

St. Vincent Hospital to Pay \$15,000 to Settle EEOC Disability Discrimination Lawsuit

Article By:

U.S. Equal Employment Opportunity Commission

Company Refused Transfer as a Reasonable Accommodation, Federal Agency Charged

INDIANAPOLIS - St. Vincent Hospital and Health Care Center, Inc. will pay \$15,000 and furnish other relief to resolve a lawsuit disability discrimination filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today. The EEOC had charged that the hospital violated federal law when it failed to provide its employee with a reasonable accommodation of a transfer to a vacant position for which she was qualified.

According to the EEOC's complaint, when St. Vincent learned that Latoya Moore's lifting restrictions caused by her disabilities were indefinite, St. Vincent required Moore to take leave at reduced pay, even though she wanted to continue working. Instead of transferring Moore to vacant positions she was qualified for and could perform, St. Vincent fired her, the EEOC charged.

The EEOC brought the suit under the Americans with Disabilities Act (ADA), which prohibits employers from discriminating against an individual because of disabilities. Under the ADA, it is illegal for an employer to refuse to provide a reasonable accommodation to a qualified individual with a disability unless the employer can demonstrate the accommodation would impose an undue hardship. Transfer to a vacant position for which the employee is qualified can be a reasonable accommodation. The case (EEOC v. St. Vincent Hospital and Health Care Center, Inc., Civil Action No. 1:17-cv-3426-RLY-DML) was filed in U.S. District Court for the Southern District of Indiana, Indianapolis Division on Sept. 26, 2017.

Under a consent decree settling the suit, entered by the court on May 24, St. Vincent will pay Moore \$15,000 in lost wages and compensatory damages. In the future, the hospital will be required to notify employees whose disabilities prevent them from performing the essential functions of their existing positions that reassignment to a vacant position for which they are qualified is a reasonable accommodation under the ADA. St. Vincent will also be required to provide training on the ADA's requirements to appropriate personnel, and submit annual compliance reports to the EEOC during the decree's two-year term.

"This lawsuit demonstrates that employers should be aware of their obligation to provide a transfer as a reasonable accommodation for employees who are qualified individuals with disabilities," said

EEOC Regional Attorney Kenneth Bird.

The EEOC's Indianapolis District Office is responsible for processing discrimination charges, administrative enforcement, and the conduct of agency litigation in Indiana, Kentucky, Michigan and western Ohio, with field offices in Louisville, Cincinnati, and Detroit.

Read this article on the EEOC website [here](#).

© Copyright U.S. Equal Employment Opportunity Commission

National Law Review, Volume VIII, Number 150

Source URL: <https://natlawreview.com/article/st-vincent-hospital-to-pay-15000-to-settle-eeoc-disability-discrimination-lawsuit>