

Text size: [] []

WIN A MILLION DOLLARS. Well, maybe Click here

- Classifieds - Place an ad - Find a job - Find a car - Autos A-Z - Find real estate - Foreclosure sale - Foreclosure listings - Find rental properties - NEW Celebrations - Pets

Weather [Map of Florida]

Traffic

- News - Broward County - Palm Beach County - Breaking News - City by city - Your Time & Money - Schools - Florida - Nation/World

Sports

Miami Dolphins

Miami Heat

Florida Marlins

Mother's Day

Business

Entertainment

Lifestyle

Summer Camps

Travel

Obituaries

Opinion

Metromix

Blogs

Video

Multimedia Gallery

Topics

Corrections

News Tips

TV Listings

Recession, layoffs cause surge of workplace discrimination complaints

In Broward County for fiscal /2008, age discrimination claims filed with the EEOC increased by 21 percent from the prior year, gender discrimination charges rose by 33 percent, and retaliation charges were up by 36 percent.

Marcia Heroux Pounds 8:03 PM EDT, April 29, 2009

A Fort Lauderdale woman in her 70s says she was fired from her job at a grocery store because of her age. A Delray Beach man in his 40s claims says he was fired and told his job was going to someone "younger."

Both have filed discrimination claims with the Equal Employment Opportunity Commission. Charges of bias and discrimination at work typically surge in during recessions, and this one is packing a wallop.

In Broward County for fiscal /2008, age discrimination claims filed with the EEOC increased by 21 percent from the prior year, gender discrimination charges rose by 33 percent, and retaliation charges were up by 36 percent.

The percentage increases were nearly almost identical in Palm Beach County.



Marcia Heroux Pounds Bio | E-mail | Recent columns

Related links

Your Career

Marcia Heroux Pounds: Now's when you want to raise your profile at work

Communicating with co-workers

How do you prefer communicating with your co-workers?

- In person. Face-to-face is always better. E-mail or text messaging. It is most efficient. Telephone. I can communicate better on the phone than an e-mail.

Vote

View current results

Marcia Heroux Pounds: The 'fearless fish' know how to get ahead in the workplace

Marcia Heroux Pounds: What you need to know to write a powerful resume

Ads by Google Employee Complaint System Manage Employee Complaints & ER

The spike in EEOC claims, some of which later result in lawsuits, has South Florida lawyers predicting local courts to will be jammed with them next year.

Of discrimination suits, age and pregnancy are the reasons cited most often in a recession, said Loring Spolter, a Fort Lauderdale lawyer who represents former employees in discrimination cases.

Helene Maticic, known as Holly, was fired in June 2008 from Whole Foods Market in Fort Lauderdale "for reasons other than misconduct connected with the work," according to a November 2008 decision by the Florida Agency for Workforce Innovation.

After working in the store's produce department for five years, Maticic, then 72, said she was suddenly switched from working 30 hours a week to //working// 40 hours.

In her filing with the EEOC, Maticic claims says //that when she asked for reduced hours, // she was mocked by a store manager when she asked for reduced hours, saying, who said, "Poor Holly, she needs special treatment because she is getting old."

Maticic says she needed foot surgery last spring and took medical leave in early April. Her return was scheduled by June 9, 2008, according to her EEOC complaint. She called Whole Foods on or about June 5, saying she could return to

Check these out!



Education holding you back? Click here for the best programs that will move you up the corporate ladder.



Mom's day! Give mom love AND the perfect gift. Click here for tons of ideas



Too posh to push: Who in Hollywood has had a c-section? Take a look.



Summer camps: Find a place to keep the kids busy this summer

MINTO SPRING SELL-A-BRATION Better HOMES. Better VALUE. Better LIFE. minto www.mintofla.com beinspired

Popular stories: Features

- Most viewed Most e-mailed Hot topics

Movie review: 'Wolverine' declawed by deja vu US agency announces recall of Hydroxycut, used by dieters and body builders, for health risks

U.S. House passes legislation to curb credit card rate increases

Man caves: A great escape

Horoscope for May 1

More most viewed

Search now. cars.com Confidence Comes Standard.

Movie Times

Newspaper Services

- Get home delivery
- Subscriber services
- Teacher resources
- Work at Sun-Sentinel
- Advertise with us
- Buy photos
- Buy back issue
- Contact us
- Sell our paper
- Newspaper boxes



Digital Edition

Subscribe Now!

Log In

Resources

- Make us your homepage
- Recent articles
- RSS feeds
- Mobile services
- Newsletters/Alerts
- Florida Lottery
- Find a restaurant
- Horoscopes
- Calendar of events
- Webcam
- Site Map

Save on your next meal



50% off restaurant gift certificates Buy here



Investigations. Schedule Live Demo.
www.i-sight.com/employee_relations

Wrongful Discharge Lawyer

Florida Law Firm Handles Wrongful Termination Cases Statewide in FLA
www.job-rights.com

Workplace Discrimination

Workplace Discrimination Issues? Get Legal Advice Now.
www.legal-experts.net

FL Insurance Dispute Law

Miami Insurance Litigation Attorney Free No Obligation Consultation!
www.kirshnergroff.com

Present Your Case - Free

Employment Lawyers Respond Fast, Easy & 100% Secure
www.LawyersLegalLaws.com

work.

