

1-J | WHAT COULD MY EMPLOYER DO TO DENY MY ALLEGATIONS, AND HOW DO I RESPOND TO THEIR DENIALS?

Because the FCRA (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0760/ch0760.htm) is based on Title VII, Florida courts have ruled that the state legislature intended the two acts to be interpreted similarly.¹³ Thus, federal case law construing Title VII is binding on Florida courts.¹⁴ But the typical federal burden-shifting method is generally used: once you establish your case, your employer must state a legitimate, nondiscriminatory reason for your discharge. You must then prove that the reason your employer offers is a pretext for the real reason you were fired.¹⁵ See the Federal Law page for more details.

(unknown authors)

Footnotes

¹³ Russell v. KSL Hotel Corp., 887 So.2d 372, 377. (Fla. 3rd Dist. App. 2004)

¹⁴ See Resley v. Ritz-Carlton Hotel Co., 989 F. Supp. 1442, 1446-1447 (M.D. Fla. 1997)

¹⁵ Russell, 887 So.2d at 379.

