



Common EPLI Claim Scenarios

Employment Practices Liability Insurance (EPLI) claims are on the rise. Currently EPLI claims make up a major portion of the lawsuits filed against corporations. Many EPLI claims result from scenarios that are many employers will recognize and may even be familiar with. The following are common areas of litigation flowed by some actual claim situations.

- **Sexual Harassment**
- **Wrongful Termination**
- **Age Discrimination**
- **Racial Discrimination**
- **Religious Discrimination**
- **Disability Discrimination**
- **Sexual Discrimination**
- **Hostile Working Environment**
- **Breach of Contract/
Misrepresentation**
- **Harassment & Emotional Distress**

New Empire Group Ltd.

214 West Park Avenue
Long Beach, NY 11561
Phone: 866-431-8100
www.NewEmpireGroup.com



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Sexual Harassment

- Repeated comments made by a manager in a morning meeting resulted in a \$350,000 pay out to three former employees alleging sexual harassment.
- A supervisor left her job alleging sexual harassment from her subordinates and was awarded \$900,000.

Wrongful Termination

- Shortly after several female employees complained that the CEO was sexually harassing them, the CEO was terminated under the pretext of performance regardless of the recent raise he was given. Over \$200,000 was paid out on the wrongful termination suit.
- A human resources director was advised to terminate an investigation of allegations of sexual harassment by an employed doctor. She was subsequently terminated from her position and was paid \$300,000 in her wrongful termination suit.

Age Discrimination

- A 62 year old sales representative successfully sued his employer for age discrimination because the company failed to document the employee's poor performance in not meeting his sales quota. The representative won over \$1,000,000 in the suit.

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Racial Discrimination

- A customer of Indian decent sued a retail store sued for racial/ethnic discrimination after an employee was caught on surveillance dancing around the store with a towel on his head. The customer was awarded \$420,000.
- An overnight supervisor dismissed after being found sleeping on the job at a facility for disabled adults, successfully alleged racial discrimination and received \$80,000. The majority of the supervisors of the company were the same race.

Religious Discrimination

- An employee of a company won a \$117,000 claim after it was learned that she was not a Christian and she was passed up for a promotion. The company had stated that they would only hire Christians.

Disability Discrimination

- When a retailer told a disabled job applicant that they had no openings for persons in wheelchairs, they found themselves with a \$3.5M jury verdict.

Gender Discrimination

- A compensation of \$2.3 Million was awarded to female employees of a company requiring a strength test for career advancement. 100% of those that passed the test were men.

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Hostile Working Environment

- An African-American sued after quitting his job, alleging that his supervisor created a racially hostile environment and that an outranking African-American manager failed to investigate the complaints. \$1.6M was awarded.

Breach of Contract/Misrepresentation

- A medical professional brought about an EPLI suit when his medical practice failed to provide an adequate patient load, support staff and office space for his needs. The doctor was paid \$650,000 for breach of contract and misrepresentation.

Harassment & Emotional Distress

- An invited guest of a summer associate to a picnic was subjected to derogatory remarks by an alcohol fueled partner while other partners stood by idle. The harassment and emotional distress claim resulted in a \$250,000 award.

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