



**U.S. Equal Employment Opportunity Commission**

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## **Press Release**

04-13-2023

# **Heartfelt Home Healthcare Services Settles Pregnancy Discrimination Lawsuit with EEOC**

Home Health Care Company Fired Scheduling Coordinator Because of Pregnancy and Related Disability, Federal Agency Charged

ERIE, Pa. – Heartfelt Home Healthcare Services, Inc., a Pennsylvania home healthcare provider, will pay \$20,000 to a former employee and take significant steps to prevent future discriminatory treatment of its employees to settle a pregnancy and disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to EEOC’s lawsuit, the company’s president and vice president repeatedly told a pregnant worker with hypertension that she was a “liability to the company” due to her condition. After the employee received medical care due to early pregnancy contractions but was released to work without restrictions, the company fired her due to her pregnancy and hypertension, the EEOC charged.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination in employment, including on the basis of pregnancy, childbirth and pregnancy-related medical conditions, and Title I of the Americans with

Disabilities Act of 1990, which prohibits discrimination based on disability, including pregnancy-related disability.

The EEOC filed the lawsuit in U.S. District Court for the Western District of Pennsylvania (U.S. EEOC v. Heartfelt Home Healthcare Services, Inc., Civil Action No. 1:22-cv-00280-CB) after first attempting to reach a pre-litigation settlement through the conciliation process.

The EEOC and Heartfelt Home Healthcare agreed to settle the lawsuit by consent decree before any adjudication or findings in the case. In addition to paying \$20,000 in monetary relief to the former employee, the decree enjoins Heartfelt Home Healthcare from future discrimination based on sex, including pregnancy, childbirth and related medical conditions, or disability.

The company also must institute and enforce comprehensive policies against discrimination on those grounds, including the implementation of an effective complaint process. Heartfelt Home Healthcare will also provide anti-discrimination training to current and future management and human resources personnel. The decree also requires that the company report to the EEOC any future complaints of sex or disability discrimination and information concerning any employees who are terminated or placed on a leave of absence who are known to be pregnant or to have ADA-related medical conditions at the time of the employment actions.

“Some employers continue to harbor antiquated notions about the work that pregnant workers can or should perform, and these ideas run the gamut from unfounded fears about safety and a paternalistic desire to ‘protect’ health to malicious stereotypes about pregnant workers’ ability or willingness to perform their jobs,” said EEOC Regional Attorney Debra Lawrence. “No matter what the intention behind their actions may be, employers risk running afoul of the law when they make their own assumptions of what pregnant workers can or should do rather than relying on medical evidence or information from the workers themselves. The EEOC will continue to closely examine cases where pregnant workers are excluded from employment opportunities based on unfounded opinions about their abilities.”

EEOC Philadelphia District Director Jamie Williamson added, “Recent changes in the law expanding pregnant workers’ rights, such as the Pregnant Workers Fairness Act (PWFA), which will take effect on June 27, serve as a reminder that pregnant workers are an important part of the country’s labor force and that it is the public

policy of the United States to protect those workers from discrimination and preserve their ability to earn a living. People should not have to choose between having children or having a job. It behooves employers to respect these rights both from a legal compliance and a business practice perspective.”

The lawsuit was commenced by the EEOC’s Pittsburgh Area Office, one of four component offices of the agency’s Philadelphia District Office. The Philadelphia District Office has jurisdiction over Pennsylvania, Maryland, West Virginia, Delaware, and parts of New Jersey and Ohio. Attorneys in the Philadelphia District Office also prosecute discrimination cases in Washington, D.C. and parts of Virginia.

For more information on pregnancy and disability discrimination, please visit

**<https://www.eeoc.gov/pregnancy-discrimination>**

**(<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fpregnancy-discrimination&data=05%7C01%7CFREDERICK.ROYER%40EEOC.GOV%7Cb1ad8a0bf15948b8d10108db3c4ca1fb%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638170072055339371%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=d%2BUbV3r1t5yXV05cnNFUukDA2vN0rN5SSCd74V1taQ%3D&reserved=0>)**

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The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at

**[www.eeoc.gov](https://www.eeoc.gov) (**<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eeoc.gov%2F&data=05%7C01%7CFREDERICK.ROYER%40EEOC.GOV%7Cb1ad8a0bf15948b8d10108db3c4ca1fb%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638170072055339371%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=bF4zTMoo%2BDVwd%2F2DS3fv0ve9Ky7xBfoG%2BruWWGpNOOY%3D&reserved=0>****

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