Carefully track all training to ensure all employees have equal access

Employees are entitled to a workplace free of discrimination. That includes having equal access to training. For example, favoring some employees for training opportunities at the expense of other employees who belong to a protected class may cause a discrimination lawsuit.

Disabled employees are entitled to the same training opportunities as other employees. That means employers must provide reasonable training accommodations if they are needed—for example, making sure training is physically accessible or providing sign language interpreters.

To protect yourself against training lawsuits, track all opportunities and show that you allowed everyone who is eligible an equal crack at that training.

Recent case: The Social Security Administration fired Maneke Purchase after her supervisors complained that her work was riddled with errors and that she didn’t know how to properly process claims.

Purchase fired back with a race discrimination lawsuit.

She claimed that she had been denied training that would have allowed her to successfully perform her job. She said others in her work classification got the right training and support.

But Social Security supervisors had kept careful records of all training offered and could show that Purchase got the same training the other employees did. The case was dismissed. (*Purchase v. Astrue*, No. 08-1443, 4th Cir., 2009)

Final note: Make sure everyone knows what training is available. Keep schedules flexible enough for everyone to participate. If training is a prerequisite for promotion, make sure every employee understands that.