

N.J. Human Resources Law Alert - March 2015

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RECENT DECISION BY THE NEW JERSEY SUPREME COURT REMINDS EMPLOYERS OF THE IMPORTANCE OF HAVING MEANINGFUL AND EFFECTIVE ANTI-HARASSMENT POLICIES

Every employer fears that it will be served with a Complaint alleging that one of its employees has sexually harassed another employee. Even though the offending employee was acting outside the scope of his or her employment, an employer may be held liable under the New Jersey Law Against Discrimination (“LAD”) for the employee’s actions if: (1) the employer was negligent or reckless in allowing the harassment to take place, or (2) the offending employee was a “supervisor.”