



Burr & Forman Successfully Defends Aerospace Manufacturing Employer in Gender Discrimination Claims

Firm News
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Birmingham, June 15, 2021 – Burr & Forman LLP attorneys Mike Lucas and Meryl Cowan recently successfully defended an aerospace manufacturer before a three-judge appeals panel. The U.S. Court of Appeals for the Eleventh Circuit upheld a lower court’s dismissal of a suit alleging sex discrimination in its handling of severance pay after an office closure.

In its finding, the Court held that there was no evidence of discrimination in the objective criteria used to determine who was and was not entitled to severance. Further, the Court’s opinion stated the plaintiffs were not entitled to the severance as they were offered alternate jobs within the organization that they voluntarily rejected, and the positions would not have required them to relocate for 12 months while the requirement for severance was an immediate relocation.

The Court also cited its agreement with the defense counsel that the plaintiffs’ case centers on their disagreement with the defendant’s business judgment related to severance decisions and that it is not the role of courts to sit as “super-personnel departments” to reexamine the wisdom of business decisions.

Lucas and Cowan both practice in the firm’s Labor & Employment Law Practice Group.

A full report from Law360 can be found here (subscription required).

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