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He Said/She Said Harassment Cases: Who's Telling the Truth? *SHRM ft. Jennifer Sherven*

Jennifer Sherven, partner with Kaufman Dolowich & Voluck on Long Island, was quoted in SHRM's article written by Allen Smith, J.D. regarding harassment investigations in the workplace.

Sometimes determining whom to believe is a judgment call.

HR must decide who is being more credible in harassment investigations when each side says the other is lying.

False Accusations

Anti-harassment policies should note that an employee who intentionally files a false report of wrongdoing may be subject to discipline, said Jennifer Sherven, an attorney with Kaufman Dolowich Voluck in Woodbury, N.Y.

While an employer can terminate an at-will employee for any reason, even if the allegations are later found to be false, Sherven said that if accusations are learned to be untrue, the employer should discipline the worker who made the phony allegations.

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