

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	Civil Action No. 04-C-0450
v.)	
)	
SPECIALTY CARE SERVICES, LLC, d/b/a)	
WEST PARK PLACE,)	
)	
Defendant.)	
_____)	

CONSENT DECREE AND ORDER

This action was filed by the Equal Employment Opportunity Commission (“Commission”) on May 11, 2004, pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et. seq. The Commission alleged that Specialty Care Services, LLC (hereinafter, “defendant”) discriminated against Jacqueline Floyd-Hyke because of her sex and pregnancy when she returned to work after maternity leave. Defendant has denied the Commission’s allegations.

The Commission and defendant (the “parties”) have agreed to resolve this matter pursuant to this Consent Decree, without continuing to trial on the merits of the Commission’s claim.

NOW, THEREFORE, the Court having carefully examined the terms and provisions of this Consent Decree, and based on the pleadings, record and stipulations of the parties, it is

ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has jurisdiction over the subject matter of this action and over the parties for purposes of entering and enforcing this Decree.

2. The terms of this Decree are acceptable, and serve the parties' desire to avoid the uncertainty and expense of further litigation.
3. This Decree conforms with the Federal Rules of Civil Procedure and is not in derogation of the rights or privileges of any person. The entry of this Decree will be in the best interest of the parties, those for whom EEOC seeks relief, and the public.
4. This Decree resolves all claims arising out of the Charge of Discrimination filed by Jacqueline Floyd-Hyke, EEOC Charge No. 260-2004-00522; and the lawsuit filed by EEOC in the United States District Court for the Eastern District of Wisconsin, Case No. 04-C-0450.

INJUNCTIVE RELIEF

1. Injunction.

Defendant and its officers, agents, employees, successors, and all persons in active concert or participation with them shall not engage in any employment practice that discriminates on the basis of sex or pregnancy.

2. Training.

_____ Defendant shall provide training in regard to the Sex Discrimination and Pregnancy Discrimination to all of its supervisory employees within 90 days from the date of entry of this Consent Decree and Order, and shall provide the EEOC's Milwaukee District Office with a list of those trained and the date and description of the training provided.

3. Posting.

Defendant shall place a public notice, in a conspicuous place, at its offices, for a period of one year from the date of entry of this Consent Decree and Order. The notice shall be in the

form attached hereto as Exhibit A and captioned "Notice To All Employees." Defendant shall provide the EEOC's Milwaukee District Office with proof of compliance with this provision.

4. Certification to Commission.

Defendant shall promptly certify to the undersigned counsel for the Commission that it has complied with the foregoing provision.

5. References to Ms.Floyd-Hyke by Defendant

Defendant further agrees to prohibit any dissemination, directly or indirectly, to any other employer or potential employer of any facts or circumstances surrounding Ms. Floyd-Hyke's charge of discrimination or the events relating to the charge or this lawsuit.

6. Reporting

Defendant shall report, in writing, to the undersigned counsel for the Commission, the name, address, phone number, and job title any pregnant employee terminated, disciplined, or demoted during the term of this Decree, one year. Defendant shall maintain all documents pertaining to such actions for term of the Decree, and for two years thereafter, and shall make such documents available for inspection by the Commission pursuant to Paragraph 7 herein.

7. Right of Entry for Inspection

The Commission shall have the right, on ten (10) business days written notice to Defendant, to enter upon Defendant's offices and inspect any relevant documents or records for the purpose of determining defendant's compliance with this Consent Decree and Order.

MONETARY RELIEF

Defendant agrees, within fifteen (15) days of signature of this Consent Decree and Order by the Court, to pay \$9,000 to Ms. Floyd-Hyke. Defendant shall mail the payment to Ms.

Floyd-Hyke and shall simultaneously provide a copy of the payment check(s) to the undersigned counsel for the Commission.

SO ORDERED, ADJUDGED AND DECREED this _____ day of _____, 2004.

Hon. Joseph P. Stadtmueller
United States District Court Judge

The undersigned agree with the entry of this Consent Decree.

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

BY:

9/21/04
Date

_____/s/_____
JEAN P. KAMP, Regional Attorney
U.S. Equal Employment Opportunity
Commission
310 West Wisconsin Avenue, Suite 800
Milwaukee, WI 53203
ATTORNEY FOR PLAINTIFF

SPECIALTY CARE SERVICES, LLC, d/b/a
WEST PARK PLACE

BY:

9/14/04
Date

_____/s/_____
SHARON M. MAREK
Registered Agent for
DEFENDANT

Exhibit A

NOTICE TO ALL EMPLOYEES

West Park Place believes in hiring, placing, and promoting individuals on the basis of qualifications and merit. It is West Park Place's policy that all employment practices, including recruiting, hiring, promotion, layoff, recall from layoff, training, compensation, benefits, and other terms, privileges and conditions of employment, be free from discrimination of any kind, including discrimination on the basis of sex, including pregnancy.

Should you have any complaints of discrimination on the basis of sex, you can contact [_____], or the local EEOC office in Milwaukee. EEOC has employees who speak languages other than English. EEOC's offices are accessible to individuals with disabilities.

It is the responsibility of all West Park Place employees to comply with this policy in fact and in spirit.

Dated: _____

Executive Administrator

**THIS IS AN OFFICIAL NOTICE
AND MUST NOT BE DEFACED BY ANYONE**