



U.S. Equal Employment Opportunity Commission

Press Release

04-15-2024

Jacobson Memorial Hospital to Pay \$45,000 in EEOC Retaliation Lawsuit

Federal Agency Charged Hospital Terminated Black Nursing Aide in Retaliation for Racial Harassment Complaint

BISMARCK, N.D. – Jacobson Memorial Hospital Care Center, a critical access hospital in Elgin, North Dakota, will pay \$45,000 and provide other relief to settle a U.S. Equal Employment Opportunity Commission (EEOC) retaliation lawsuit, the federal agency announced today.

According to the lawsuit, the hospital violated federal law when it fired a Black nursing aide in retaliation six days after she reported that a co-worker called her the “n-word” in May 2019.

Such alleged conduct violates the anti-retaliation provision of Title VII of the Civil Rights Act of 1964, which prohibits firing an employee because they engage in protected activity by complaining about discrimination. The EEOC filed suit (EEOC v. Jacobson Memorial Health Care Center, Inc.), Case No. 1:23-cv-00192-DMT-CRH) in U.S. District Court for the District of North Dakota after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

Under the three year consent decree resolving the lawsuit, Jacobson will pay \$45,000 in monetary damages to the nursing aide; adopt and distribute anti-

discrimination and anti-retaliation policies; post a notice in the workplace informing employees of the settlement; provide specialized training to all employees on the federal laws that prohibit employment discrimination, including Title VII and retaliation; and report to and allow the EEOC to monitor complaints of racial discrimination, harassment, and retaliation.

“Title VII protects an employee’s right to speak out when they experience discrimination or harassment,” said Gregory Gochanour, regional attorney for the EEOC’s Chicago District. “The EEOC is pleased that the nursing aide has been compensated and that Jacobson has agreed to the non-monetary relief set out in the consent decree to prevent racial harassment and retaliation in the future.”

Amrith Kaur Aakre, director of the Chicago District Office, said, “Employees who report harassment should experience support, not retaliation. The EEOC remains dedicated to protecting the rights of employees to speak up without fear of losing their jobs.”

For more information about 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 has jurisdiction over Illinois, Wisconsin, Minnesota, Iowa, North Dakota, and South Dakota, with area offices in Milwaukee and Minneapolis.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at [**www.eeoc.gov**](http://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**](https://public.govdelivery.com/accounts/USEEOC/subscriber/new)).

Recent Press Releases from the Chicago District Office

[Urbana School District No. 116 to Pay \\$206,301 in EEOC Age Discrimination Lawsuit](https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit) ([**https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit**](https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit))

[EEOC Sues Sis-Bro, Inc. for Gender Identity Discrimination and Harassment](https://www.eeoc.gov/newsroom/eeoc-sues-sis-bro-inc-gender-identity-discrimination-and-harassment)
(<https://www.eeoc.gov/newsroom/eeoc-sues-sis-bro-inc-gender-identity-discrimination-and-harassment>)

[Voyant Beauty Will Pay \\$75,000 to Settle EEOC Disability Discrimination Lawsuit](https://www.eeoc.gov/newsroom/voyant-beauty-will-pay-75000-settle-eeoc-disability-discrimination-lawsuit)
(<https://www.eeoc.gov/newsroom/voyant-beauty-will-pay-75000-settle-eeoc-disability-discrimination-lawsuit>)

Recent Press Releases on the Subject of Race

[EEOC Sues Sheetz, Inc. For Racially Discriminatory Hiring Practice](https://www.eeoc.gov/newsroom/eeoc-sues-sheetz-inc-rationally-discriminatory-hiring-practice)
(<https://www.eeoc.gov/newsroom/eeoc-sues-sheetz-inc-rationally-discriminatory-hiring-practice>)

[Cavco Industries, Palm Harbor Homes and Palm Harbor Villages to Pay \\$135,000 to Settle EEOC Race Discrimination Lawsuit](https://www.eeoc.gov/newsroom/cavco-industries-palm-harbor-homes-and-palm-harbor-villages-pay-135000-settle-eeoc-race)
(<https://www.eeoc.gov/newsroom/cavco-industries-palm-harbor-homes-and-palm-harbor-villages-pay-135000-settle-eeoc-race>)

[American Screening to Pay \\$50,000 to Settle EEOC Race Discrimination Lawsuit](https://www.eeoc.gov/newsroom/american-screening-pay-50000-settle-eeoc-race-discrimination-lawsuit)
(<https://www.eeoc.gov/newsroom/american-screening-pay-50000-settle-eeoc-race-discrimination-lawsuit>)