

# HR alert: How human resource professionals can protect themselves from personal liability at work

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## **HR Alert: How Human Resource Professionals Can Protect Themselves from Personal Liability at Work**

Falls Church, Va. — Human resource professionals spend a lot of time ensuring companies comply with the law so the employers don't wind up in court losing time and money. But more and more, HR managers are finding themselves defending not their employers' bottom lines, but their own personal bank accounts. Business Management Daily uncovers how HR pros can protect themselves against personal liability in a corporate setting.

According to Business Management Daily's Senior Web Editor Elizabeth Hall, "The law increasingly holds managers personally liable for conduct 'in the scope of employment' that violates Title VII, the Age Discrimination in Employment Act, the ADA, the FMLA, the Fair Labor Standards Act and more. And since HR professionals almost always act on behalf of their employers' interests, they're uniquely at risk of being personally sued."

Hall adds, "How big do you think the potential risk is? Try six figures—or more!"

Here are critical tips on how to avoid personal liability in the workplace that every HR professional should be aware of:

- 1. Know the law.** Federal and state anti-discrimination laws often specifically cite the circumstances in which individuals can be held personally liable for violations.
- 2. Educate corporate decision-makers.** Part of the role of an HR pro is making sure top brass know the law too.
- 3. The law supersedes company marching orders.** Although human resource pros are loyal employees, they must ensure compliance with the law first, even if top company management wants to cut corners. Remember, it's potentially the HR pros' money at risk.

**4. Review and compare organizational policies and procedures.** Make sure the policies and procedures align with what the law requires.

**5. Be consistent in implementing organizational policies and procedures.** Nothing turns a disgruntled employee into a litigious one faster than the perception that he or she has been dealt with inequitably or unfairly. Nothing makes a jury more likely to slap HR professionals with ruinous damage awards either.

**6. Do not act in anger or retaliate.** Oftentimes, when managers and HR people get in trouble with personal liability it's because they let their frustration with an employee get the better of their business judgment.

Hall concludes, "Anyone who commits an act that gives rise to an employment complaint or who is even tangentially involved can find himself or herself at risk of losing personal assets. That's the bad news. The worse news: The conduct doesn't have to be intentional."

For more information and the full article visit [www.BusinessManagementDaily.com](http://www.BusinessManagementDaily.com).

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