

Courts split on damages for FLSA retaliation

Brian Snapp's boss fired him after finding out Snapp had complained to the U.S. Labor Department that the company violated federal wage laws. A jury awarded Snapp \$200 in overtime pay, \$1,000 in lost wages and \$35,000 in punitive damages because of the retaliation. It recommended that the supervisor who fired him pay 30 percent of the punitive damages.

But the 11th Circuit threw out the punitive damages, saying they aren't allowed for retaliation under the FLSA. The 11th Circuit encompasses Alabama, Florida and Georgia. (Snapp v. Unlimited Concepts Inc., No. 98-2936, 11th Cir., 2000)

Employers in the 7th Circuit (Illinois, Indiana and Wisconsin) aren't so lucky. Their appeals court is the only other federal circuit to rule on the issue, and it says punitive damages are allowed in FLSA cases.