

Feel free to reprimand for substandard work

Does fear of being sued keep you from reprimanding slipshod employees? If you can document their shortcomings, don't worry.

Recent case: Mary worked in hotel sales. At one point, she was called into HR to discuss several mistakes she had allegedly made the week before. She admitted to the mistakes and was reprimanded.

Later, Mary sued, alleging race discrimination and retaliation.

But she couldn't show she had suffered an adverse employment action, such as being discharged or demoted. A reprimand wasn't enough on its own. Mary's case was dismissed. (*Kasraie v. Jumeirah Hospitality and Leisure*, No. 12-Civ-8829, SD NY, 2013)

Final note: Courts don't want to interfere with how you run your business. They expect employers to set their own standards for what's good or bad performance without outside interference.