

What can you do if you believe that you have been retaliated against?

You may make a complaint to:

**Miami-Dade County Office of
Human Rights and Fair Employment Practices**

111 NW 1st St., 22nd Floor

Miami, FL 33128

Phone: 305-375-2784

Fax: 305-375-2114

Email: OFEP@miamidade.gov

www.miamidade.gov/humanrights

Your department's Fair Employment
Practices Liaison

Equal Employment Opportunity Commission

Two Biscayne Blvd., Ste. 2700

Miami, FL 33131

Phone: 305-808-1740

Florida Commission on Human Relations

2009 Apalachee Pkwy, Ste 100,

Tallahassee, FL 32301

Phone: 850-488-7082

Diversity
matters

at Miami-Dade County



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What is Retaliation?

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**Miami-Dade County Office of
Human Rights and Fair Employment Practices**

Retaliation occurs when an adverse action is taken against an employee because he or she has engaged in a protected activity.

What are Protected Activities?

- Opposing discrimination
- Filing a discrimination complaint
- Testifying, assisting or participating in an investigation, hearing or other proceeding relating to discrimination
- Exercising constitutional or statutory rights

An employee is protected even if he or she complains about discrimination against someone else.

What is an Adverse Action?

An adverse action is any action by the employer that discourages a reasonable employee from complaining about discrimination or filing an administrative

charge of discrimination with an agency like the EEOC. This action may or may not directly impact the employee's working conditions or compensation.

Examples of adverse actions include, but are not limited to:

- Terminating an internal investigation because the employee filed an administrative charge with the EEOC
- Refusal to hire
- Denial of promotion
- Demotion
- Denial of pay increase
- Unwarranted discipline or reprimand
- Transfer to a less desirable job, work location or schedule
- Overly scrutinizing an employee's performance or conduct
- Denial of training opportunities or other job benefits
- Negative job evaluation or performance review

What is Not Retaliation?

- Adverse action based on performance or other legitimate reasons
- Petty slights, minor annoyances, or lack of good manners

How do You Prove Retaliation?

To prove retaliation, there must be evidence that the adverse action was taken because of the protected activity, such as by showing:

- The protected activity and adverse action occurred close in time
- The supervisor or manager that took the adverse action was aware of the protected activity
- Other employees who have similar jobs and who did not engage in the protected activity received more favorable treatment

What is Retaliation?

