

Employment Litigation

CASE STUDY

Case: Employee vs. Law Firm

Clients: Bartko, Zankel, Tarrant & Miller

Venue: U.S. District Court – Northern District of CA, Oakland

An employee filed a sexual harassment complaint against the law firm where she worked. The plaintiff accused a senior partner of offensive conduct in the form of bodily contact over an extended period of time.

Challenges

Our client, the defendant, faced two substantial obstacles. The plaintiff's complaint could easily evoke jurors' sympathy, and a senior partner of the firm had, in fact, engaged in fairly egregious behavior.

Solutions

We confronted these two obstacles separately but as part of a cohesive larger story.

Think Twice established a graphical distinction between the offending senior partner and the firm, as well as between the individual and the company. We created several key document treatments to illustrate that the firm did have an established policy in place and that employees had received an orientation on the subject. Next, we candidly showed what transpired over time by building a color-coded timeline demonstrating the firm's response to the initial complaint. Finally, a key graphic placed the Human Resources Director in the center of the process and showed how she rapidly resolved the matter, supporting the harassed employee throughout.

Outcome

Although the senior partner had clearly engaged in offensive conduct, the liability of our client (the law firm) was substantially mitigated by graphically demonstrating the firm's policies and actions throughout the relevant time period.

Services Provided

- Strategic planning
- Creative development
- Graphic design
- Tutorials
- Still graphics, slides and boards
- Document scanning and coding

The Firm's Written Policy

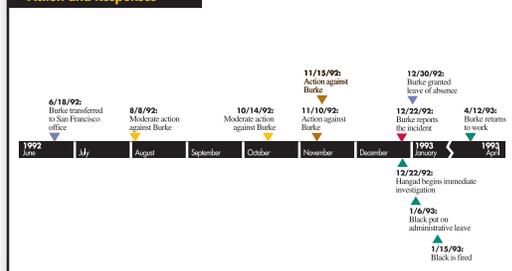


NON-HARASSMENT POLICY

The Firm believes that all employees have a right to work in an environment free of sexual or other harassment. Harassment against individuals on the basis of race, age, color, religion, sex, handicap, sexual orientation, national origin or any other classification protected by state or federal employment discrimination laws is illegal and a violation of The Firm policy. Unlawful harassment of any type will not be tolerated at The Firm.

The Firm will take disciplinary action up to and including the immediate termination of any employee who violates this policy. Employees who feel that they have been harassed or employees who witness any harassment, should immediately report such conduct to the President.

Action and Responses



Process of Review: Burke Complaint

