



U.S. Equal Employment Opportunity Commission

Press Release

05-18-2023

EEOC Sues Tenet Healthcare / BBH SBMC / Shelby Baptist Medical Center for Disability Discrimination

Hospital Fired Employee for Requesting Accommodation for Back Injury Suffered on the Job, Federal Agency Charges

BIRMINGHAM, Ala. – Dallas-based Tenet Healthcare Corporation and its subsidiary, BBH SBMC, LLC, doing business as Shelby Baptist Medical Center, violated federal law by refusing to provide a reasonable accommodation to an employee with medical restrictions and then firing her in retaliation for requesting that accommodation, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC's complaint, a psychiatric technician at Tenet's Alabaster, Alabama Shelby Baptist Medical Center requested to transfer to a clerical job as a reasonable accommodation following a back injury suffered on the job. Although she applied for several vacant clerical positions and met or exceeded the qualifications for those positions, Tenet and Shelby Baptist refused to allow her to compete equally for such jobs and instead retaliated against her for requesting a reasonable accommodation by firing her.

This alleged conduct violates the Americans With Disabilities Act (ADA), as amended, which requires an employer to reasonably accommodate qualified disabled employees and prohibits retaliation against disabled employees for requesting reasonable accommodations. The EEOC filed suit (EEOC v. Tenet Healthcare Corporation and BBH SBMC, LLC d/b/a Shelby Baptist Medical Center, Case No. 2:23-cv-00630) in U.S. District Court for the Northern District of Alabama after its Birmingham District Office completed an investigation and first attempted to reach a pre-litigation settlement through its voluntary conciliation process.

The EEOC seeks monetary damages for the terminated employee, including back pay, compensatory and punitive damages, and injunctive relief against the companies to prevent such unlawful conduct in the future.

“One would hope that a healing facility would have the understanding and compassion to honor a reasonable accommodation for an injury that was suffered at its own workplace,” said EEOC Birmingham District Director Bradley Anderson. “The EEOC stands ready to stand up for the victims of such injustice.”

Marsha Rucker, regional attorney for the EEOC’s Birmingham District, said, “The EEOC is committed to ensuring employers enforce the protections provided by the ADA. The EEOC will aggressively pursue remedies for victims of disability discrimination in the workplace and will hold employers accountable for retaliation against employees for exercising their rights under the ADA.”

The EEOC’s Birmingham District consists of Alabama, Mississippi (except 17 northern counties) and the Florida Panhandle.

For more information on disability discrimination, please visit

<https://www.eeoc.gov/disability-discrimination> (**<https://www.eeoc.gov/disability-discrimination>**). For more information on retaliation, please visit **<https://www.eeoc.gov/retaliation>** (**<https://www.eeoc.gov/retaliation>**).

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>**). 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>**).

