

U.S. Supreme Court Highlights: *Ricci* Developments

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1. *United States v. City of New York*, 2010 U.S. Dist. LEXIS 2506 (E.D.N.Y. Jan. 12, 2010) (The Court ruled that New York City Fire Department had intentionally discriminated against black and Latino applicants by continuing to use entrance exams the City knew were discriminatory. The Court cited *Ricci* for the proposition that “a disparate treatment claim requires additional proof that the challenged policy was adopted with the intent to discriminate against the protected group” and held that, based on depositions and documentary evidence, the City’s continued use of the exam was intended to discriminate against a minority applicants.)
 - Al Baker, *Judge Cites Discrimination in N.Y. Fire Dept.*, NYTimes.com, Jan. 14, 2010, available at <http://www.nytimes.com/2010/01/14/nyregion/14fire.html>.
 - New York Employment Law Blog, *Federal Judge Rules that New York Fire Department Discriminates Against African-American and Latino Applicants*, July 30, 2009, available at http://www.nyemploymentlawyer.com/2009/07/federal_judge_rules_that_new_y.html.
 - Employment Lawyer Blog, *In Case That Bears Echoes of Ricci V. New Haven, Minority Firefighters in NYC Claim Skills Exams Discriminate*, Post by Charles Joseph, August 16, 2009, available at <http://www.employment-lawyer-blog.com/2009/08/in-case-that-bears-echoes-of-r.html>.
 - Workplace Prof Blog, *A Different Firefighter Disparate Impact Case*, July 22, 2009, available at http://lawprofessors.typepad.com/laborprof_blog/2009/07/a-different-firefighter-disparate-impact-case.html.
 - Philip Berkowitz, *Pre-employment testing after Ricci v. DeStefano*, Nixon Peabody Employment Law Alert, July 27, 2009, available at http://www.nixonpeabody.com/publications_detail3.asp?ID=2857.
2. The Office of Federal Contract Compliance Programs has published as set of FAQ’s offering guidance regarding *Ricci*. They can be found at: http://www.dol.gov/ofccp/regs/compliance/faqs/Ricci_FAQ.htm.
3. Panken, Peter, *Supreme Court Ruling in Ricci v. DeStefano Puts Employers Between a Rock and a Hard Place*, Epstein Becker Green Client Alert, July 1, 2009, available at <http://www.ebglaw.com/showclientalert.aspx?Show=11203>.
4. Foreman, Michael, *White Firefighters Win! Disparate Impact Survives?*, ALI-ABA Coursebook for TSRU02 “Ricci: New Haven Fire Department Race Discrimination Case”, July 13, 2009.
5. *Websites Related to the Supreme Court's Employment Law Rulings, 2008-2009 Term*, ALI-ABA Coursebook for TSRU02 “Ricci: New Haven Fire Department Race Discrimination Case”, July 13, 2009.