

WEST VIRGINIA JURY RETURNS DEFENSE VERDICT IN 25 MINUTES



Bailey & Wyant, PLLC's Charleston Member David J. Mincer, and Associate, Harrison M. Cyrus obtained a defense verdict on behalf of the Boone County Board of Education and three individually named Defendant Superintendents in an age and gender discrimination employment case.

The Plaintiff had a long successful career as a teacher and then became an Assistant Principal and then Principal in 2013. Unfortunately, her position as Principal was eliminated in the 2015-2016 school year due to the consolidation of several elementary schools in Boone County and she was transferred back to a teaching position due to having the least Principal seniority. She then applied for, but did not get, 6 Assistant Principal and Principal positions for which younger males were hired. At trial, the defense was able to establish that gender and age played no role in the 6 hiring decisions, and that the jobs were given to the most qualified applicants. Despite hearing evidence over the course of a week, It took the jury just 25 minutes to return a defense verdict.

While Boone County is a difficult venue in which to defend an employment claim, this verdict demonstrates that with effective representation, an employer can succeed in getting a jury to decide a case on its merits rather than historical viewpoints and biases. If you require legal representation in an employment matter, Mr. Mincer and Mr. Cyrus would welcome the opportunity to provide you with the same level of effective representation and advocacy.



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