

FLORIDA COMMISSION ON HUMAN RELATIONS

3 John Knox Road, Suite 240, Building
Tallahassee, Florida 32303-4149

FILED Lic. 97020

CHARGE OF DISCRIMINATION

FLORIDA COMMISSION ON HUMAN RELATIONS

FCHR No: 00-1218

Name (Indicate Mr, Ms., or Mrs.)

ARTURO E. MARTINEZ

1996 OCT 18

Social Security Number

Date of Birth

4/5/40

Street Address

8025 SW 148 DR

Home Telephone Number (area code)

305 2550045

City, State, and Zip Code

MIAMI, FL 33158

Work (if possible to call you there)

305 2753124

List the employer, labor organization, employment agency, apprenticeship committee, government agency, or other person who discriminated against you.

Name

FLORIDA POWER & LIGHT

No. of Employees

15+ 11,500

Telephone No. (area code)

(305) 2461300

Street Address

87 AVE #344 ST

City, State, and Zip Code

FLORIDA CITY FL

County

DADE

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

RACE COLOR SEX RELIGION DISABILITY

NATIONAL ORIGIN AGE MARITAL STATUS RETALIATION

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE

(month, day, year) 11/1/95

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s):

SEE ATTACHMENT

FILED
00 MAR 22 AM 9:53
DIVISION OF ADMINISTRATIVE HEARINGS

DAVID WARCHOFSKY
Notary Public-State of Florida
My Commission Expires NOV 12, 1996
COMM. # CC 241642

I REQUEST TO BE AFFORDED FULL RELIEF TO WHICH I AM ENTITLED TO UNDER THE LAW(S).

I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY- (Required for Filing)
SUBSCRIBED AND SWORN TO BEFORE ME

SIGNATURE OF COMPLAINANT

DATE

D. Warchofsky

14 OF Oct, 19 96

Arturo E. Martinez
FOL M635-005-80-1250

10/14/96

FILED
00 MAR 22 AM 9:54
DIVISION OF
ADMINISTRATIVE
HEARINGS

A T T A C H M E N T

I worked for FPL in Miami, Florida, from January 11, 1982 to November 1, 1995, when I was "downsized" and forced to accept the conditions of a severance package by Don Jernigan (Plant Manager), Dave Powell, (Technical Department Manager) and Robert Marshall (Human Resources Manager) given at Turkey Point Plant Manager's Office.

For a period of 14 years I offered my professional expertise with a clean record, excellent attendance, and excellent work history, but I was the oldest employee in my department and Cuban-American and did not fit the mold of the "New FPL Culture".

On December 6, 1994, I was offered a "Special Early Out Program" which I refused. This was a program designed to rid Turkey Point of older employees and had a disparate impact on Hispanic employees due to the tendency of FPL to hire younger Non-Hispanics to replace those affected by the "Early Out". Virtually none of those younger persons hired at Turkey Point were Hispanic. Clearly FPL's plan was nothing more than a thinly disguised scheme to discriminate against a class of individuals: older employees of Hispanic descent such as myself.

Various meetings with Mr. Plunkett (Vice President), Mr. Jernigan and Mr. Powell pointed to accepting the Early Out or facing "downsizing". As a consequence of my refusal I was harassed personally and professionally for a period of a year. During this period, I suffered from nervousness, sleeplessness and severe depression. The harassment created a hostile environment. As a consequence the severance package was not voluntarily accepted by me, since it was given to me in a hostile work environment in which I was made to feel unwanted and unwelcome due to my age and national origin.

At Turkey Point, less than 5% of the employees are Cuban-American and none is in a Senior Management position.