$1 million settlement ends bias suit at Delano hospital

Delano Regional Medical Center has agreed to pay almost $1 million to settle a lawsuit filed by the EEOC and the Asian Pacific American Legal Center (APALC) on behalf of a group of Filipino-American workers. The employees alleged that the medical center—an acute-care hospital in Kern County—harassed and discriminated against them because of their national origin.

The employees, mostly nurses, alleged that since 2006 they were subjected to harassing comments and undue scrutiny and discipline. They also claimed that supervisors, staff and volunteers were encouraged to berate and reprimand them, particularly for speaking a Filipino language or for speaking English with an accent.

The EEOC alleged that hospital staff made fun of the workers’ accents, ordered them to speak English, threatened to arrest them if they did not speak English and told them to return to the Philippines.

According to the employees, the harassment started when a chief executive officer and other hospital managers called a meeting involving only Filipino-American staff members. They allegedly threatened the workers unless they complied with the hospital’s English-only language policy. According to the EEOC, the hospital only enforced the policy against Filipino-American staff members.

The plaintiffs claimed that approximately 115 Filipino-American workers signed a petition reporting the discrimination and harassment to hospital management, which allegedly failed to investigate the matter or take any action.

The EEOC sued, and the APALC later joined the lawsuit on behalf of more alleged victims.

Under the terms of a three-year consent decree, the hospital will pay $975,000 to approximately 70 workers. It must also hire an equal employment officer to monitor agreement compliance, revise its policies and procedures and conduct anti-harassment and anti-discrimination training for all staff.