Five Prong Test Employees Must Meet When Suing for Discrimination

According to Nelson Hardiman partner, Zach Rothenberg, who presented at the AATA Employment and HR Best Practices for the Recovery Industry Seminar, employees must prove the following when suing for discrimination:

1. They are a member of a protected class
2. There was some type of discriminatory intent against them
3. There was an adverse employment action against them (termination, demotion, etc.)
4. Causal link between the bad act and the employer's discriminatory intent
5. Damages

Zach then dives into the various burdens each party must meet.