



**Press Release**

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# **EEOC Sues Jacobson Hospital in North Dakota for Retaliation**

**Employer Fired African American Employee in Retaliation Six Days After She  
Reported Racial Harassment, Federal Agency Charges**

BISMARCK, N.D. – Jacobson Memorial Hospital Care Center, a critical access hospital in Elgin, North Dakota, violated federal law when it discharged an African American employee after she reported an incident of racial harassment, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit announced today.

According to the lawsuit, in May 2019, a nursing aide reported to Jacobson that a co-worker called her the “n-word.” Six days later, Jacobson fired her in retaliation for making her complaint.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits employers from retaliating against employees who attempt to assert their right to report what they reasonably believe is discriminatory treatment. The EEOC sued in U.S. District Court of North Dakota, Western Division, Civil Action No. 1:23-CV-00192, after first trying to reach a pre-litigation settlement through its conciliation process. The case was assigned to U.S. District Magistrate Judge Clare R. Hochhalter. The agency seeks back pay and compensatory damages on behalf of the terminated

employee as well as an injunction against future discrimination.

“Title VII makes it clear that employers must not punish employees filing harassment complaints,” said Greg Gochanour, regional attorney for the EEOC’s Chicago District Office. “Employees should not have to tolerate racially hostile name-calling in the workplace, nor should employers punish employees who speak up about such conduct.”

Diane Smason, acting director in the EEOC’s Chicago District Office, said, “The EEOC will heartily defend an employee’s right to speak up without fear of losing their job and hold employers accountable when they retaliate against their employees.”

For more information on retaliation, please visit [\*\*https://www.eeoc.gov/retaliation\*\*](https://www.eeoc.gov/retaliation) ([\*\*https://www.eeoc.gov/retaliation\*\*](https://www.eeoc.gov/retaliation)). For more information on race and color discrimination, please visit [\*\*https://www.eeoc.gov/racecolor-discrimination\*\*](https://www.eeoc.gov/racecolor-discrimination) ([\*\*https://www.eeoc.gov/racecolor-discrimination\*\*](https://www.eeoc.gov/racecolor-discrimination)).

The EEOC’s Chicago District Office is charged with enforcing federal employment discrimination laws in Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, and Iowa.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at [\*\*www.eeoc.gov \(http://www.eeoc.gov\)\*\*](http://www.eeoc.gov). Stay connected with the latest EEOC news by subscribing to our [\*\*email updates \(https://public.govdelivery.com/accounts/USEEOC/subscriber/new\)\*\*](https://public.govdelivery.com/accounts/USEEOC/subscriber/new).