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On January 26, 2009, the U.S. Supreme Court made a ruling, based on the case *Crawford v. Metropolitan Government of Nashville and Davidson County, Tennessee*, on the following question:

“Whether, or to what extent, Title VII’s anti-retaliation provision, of the 1964 Civil Rights Act, protects an employee from being dismissed because [they] cooperated with [their] employer’s internal investigation of sexual harassment.”

The U.S. Supreme Court, in its ruling on *Crawford v. Metropolitan Government of Nashville and Davidson County, Tennessee*, overturned two earlier decisions that limited protection, under Title VII’s anti-retaliation provision, to employees who took the initiative to complain about sexual harassment or who were interviewed as part of an organization’s formal investigation.

The Court ruled employees who cooperate in an employer’s formal discrimination investigation are protected from unlawful retaliation.

Case background:

The plaintiff, Vicky Crawford, worked as a payroll coordinator for the Nashville and Davidson County, Tennessee, school system for over 30 years.

In the fall of 2001, the school system (“organization”) hired Dr. Gene Hughes as the Metro School District’s employee relations director. In 2002, the organization, in accordance with its formal anti-harassment policy, initiated an internal investigation into Hughes’ conduct after a lawyer in the organization’s Legal Department learned that several employees had “expressed concern about specific incidents of inappropriate behavior by Hughes.”

The assistant director of human resources, Veronica Frazier, was assigned to investigate the allegations. As part of the organization’s investigation, Frazier interviewed several employees who worked with Hughes, including the plaintiff.

Ms. Crawford informed Frazier that Hughes had sexually harassed her and other employees. The plaintiff gave specific details of the sexual harassment.

The investigation did not result in any disciplinary action against Hughes. The organization, however, subsequently fired Ms. Crawford and two other employees who alleged during the investigation that Hughes engaged in sexually harassing behavior.

The organization claimed it fired the plaintiff after accusing her of embezzlement and drug use but, according to Ms. Crawford, those accusations were unsupported.

After filing a charge with the EEOC, Ms. Crawford filed the instant suit, alleging that the organization violated Title VII by firing her because she disclosed Hughes' sexually harassing behavior during the internal investigation. However, the organization's management argued the plaintiff was not protected under Title VII's anti-retaliation provision.

The district court granted judgment in favor of the school system on the position that Ms. Crawford's participation in the internal investigation of Hughes was not conduct covered by Title VII's anti-retaliation provision.

The district court concluded that the plaintiff's participation in her employer's investigation did not fall within Title VII's participation clause and the court of appeals affirmed.

The case was eventually reviewed by the U.S. Supreme Court resulting in its ruling stated above.