

DLA partner alleges sexual assault from senior colleague

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A junior partner at DLA Piper has accused one of the firm's senior lawyers of sexual assault, battery and harassment in an open letter that also called for her to be allowed to sue the company.

Vanina Guerrero, a Silicon Valley-based lawyer, accused the high-ranking US partner of sexually assaulting her and subjecting her to "advances, humiliations and denigrations on multiple occasions".

Ms Guerrero's contract prevents her from making a civil claim against DLA Piper, forcing her into an arbitration process instead. There has been a growing uprising against forced arbitrations, common in Silicon Valley and at large firms such as DLA Piper, which force employees to settle claims behind closed doors and suppress high-profile cases of harassment.

"No female working at DLA Piper, whether she works as an administrative assistant, paralegal, departmental staff employee, associate lawyer, contract lawyer, of counsel lawyer, contract partner or equity partner should be forced to litigate claims involving sexual assault and battery or sexual harassment by male lawyers in secret," she said in her letter dated October 2.

Ms Guerrero said she had been subjected to a campaign of harassment, including being sexually assaulted in hotel rooms on two separate business trips, and accused senior DLA partners of ignoring and marginalising her concerns.

DLA said it was "aware of these allegations by one of our partners and take them seriously.

"As soon as we were notified of the allegations, we took appropriate steps to investigate them. This process is ongoing and we continue to seek [Ms Guerrero's] co-operation in our investigation."

Ms Guerrero, who said she complained about the partner's behaviour in a letter to DLA Piper in August, has also filed a claim against the firm for gender discrimination with the US Equal Employment Opportunity Commission. The federal agency is not covered by the firm's arbitration clause.

She has accused the firm of retaliating against and "shaming" her in response to her concerns. The civil claim with the EEOC is not covered by the firm's arbitration clause. She has not filed criminal charges.

The letter sent by the Ms Guerrero's lawyer states the more senior US lawyer made his "sexual feelings" known from the start of her tenure at the firm.

The EEOC filing said the later criticised her performance and recommended she should be denied a bonus. DLA Piper also said she had engaged in "inappropriate" behaviour, the filing said.

"It is despicable that in 2019, a global law firm has debased itself to antiquated defense mechanisms that include publicly shaming and blaming women that speak out about discrimination," said her lawyer Jeanne Christensen, filing the EEOC claim.

In November last year Google ended its policy of mandatory arbitration of sexual harassment claims from employees after staff conducted a worldwide walkout to protest the company's past handling of sexual misconduct cases.