



FCRA WAGE PROJECT
CHAPTER 13: WHAT AM I ENTITLED TO IF I WIN?
[ALL-IN-ONE DOCUMENT]

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CHAPTER: 13 WHAT AM I ENTITLED TO IF I WIN?

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ITEMS: A through G



13-0 | CHAPTER INTRO - WHAT AM I ENTITLED TO IF I WIN?

- a. What am I entitled to if I prove my claim of sex discrimination under the FCRA?
- b. What is equitable relief?
- c. What is injunctive relief?
- d. What is the difference between compensatory and punitive damages?
- e. Am I entitled to my old job back?
- f. Will this be the final result?
- g. If I am not satisfied with the result, can I appeal?

(unknown authors)



13-A | WHAT AM I ENTITLED TO IF I PROVE MY CLAIM OF SEX DISCRIMINATION UNDER THE FCRA?

If a determination of a violation of the FCRA (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0760/ch0760.htm) is made, damages you are eligible to receive include back pay, compensatory damages (including damages for emotional distress), reasonable attorney's fees, and up to \$100,000 in punitive damages in a civil action.^{[101](#)} An employer's liability for back pay is limited to two years.^{[102](#)}

(unknown authors)

Footnotes

¹⁰¹ Fla. Stat. Ann. §760.11(5).

¹⁰² Fla. Stat. Ann. §760.11(9).



13-B | WHAT IS EQUITABLE RELIEF?

A remedy in equity is non-monetary relief, obtained when monetary damages cannot adequately redress the injury.^{[103](#)}

(unknown authors)

Footnotes

¹⁰³ Black's Law Dictionary 1297 (Bryan A. Garner ed., 7th ed., West 1999).



13-C | WHAT IS INJUNCTIVE RELIEF?

An injunction is a court order commanding or preventing an action.^{[104](#)}

(unknown authors)

Footnotes

¹⁰⁴ Id. at 788.



13-D | WHAT IS THE DIFFERENCE BETWEEN COMPENSATORY AND PUNITIVE DAMAGES?

Compensatory damages compensate for what you have lost, while punitive damages exist to punish the wrongdoer (in this case, an employer who has violated your rights under the FCRA).

(unknown authors)



13-E | AM I ENTITLED TO MY OLD JOB BACK?

Yes, the FCHR (<http://fchr.state.fl.us/>) can order your reinstatement, as well as ordering your former employer to cease and desist from any discriminatory actions.^{[105](#)}

(unknown authors)

Footnotes

¹⁰⁵ <http://fchr.state.fl.us/complaint.htm> (updated 1/24/2005).



13-F | WILL THIS BE THE FINAL RESULT?

Yes.

If a civil action is brought under the FCRA (http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0760/ch0760.htm), the commission no longer has jurisdiction over the complaint once it is in court.¹⁰⁶

(unknown authors)

Footnotes

¹⁰⁶ Fla. Stat. Ann. §760.11(5).



13-G | IF I AM NOT SATISFIED WITH THE RESULT, CAN I APPEAL?

Yes.

Final orders of the commission are subject to judicial review.^{[107](#)}

(unknown authors)

Footnotes

¹⁰⁷ Fla. Stat. Ann. §760.11(13), see also Fla. Admin. Code Ann. r. 60Y-4.030.



APPENDIX



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