



# Employee Lawsuits Happen to Small Businesses Like Yours

## Employment Practices Liability Insurance

### Legal Help Included

An EPLI policy from Nationwide also gives you access to Legal and Human Resource help, at no additional charge. We offer a Risk Management Website with employee handbook policies, compliance checklists and training resources, so you can prevent claims like the ones reported here. In addition, a Legal Hotline gives you the ability to call an employment law attorney and get practical answers to your questions.

You do not have to be sued to take advantage of these services. The value of these Legal and Human Resources services could exceed the total cost of EPLI coverage, and they can help you avert costly and disruptive lawsuits.

These services come automatically with the purchase of Employment Practices Liability Insurance from us.



Products underwritten by Nationwide Mutual Insurance Company and Affiliates. Products, coverages, terms, and discounts may vary by state and exclusions may apply. Nationwide, Nationwide is on your side, and the Nationwide N and Eagle are service marks of Nationwide Mutual Insurance Company.

Small employers are sued every day by prospective, current and former employees – for discrimination, harassment, wrongful termination and more. These claims involve restaurants, retailers, medical offices, contractors and other businesses who also thought they would never be sued by an employee.

We can help protect you at an affordable premium with Employment Practices Liability Insurance – before a lawsuit happens.

### Employment Lawsuit Examples:

#### Contractor – Disability Discrimination: \$74,000

An employee for a building contractor suffered from diabetes and needed breaks to take insulin shots. He requested an accommodation from his boss, who denied permission. The illness worsened, causing the employee to miss several days of work. The contractor fired him for excessive absences, and the worker sued for violations of the Americans with Disabilities Act. The lawsuit settled for \$74,000.



#### Restaurant – Sexual Harassment: \$25,000

A franchisee fired two restaurant employees who complained about sexual harassment by male kitchen workers.



#### Machine Shop – Pregnancy Discrimination: \$35,000

An office worker informed the president that she was pregnant. One month later she was fired and was told that her medical condition prevented attendance and performance of duties. The EEOC filed suit on her behalf and settled the lawsuit for \$35,000.



*For more examples involving small businesses like this one, read on.*

## More Employment Lawsuits

### Retailer – Age Discrimination: \$40,000

A co-manager of a women's apparel shop complained about disparate treatment on the job, allegedly due to her age. She was ultimately terminated. The EEOC filed suit on her behalf, and the retailer later settled the charges for \$40,000.



### Contractor – Religious Discrimination and Retaliation: \$75,000

An electrician was denied time to attend religious services and fired after he complained.

### Habitational – Retaliation: \$79,000

Property manager fired administrative assistant for complaining about unfair treatment of Hispanic residents.



### Supplier – Retaliation: \$87,200

After several years of employment, the supplier's contract manager complained about race and gender discrimination. She was terminated the following day. The EEOC filed suit and reached a \$87,200 settlement with the company.

### Non-Profit – Race Discrimination: \$105,000

A non-profit employer settled complaints involving racial slurs against an employee.



### Inn – Age and Disability Discrimination: \$250,000

A 62-year-old housekeeper was terminated after cancer treatments so her employer could save money on health insurance.

*Note: All verdicts and settlements reported here were found in LexisNexis or the EEOC website.*

## What do you think it is worth?

### Restaurant – Disability Discrimination

A kitchen helper had a prosthetic leg. He worked his first shift without incident. However, the restaurant manager fired him based on the leg posing a safety hazard. The employee spoke with the restaurant owner to get his job back, but the owner told him the decision was final. The EEOC sued the restaurant, and the claim is pending.



*What do you think the outcome will be in this case?*

## Risk Management Services through Nationwide Insurance's EPLI Program

Our policyholder Risk Management Services can help you avoid or minimize claims such as the ones summarized here.

### Loss Control Website

Online policies, forms and advice on managing employment issues and exposures



- ✓ No charges
- ✓ Handbook policies
- ✓ Online training
- ✓ Investigation process
- ✓ Directions for Agent or Insurer

### Law Firm Hotline

Access to employment law specialists at Jackson Lewis, LLP, for guidance on employment questions



- ✓ No charges
- ✓ 1-800 number
- ✓ National law firm
- ✓ Practical pro-active advice
- ✓ Confidential
- ✓ Spanish, Chinese and Korean language support available

*These services are included with the purchase of EPLI coverage.*