

# Social equity: ricci v. destefano

Law



This trend had sparked an outcry from citizens who construed the outcomes to be possible acts of discrimination. In the confrontation that had ensued, white Hispanics who believed they have passed the exams entered into a legal suit against the City that the results were engineered to discriminate them against the provisions of the constitution (Woods Jr and Gutzman, 2009).

The District Court had initially granted summary judgment to the case and the second circuit had affirmed. In the determination of the appeal, the court had observed that Title IV prohibits any acts of employment discrimination on the basis of color, sex, race, religion, or national origin under what it interpreted as disparate treatment. The court had also elaborated that other forms of employment discrimination practices include discriminative policies or any practice that succeeds in discriminating, whether intended to be so or acts so by default, especially on minorities. Disparate treatment is the discriminatory act in which an employer treats other employees as lesser beings with regard to workplace dynamics (Supreme Court of the United States, 2009).

The court had also observed that once a plaintiff has established a prima facie case of a disparate act, then it is the duty of the employer has the burden to prove to the court that the position in question and procedures for acquisition is consistent with the necessity of the specific business in question. The court also recognized that in rare circumstances, when an employer takes an intentional course of action that directly discriminates on the basis of taking a precaution to avoid or remedying unintentional disparate impact, even then the employer must have strong evidence to supports such actions as reasonable and not ill-intended. With the evidence <https://assignbuster.com/social-equity-ricci-v-destefano/>

provided before the court, the court had maintained that the City failed to demonstrate that its race-based rejection of evaluation outcomes was consistent with the provisions of the law. It, therefore, maintained that disregarding the tests was an act of discrimination for the purposes of Title IV of the Civil Rights Act (Dierenfield, 2008).

The Supreme Court, therefore, reversed and remanded the case. With regard to remedies for discrimination, the court had maintained that only subsequent suits presented after the certification of test results would be permissible for legal compensation. In specific terms, the court had observed that if after the City certifies test results, and the City faces a disparate-impact suit, then based on the court's holding, the outcomes may then depend on the possibility of applicability of disparate treatment liability (Supreme Court Of The United States, 2009).