

9-C | WHAT IS COGNIZABLE ADVERSE TREATMENT UNDER TITLE VII?

Courts have considered the following types of treatment adverse: transfer, reassignment, termination, suspension with pay, failure to promote, exclusion from necessary information, refusal to process a grievance, deviation from established inhouse procedures, harassment, disciplinary demotion, unjustified evaluations and reports, loss of normal work assignments, etc. Accordingly, adverse treatment may include actions that are not economically detrimental to the employee. However, courts consistently have held that personality conflicts and snubbing that may make an employee's position more difficult do not constitute retaliation.

*(American Bar Association // Section of Labor and Employment Law
Equal Employment Opportunity Committee // EEO Law Basics // Spring 2006)*

