

Pittsburgh Attorneys Obtain Defense Verdict in Pennsylvania Court of Common Pleas

September 18, 2017

Pittsburgh attorneys Trisha A. Gill and Joshua Brick obtained a defense verdict in a race discrimination and retaliation suit in the Court of Common Pleas in Mercer County Pennsylvania. The plaintiff worked for our client, a nursing facility, as the director of nursing for more than 15 years. Plaintiff claimed she was terminated after her daughter, also an employee of our client, filed a race discrimination charge in the Equal Employment Opportunity Commission (EEOC) that was later settled by our client.

Plaintiff alleged that after our client settled the daughter's EEOC charge, management employees treated the plaintiff differently because of her race and because of her daughter's prior charge of discrimination. Plaintiff alleged that her termination was because of her race and in retaliation for her daughter's prior EEOC charge.

Our client denied that plaintiff was treated differently and denied that the plaintiff was terminated based upon her race or her daughter's prior EEOC charge. Rather, it was our client's position that plaintiff's employment was terminated after they had learned that the plaintiff was alleged to have taken funds from a co-employee. Plaintiff denied taking any funds from the co-employee and further argued that this reason was pretext because our client had been aware of the allegation for five months prior to her termination.

The judge bifurcated the issues of liability and damage. After a two-day trial on liability only, a verdict was returned in favor of our nursing

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facility client, finding that the plaintiff was terminated for legitimate, non-discriminatory reasons.