



## EMPLOYMENT PRACTICES LIABILITY CLAIMS EXAMPLES (DISCRIMINATION CLAIMS SCENARIOS)

- **Racial Discrimination:** An international oil conglomerate was alleged to have denied promotions and raises to over one thousand past and present African-American employees. The company agreed to settle after the release of transcripts of secretly taped conversations that appeared to show Caucasian executives belittling African-American employees. The company also allegedly destroyed documents being sought by the claimants in the litigation.
  - **\$176,000,000 Settlement**
- **Age Discrimination:** The EEOC filed suit on behalf of the 13 former employees of a national insurance brokerage firm, alleging age bias, when the company discriminated against top executives on its board by forcing them into early retirement.
  - **\$28,000,000 settlement**
- **Civil Rights (Race and Gender Discrimination):** An executive recruiter claimed that a foreign automobile manufacturer told him not to send resumes of African-American and female candidates because the managers of the firm allegedly did not want them. Claimant filed an action for breach of contract and violations of the state's civil rights law. The jury found against the manufacturer and then doubled the penalty pursuant the state's Unruh Civil Rights Act.
  - **\$10,000,000 verdict**
- **Racial Discrimination:** Class action suit filed, alleged that African-American managers and professionals of a well-known rail line company had been subjected to race discrimination in compensation, promotions, hiring and discipline.
  - **\$8,000,000 settlement**
- **Disability Discrimination:** A 47-year old female flight service manager was wrongfully terminated after working for an airline for 26 years. The employee had always received excellent reviews and promotions until she returned from open-

heart surgery. She was passed over for a general manager's position, which was given to someone with only 10 years experience. Employee said she was dismissed because of her gender, age and disability.

- o **\$7,000,000 verdict**

- **Reverse Race Discrimination:** Eight Caucasian police officers suffered emotional distress when they were removed from a promotional list after a lawsuit was filed by a minority police officer. The suit alleged there was an insufficient number of minority officers receiving promotions. Claimants had passed sergeant's exam and were on the waiting list. The police officers discarded the tests, however, and a new test was given. Claimants contend that police officers' actions constituted reverse discrimination and that they deserved promotions based on the results of the first test.

- o **\$3,500,000 verdict**

*NOTE: THESE SCENARIOS ARE NOT INTENDED TO BE INTERPRETED AS COVERAGE POSITIONS. COVERAGE FOR ANY GIVEN CLAIM IS BASED UPON ITS FACTS AND THE SPECIFIC TERMS AND CONDITIONS OF THE POLICY.*