



Rockwood Programs, Inc.

4001 Miller Road, Wilmington, DE 19802-1999 • Ph: 800-558-8808

EPL Facts & Findings

Why You Need EPLI Insurance in a Bad Economy

In 2007, the EEOC experienced across-the-board increases in discrimination and retaliation charges. The economy may be to blame. Is your company prepared to defend itself against an employment claim?

The poor economy may be an important factor in explaining why charges of every type of discrimination have increased in the past year. Employment attorneys and HR specialists have observed that when the economy slows, the number of terminations increase, leading to more claims being filed. To protect your business, talk to your broker about the benefits of purchasing an Employment Practices Liability Insurance policy.

Charge Filed	Percentage Increase/Historical Comparison
Race Discrimination	Up 12% to highest level since 1994
Retaliation	Up 18% to record high level, double since 1992
Sex/Gender Discrimination	Up 7% to highest level since 2002
Age Discrimination	Up 15%, largest annual increase since 2002
Disability Discrimination	Up 14% to highest level since 1998
National Origin Discrimination	Up 12%, above 9,000 charges for 2 nd time ever
Religious Discrimination	Up to 13% to record high level, double since 1992

Who are we?

yourHRdepartment, Inc. is an expert team of HR professionals that provide quality comprehensive loss prevention services to the EPLI industry. Our distinguishing features include an online HR management system that offers state-specific information for all 50 states, plus unlimited telephone support provided by experienced HR professionals. In addition, our services include a dedicated customer service staff who ensure clients are made aware of the valuable HR tools included with their EPLI policy.



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Gender (male) Discrimination (over \$1,000,000)

A Texas chain of family restaurants has agreed to pay one million dollars to settle a discrimination lawsuit brought by the EEOC on behalf of male employees and applicants who were denied bartending positions. The lawsuit claimed that the employer had placed into effect a plan to maintain an 80:20 ratio of female to male bartenders.

Racial Harassment (\$1,650,000)

A general contractor in the construction industry will pay \$1.65 million to settle a racial harassment lawsuit brought by the EEOC on behalf of African-American employees who claimed they were subject to a racially hostile work environment. The lawsuit alleged that racial slurs were used in everyday conversation, a life-size hanging noose was displayed in a work area, and racial epithets were scrawled in portable toilets at a construction site.

Age Discrimination (\$773,000)

An employer will pay \$773,000 to settle an age discrimination case brought by the EEOC on behalf of several employees who were 47 to 65 years old when they were terminated in a reduction in force.

Disability Discrimination (\$1,700,000)

A jury awarded \$1.7 million to an employee with a disability who was not reinstated to her former position upon her return from medical leave even though she was still able to perform the essential functions of her job. Instead, the employer offered her a different position at half her salary.

Wage and Hour (\$1,560,000)

An employer will pay \$1.56 million in back overtime and penalties to nonexempt employees who were misclassified as exempt from overtime. An investigation by the Wage and Hour Division of the U.S. Department of Labor revealed that the employer misclassified retail merchandising specialists under the outside sales exemption, and failed to keep records of their hours worked.

Wage and Hour (\$1,300,000)

An employer will pay \$1.3 million to settle a class action wage and hour lawsuit brought by nonexempt restaurant employees. The servers, bartenders, cooks, and dishwashers claimed they were denied meal and rest breaks as required by the California Labor Code.