Employment Law Update
(Presentation Slides)

By

Robert B. Fitzpatrick
Robert B. Fitzpatrick, PLLC
Washington, District of Columbia
Employment Law Update

by

Robert B. Fitzpatrick, Esq.
Robert B. Fitzpatrick, PLLC
Suite 640
Universal Building South
1825 Connecticut Avenue, N.W.
Washington, D.C. 20009-5728
(202) 588-5300 (telephone)
(202) 588-5023 (fax)
fitzpatrick.law@verizon.net (e-mail)
http://www.robertbfitzpatrick.com (website)

Lilly Ledbetter Fair Pay Act of 2009

• “For purposes of this section, an unlawful employment practice occurs, with respect to discrimination compensation in violation of this title, when a discriminatory compensation decision or other practice is adopted, when an individual becomes subject to a discriminatory compensation decision or other practice, or when an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice” Id. § 3(a)

• “This Act, and the amendments by this Act, take effect as if enacted on May 28, 2007” Id. § 6


Americans With Disabilities Act


• Adams v. Rice, 531 F.3d 936, 2008 U.S. App. LEXIS 15295 (D.C. Cir. 2008) (sexual relations is a major life activity)

• Archive ADA: The Path to Equality, www.archiveADA.org (last visited February 27, 2009)

Americans With Disabilities Act

• Desmond v. Mukasey, 530 F.3d 944, 2008 U.S. App. LEXIS 13803 (D.C. Cir. 2008) (sleeping is a major life activity)

• Archive ADA: The Path to Equality, www.archiveADA.org (last visited February 27, 2009)
Retaliation Claims: The Tail is Wagging the Dog

- The number of retaliation charges filed with the EEOC increased from 1997 at 22.6% to 29.8% of all charges filed in 2006. Sylvia A. Bier, American Bar Ass’n, *Protect Against the Surge of Employee Retaliation Claims: Understanding Title VII and Its Application to Recent EEOC Cases*, 36 The Brief 3, at 15 (Spring 2007)


Litigation Under New Whistleblower Laws

