

- **EEOC v. Harvest Medical Clinic, Inc.**

No. CIV 04 1821 PHX JAT (D. Ariz. Sept. 14, 2005)

In this Title VII case, the Phoenix District Office alleged that defendant, a small Casa Grande, Arizona health clinic serving an 80% Hispanic clientele, discharged nine administrative and maintenance employees because of their national origin, Hispanic. The clinic owners (husband and wife) and managers were non-Hispanic. On May 14, 2003, the office manager approached three Hispanic employees and asked them to sign an English-only policy. They did so. The following day, defendant discharged those three employees as well as six other Hispanic employees who had not been asked to sign the policy. Defendant retained less senior non-Hispanic employees in some of the same positions. Within a few days, defendant replaced several of the fired Hispanic employees with non-Hispanics. Prior to the discharge, 10 (64%) of defendant's 18 employees were Hispanic. After the discharge, only one Hispanic employee (a phlebotomist) remained on the payroll.

Under the 24-month consent decree resolving this case, the nine charging parties will share \$190,00 in monetary relief (\$117,411 in backpay and \$72,589 in compensatory damages), paid in 24 monthly installments. Defendant is enjoined from discriminating against any employee based on national origin and from retaliation. The decree states that defendant does not have an English-only policy and that the May 13, 2003, memorandum on workplace communication has been rescinded and will not be reinstated.