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PRESS RELEASE

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PROVIDENCE ALASKA MEDICAL CENTER PAYS \$220,000 TO OPERATING ROOM STAFF LAID OFF DUE TO AGE BIAS

EEOC Settles Discrimination Suit Against Alaska's Largest Hospital

ANCHORAGE, Alaska – Providence Alaska Medical Center has agreed to pay \$220,000 and other relief to settle an age discrimination lawsuit on behalf of five workers laid off and denied rehire because of their age, the U.S. Equal Employment Opportunity Commission (EEOC) announced today.

The EEOC charged that in February 2005, Providence laid off and refused to rehire longtime employees Gola Anderson, Lawrence Harris, Milagros Lopez, Rebecca Petrie and Canijie Sadiku, following a restructuring of the hospital's operating room. The five employees had devoted between 11 and 24 years of their careers as surgery aides and anesthesia technicians to Providence and all had hoped to retire from Providence one day. The EEOC said that the five employees, ages between 46 and 56, lost their jobs due to their age, and were replaced by new hires in their twenties and thirties.

Such alleged conduct violates the Age Discrimination in Employment Act (ADEA). The EEOC filed suit after first attempting to reach a voluntary settlement.

Under the three-year consent decree resolving the case (*EEOC v. Providence Alaska Medical Center*, Civ. No. 3:06-cv-00146 RBB), approved by U.S. District Court Ralph B. Beistline, Providence Alaska Medical Center denied liability, but agreed to pay \$220,000 to compensate the employees for wages lost as a result of losing their jobs. The medical center will also revise its policies, provide training on discrimination and retaliation for operating room employees, and file regular reports with the EEOC for monitoring in addition to other injunctive relief.

"Employers have a duty to ensure that they do not run afoul of the law when they restructure their workforce," said EEOC San Francisco Regional Attorney William R. Tamayo. "We commend Providence for working cooperatively to resolve this lawsuit and believe that the relief provided in the consent decree will prevent something like this from happening in the future."

The EEOC brought the lawsuit against Providence after a neutral investigation conducted by EEOC investigator Mercedes Casasola, and after the agency first attempting to a reach voluntary settlement out of court.

EEOC San Francisco District Director Michael Baldonado noted, "Unfortunately, age bias continues

to be a persistent problem in the 21st century workplace – four decades after passage of the Age Discrimination in Employment Act. The EEOC will continue to fight for the rights of older workers.”

During Fiscal Year 2008, the EEOC received a record 24,582 age discrimination charge filings, a 29 percent increase from the prior year and a 65 percent jump from the number of filings in FY 2005 (14,893).

According to its web site, www.providence.org/alaska, the Providence Health Care System is Alaska's largest private employer, with over 4,000 employees serving the Alaska communities of Anchorage, Matanuska-Susitna Valley, Kodiak Island, Seward and Valdez. Providence Alaska Medical Center is located in Anchorage and is Alaska's largest hospital.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at www.eeoc.gov.

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