



NEGLIGENT HIRING LIABILITY

LAWSUITS

A car rental company recently paid **\$750,000** to an employee who was raped by a fellow employee.

A guard service was found guilty for inadequately checking a guard's references when the guard helped steal from their client. The charge - negligent hiring as they failed to investigate and the employee had a criminal record. The damages paid were over **\$300,000**.

An employee who had previously been convicted of passing bad checks forged signatures on sales contracts. The court judged his employer negligent and awarded **\$175,000**.

After driving for a telephone company for only a week, an employee was involved in a traffic accident. The jury learned that the company never saw the employee's driver's record which had five traffic tickets within 18 months. They awarded the injured party **\$550,000**.

An Appellate Court awarded **\$4 million** to a woman who was raped by an employee. His employment application indicated no criminal convictions and the employer did not perform a complete background check.

A hospital was found negligent in hiring a kidney transplant coordinator who was unskilled in reading medical charts. As a result, a patient was given a transplant of a cancerous kidney which resulted in his death.

In 1999, Trusted Health was ordered to pay **\$26.5 million** dollars to the family of a murdered patient. Courts throughout the U.S. declared "prior to the time the employee is actually hired, the employer should have known of the employee's unfitnes" and is liable if they did not perform an adequate background investigation.

Negligent hiring litigation is a growing problem! **Employers lose 72% of all negligent hiring suits and the average jury plaintiff award in employment law cases continues to be in excess of \$1,000,000!** Damages are awarded against employers because of the employer's negligence and failure to perform a reasonable search into the employee's background prior to hiring. Courts have ruled that *"an employer has a general duty to check criminal records for employees who will have interface with the public, or who could have a foreseeable opportunity to commit a violent crime against someone in the course of their employment."*

Today's litigious society has created an environment that requires management to be armed with numerous tools. Many employers currently spend little time verifying the accuracy of employment applications, What are you doing?



**What are you doing to limit Your
NEGLIGENT HIRING LIABILITY???**

NATSB provides the most accurate and reliable information, customized to our clients needs, enabling them to find and maintain trustworthy and dependable employees/tenants, therefore limiting their negligent hiring and retention liability.