



REPORT ON COMPLAINTS OF SEXUAL HARASSMENT (CY2019)

Louisiana Office of Risk Management

Prepared in accordance with R.S. 42:344(C)

The following report is submitted in accordance with Louisiana Revised Statute 42:344(C). The Office of Risk Management receives both General Liability and Workers' Compensation claims asserting sexual harassment. Claims are submitted by employees who allege sexually inappropriate behavior by other employees, teachers, inmates, and patients. ORM also receives claims from non-employees alleging such behavior. Non-employee claims are generally received as lawsuits, while employee claims may be received as lawsuits or workers' compensation claims.

1 NUMBER OF SEXUAL HARASSMENT CLAIMS FILED CY2019

Forty-three claims asserting sexual harassment were reported to the Office of Risk Management. Of those received, twenty-eight were filed as workers' compensation claims and the remaining fifteen were filed as general liability claims. In 23% of the claims, the victim was a non-employee. Adult inmates comprised the majority of the non-employee victims. In cases where the employee was the victim, institutionalized clients/patients and youth inmates were the alleged perpetrators in the majority of the claims, 45% and 30% respectively.

Victim/Allegation Description	Count
Employee	33
Employee alleges inappropriate sexual contact by client	15
Employee alleges inappropriate sexual contact by other employee	4
Employee alleges inappropriate sexual comments by other employee	2
Employee alleges inappropriate sexual comments and gestures by employee	1
Employee alleges inappropriate sexual contact by youth inmate	10
Employee alleges inappropriate sexual contact by adult inmate	1
Parolee	1
Adult parolee alleges inappropriate sexual contact by probation officer	1
Student	1
Student alleges inappropriate sexual comments by professor	1
Inmate - Adult	8
Adult inmate alleges inappropriate sexual contact by correctional officer	8
Grand Total	43

2 NUMBER OF CASES SETTLED AND MONETARY AMOUNTS PAID CY2019

Six sexual harassment claims were settled in CY2019. A total of \$315,000 was paid for all six claims. The loss dates and suit received dates were all prior to CY2019. Four claims (arising from the same occurrence) comprised 80% (\$250,000) of the total paid.

Victim/Allegation Description	Number of Claims	Paid Loss Amount
Inmate	1	\$5,000
Adult inmate alleges inappropriate sexual contact by correctional officer	1	\$5,000
Student	5	\$310,000
Students allege inappropriate sexual contact by student teacher	4	\$250,000
Student alleges inappropriate sexual comments and contact by professor	1	\$60,000
Grand Total	6	\$315,000

3 NUMBER OF CASES – LAWSUITS RECEIVED (CY2019)

Fifteen lawsuits were received that asserted to sexual harassment. All lawsuits received in CY2019 are still ongoing.

Victim/Allegation Description	Number of Suits	Status
Employee	5	
Employee alleges inappropriate sexual comments by other employee	2	Pending
Employee alleges inappropriate sexual contact by other employee	3	Pending
Inmate - Adult	8	
Adult inmate alleges inappropriate sexual contact by correctional officer	8	Pending
Parolee	1	
Adult parolee alleges inappropriate sexual contact by probation officer	1	Pending
Student	1	
Student alleges inappropriate sexual comments by professor	1	Pending
Grand Total	15	

4 PAID DEFENSE ATTORNEY COSTS AND LEGAL EXPENSES FOR CY2019

A total of \$361,209.91 was paid in CY2019 for defense attorney costs and other related legal expenses in active sexual harassment claims, regardless of when the claim was filed. There were expenses incurred on fifty claims; fourteen are now closed and thirty-six remain open. Individual amounts paid for legal defense costs during CY2019 have been provided for closed claims. Individual amounts paid for legal defense costs during CY2019 for open claims were not provided due to their pending status. Louisiana Revised Statute 44:4(15) establishes a privilege against disclosure of pending claims.

Allegation Description	Status	Paid Defense/Legal Expense
Adult inmate alleges inappropriate sexual contact by correctional officer	Closed	\$12,576.22
Adult inmate alleges inappropriate sexual contact by employee	Closed	\$4,679.43
Adult inmate alleges inappropriate sexual contact by employee	Closed	\$563.96
Adult inmate alleges inappropriate sexual contact by employee	Closed	\$5,469.11
Adult inmate alleges inappropriate sexual contact by employee	Closed	\$5,405.95
Cadet alleges inappropriate sexual contact by other employee	Closed	\$748.67
Employee alleges inappropriate sexual contact by other employee	Closed	\$43,763.10
Employee alleges inappropriate sexual contact by other employee	Closed	\$7,423.38
Employee alleges inappropriate sexual contact by other employee	Closed	\$6,389.64
Employee alleges inappropriate sexual contact by other employee	Closed	\$21,812.80
Student alleges inappropriate sexual contact by student teacher	Closed	\$13,539.70
Student alleges inappropriate sexual contact by student teacher	Closed	\$536.21
Student alleges inappropriate sexual comments by professor	Closed	\$1,607.50
Student alleges inappropriate sexual comments and contact by employee	Closed	\$351.19
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by employee	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by employee	Open	Pending Claim/Litigation

Allegation Description	Status	Paid Defense/Legal Expense
Adult inmate alleges inappropriate sexual contact by employee	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Adult parolee alleges inappropriate sexual contact by probation officer	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual contact by youth inmate	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual comments and gestures by other employee	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual comments by employee	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual contact by other employee	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual contact by other employee	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual contact by other employee	Open	Pending Claim/Litigation
Employee alleges inappropriate sexual contact by other employee	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments and contact by professor	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments and contact by professor	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments by professor	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments and contact by professor	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments and contact by professor	Open	Pending Claim/Litigation
Student alleges inappropriate sexual comments and contact by teacher	Open	Pending Claim/Litigation
Visitor alleges inappropriate sexual contact by employee	Open	Pending Claim/Litigation
Youth inmate alleges inappropriate sexual contact by correctional officer	Open	Pending Claim/Litigation