

Wrap+® for Health Care Organizations

EMPLOYMENT PRACTICES LIABILITY CLAIM EXAMPLES

\$1,800,000

A former nurse filed a lawsuit against a hospital and the vice president of human resources for wrongful termination, invasion of privacy and defamation. The plaintiff alleged that after complaining to management about wage and hour issues, the plaintiff was retaliated against, suspended and eventually terminated. The plaintiff stated the hospital suspended the plaintiff for alleged abandonment of a patient. Upon returning to work after the suspension, the hospital terminated the plaintiff for the unauthorized taking of a broken piece of medical equipment, which the plaintiff had given to a physician associate. The plaintiff's complaint included allegations that the vice president of human resources acted with malice when they advised the plaintiff's spouse and other employees of the hospital that the termination of employment was for stealing, thereby implying that the plaintiff was a criminal. The plaintiff prevailed in binding arbitration on a count of defamation and was awarded \$750,000. Defense expenses exceeded \$1,000,000.



\$600,000

A hospital employee complained that the hospital had initiated a number of policies that resulted in inadequate nurse-to-patient ratios, use of unqualified nursing staff and falsification of hospital staff training records. The plaintiff alleged retaliation and was eventually terminated in response to plaintiff's attempts to modify the hospital's policies. In the lawsuit, the plaintiff asserted the following causes of action: wrongful termination in violation of public policy, infliction of emotional distress, slander and violation of the Business and Professions Code. The case was settled for \$400,000 and defense expenses were an additional \$200,000.

\$1,370,000

The head of human resources for a hospital system, who was a 64-year-old, was terminated by the plaintiff's 45-year-old boss after findings from an outside consultant revealed that the individual created a threatening, demoralizing and dysfunctional work environment that was not acceptable for a person in that position. The former employee of more than 20 years filed a lawsuit alleging age discrimination and retaliatory termination for complaining about certain business practices. The case was resolved for a total of \$1.15 million during mediation. Defense expenses incurred were an additional \$220,000.

\$960,000

A hospital and a physician, who was a member of the hospital's board of directors, were sued by a former employee who worked in the dialysis unit of the hospital. The plaintiff alleged sexual harassment and wrongful termination. Once the case began, a group of women asserted similar allegations. The case was settled for \$400,000 and defense expenses totaled more than \$560,000.

\$192,500

Three certified nursing assistants filed EEOC charges and later a lawsuit alleging harassment, race discrimination, retaliation, failure to prevent harassment, and wrongful termination in violation of public policy. They alleged that their supervisor had made inappropriate comments relating to race and after complaining about the comments they were terminated. All three claims settled during mediation for a total of \$192,500.

G.J. Sullivan Co.

Administered by:
G.J. Sullivan Co.
625 The City Drive, Suite 400
Orange, CA 92868
Phone 714.621.2300 · Fax 714.876.2740

travelersbond.com

Travelers Casualty and Surety Company of America and its property casualty affiliates. One Tower Square, Hartford, CT 06183

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