HYPOTHETICAL CASE: EMPLOYMENT DISCRIMINATION (HANDOUT NUMBER ONE)

Oliver Ink is an employee of Federal Express where he works in the Logistics and Distribution (L&DC”) Center in Miami, Florida. He is a mailhandler. He reports to the Supervisors of Distribution Operations (“SDO”). There are two SDOs – Ana Hernandez and Sherina Maywood. The SDOs report to two Managers of Distribution Operations (“MDO”) – Katrina Smith and Cameron Lewis. The MDOs report to the Plant Manager – Mark Chambers.

Oliver Ink filed a discrimination complaint against Federal Express, claiming that Katrina Smith, Cameron Lewis and Mark Chambers discriminated and retaliated against him because of his race and gender, and because he had filed prior discrimination complaints against Federal Express naming Ms. Smith, Ms. Lewis and Mr. Chambers as the discriminating officials.

Plaintiff Ink makes three claims: (1) that he was not given a supervisory position in December 2003 (2) that he was improperly suspended in May 2004, and (3) that his overtime was reduced from August 2004 until the time of trial. He claims that all these things occurred because of discrimination and retaliation.

Defendant Federal Express contends that (1) Plaintiff Ink was not given a supervisory position in December 2003 because he was accused of sexual harassment and when it was investigated, it was determined that he had engaged in inappropriate conduct; (2) Plaintiff Ink was suspended in May 2004 because of a complaint against him by a co-worker that he grabbed her in the workplace and (3) his overtime was reduced because the volume of work had decreased, but Plaintiff Ink still had higher amounts of overtime than most workers on his shift.

Oliver Ink and Ana Hernandez are Cuban American. Sherina Maywood, Katrina Smith and Cameron Lewis are African-American. Mark Chambers is Caucasian American.