

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	
)	
)	
)	
v.)	CIVIL ACTION
)	NO. 03-5461
)	
MUHLENBERG MEDICAL ASSOCIATES,)	
)	
)	
Defendant.)	
)	
)	
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CONSENT DECREE

This Consent Decree is entered into by Plaintiff United States Equal Employment Opportunity Commission (the Commission) and Muhlenberg Medical Associates (also known as Muhlenberg Medical Associates, Ltd.)

On September 30, 2003, the Commission brought this action against Defendant Muhlenberg Medical Associates (MMA) to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq. (“Title VII”), and Title I of the Civil Rights Act of 1991, 42 U.S.C. §1981A. The Commission alleged that Leanna Stastny and a class of female employees of MMA were subjected to a hostile work environment based on their gender, female, and that Ms. Stastny was subjected to retaliation when she was denied a promotion after she complained of the unlawful practices. Ms. Stastny later intervened in this action, joining in the federal claims on alleged by EEOC on her behalf and adding allegations under the Pennsylvania

Human Relations Act.

This Decree is final and binding the EEOC and Defendant MMA as to all issues raised in the Commission's Complaint in Civil Action Number 03-5461. In settlement of Civil Action No. 03-5461, the Commission and Defendant MMA hereby agree as follows:

1. This Decree is entered into in compromise to avoid the expense and inconvenience of litigation and is neither intended nor construed as an admission of liability by Defendant MMA, who has denied and continues to deny any and all liability in this case.

2. The Commission is the agency of the United States government authorized by Congress to investigate allegations of unlawful employment discrimination based upon gender and retaliation, to bring civil actions based upon these allegations of unlawful practices, and to seek relief for individuals affected by such practices.

3. Pursuant to Title VII, the parties acknowledge the jurisdiction of the United States District Court for the Eastern District of Pennsylvania over the subject matter and parties to this case.

4. Defendant agrees to comply fully with all of the provisions of Title VII, including its anti-retaliation provisions. This means that Defendant will not take action against any individual because he or she exercised any of his or her rights under Title VII, including filing a charge, providing testimony or assistance, participating in any manner in any investigation, proceeding or hearing under Title VII, or opposing any practice that he or she believed in good faith to be unlawful under Title VII.

5. Defendant agrees to pay monetary relief in the total amount of \$100,000.00. The distribution is as follows: \$60,000.00 to Leanna Stastny, \$20,000.00 to Cheryl Powell, and

\$20,000.00 to Tammy Kreuger. In addition, Defendant will pay up to \$250.00 to Cheryl Powell and up to \$250.00 to Tammy Kreuger for the services of an attorney in advising them regarding the releases they are asked by Defendant to sign. The monetary relief for Ms. Stastny will be sent by separate checks to Ms. Stastny and to her attorney, and the relief to Ms. Powell and Ms. Kreuger will be sent directly to them at addresses to be provided by the Commission. These checks will be paid within twenty days of whichever of the following events is later: the date the Court enters this Decree, or the date a Release has been received by Defendant from the three named individuals, in a form mutually agreeable to them and to Defendant. Late payment of the checks will be subject to the accrual of interest on the unpaid amount, calculated pursuant to 28 U.S.C. § 1961. The check shall be sent to Ms. Stastny, Ms. Powell and Ms. Kreuger, or their legal representatives by United States certified mail, or express mail carrier, with a photocopy mailed to Cynthia A. Locke at EEOC's Philadelphia District Office.

6. In order to obtain the relief referenced in Paragraph No. 5, Ms. Stastny, Ms. Powell and Ms. Kreuger must each execute the Release referenced in Item No. 5, *supra*, and that Release must be provided to the Defendant.

7. Within ten business days of the entry of this Consent Decree, Defendant shall post the Notice attached to this Decree as Exhibit A at its Temple, Pennsylvania office on the bulletin boards where notices are usually and customarily posted for the benefit of all employees. The Notices will remain posted for a period of 180 days. Defendant shall replace said Notices with legible copies, if the Notice are defaced, removed, or marred in any way. Within ten business days of the posting of the Notices, Defendant will inform the Commission of the date and location of the postings.

8. Defendant agrees that, through EEOC or a vendor approved by EEOC, it will provide training in employment discrimination (specifically, in the area of harassment based on sex and retaliation as prohibited by Title VII) to the managers and physicians at its Temple, Pennsylvania office. The training program will be completed within three months of the filing of this Decree. Defendant agrees to notify the Commission of the vendor and training content at least two weeks in advance of the training date.

