

New York lawmakers blast Ernst & Young over discrimination and sexual harassment rules

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ALBANY — New York lawmakers are calling out Ernst & Young over the financial giant's "oppressive" response to an employee's claims of sexual harassment and discrimination.

A bipartisan group of 67 elected officials sent a letter to the company's CEO Carmine Di Sibio in support of Karen Ward, a former partner who alleges she was subjected to "egregious" sexual harassment and pay discrimination and was forced to pay \$185,000 due to the company's arbitration policy.

"By limiting her recourse to forced arbitration at a personal cost of hundreds of thousands of dollars, you are effectively silencing her and sending a message to your other employees that their claims will not be given a fair hearing and that they will have to pay exorbitant costs to simply have their claims heard," the letter states.

Ward, who was based out of the accounting firm's North Carolina office, filed a federal complaint last year claiming that women at the company are routinely passed over for promotions and that she was the target of lewd comments from her boss about about her breasts and other body parts.

Ward says a boss lavished praise on her "great big round boobs" and "nice ass," while another warned she could be considered "bitchy" if she complained, according to the suit filed with the Equal Employment Opportunity Council in September.

"It is disturbing that Ernst & Young is unwilling to recognize the negative impact arbitration requirements have on the ability of workers to get a fair hearing and the chilling effect these agreements can have on reporting," the lawmakers wrote.

Sens. Liz Krueger (D-Manhattan) and Alessandra Biaggi (D-Bronx) joined with Assembly Members Aravella Simotas (D-Queens) and Jo Anne Simon (D-Brooklyn) in leading the effort to call out the company over Ward's claims and the contractual requirement to use arbitration to resolve them.

According to Ward's attorneys, had her case been heard in civil court, she would have only had to pay \$450 in court costs to date.

"For all the progress women have made to achieve equality in the workplace, some companies still have not gotten the memo that the days of the boys' club are over," Krueger said. "It is 2019, not 1959, and it is simply unacceptable to perpetuate a culture of harassment and discrimination at work."

Ward and her attorney Michael Willemin last week filed a court brief asking the judge to invalidate the arbitration agreement.

"No victim of sexual harassment should ever be denied access to our court system, never mind be required to pay hundreds of thousands of dollars simply for the right to seek justice," Willemin said. "EY should be leading by example, not silencing employees who have been sexually harassed or discriminated against."

New York has since passed legislation banning the use of forced arbitration agreements in cases of harassment and discrimination.

Ernst & Young did not respond to a request for comment.