

8.7: Case Study: AMR to Pay \$162,500 to Settle EEOC Pregnancy Discrimination Lawsuit

Ambulance Company Refused Reasonable Accommodation to Pregnant Paramedic, Federal Agency Charged

SPOKANE, Wash. — Nationwide medical transportation company American Medical Response Ambulance Service, Inc. (AMR) will pay \$162,500 and provide other relief to settle a federal pregnancy discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

According to the EEOC's suit, a paramedic, who worked for AMR in Spokane, Wash., requested light duty for the last part of her pregnancy and supplied a doctor's note in support. AMR denied her request. Rather than give her the light-duty tasks it made available to its employees injured on the job, AMR directed the paramedic to take unpaid leave or work without any restrictions.

Refusing to provide light duty to a pregnant employee when similarly abled, non-pregnant employees are permitted light-duty violates Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act (PDA). After an investigation by the EEOC and after first attempting to reach a pre-litigation settlement through its conciliation process, the EEOC filed suit in U.S. District Court for the Eastern District of Washington (Case No.2:19-CV-00258-RMP). The employee intervened in the EEOC's lawsuit after it was filed, bringing additional claims under federal and state law.

The two-and-one-half-year consent decree settling the lawsuit provides \$162,500 in compensatory damages to the paramedic. The decree also requires AMR to provide anti-discrimination training on Title VII and the PDA to all its Washington supervisors, safety and human resources personnel, and employees at AMR's Spokane facilities. AMR must revise its policies and procedures for Title VII compliance and post a notice for employees describing the company's obligations under the consent decree and employee rights under Title VII and the PDA.

"An employer must accommodate pregnant employees to the same extent that it accommodates other employees similar in their ability or inability to work," said EEOC Senior Trial Attorney May Che. "Pregnant workers should not be forced to choose between losing the ability to make a living and risking the health and safety of their baby by being required to work without accommodation."

EEOC San Francisco Deputy Director Nancy Sienko added, "Pregnancy discrimination continues to be a persistent problem in the American workforce. Combating such unlawful conduct is a top priority for the EEOC and we will continue working to prevent and remedy it."

AMR is a medical transportation company that provides and manages community-based medical transportation services, including emergency (911), non-emergency and managed transportation, fixed-wing air ambulance and disaster response. According to its website, <https://www.amr.net/about>, AMR is the largest ambulance service provider in the nation, with locations throughout the United States. In March 2018, AMR became a subsidiary of Global Medical Response, the largest medical transportation company in the world.

One of the six national priorities identified by the EEOC's Strategic Enforcement Plan (SEP) is to address emerging and developing issues in equal employment law, including accommodating pregnancy-related limitations.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov.

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