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The Importance of Conducting Prompt Internal Investigations

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A recent decision rendered by the United States Court of Appeals for the Fifth Circuit illustrates why it is important for employers to conduct prompt internal investigations regarding claims of harassment, discrimination and/or retaliation. In Babin v. National Vision, Inc., 2012 U.S. App. Lexis 25365 (December 12, 2012), the Fifth Circuit held that an employee's allegation of retaliatory discharge under Title VII of the Civil Rights Act of 1964 ("Title VII") failed as a matter of law because (1) she did not demonstrate that "but for" her complaint against the general manager, she would not have been fired; and (2) she was unable to rebut the company's non-retaliatory business reason for her termination.