

D.C. Circuit Upholds Large Jury Verdict in Favor of Male Sexual Harassment Victim

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A prominent female lobbyist employed her former personal trainer, a Serbian immigrant, at her lobbying firm and agreed to sponsor his H-1B visa so that he could stay in the United States. Over the course of his three-year employment with the firm, the employee claimed that he was consistently harassed with sexual propositions and innuendo by his female supervisor.

Although the employee rebuffed his supervisor's advances, he claimed that the supervisor attempted to control the employee's personal life, including forbidding him from dating other women, by reminding him that his immigration status depended on her. The employee was terminated and filed a lawsuit for sexual harassment, hostile work environment, and retaliation pursuant to the DC Human Rights Act. The jury awarded the employee \$800,000 in damages for his sexual harassment and hostile work environment claims, and \$12,000 for retaliation. On the employee's fee motion, the trial judge awarded an additional \$455,730. The employer appealed, arguing various instructional and evidentiary errors at the trial court level. The District of Columbia Court of Appeals found those errors to be "harmless," and firmly affirmed the judgment and award. This case serves as a reminder to employers that though the majority of sexual harassment cases involve female plaintiffs, the law applies equally to both genders. It is important to have clear anti-harassment policies in place and to ensure that employees, particularly supervisors and decision-makers, are timely trained on these policies.

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