



# Maine Human Rights Commission

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## INVESTIGATOR'S REPORT

**E18-0331**

October 7, 2019

**Kimberly S. Hunter (Lewiston)**

v.

**St. Mary's Hospital<sup>1</sup> (Lewiston)**

### Summary of Case:

Complainant, who was a housekeeper for Respondent, a hospital, alleged that she was subjected to unlawful discrimination in employment because of her sex and that she was subjected to retaliation for reporting sexual harassment. Respondent denied discrimination or retaliation and stated that Complainant's concerns were investigated and appropriately addressed. The Investigator conducted a preliminary investigation, which included reviewing the documents submitted by the parties and holding a Fact Finding Conference ("FFC"). Based upon this information, the Investigator recommends a finding that there are reasonable grounds to believe Complainant was discriminated against on the basis of sex and that she was subjected to retaliation for engaging in protected activity.

### Jurisdictional Data:

- 1) Dates of alleged discrimination: Ongoing.<sup>2</sup>
- 2) Date complaint filed with the Maine Human Rights Commission ("Commission"): 9/6/2018.
- 3) Respondent is subject to the Maine Human Rights Act ("MHRA"), Title VII of the Civil Rights Act of 1964, as amended, the Maine Whistleblowers' Protection Act ("WPA"), and state and federal employment regulations.
- 4) Complainant is represented by Arthur J. Greif, Esq. Respondent is represented by David Strock, Esq.

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<sup>1</sup> Complainant named "St. Mary's Hospital" as the Respondent in her complaint. Respondent provided that its legal name is "St. Mary's Health System." Because Complainant did not amend her complaint, the name used in her complaint has been retained.

<sup>2</sup> Complainant was still an employee of the hospital when she filed her original Commission complaint. On 4/5/2019, Complainant filed an amended complaint alleging that she was notified on 3/22/2019 that she would not be allowed to work until further notice, although she technically has not been discharged.