

# Sexual Harassment – Bad Faith Accusations Policy



It's become increasingly common for sexual harassment policies to include language making "false" complaints grounds for discipline. After all, while the vast majority of sexual harassment complaints are made in good faith, you also need a provision enabling so employees who manipulate the system by making accusations that they know are baseless can be held accountable. But disciplining an employee for making a false accusation can be a form of illegal retaliation to the extent the employee acts in good faith. For discipline to be warranted, the accusation must be not only "false" but made maliciously, recklessly or in bad faith. Here's Model Language you can adapt for your own sexual harassment policy.