



Harassment Case a Message to Bosses

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The 8th Circuit of the U.S. Court of Appeals recently held that punitive damages are inappropriate and unwarranted in cases where an employer makes "sufficient good faith efforts" in addressing and reconciling an employee's claim for harassment. Specifically, the court stated, "When an employer promptly and conscientiously responds to complaints of harassment or discrimination with good faith efforts, punitive damages are not warranted." Employers across the country should take note of this decision and its implications.

This case provides a roadmap for employers to avoid possible litigation and damaging punitive judgments when faced with harassment, discrimination or retaliation claims. The decision explains that a preventive infrastructure, including a zero-tolerance policy for harassment and discrimination and an immediate investigation is essential to a finding that an employer did not act with "malice or with reckless indifference" to the plaintiff's federally protected rights.

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