



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

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**Press Release**

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# **SAVA to Pay \$150,000 to Settle EEOC Sexual Harassment and Retaliation Lawsuit**

Settles Federal Charges Skilled Nursing Facility Operators Violated Title VII of the Civil Rights Act

DENVER – SSC Montrose San Juan Operating Co., LLC and SavaSeniorCare Administrative Services, LLC (collectively, “SAVA”) have agreed to pay \$150,000 and provide other relief to settle a sexual harassment and retaliation lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC’s lawsuit, residents at the SAVA-owned San Juan Living Center in Montrose, Colorado repeatedly subjected female employees to sexual harassment by grabbing their breasts and buttocks, asking them for sexual favors, and directing inappropriate sexual language and gestures towards them. The female employees complained about the harassment to the San Juan Living Center’s management and both the center’s management as well as nationwide SAVA administrative employees were aware of the residents’ ongoing hostile behavior and sexual harassment, but did nothing to stop or prevent it. SAVA then retaliated against a female employee who reported sexual harassment by

suspending her without pay and firing her within days of her complaint. SAVA recently transferred all operations of its skilled-nursing facilities in Colorado to new companies and/or operators.

The alleged conduct violated Title VII of the Civil Rights Act of 1964 which prohibits sexual harassment and retaliating against employees who oppose the harassment. The EEOC files suit (*EEOC v. SSC Montrose San Juan Operating Co., LLC and SavaSeniorCare Administrative Services LLC, d/b/a The San Juan Living Center*, Civil Action No. 20-cv-03162) after first attempting to reach a prelitigation settlement through its conciliation process.

Under the consent decree resolving the lawsuit, in addition to paying \$150,000 to the victims of sexual harassment and retaliation, should SAVA operate any skilled-nursing facility in Colorado in the future, it will review and revise its anti-discrimination policies to prevent unlawful sexual harassment, including sexual harassment by residents. SAVA will also provide training to its employees in Colorado on how to properly care for and report residents who engage in hostile behavior or unwelcome sexual behavior.

“We are pleased the EEOC has secured a settlement in this matter that heightens awareness about sexual harassment by clients in nursing facilities, informs staff of their rights, and, we hope, avoids such incidents in the future and in other nursing facilities around the country,” said Regional Attorney Mary Jo O’Neill of the EEOC’s Phoenix District Office, which has jurisdiction over Arizona, Colorado, Wyoming, New Mexico, and Utah.

“Retaliation against employees who complain about sexual harassment is a separate violation of Title VII,” said Amy Burkholder, director of the EEOC’s Denver Field Office. “Over 50% of EEOC charges involve a retaliation complaint. Employees must be free to raise concerns about sexual harassment in the workplace without fear of reprisal.”

For information about sexual harassment, visit [\*\*https://www.eeoc.gov/sexual-harassment\*\*](https://www.eeoc.gov/sexual-harassment) ([\*\*http://www.eeoc.gov/sexual-harassment\*\*](http://www.eeoc.gov/sexual-harassment)). For more information about retaliation, visit: [\*\*https://www.eeoc.gov/retaliation\*\*](https://www.eeoc.gov/retaliation) ([\*\*http://www.eeoc.gov/retaliation\*\*](http://www.eeoc.gov/retaliation)).

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

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