



Employers Continue To Be Targets for Employment-Related Claims

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The Equal Employment Opportunity Commission (EEOC) recently reported that the number of charges filed against employers has increased over the prior two years, and that the significant number of claims involved allegations of retaliation (46%), sexual harassment/discrimination (29%), race discrimination (35%) and disability discrimination (31%). There were over 91,000 charges filed against employers last year alone -- and that was just with the EEOC. State agencies have reported similar statistics, including those states which tend to be a hotbed of litigation against employers including Florida, California, Pennsylvania, Texas and Colorado.

Harassment Investigations on the Rise

There is little doubt that sexual and other forms of harassment in the workplace will continue to be vigorously investigated by the EEOC and similar state agencies, creating potential legal risks for employers that do not promptly investigate and address harassment in the workplace. In the EEOC's recent Strategic Enforcement Plan for 2017-2021, the EEOC stated that "Preventing Systemic Harassment" remained one of its key priorities, explaining "[h]arassment continues to be one of the most frequent complaints raised in the workplace," and "[r]oughly three out of four individuals who experienced harassment never even talked to a supervisor, manager, or union representative about the harassing conduct." With more than 30 percent of the charges filed with EEOC involving allegations of harassment, this should be a wake-up call for employers.

How to Help Protect Your Business

Employers should take several steps to help protect their businesses from the onslaught of employment-related claims:

- Have an updated employee handbook with legally-compliant policies on anti-harassment, anti-discrimination, and employment at-will.
- The harassment and discrimination policies should clearly describe (with appropriate examples) what types of conduct are prohibited and will not be tolerated.
- The policies should provide employees with multiple avenues for reporting unacceptable conduct (for example, to a supervisor, manager, member of human resources, or the owner).
- Employees should be assured that no retaliation will be taken for bringing a concern to the company's attention.

Risk Management Services

OneBeacon Management Liability, through its relationship with Littler Mendelson P.C., provides a comprehensive package of risk management products and services to OneBeacon's Employment Practices Liability Insurance (EPLI) policyholders. Through this unique risk management program, policyholders have access to a wide variety of online employment related content, forms and analysis, as well as an employment practices hotline staffed by the experts at Littler Mendelson. These resources available to OneBeacon's EPLI policyholders at no additional charge include:

- Employment practices hotline available through Littler Mendelson
- Harassment training webinar for up to 10 supervisors or managers
- Employment law updates and newsletters



- Secure access to an online risk management website specifically for OneBeacon's EPLI policyholders, with content including: sample employee handbooks, including state supplement information for most states; employment policies and practices; over 50 Human Resource forms and checklists; over 3,000 pages of state and national employment law reference manuals; Hire and Fire Guide; Preventing Unlawful Harassment Guide; and employment law and human resources strategy tips.

If you have any questions or would like additional information, please contact [Stacy Paquet](#).

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OneBeacon Management Liability offers directors and officers liability, employment practices liability, fiduciary liability and crime insurance for nonprofit organizations (all classes), private/nonprofit healthcare organizations and private for-profit companies of all sizes and types. Coverages are available on a modular form approach, allowing for tailored solutions.

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To learn more about how OneBeacon Management Liability can help you find a tailored solution for your organization, please contact Stacy Paquet, Senior Vice President at spaquet@onebeacon.com or 212.440.6521.

Learn more about OneBeacon Management Liability at onebeaconml.com.