

4-F | WHAT COULD MY EMPLOYER DO TO DENY MY ALLEGATIONS, AND HOW DO I RESPOND TO ITS DENIALS?

Once you make your initial allegation, your employer must demonstrate the practice is based on a bona fide occupational qualification or a bona fide seniority system (see Equal Pay section). Courts have permitted such defenses even where they have a disparate impact upon minorities.³¹ It is up to you to refute this.

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Footnotes

³¹ Prieto, 190 F.Supp. 2d at 1353.

