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ROBERT H. SHEM WELL, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
OPELOUSAS/LAFAYETTE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

SEP - 9 2002

ROBERT H. SHEM WELL, CLERK
BY
DEPUTY

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

VERSUS

SOUTHWEST LOUISIANA PRIMARY
HEALTH CARE

Defendant.

CIVIL ACTION NO. 6:00cv2249 Lead
01-1573 member

JUDGE Melancon
MAGISTRATE JUDGE Mathwin

CONSENT DECREE

On August 16, 2001, the Equal Employment Opportunity Commission ("the Commission") instituted Civil Action Number 01-1573 in the United States District Court for the Western District of Louisiana, charging Defendant, Southwest Louisiana Primary Heath Care ("Southwest") with violations of Sections 703(a)(1)and(2)and 704(a) of Title VII, as amended, 42 U.S.C. § 2000e-2(a)(1)and(2) and 2000e-3(a,) et seq. ("Title VII"), alleging that Defendant employer engaged in unlawful employment practices at its Opelousas, Louisiana location. Said unlawful employment practices were committed against Ms. Donna Derousselle. The unlawful practices consisted of Defendant Employer permitting one of its physicians to sexually harass Ms. Derousselle, and by doing so, creating a sexually offensive work environment. The unlawful employment practices also consisted of retaliatory conduct and constructive discharge of Ms. Derousselle.

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This Court consolidated Civil Action Number 00-2249 with Civil Action Number 01-1573.

The United States Equal Employment Opportunity Commission and Southwest Louisiana Primary Health Care, as parties to this lawsuit, now wish to resolve all claims and controversies between them encompassed by this lawsuit without the burden, expense or delay of further litigation, subject, however, to the approval of this Court.

Therefore, it is **ORDERED, ADJUDGED, AND DECREED** that:

1. This Court has jurisdiction over the subject matter of this lawsuit and over the parties to this lawsuit.
2. The purposes of Title VII will be furthered by the entry of this Decree, the terms of which constitute a fair and equitable settlement.
3. The negotiation, execution and entry of this Decree will resolve any and all claims of Title VII violations brought by the Commission against Defendant, arising out of EEOC Charge Number 270-99-0446 and Civil Action Number 01-1573
4. Neither the negotiation, execution nor entry of this Decree shall constitute an acknowledgment or admission of any kind by Defendant, that its officers, agents or employees have violated or have not been in compliance with Title VII or any other applicable law, regulation or order.
5. This Decree relates only to the alleged violations raised in EEOC Charge Number 270-99-0446 and Civil Action Number 01-1573 filed by the Commission in the United States District Court for the Western District of Louisiana on August 16, 2001.
6. Defendant, its, owners, officers, agents, employees and successors or assigns shall not maintain or permit sexual harassment nor retaliation in the workplace against any person in

their employ as complained of in EEOC Charge Numbers 270-99-0446 and Civil Action Number 01-1573.

7. Defendant, Southwest shall pay to Donna Derousselle the sum of FORTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS(\$47, 500. 00), as damages in full settlement of all claims of discrimination.

8. Defendant shall post conspicuously at its facility, within ten (10) days of the entry of this Decree, a poster detailing Title VII prohibitions against sexual harassment and retaliation and stating that employees who believe that they have been subjected to retaliation by a member of management, owner or a co-employee are encouraged to contact the United States Equal Employment Opportunity Commission to seek information or to file a charge of discrimination. The actual poster will be provided to Defendant by Plaintiff for posting. The notices will be posted for a period of one year. Thereafter, copies of the poster entitled, "Equal Employment Opportunity is the Law" (GPO 920-752) will be permanently posted in place of the notices.

9. Defendant, shall provide the Commission, within thirty (30) days of the entry of this Decree, with a copy of its current policy against sexual harassment and retaliation in the workplace and certify to the EEOC that a copy of this policy has been distributed to each of its employees and owners. Defendant also shall certify to the EEOC, within sixty (60) days of the entry of this Decree, that its policy prohibiting sexual harassment and retaliation has been distributed to each of its employees.

