



Company Should Assess Conflict Threat

News

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Pavneet Uppal was quoted in *Arizona Business Gazette* on December 25, 2014. The article "Company Should Assess Conflict Threat" provided a scenario in which an employee had a history with their employer's new client and claimed that being around the client would cause "mental anguish" and create a "hostile work environment." This employee did not want to resign and told his employer to break the relationship or risk legal ramifications. Chances are that the client would only occasionally be in the office and that the employers could have made arrangements so their paths would not cross, but the employee wasn't satisfied. The article examines whether or not the employee had a case.

Pavneet said, the employer's obligation toward its employee depends on what kind of "history" the employee has with this client. Generally, employers are not required to provide a stress-free work environment.

For example, if the employee dislikes the client because her child had a schoolyard altercation with one of the client's children, the employer would be under no duty to reassign the employee to a different location or to discontinue its business relationship with the client.

On the other hand, employers have a duty to protect employees from a sexually hostile work environment even if the source of the problem is a client or customer. If the employee's mental anguish stems from the fact that she has been sexually harassed at a prior job by this client, the employer must take appropriate remedial measures.

Depending upon the severity of the alleged harassment, making arrangements to ensure that the employee's path does not cross with the client's may or may not be sufficient. Likewise, employers have a duty to protect employees from workplace violence. If the employee has a restraining order against this client or if the client has made a threat against the employee, the employer would be wise to reassess its business relationship with the client. If the client presents a threat to the safety of the employee, the employer may have to discontinue the business relationship with the client.

Each situation requires an individualized assessment. The employer must inquire into the source of the employee's alleged anguish and why she believes that a business relationship with the client would create a hostile working environment.

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