After several days of calling to get her work schedule, Maticic about June 12 reached a store manager about June 12 who told her, "You have been terminated for failing to return from medical leave," according to the complaint.

"I know it's my age. I was a good worker," Maticic said of her firing.

Libba Letton, spokeswoman for Whole Foods Market, said she can't comment on Maticic's EEOC complaint, but the company disputes unemployment benefits "in all cases where a team member is no longer employed due to their own action."

Jose Cespedes, former marketing director for MWI Corp., a pump maker in Deerfield Beach, filed a complaint with the EEOC claiming age discrimination after his supervisor fired him in January 2008.

Cespedes, then 47, claims says his supervisor fired him, saying, that in firing him, his supervisor said, "You and I are about the same age and we're not going to change, and that's why I'm going with a younger person," according to a lawsuit Cespedes filed against MWI in Broward County Circuit Court on Wednesday.

"This was the first time in my life somebody called me old. I felt like I was worth nothing," said Cespedes, who is running through his life savings while looking for a job.

MWI denies any discrimination. "We're confident the case has absolutely no merit," said Bill Bucknam, general counsel for MWI.

Workers have 300 days after a layoff to file a discrimination complaint with the EEOC, and a year to lodge a complaint with the Florida Commission on Human Relations.

But Fort Lauderdale lawyer Eugene Pettis said the time to complain about discrimination is while you're still employed -- not as you exit.

Spolter suggested sending your complaint by certified return-receipt mail to both the head of human resources and your supervisor. And keep proof of delivery.

Retain hard copies of e-mails performance evaluations and a diary of comments made in the workplace that might support your case.

Notice the pattern of your company's layoffs, Spolter says. Is nearly almost everyone being laid off over age 50? Are pregnant women being let go?

"You need to look around and see who is being cast aside," he said.

[E-mail](#) [Share](#) [Print](#)

Related topic galleries: [Employment Opportunities](#), [Broward County](#), [Discrimination](#), [Minority Groups](#), [Justice System](#), [Unemployment](#), [Whole Foods Market](#)

All topics

Copyright © 2009, South Florida Sun-Sentinel

Read all 12 comments »

Name

Comments

Type the numbers you see in the image on the right:



Your Daily News Newsletter



Get all the news delivered straight to your inbox. The mid-day briefing. **It's fast and it's free.**

[Add Newsletter](#)

Blog



Printable coupon: \$10 off \$50 at SteinMart

Just in time for Mother's Day, get \$10 off \$50 at SteinMart. There's also a coupon for and additional...

Mermaids Purse is moving

If you have been in downtown Delray lately, you may have noticed that the Mermaids Purse has disappeared. No,...

Coupon: 40% off one book at Borders May 1st and 2nd

Two days only, get 40% off the list price of one book at Borders. Offer good May 1st and...

[»» More from Shop-O-Matic](#)

Blog



Truth in the U.S. Capitol

Truth has finally come to the U.S. Capitol in Washington, D.C. A black woman named Isabella Baumfree, who became...

Gospel complex hoping for Amazing Grace

The Gospel Complex for Education & Preservation, to be built in Lauderhill during the first quarter of 2011, is...

100 days of President Obama

The accomplishments of President Barack Obama in his first 100 days have been sweeping while he zeroes in on...

[»» More from Gregory Lewis' Old School Blues](#)



Photo Galleries



My Wedding Moments Photos: Add your unforgettable wedding photo to our album

[Which dog breed is your](#)

[Post Comment](#)

Please note by clicking on "Post Comment" you acknowledge that you have read the [Terms of Service](#) and the comment you are posting is in compliance with such terms. **Be polite.** Inappropriate posts may be removed by the moderator. [Send us your feedback](#).

[Related News from the Web](#)

Powered by [Topix.net](#)



favorite? 



Your Broward County: Share your photos of Broward County sights and scenes



Youth Sports: Post and share pics of your young all-stars in action!

- **Hotter than Sand:** South Florida lifeguards saving lives and looking good
- **Cute Pets:** Upload and share your pet photos [here](#)
- See and upload pics of your fishing adventures

[amNY](#) | [Baltimore Sun](#) | [Chicago Tribune](#) | [Daily Press](#) | [Hartford Courant](#) | [LA Times](#) | [Newsday](#) | [Orlando Sentinel](#) | [The Morning Call](#) | [The Virginia Gazette](#)

[Copyright 2009](#) | [Privacy Policy](#) | [Advertise with us](#) | [Subscriptions](#) | [Paid Archives](#) | [Questions or comments](#)

[Broward Educator](#) | [City & Shore Magazine](#) | [El Sentinel](#) | [Forum Publishing Group, inc.](#) | [News in Education](#) | [South Florida Parenting](#) | [South Florida Teenlink](#) | [TCPalm.com](#) | [SouthFlorida.com](#) | [WXEL](#) | [WPTV](#)

200 E. Las Olas Blvd., Fort Lauderdale, FL 33301