

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

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Contact: Fahizah Alim (916) 585-7076
Fahizah.Alim@dfeh.ca.gov

DFEH Settles Employment Discrimination Case against Pasadena Rehabilitation Center

Older Latina employee terminated by employer and replaced by younger white man to receive \$75,000

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a national origin, age, and perceived disability discrimination case with Bishop Gooden Home, dba The Gooden Center, a Pasadena alcohol and drug rehabilitation center.

The complainant, a 64-year old Latina woman, worked as a cook for Bishop Gooden Home. She filed a complaint with DFEH in May 2017 alleging that she was harassed and discriminated against because of her age, Latino national origin, and perceived disability. The complainant alleged that management made stereotypical and biased comments about Latinos not liking to prosper and all being related immigrants; made ageist/ablest comments that she was going to fall, get hurt, and possibly sue the company; intimidated her by throwing things and physically assaulting her; subjected her to increased scrutiny, disrupted her work, and subjected her to unwarranted discipline; and terminated her employment in order to replace her with a younger white man. Around the same time, Respondent terminated the employment of three older Latina cooks and replaced them with employees under 40 years of age.

Based on its investigation, DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred. As part of a settlement agreement reached in mandatory mediation, the Bishop Gooden Home will pay the complainant \$75,000.

“Comments based on stereotypes related to race, age, national origin, or disability are direct evidence that an employment decision was made for discriminatory reasons,” said DFEH Director Kevin Kish. “And while the law does not guarantee respectful workplaces, treating employees disrespectfully may constitute unlawful discrimination when other employees who do not share protected traits (for example, age, national origin, or disability) are treated respectfully.”

In addition to the monetary settlement, the Bishop Gooden Home will develop and distribute a written anti-discrimination policy; post DFEH posters regarding harassment and discrimination in the workplace; provide fair employment training for Respondent’s owners, managers, supervisors, and employees, for five years; and report to DFEH all internal and external complaints of discrimination made by employees, and the resolution of those complaints, for five years.

Martha L. Gomez, Staff Counsel, represented DFEH.

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