9. In the event of any dispute or question between the Plaintiffs and Defendant as to the interpretation or implementation of this Decree, the parties shall attempt to resolve such question informally within thirty (30) days. If the parties are unable to resolve their differences, the issue shall be submitted to the Court for final decision.

10. The parties agree that the Court shall retain jurisdiction over this Decree until for a period of two years after the filing of the Decree in order to enforce its provisions, should this become necessary.

11. This Decree shall be filed in the United States District Court for the Eastern District of Pennsylvania.

12.. This case shall be and hereby is dismissed with prejudice, subject to this Court's jurisdiction to enforce the provisions of this Consent Decree.

13. EEOC and Defendant shall bear their own costs and attorney's fees.

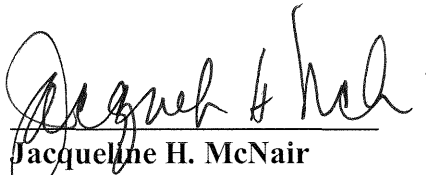
For EEOC:

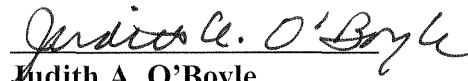
Eric S. Dreiband
General Counsel

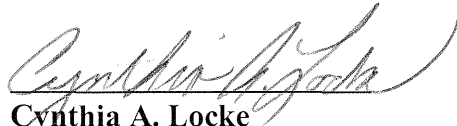
James L. Lee
Deputy General Counsel

Gwendolyn Young Reams
Associate General Counsel

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APPROVED AND SO ORDERED:

_____ **U.S.D.J.**

Date: _____

EXHIBIT A

NOTICE

This Notice is posted as part of a settlement reached in the matter of EEOC & Leanna Stastny v. Muhlenberg Medical Associates, C.A. No. 03-5461, in the United States District Court, Eastern District of Pennsylvania. The EEOC filed this action to enforce provisions of Title VII of the Civil Rights Act of 1964 (Title VII).

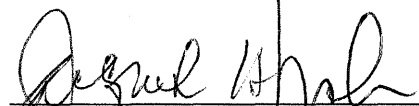
Title VII prohibits discrimination against employees and applicants for employment based upon their race, color, sex, religion, or national origin. Title VII prohibits retaliation against employees or applicants who exercise their rights under Title VII by engaging in protected activities, such as opposing an unlawful employment practice, filing a charge of discrimination, or assisting, testifying or participating in an EEOC investigation. THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) is the federal agency which investigates discrimination charges and brings lawsuits in the federal district courts to enforce Title VII.

The EEOC filed this action against Muhlenberg Medical Associates (MMA) to enforce provisions of Title VII, specifically alleging that MMA subjected Leanna Stastny and a class of female employees to a sexually hostile work environment based on their gender, female, by failing to take prompt effective corrective action to stop the sexually offensive practices of one of its physicians, Joseph R. Hassan, M.D. The EEOC's Complaint also alleged that MMA failed to promote Leanna Stastny in retaliation for her reporting sexual harassment. MMA denies all allegations of this action.

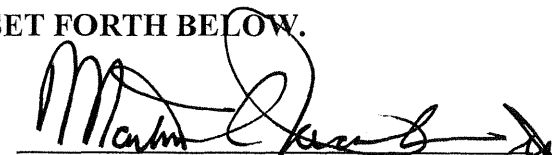
MMA fully supports and will comply with Title VII in all respects. MMA will not engage in any employment practice that denies equal opportunities in employment in violation of Title VII. MMA will not condone or permit harassment based on any protected classification, including sex. Furthermore, in accordance with Title VII, MMA will not take any action against any employee or applicant for employment because he or she has exercised any right under Title VII, including the filing of a charge of discrimination or the reporting of harassment.

This Notice will remain posted at MMA's Temple, Pennsylvania office for a period of one hundred eighty (180) days on all bulletin boards where announcements are normally posted for the benefit of employees. This Notice demonstrates that MMA has a continued interest in maintaining a workplace free of discrimination and harassment.

THIS NOTICE MUST NOT BE DEFACED OR REMOVED AND MUST REMAIN POSTED FOR 180 DAYS FROM THE DATE SET FORTH BELOW.



EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION



MUHLENBERG MEDICAL
ASSOCIATES

Date Posted: _____, 2004