

HR Quiz



Retaliation

Test your knowledge regarding retaliation with these true or false questions. Answers are on the next page. Contact your local Express Personnel Services office for more information or assistance with staffing and HR issues.

1. If a complaint of discrimination or harassment turns out to be unfounded, an employee cannot file a retaliation claim.
2. Retaliation claims are becoming more common.
3. Anyone can file a retaliation claim, even if they are not in a protected class.
4. It is not necessary for every company to have a retaliation policy.
5. Giving an employee a less distinguishable title after filing a discrimination complaint is a form of retaliation.



Retaliation Quiz Answers

1. If a complaint of discrimination or harassment turns out to be unfounded, an employee cannot file a retaliation claim.

False: Even if the original complaint of discrimination or harassment turns out to be unfounded, an employee who can prove that something negative happened because of the complaint can still win a retaliation claim.

2. Retaliation claims are becoming more common.

True: Even if the employee's discrimination or harassment charge is dismissed, he or she can still succeed with a retaliation claim. In fact, from 1992 to 1999, retaliation charges increased by 43.7%, making this the fastest growing category of charges filed with the EEOC.

3. Anyone can file a retaliation claim, even if they are not in a protected class.

True: In establishing a retaliation claim, there is no requirement that the plaintiff be a member of any protected group or class on the basis of race, religion, gender, national origin, age, disability or any other protected characteristic. Potential liability for retaliation is much more expansive. For example, a non-disabled employee might mention to her supervisor that a disabled employee needs an accommodation. In this case, the employee making the recommendation would be protected against retaliation even though she is not defined as a "protected class" by the relevant statutes and has not been discriminated against.

4. It is not necessary for every company to have a retaliation policy.

False: The best way to avoid retaliation claims is to have an anti-retaliation policy and use a variety of preventive measures including training, thorough investigations and disciplinary action.

5. Giving an employee a less distinguishable title after filing a discrimination complaint is a form of retaliation.

True: Any form of adverse action constitutes retaliation. Other examples include denying tenure, giving a bad performance appraisal, denying a raise that was expected and significantly diminishing an employee's responsibilities.

Scoring

5: If you got a perfect score, great job! Contact your local Express office to find out how you can receive information to stay current on this topic and other HR issues.

4: You're on top of your HR game! Your local Express office is always available to help you solve any HR challenges you're facing.

2-3: Call Express today to find out how we can conduct an HR Audit for you.

0 - 1: Check out our HR Hotline, a service that connects you with experts who are ready to answer your questions and help solve your HR challenges.