

Deconstructing the Employee Handbook

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Chart of Federal Employment Laws

LAW	EMPLOYEES
Equal Pay Act, ERISA, FCRA, FICA, FLSA, IRCA, NLRA, USERRA	1
ADA, ADAAA, GINA, Lilly Ledbetter Fair Pay Act, PDA, Title VII	15
ADEA, OWBPA	20
FMLA	50
WARN	100

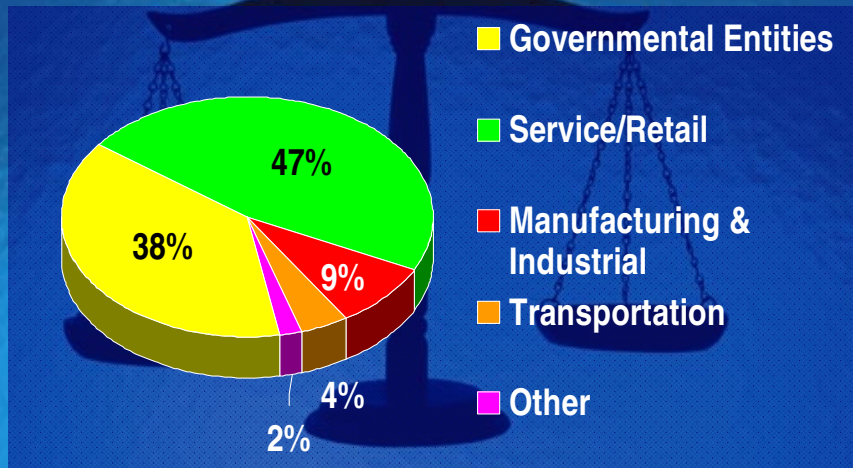
Personal Liability: You CAN be Sued as a Manager

YES	NO
FMLA	Title VII
FLSA	ADA, ADAAA
USERRA	ADEA
Employee Polygraph Protection Act	PDA
Some state non- discrimination laws	NLRA

How to Avoid Personal Liability

- ◆ Know the law (federal and state disability and family leave statutes)
- ◆ Educate and train decision-makers
- ◆ Follow the law:
 - ❖ Not just your marching orders
 - ❖ Not just to cut corners
- ◆ Document your decisions and who tells you to do what
- ◆ Review all policies
- ◆ Do not act in anger or retaliate

Truth: Analysis of Defendants 2008 - 2014



Source: "Employment Practices Liability – Jury Awards Trends and Statistics, 2015". © 2015 Thomson Reuters

Defendant Awards 2008 - 2014

Type	Probability Range
Government Entities	\$77,192 - \$548,326
Manufacturing/Industrial	\$49,410 - \$604,282
Service/Retail	\$17,475 - \$272,643
Transportation	\$34,459 – \$480,000
Overall	\$30,885 - \$400,000

Source: "Employment Practices Liability – Jury Awards Trends and Statistics, 2015". © 2015. Thomson Reuters

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