

EY Downplayed Sex Assault And Harassment, Partner Alleges

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By **Vin Gurrieri**

Law360 (April 18, 2018, 7:45 PM EDT) -- An Ernst & Young tax partner has alleged that she was “egregiously” sexually assaulted and harassed by a male colleague and was forced to alter her career after the accounting giant sought to sweep her complaints under the rug, according to a charge filed Wednesday with the U.S. Equal Employment Opportunity Commission.

Jessica Casucci, who still works at the company, alleged that the male Ernst & Young Global Ltd. tax partner groped her breasts and rear end while making lewd sexual comments on June 16, 2015, at the bar of a restaurant in Orlando, Florida, during a work conference. Two other male colleagues “stood by and did nothing,” she alleged in the EEOC charge filing.

Ernst & Young failed to adequately address her complaints about both the alleged sexual assault and other instances of harassment that she faced, forcing her to alter her career, while the alleged perpetrator faced few consequences, she said.

Casucci’s attorney, Michael J. Willemin of Wigdor LLP, said in a statement that Ernst & Young “seriously damaged” her career by mishandling her complaints.

“In this day and age, when a woman shows the courage to stand up and complain about physical sexual harassment at work, one would expect her complaint to be treated with the utmost care and urgency,” Willemin said. “Sadly, Ernst & Young, the third largest accounting firm in the world, did not treat Ms. Casucci’s complaint this way, and her career was seriously damaged as a result. We intend to send a message that there are consequences for companies who choose to protect male harassers rather than female victims of sexual harassment.”

In a statement to Law360, Ernst & Young spokesman John La Place said the company is “committed to a workplace free of discrimination and harassment of any kind,” and that it is in the process of conducting an internal investigation.

“New information was brought to our attention on April 13, 2018, which we are thoroughly investigating,” he said. “The individual who is the subject of the charge has been placed on administrative leave pending the completion of our investigation. We take all allegations of sexual harassment seriously. Once we conclude our investigation, strong disciplinary actions will be taken against anyone we determine to have violated our policies and/or our code of conduct.”

Law360 attempted to contact the man who Casucci said assaulted her, as well as the two other male colleagues she said were present when the alleged assault took place, but emails to all three were not returned.

Casucci, who was promoted to a partner position in 2014, has worked at the company for a total of 14 years.

She said that after the alleged sexual assault at the restaurant bar in June 2015, she also received a series of communications from the same tax partner prodding her to come to his hotel room to have sex — advances that she rejected.

Instead, she left the conference early and, over the course of the next year, tried to distance herself from him, in part by turning down projects in which they would be working together, which negatively affected her earning potential and career advancement, the charge filing said.

Casucci said that she has also experienced more harassment at Ernst & Young, including from another partner who repeatedly asked her if she was wearing underwear while rehearsing for a company speaking engagement, and yet another who was known for regularly staring at women's rear ends and commenting on their appearance.

She said that she eventually lodged a complaint with the company in 2016 after learning that a female colleague had also been sexually harassed.

Casucci approached Karyn Twaronite, an EY partner and its global diversity and inclusiveness officer, to detail her experiences, but was met with skepticism and questions about her own motivations and conduct, according to the EEOC charge filing.

"Ms. Twaronite also told Ms. Casucci that she might not hear anything back in response to her complaint, but that Ms. Casucci must simply 'trust the firm' to handle the matter appropriately," the charge filing said. "Unfortunately, the firm did not handle the matter appropriately."

Casucci said that little was done after her complaint to discipline her alleged assailant and that she was ultimately forced to switch teams in order to limit her contact with him and the other partner who had purportedly harassed her.

"Essentially, Ms. Casucci had to completely reinvent her career and leave a book of substantial business to build a new one," the charge filing said, while noting that her alleged assailant's career was "unabated by what he had done."

However, in early 2018, Casucci began pressuring the company for answers as to how it handled her complaints years earlier. But Twaronite and another top official would not provide any additional information, the charge filing said.

Casucci said that she was told by an Ernst & Young attorney with whom she spoke that the file on her 2016 complaint contained no information about the alleged sexual assault or the most lewd comments by the man who allegedly assaulted her, and included only information about the inappropriate emails that he purportedly sent to her.

"It was apparent to Ms. Casucci that nothing had actually been done, and that there was no concern about the impact that these events have had on Ms. Casucci," the EEOC charge filing said, adding that Ernst & Young "is more interested in protecting itself than its female employees."

Casucci is represented by Michael J. Willemin of Wigdor LLP.

Counsel information for Ernst & Young could not immediately be confirmed.

The charge is Jessica Casucci v. Ernst & Young Global Limited, before the U.S. Equal Employment Opportunity Commission. The charge number is not available.

--Editing by Dipti Coorg.