

# Court Reduces Punitive Damage Awards for Former Wal-Mart Employee



A former Wal-Mart assistant manager sued the company and her manager for constructive dismissal, claiming she was forced to quit after suffering six months of mental abuse by the manager as well as an assault by an assistant manager. A jury found in her favour and awarded her \$1 million in punitive damages against the company and \$150,000 against the manager. But the Court of Appeal just reduced those awards. It explained that punitive damages are intended to condemn particularly egregious behavior and are appropriate when the other damage awards aren't sufficient for retribution, denunciation and deterrence. Given the total amounts awarded to the ex-employee, those purposes were served with lesser punitive damage awards. So the Court reduced those awards to \$10,000 for the manager and \$100,000 for Wal-Mart. Thus, the total damages were \$110,000 against the manager and \$300,000 against Wal-Mart [*Boucher v. Wal-Mart Canada Corp.*, [2014] ONCA 419 (CanLII), May 22, 2014].