10. Within 30 days of the entry of this Decree, Defendant, shall provide training on sexual harassment and retaliation in the workplace to all of its employees, independent medical contractors, including physicians and owners and specifically to include Ms. Dodie LaMothe.

Defendant shall certify to the EEOC, that all employees and owners have received this training within 10 days following the completion of the required training.

11. Defendant, shall comply with the prohibition against retaliation provisions under Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended, and all other provisions of this Act. Defendant specifically shall not retaliate against any present or former employee who was a party to or a witness in this proceeding, including, but not limited to, providing adverse job references to prospective employers, employment agencies or credit reporting agencies or by taking any adverse employment action with respect to such individual affecting his or her pay, rights, or status as an employee.

12. Defendant agrees to provide the Commission with a written report, at six month intervals beginning six months after the execution of this Decree, setting forth all instances in which any person has complained of sexual harassment or retaliation under the policy described in paragraph 9, above, and setting forth an explanation of the disposition of such complaints, and attaching all documentation pertaining to each request, and its disposition, including but not limited to all statements taken during the course of the investigation of such complaints.

13. Defendant shall remove, within fifteen (15) day of the entry of this Decree, from its records and files any notation, remarks, or other indications evidencing that the services performed by Donna Derousselle, while employed by Defendant, were other than or anything less than satisfactory.

14. In the event that Defendant fails to perform its obligations herein, Plaintiff EEOC is empowered to enforce this Consent Decree through the applicable judicial enforcement procedures and to seek sanctions which may be due as a result of the need to enforce this Decree.

15. This Consent Decree will remain in force for three (3) years from the date of entry of the Decree.

16. Should any provision of this Decree be declared or be determined by any Court to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Decree.

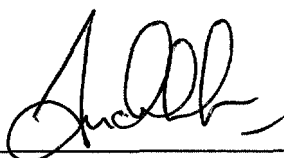
17. The Decree sets forth the entire agreement between the Commission and Defendant, and fully supersedes any and all prior agreements or understandings between the Commission and Defendant, pertaining to the subject matter herein.

18. The Commission and the Defendant will each bear their own attorney's fees and costs incurred in connection with the litigation of this case.

19. The Court shall retain jurisdiction of this action for purposes of enforcing this decree, if necessary.

IT IS SO ORDERED.

Lafayette, Louisiana, this 6th day of September, 2002.



UNITED STATES DISTRICT JUDGE

JUDGMENT ENTERED

September 11, 2002
BY Dennis L. McDonnell
COPY O'Brien
Burden
Robideaux
Alfred-George

BY CONSENT:

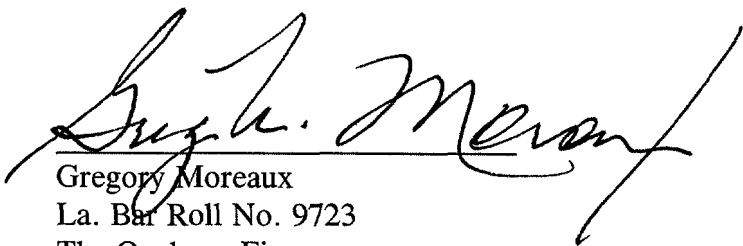
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KEITH T. HILL
Regional Attorney

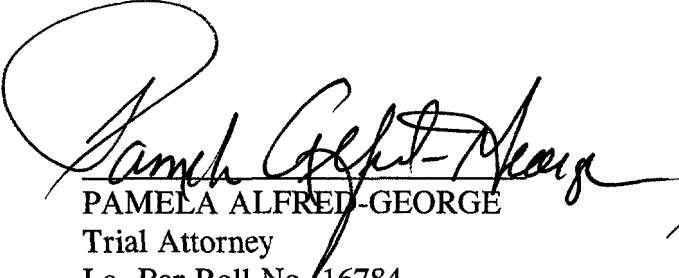
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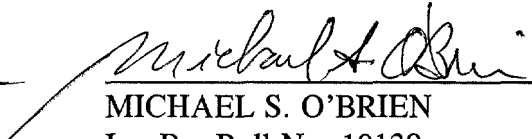


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