

- **EEOC v. Highland Hospital of Rochester, Inc., and Strong Health MCO IPA, Inc.**
No. 05 CV 6365 (W.D.N.Y. May 9, 2006)

The New York District Office filed this Title VII case alleging that Highland Hospital, an acute care hospital in Rochester, New York, and Strong Health, a hospital network in which Highland Hospital participates, imposed an English-only policy upon members of the environmental services (housekeeping) department and disciplined employees of Puerto Rican and Cuban national origin for violating it. Highland Hospital imposed the blanket English-only policy colloquially referred to as the "no Spanish" rule on the housekeeping department employees in 2003. At the time, defendant knew that some of the housekeeping employees were fluent only in Spanish. When three of the charging parties had interviewed with defendant, the housekeeping supervisor, also a CP, translated for them because she was bilingual in English and Spanish. The "no Spanish" rule made it difficult for the Spanish-speaking housekeeping employees to understand instructions, such as which rooms to clean. Defendant issued a written warning to the housekeeping supervisor for saying goodbye to employees in Spanish when she was clocking out for the day. It also gave written warnings to the three CPs on her staff for speaking Spanish in front of employees who did not understand Spanish. The fifth CP, a lab assistant whose primary language was Spanish and who was married to the housekeeping supervisor, had to obey the "no Spanish" rule when he visited his wife during breaks.

Under the 3-year consent decree resolving the case, the five CPs and three additional claimants will share \$200,000 in monetary relief. The decree prohibits defendants from discriminating against any of their employees because of national origin and enjoins them from instituting any English-only or other restrictive language policy for the duration of the decree. The decree requires defendants to rescind and remove any disciplinary notices given to employees in the housekeeping department which relate to speaking Spanish at work.