



# New Jersey Supreme Court Heightens the Standard of Proof for Plaintiffs to Establish a Retaliation Claim Under the LAD

Client Advisories

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On February 21, 2007, the New Jersey Supreme Court decided two issues that will assist employers in defending claims of retaliatory discharge. In *Carmona v. Resorts International, Inc.*, the Court found that: (1) an employee's complaint of retaliatory discharge under the New Jersey Law Against Discrimination (LAD) must be made in good faith and on a reasonable basis; and (2) an investigative report prepared by the employer supporting the reasons for the discharge can be used as evidence at trial.

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