

## Retaliation: Winning the Battle, Losing the War

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1

### 20 Years Ago ...

Employees filed 22,740 retaliation charges with the EEOC (all statutes)...

... and for 2023, employees filed 46,047, an increase of **51%**

2

**BEFORE YOU EMBARK  
ON A JOURNEY OF  
REVENGE, DIG TWO  
GRAVES.**

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3

## **Charges Filed With EEOC**

### **2023**

Retaliation Charges: 46,047 (56.8%)

### **2022**

Retaliation Charges: 37,898 (51.6%)

### **2021**

Retaliation Charges: 34,332 (56.0%)

### **2020**

Retaliation Charges: 37,632 (55.8%)

### **2019**

Retaliation Charges: 39,110 (53.8%)

4

## Prevalence of Retaliation Claims



Bigger recoveries



Resonate with juries



Can be linked to other claims (especially harassment)

## Elements of Retaliation Claims



Protected Activity



Knowledge



Adverse Action



Causal Connection

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