



U.S. Equal Employment Opportunity Commission

Press Release

05-17-2023

EEOC Sues Conshohocken-Based Neuromonitoring Company for Pay Discrimination and Retaliation

Medsurant Forced Female Technician to Quit for Protesting Being Underpaid Because of Her Sex, Federal Agency Charges

PHILADELPHIA – A Pennsylvania health care services company violated federal civil rights laws by paying a female technician less than males on the basis of sex and by retaliating against her for complaining, the U.S. Equal Employment Opportunity Commission (EEOC) alleged in a lawsuit it filed today.

Conshohocken-based Medsurant Holdings, LLC, which operates under the trade name Medsurant Health and owns Medsurant, LLC and Medsurant Operating, LLC (collectively “Medsurant Health”), provides intraoperative neurophysiologic monitoring services to hospitals and surgeons. Medsurant Health’s monitoring services are performed by intraoperative neurophysiology monitorists.

According to EEOC’s lawsuit, the female monitorist was paid less than her male coworkers for performing equal work under similar working conditions, despite her

excellent credentials and performance history. After the woman complained on at least two occasions, Medsurant Health retaliated against her and treated her differently than similarly situated male colleagues, resulting in her being forced to quit.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964 and the Equal Pay Act of 1963, which prohibit pay discrimination based on sex and retaliation for opposing sex discrimination. The EEOC filed suit in U.S. District Court for the Middle District of Tennessee (EEOC v. Medsurant Holdings, LLC et al., Case No. 3:23-cv-00501), after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC's litigation effort will be led by Senior Trial Attorney Thomas D. Rethage and Assistant Regional Attorney Maria L. Morocco.

“Employers cannot pay a female employee less than her male colleagues because of sex,” said Debra Lawrence, the EEOC's regional attorney in Philadelphia. “To then retaliate against the employee for raising the pay disparity and push her out of the workplace only compounds the legal violation and adds insult to injury.”

EEOC's Philadelphia District Office Director Jamie Williamson added, “The EEOC stands ready to assist employees who are subject to pay disparities because of their sex and to protect those who rightly speak out about such unfair and unlawful treatment.”

For more information about equal pay and compensation, see: [**https://www.eeoc.gov/equal-paycompensation-discrimination**](https://www.eeoc.gov/equal-paycompensation-discrimination) ([**https://www.eeoc.gov/equal-paycompensation-discrimination**](https://www.eeoc.gov/equal-paycompensation-discrimination)). For more information on retaliation, see: [**https://www.eeoc.gov/retaliation**](https://www.eeoc.gov/retaliation) ([**https://www.eeoc.gov/retaliation**](https://www.eeoc.gov/retaliation)).

The EEOC's Philadelphia District Office has jurisdiction over Pennsylvania, West Virginia, Maryland, 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.

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) ([**https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2F%3Futm_content%3D%26utm_medium%3Demail%26utm_name**](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2F%3Futm_content%3D%26utm_medium%3Demail%26utm_name)

**%3D%26utm_source%3Dgovdelivery%26utm_term%3D&data=05%7C01
%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f
1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb
3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0
%3D%7C2000%7C%7C%7C&
sdata=Yzdqwhj1lAlMJ%2FQQ82yw9TeBbyi0PtSelvTY%2B9IiPVU%3D&
reserved=0)**. Stay connected with the latest EEOC news by subscribing to
our **email updates (https://gcc02.safelinks.protection.outlook.com/?url=https
%3A%2F
%2Fpublic.govdelivery.com%2Faccounts%2FUSEEOC%2Fsubscriber%2Fnew&
data=05%7C01
%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f
1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb
3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCI6Mn0
%3D%7C2000%7C%7C%7C&
sdata=wZ0%2Fjb6ff3H1dcl6XtSn2UwZUXYdlddc2SemdVQzS5E%3D&
reserved=0)**.