BNP Paribas reaches settlement over offensive Hitler parody video in training sessions

In February 2016, BNP Paribas agreed to pay an undisclosed amount to settle a lawsuit accusing it of improperly dismissing an employee who complained that he had been offended after being made to watch a training video depicting Hitler and a group of Nazi soldiers.

The dispute stems from a video which certain BNP Paribas employees were required to watch during a training seminar in Amsterdam in July 2011. The video was a parody adaptation of the 2004 film Downfall, and portrayed Hitler as Deutsche Bank’s CEO and the Nazi soldiers around him as Deutsche Bank executives.

Jean-Marc Orlando, a managing director in BNP Paribas’ fixed-income division in New York and Orthodox Jew, complained to his supervisors and other employees that the video had made him feel anxious and uncomfortable and that it offended him as a Jewish person. The film contained uniformed soldiers wearing swastika armbands, and various spoken references to the Nazi regime, including the phrases ‘Third Reich’, ‘my Fuhrer’, ‘Goebels’ and ‘a large Polish operation’. The video was played a second time despite Orlando’s complaints to managers.

Orlando claimed that after his complaints he received an unusually and suspiciously poor performance evaluation from his superior. He was also not given a bonus and the bank tried to transfer him to France. In May 2012, Orlando was terminated from his position and he subsequently filed a lawsuit against his former employer claiming that he had been subjected to a hostile work environment because of the two showings of the video. Orlando also claimed that colleagues had made a number of anti-Semitic comments during his time at the bank.

Orlando originally sought USD 40 million in monetary and punitive damages. As of 6 May 2016, the terms of the settlement had not yet been released.

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Source(s):
http://www.jta.org/2016/05/05/news-opinion/united-states/bank-settles-40m-lawsuit-over-compulsory-hitler-parody-video
http://www.reuters.com/article/bnp-lawsuit-discrimination-idUSL1N0ON2AR20140606

Related Articles
There are no linked loss events

Event	Published in Media	Date of Occurrence – From	Date of Occurrence – To	Discovery Date	Date of Recognition / Settlement
Loss Amount USD	04/May/2016	01/Jul/2011	N/A	01/Jul/2011	01/Feb/2016
USD Not Identifiable	EUR Not Identifiable
Provision	No
Boundary Risk	Other Risk
Industry Event	N/A	Scenario	EMPREL - Employee Relations
Product	PD9900 - Not Product Related
Process	PC0901 - HR Management
Parent Company	N/A
ORX Member	Yes
Role of Firm	LS0303 - Employer
AMA Status	N/A

Cause 1	CS0207 - Workplace Environment
Cause 2	CS0403 - Inadequate Policy / Procedure
Cause 3	N/A

Counterparty	LS0212 - Not Identifiable
Jurisdiction / Choice of Law	LS0101 - United States of America
Environmental Volatility	LS0401 - Cultural / Social