Maine Human Rights Commission

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INVESTIGATOR'S REPORT
E17-0091
January 14 , 2019

Lauren Kennett   (Cape Elizabeth)

v.

Noble Home Health Care   (Portland)

Summary of Case:

Complainant, who worked as a clinical director for Respondent, a home healthcare provider, alleged that she was subjected to unlawful discrimination in employment because of her sex, and that she was subjected to retaliation for refusing to submit fraudulent billing. Respondent denied discrimination or retaliation and stated that Complainant was discharged for removing files from the owner's office. The Investigator conducted a preliminary investigation, which included reviewing the documents submitted by the parties and request for additional information. Based upon this information, the Investigator recommends a finding that there are no reasonable grounds to believe Complainant was discriminated against on the basis of sex, but there are reasonable grounds to believe Complainant was subjected to retaliation for engaging in protected activity.

Jurisdictional Data:

1) Dates of alleged discrimination: 4/29/2016.

2) Date complaint filed with the Maine Human Rights Commission ("Commission"): 2/27/2017.

3) Respondent is subject to the Maine Human Rights Act ("MHRA"), the Maine Whistleblowers' Protection Act ("WPA"), Title VII of the Civil Rights Act of 1964, as amended, and state and federal employment regulations.

4) Complainant is represented by Sarah A. Churchill, Esq. Respondent is represented by Michael F. Vaillancourt, Esq.

IV. Development of Facts:

1) Complainant provided the following in support of her claims:

Complainant, who is female, coordinated in-home services for low income children. Reimbursement for these services by the state required that an adult in the home sign off on Complainant's progress reports.