

Sexual Harassment Retaliation Claim Nets Million-Dollar Verdict

October 7, 2016 | [Employment Discrimination, Labor And Employment](#)

A Chicago-area hospital was hit with a seven-figure jury verdict this week in a whistleblower claim filed by an emergency room doctor, who complained the hospital fired him after he repeatedly warned that one of his E.R. colleagues was sexually harassing subordinates. The plaintiff – the doctor who is now practicing elsewhere – filed a retaliatory discharge complaint against the hospital, alleging it was common practice for doctors to warn new resident physicians about his colleague—whom he reportedly called a “sexual predator.” He says the hospital dismissed his reports and eventually, dismissed him. In its investigation, the Illinois Department of Human Rights found “substantial evidence” of wrongful termination. Leading up to trial, the litigation was contentious; the hospital claimed it was investigating the plaintiff in connection with the care of one of his patients; then, the hospital sued the plaintiff doctor for secretly recording conversations with his department head. A million dollars is real money. And, that doesn’t include attorneys’ fees (for both sides), or the tremendous costs of resources, time, and reputation. With its verdict, the jury sent a message not only to the hospital, but to all employers: ignore these complaints and these environments at your own peril. It may be time to refresh anti-harassment policies. The law outlines a defense for organizations with policies that encourage reporting and prompt effective responses. Whether in a manufacturing environment, an office, or emergency room, sexual harassment is always a risk. What can lessen that risk is how you prevent it and how you respond to it.

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