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Abril-Rivera v. Johnson

November 17, 2015

Civil Rights, Labor & Employment Law

(United States First Circuit) - In a Title VII lawsuit brought by former employees of a now-closed Puerto Rico call center run by the Federal Emergency Management Agency (FEMA), alleging that FEMA's actions in implementing a rotational staffing plan at the center and in eventually closing the facility discriminated against them on the basis of their Puerto Rican national origin and constituted unlawful retaliation for protected conduct, the district court's grant of summary judgment to defendants is affirmed where: 1) plaintiffs' disparate impact claims fail because a) the challenged actions were job-related and consistent with business necessity, and b) plaintiffs have not shown that there were alternatives available to FEMA that would have had less disparate impact and served FEMA's legitimate needs; and 2) both retaliation claims fail because plaintiffs have not shown that the allegedly adverse employment actions were causally related to any protected conduct.