

# RISK MITIGATION MEASURES

To avoid nuclear verdicts similar to the one resulting from this case, businesses should follow these risk mitigation tactics:



- **Minimize harassment, discrimination and retaliation exposures.** Businesses should take various steps to limit the likelihood of harassment, discrimination and retaliation incidents among their employees. These steps may include:
  - o Establishing an employee handbook that includes appropriate policies and detailed language on harassment, discrimination and retaliation
  - o Implementing effective sexual harassment prevention measures (e.g., a zero-tolerance policy and a sexual harassment awareness program)
  - o Promoting diversity, acceptance and inclusion in the workplace through employee training
  - o Encouraging employees to report all instances of harassment, discrimination and retaliation
  - o Taking all reports of harassment, discrimination and retaliation seriously by following documented investigation and response protocols
  - o Educating managers and supervisors on what constitutes retaliation and making it clear that such behavior is prohibited

o Documenting all complaints, evaluations and situations that result in an employee's termination

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- **Ensure compliance.** Businesses should also regularly assess their employment practices to maintain compliance with harassment, discrimination and retaliation laws as well as any other applicable federal, state and local regulations. Consult legal counsel for additional compliance assistance.

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- **Secure proper coverage.** In this increasingly litigious environment, it's crucial for businesses to purchase adequate insurance. Businesses should reach out to trusted insurance professionals to discuss their specific coverage needs.

For additional risk management guidance and insurance solutions, **contact us today**.