supervisor and that after she complained the behavior continued, she received negative reviews and was denied raises and bonuses. The jury awarded the plaintiff \$3M for damages.

## California Sexual Harassment and Wrongful Termination

- A female manager at a health club filed a sexual harassment and wrongful termination suit against her employer. She alleged that she was demoted and then fired after she complained to management about the harassing behavior of male managers. The jury awarded the plaintiff \$2.4M.

## California Pregnancy Discrimination

- A female project manager sued her employer, a technology company, for pregnancy discrimination. She alleged that she received a negative evaluation and was terminated due to her pregnancy and leave of absence. The jury awarded the plaintiff \$4.8M: \$3.8M for punitive damages.

## Colorado Disability Discrimination

- A former male employee sued his employer, a packaging company, for disability discrimination alleging that the company refused to allow him to return to work after he was on disability leave recovering from a brain aneurysm. The jury awarded the plaintiff \$8M: \$7.5M for punitive damages.

## Colorado Racial Discrimination

- The U.S. Equal Employment Opportunity Commission (EEOC) settled a race discrimination case brought against a local newspaper for \$375K. The suit was brought on behalf of 10 African-American employees who alleged that they were discriminated against in the workplace due to their race.

## Florida Sexual Harassment and Discrimination

- The EEOC sued a small manufacturer on behalf of three female and four male employees of Cuban descent, alleging that the women were sexually harassed by their supervisors and that the men were discriminated against when they supported the women's allegations. The matter settled for \$1M.

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## Illinois Retaliation and Discrimination

- An African-American former employee sued her former African-American small business employer for retaliation and discrimination when she was terminated after refusing to back him in a race discrimination case with another employee. The jury awarded the plaintiff \$3.1M: \$2.8M for punitive damages.

## Iowa Sexual Harassment and Retaliation

- A female factory worker sued an Iowa manufacturer for sexual harassment and retaliation. She alleged that she had been sexually harassed by co-workers on a continual basis and that when she complained to her supervisor about this harassing behavior, she was demoted and reprimanded for complaining. A jury awarded the plaintiff \$1.5M: \$640K for emotional distress, \$78K for back pay, \$40K for future medical expenses and \$750K for punitive damages.

## Iowa Sexual Harassment, Retaliation and Hostile Working Environment

- Two former employees sued a uniform cleaning company for sexual harassment, retaliation and a hostile work environment. They alleged that their supervisor made sexist comments and retaliated against them when they would not acquiesce to his advances. The jury awarded the plaintiffs \$608K.

## Louisiana Racial Harassment and Retaliation

- The EEOC settled a racial harassment and retaliation suit brought against a local car dealership for \$200K. The suit alleged that a used car manager, who was white, subjected six African-American employees to a racially hostile workplace; including repeated incidents of verbal harassment and racial slurs.

## Massachusetts Disability Discrimination and Wrongful Termination

- A maintenance worker sued his employer for disability discrimination and wrongful termination. The employee alleged that he was put on involuntary leave of absence and subsequently terminated after he informed his employer that he had multiple sclerosis. The jury awarded the plaintiff \$286K.

## Michigan Discrimination and Wrongful Termination

- A manager of a rental business sued his employer for discrimination and wrongful termination. He alleged that he was terminated because he was overweight and suffered from a disability which caused him to sweat profusely. The jury awarded the plaintiff \$284.5K.

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### Missouri Sexual Harassment and Retaliation

- A female employee sued a parts company for sexual harassment and retaliation. She alleged that she was sexually harassed by her supervisor over a two month period and that the company failed to investigate after she complained. She also alleged that she was terminated after complaining. The jury awarded the plaintiff \$6.8M: \$6.75M for punitive damages and \$50K for compensatory damages.

### Mississippi Age and Racial Discrimination

- A former convention center manager sued the facility for age and race discrimination when a less qualified, younger employee was given the position of director of marketing. A jury awarded the plaintiff \$659K.

### New Hampshire Disability Discrimination and Wrongful Termination

- A former employee sued her manufacturing company employer for disability discrimination and wrongful termination. The employee alleged that after she informed her employer that she needed a kidney transplant she was terminated. The jury awarded the plaintiff \$480K. The plaintiff passed away before trial.

### New Jersey Sexual Harassment

- The EEOC settled a sexual harassment claim brought against a small trucking company for \$250K. The suit was brought on behalf of a female truck driver who alleged that she was sexually harassed by her supervisors and co-workers and that her truck's brakes and engine had been sabotaged by these workers.

### New York Racial and Gender Discrimination

- The EEOC sued a "tool and die maker" for race and gender discrimination in hiring practices. EEOC alleged that the African-American and female applicants were turned down for all positions except clerical. The matter settled for \$940K.

### Nevada Sexual Harassment

- The EEOC settled a sexual harassment claim brought against a Las Vegas restaurant for \$600K. The matter was brought on behalf of female hostesses and waitresses who alleged that the manager groped and propositioned them on a continual basis.
- The EEOC sued a sports bar on behalf of seven female employees alleging sexual harassment by the owners. The bar owners settled the matter for \$200K. They also agreed to a three year oversight with specific mandates in handling employees.

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## North Carolina Sexual Harassment

- A movie theatre settled a sexual harassment claim brought by the EEOC on behalf of teenage boys against their manager for \$765K. The claim alleged that the theater failed to check the manager's background, which would have revealed that he was a convicted sex offender. The claim further alleges that the manager made quid-pro-quo demands on the boys and had fondled and groped the boys.

## North Dakota Racial Discrimination

- The EEOC settled a race discrimination case brought against an assisted living community for \$650K. The suit was brought on behalf of African-American applicants for employment and alleged that the facility had a policy of rejecting African-American applicants.

## Pennsylvania Sexual Harassment, Retaliation and Constructive Discharge

- A clinical specialist sued her employer for sexual harassment, retaliation and constructive discharge. She alleged that after she repeatedly complained to human resources about this harassing behavior the company demoted her and transferred her to a lesser position in another department. The jury awarded the plaintiff \$350K for compensatory damages.

## Texas Retaliation and Wrongful Termination

- A former press operator sued his local newspaper for retaliation and wrongful termination alleging that he was fired after he reported sexual harassment by his manager. The jury awarded the plaintiff \$1.1M.

## Texas Gender Discrimination

- The EEOC settled a gender discrimination claim brought against an electrical manufacturer for \$500K. The claim, which was brought on behalf of male applicants for employment, alleges that the company discriminated against men when they hired only women because they believed that women were more dexterous than men.

## Virginia Gender Discrimination and Sexual Harassment

- A former female sales manager sued a time share company for gender discrimination and sexual harassment alleging that she had been passed over for promotion on three occasions when the position was given to less qualified male candidates. She further alleged that she was continually sexually harassed by senior executives. The Jury awarded the plaintiff \$7.7M: \$2.5M for compensatory damages, \$5M for punitive damages and \$200K for back pay.



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### Virginia Racial Discrimination

- An African-American sanitation worker sued his former employer, a waste service company for race discrimination. He alleged that he was subjected to a hostile work environment and harassed due to his race. He further alleged that he was paid less than white employees who performed the same job. The jury awarded the plaintiff \$2.6M: \$600K for compensatory damages and \$2M for punitive damages.

### West Virginia Wrongful Termination and Retaliation

- A former nurse sued a hospital for wrongful termination and retaliation. She alleged that she was wrongfully terminated in retaliation for complaining about the hospital being short staffed. The jury awarded her \$2M: \$769K for compensatory damages and \$1.25M for punitive damages.

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To learn more about Employment Practices Liability Insurance:

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