



EMPLOYMENT LAW TRENDS

CONSTANGY, BROOKS, SMITH & PROPHETE, LLP



EEOC CHARGES NATIONALLY

EEOC Charges Are Down Overall

- 99,947 in FY 2011

- 88,778 in FY 2014

Charges of Retaliation Increase

- 28.6% in FY 2004

- 42.8% in FY 2014

EEOC CHARGES IN FLORIDA

Florida EEOC Charges Are Down

- 8,088 in FY 2011
- 7,528 in FY 2014

Charges of Disability Discrimination Increase

Charges of Retaliation Increase

EEOC ENFORCEMENT

Lawsuits Filed By the EEOC Are Down

- 421 in FY 2004
- 167 in FY 2014
- 58% Based on Title VII
- 71.4% Based on Discharge

DOL ENFORCEMENT

FLSA Complaints Are Down

- 1,889 in FY 2008
- 1,419 in FY 2015

FLSA Collections Are Up

- \$185 Million in FY 2008
- \$240 Million in FY 2015

DOL ENFORCEMENT

FMLA Complaints Are Down

- 2,094 in FY 2010
- 1,419 in FY 2015

FMLA Collections Are Up

- \$1.6 Million in FY 2010
- \$1.9 Million in FY 2015

LITIGATION STATISTICS NATIONALLY

FLSA Lawsuits Rose 3% Nationally in 2015

FMLA Lawsuits Rose 2% Nationally in 2015

Employment Discrimination Lawsuits Rose 3%

LITIGATION STATISTICS IN FLORIDA

New Federal Lawsuits Rose By 8.5% in N.
Fla.

FLSA Lawsuits Account for 15% Nationally

EEOC Lawsuits Rose By 55% Since 2010

ON THE HORIZON

Pay Issues:

- Minimum / "Living" Wage
 - > ½ States With Higher Minimum Wage
 - Cities With Higher Minimum Wage
- SB 6 / HB 109: \$15.00 / Hour
- White Collar Exemptions: \$50,400.00

ON THE HORIZON

EEO Issues:

- LGBT Protection
 - SB 120 / HB 45
 - City Ordinances
- Ban the Box
- The "Convincing Mosaic" Standard

