

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, FOURTH DISTRICT

Mathieu Francois v. JFK Medical Center Limited Partnership

No. 4D22-1627 (Fla. 4th DCA Aug. 30, 2023) · No. No. 4D22-1627 · Decided August 30, 2023

SUMMARY

The Florida Fourth District Court of Appeal affirmed summary judgment for JFK Medical Center in Mathieu Francois’s workers’ compensation retaliation claim under section 440.205, Florida Statutes. The court held that the business judgment rule applies to such claims and that Francois presented no evidence creating a genuine dispute about whether the decision-makers honestly believed he had used excessive force against a patient. The court concluded that temporal proximity to a workers’ compensation-related injury, without more, was insufficient to establish pretext.

CASE DETAILS

COURT	District Court of Appeal of the State of Florida, Fourth District
WRITING FOR THE COURT	Forst, J.; Klingensmith, C.J.; Artau, J.
JURISDICTION	Florida
DECIDED	August 30, 2023
DOCKET	No. 4D22-1627
DISPOSITION	affirmed
PROCEDURAL POSTURE	Francois appealed the trial court's grant of summary judgment in favor of JFK Medical on his workers' compensation retaliation claim under section 440.205, Florida Statutes.
STANDARD OF REVIEW	De novo review of the grant of summary judgment.
PRECEDENTIAL VALUE	published
PARTIES	Mathieu Francois v. JFK Medical Center Limited Partnership

TOPICS

- workers compensation
- retaliation
- summary judgment
- employment law
- appellate procedure

PRACTICE AREAS

- employment law
- workers compensation
- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the business judgment rule applies to workers' compensation retaliation claims under section 440.205, Florida Statutes.
2. Whether Francois presented sufficient evidence of pretext or a genuine dispute of material fact to survive summary judgment where the employer's decision-makers stated that they honestly believed he had used excessive force against a patient.

HOLDINGS

1. The business judgment rule applies to workers' compensation retaliation claims under section 440.205, Florida Statutes. Courts may not second-guess the wisdom or reasonableness of an employer's decision; the relevant inquiry is whether the employer's decision-makers honestly believed the employee engaged in the conduct supporting the discipline.
2. JFK Medical was entitled to summary judgment because Francois presented no evidence that the decision-makers did not honestly believe he had used excessive force. The dispute over whether Francois actually struck the patient, standing alone, did not establish pretext, and temporal proximity to workers' compensation activity was insufficient.

KEY QUOTATIONS

“The Eleventh Circuit has adopted the business judgment rule in workers’ compensation retaliation claims. This rule prohibits courts from second-guessing the business judgment of employers, making the only relevant inquiry “whether the employer in good faith believed that the employee had engaged in the conduct that led the employer to discipline the employee.”” (at 5)

“Therefore, the business judgment rule applies to workers’ compensation retaliation claims under section 440.205.” (at 6)

“The business judgment rule limits our inquiry to whether any evidence showed JFK Medical’s decision-makers did not honestly believe that Francois had used excessive force.” (at 7)

FACTUAL BACKGROUND

Mathieu Francois, a mental health technician at JFK Medical, was involved in two patient-related altercations on September 1, 2020, one of which resulted in a wrist injury and the other in allegations that he struck a patient while restraining the patient. Several employees and hospital directors who reviewed security footage concluded that Francois had used excessive force. The hospital terminated Francois based on the decision-makers' stated belief that he had struck the patient, while Francois claimed that the excessive-force explanation was pretextual and that he was fired because of his workers' compensation claim.

PROCEDURAL HISTORY

Francois sued JFK Medical, alleging that he was terminated in retaliation for a work-related injury and potential workers' compensation claim. The circuit court granted JFK Medical's motion for summary judgment, concluding that the business judgment rule barred Francois from merely challenging the employer's decision and

that he had not presented evidence connecting his termination to workers' compensation activity. The Fourth District affirmed.

DISPOSITION

affirmed

CASES CITED

- *Salus v. Island Hospitality Florida Management, Inc.*, 289 So. 3d 926, 928-30 (Fla. 4th DCA 2020)
- *Blew v. Blew*, 358 So. 3d 1232, 1234 (Fla. 4th DCA 2023)
- *Chapman v. AI Transport*, 229 F.3d 1012, 1024-26 (11th Cir. 2000)
- *Reeves v. Sanderson Plumbing Products, Inc.*, 530 U.S. 133, 148 (2000)
- *Lloyd S. Meisels, P.A. v. Dobrofsky*, 341 So. 3d 1131, 1134 (Fla. 4th DCA 2022)
- *Ortega v. Engineering Systems Technology, Inc.*, 30 So. 3d 525, 528-30 (Fla. 3d DCA 2010)
- *Gogel v. Kia Motors Manufacturing of Georgia, Inc.*, 967 F.3d 1121, 1136, 1148 (11th Cir. 2020)
- *City of Hollywood v. Hogan*, 986 So. 2d 634, 642, 645 (Fla. 4th DCA 2008)
- *Patterson v. Georgia-Pacific, LLC*, 38 F.4th 1336, 1352 (11th Cir. 2022)
- *Matthews v. City of Mobile*, 702 F. App'x 960, 967-68 (11th Cir. 2017)
- *Springer v. Convergys Customer Management Group, Inc.*, 509 F.3d 1344, 1349 (11th Cir. 2007)
- *Brooks v. County Commission of Jefferson County*, 446 F.3d 1160, 1163 (11th Cir. 2006)
- *Pericich v. Climatrol, Inc.*, 523 So. 2d 684, 685 (Fla. 3d DCA 1988)
- *Combs v. Plantation Patterns*, 106 F.3d 1519, 1541-43 (11th Cir. 1997)
- *School Board of Palm Beach County v. Groover*, 337 So. 3d 799, 805 (Fla. 4th DCA 2022)
- *Washington v. Florida Department of Revenue*, 337 So. 3d 502, 514 (Fla. 1st DCA 2022)
- *Sunbeam Television Corp. v. Mitzel*, 83 So. 3d 865, 872 (Fla. 3d DCA 2012)
- *Elrod v. Sears, Roebuck & Co.*, 939 F.2d 1466, 1470 (11th Cir. 1991)
- *Jackson v. Agency for Persons with Disabilities Florida*, 608 F. App'x 740, 741, 743-44 (11th Cir. 2015)
- *Alvarez v. Royal Atlantic Developers, Inc.*, 610 F.3d 1253, 1266 (11th Cir. 2010)
- *Todd v. Fayette County School District*, 998 F.3d 1203, 1218 (11th Cir. 2021)
- *Amends. to Fla. R. Civ. P. 1.510*, 317 So. 3d 72, 75-77 (Fla. 2021)