

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC EMPLOYMENT - MASSACHUSETTS

Robinson v. Town of Marshfield

Supreme Judicial Court of Massachusetts, Plymouth - May 15, 2026 - N.E.3d - 2026 WL 1354560

Town's former fire chief brought discrimination action against town, among other parties, alleging retaliation, among other claims.

The Superior Court Department granted in part and denied in part town's summary judgment motion, and, after a jury verdict, awarded former fire chief compensatory and punitive damages, and denied town's motion for judgment notwithstanding the verdict or for new trial or remittitur. Town appealed.

Upon transfer, the Supreme Judicial Court held that:

- Evidence was sufficient to support jury's finding that former fire chief reasonably believed that town fire department discriminated against his niece, a firefighter, because of her gender and that former chief engaged in protected activity;
- Evidence was sufficient to support jury's finding that causal connection existed between protected activity and town's adverse employment actions;
- Retaliation claim was governed by pretext framework, rather than mixed-motive framework;
- Jury instructions impermissibly blended pretext and mixed-motive language;
- Errors in jury instructions and special verdict form that introduced mixed-motive concepts into pretext retaliation action were not prejudicial;
- Evidence supported punitive damages award; and
- Former chief was entitled to recover reasonable appellate attorney fees and costs as prevailing party.