

October 13, 2011



*Top Employers
Know When
To Seek Counsel*



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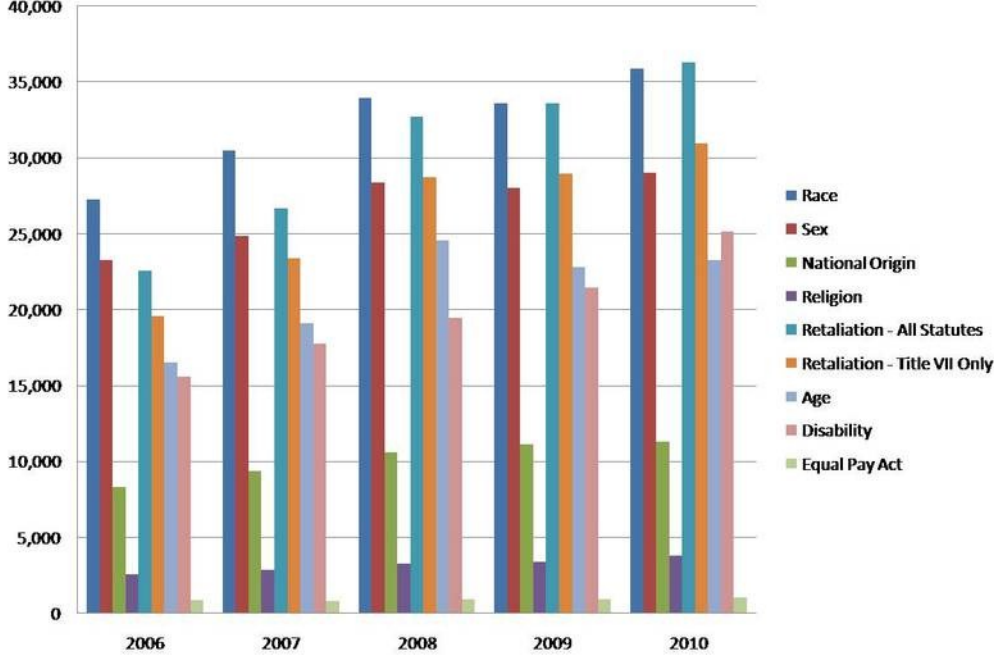
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Current Trends in EEOC Complaints *Retaliation Claims Lead the Way...*

The bad news for employers is that statistics show that EEOC charges are on the rise in all categories. The EEOC recorded nearly 100,000 charges in 2010-a record high and a 7% increase from 2009. And, for the first time ever, retaliation charges were the most frequently filed charge in 2010. Charges increased 68% between 2000 and 2010. The EEOC also reported significant increases in Americans with Disabilities Act (ADA) and Genetic Information Nondiscrimination Act (GINA) charges. The chart below shows the breakdown of charges for the last five years.



Due to these alarming statistics, here are some simple steps that employers can take to reduce retaliation claims by employees:

- Have a written anti-retaliation policy in place that is distributed to all employees;
- Provide training to managers, supervisors and human resources personnel on the anti-retaliation policy;
- Don't ignore complaints of retaliation by employees. Meet with the employee and supervisor, discuss the policies that are in place to prevent retaliation, investigate the claim, document discussions in writing and follow up with the employee;
- Have legal counsel and/or the human resources director review any adverse decisions sought to be taken against an employee who has complained of unlawful conduct by the employer;
- Confirm that any actions taken against an employee result from a decision wholly unrelated to the worker's prior complaint of unlawful conduct by the employer;
- Make sure that you can document a legitimate business reason why the decision necessarily applied to the employee who raised a complaint, as opposed to other workers; and
- Be able to show that at the time the action was implemented, there was a genuine business need for it.

For additional information on Employment or Labor Law issues, please contact TAMMY MEADE ENSSLIN at 859-963-9049.

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