

Construction and Contracting Firms: What Could Go Wrong?

A class of landscapers contended they were paid below living wage and/or minimum wage. It was a purported class action wage claim that settled. Class notification is in process and more than **\$25,000** has been paid in defense costs.

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A former employee filed a complaint with the Department of Labor and later filed suit alleging FMLA violations. The claimant contended she was on leave for pregnancy complications and was terminated for falsifying a physician note to extend her leave. The parties eventually settled, and **\$28,000** was paid toward settlement and defense costs.

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Various subcontractors involved in a construction project managed by the company filed several administrative complaints alleging discrimination, harassment and retaliation. A state agency issued a \$366,000 punitive damages award, which is not expected to hold up on appeal of the entire decision. **\$100,000** has been paid in defense costs and global settlement efforts are underway.

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A claimant alleged she was not promoted to a management position because she was pregnant. She further contended she was constructively discharged after returning from maternity leave, because of alleged severe harassment for filing her charge. A summary judgment motion has been filed and settlement discussions are underway.

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A former employee alleged he was terminated for complaining about unsafe work conditions. The matter settled for **\$35,000**, but only after **\$70,000** was incurred in defense costs.

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*AM Best rating affirmed December 3, 2021

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