

BARTKO PAVIA SECURES THIRD CIRCUIT AFFIRMANCE OF DISMISSAL OF RACIAL DISCRIMINATION AND STATUTORY CLAIMS

New Development

04, February 2026

On February 3, 2026, Bartko Pavia won an affirmance in the Third Circuit of a complete dismissal of claims brought against its client for racial discrimination and retaliation under federal civil rights laws, and for violation of Pennsylvania's statute governing the use of criminal background checks in hiring decisions. The Third Circuit held that the Eastern District Court of Pennsylvania properly dismissed the federal civil rights claims, adopting Bartko Pavia's position that the pleadings did not provide sufficient facts to infer the termination in question was racially motivated. The Third Circuit also agreed with Bartko Pavia's position that the claim brought under Pennsylvania's Criminal History Records Information Act (the "CHRIA") was deficient because the law applies only to hiring decisions, and the employee in question was fired because of the client's discovery of the employee's criminal record. This matter was handled by Bartko Pavia attorneys [Adam Mitzner](#) and [Gianna Signorille](#).

RELATED SERVICES

Litigation

RELATED PROFESSIONALS



ADAM D. MITZNER

Partner

📞 212.980.3500



GIANNA C. SIGNORILLE

Associate

📞 212.980.3500