



Historical Analysis of Job Discrimination Lawsuits in Neurosurgery; Can we talk in 2014?

Joseph R. Rivas MD PC

Introduction

Job discrimination lawsuit Awad against Lillehei, Breeze,

Kindt, at Univ. of Colorado obtained the first page of the major newspaper in Colorado, Rocky Mountain News, for three days totalizing twenty-eight pages. How often we encounter litigations in this area?

Methods

We mailed and delivered questionnaires to neurosurgeons for a period of ten years. A paid subscription to Public Access to Courts Electronic Records is useful to search the docket entries of all the federal courts looking for parties in litigations. Investigation continues.

Results

We found cases litigated in the media easy through exams of newspapers - websites, as Awad vs. Lillehei on Rocky Mountain News, and discrimination complaints in Boston. USDC-Western District of Tennessee, Docket Case # 95-CV-2227, is the lawsuit of Chandler filed against James and Jon Robertson, et al, on 95. Awad lawsuit at the USDC-Denver is Docket Case #03-CV-4375. While in Boston, Arthur Day received two work discrimination lawsuits in Federal Court from two female doctors of Indian descent. These lawsuits were Tuli vs. Day (07-cv-12338 USDC MA District); and, Soni v. Day, BWH, et al (08-cv-11875 USDC MA District). Day also received three discrimination complaints from the Massachusetts Commission Against Discrimination within a three-year period. The third complaint from Narayanan received a settlement by the Commission. Soni also filed a lawsuit against Larry Chin, Boston Medical Center Corporation alleging retaliation by Chin against Soni because her lawsuit against Day will bring retaliation by the ACGME not granting a residency program to Boston University. Soni case # is 08-cv-11874 at USDC, Boston. Tuli obtained a trial verdict of \$1,620,003.00 that the Appellate Court sustained.

Conclusions

The percentage of African Americans and Hispanics is less than 2.5 percentages of the total neurosurgeons in US. Women certified by the ABNS are about 264. Discrimination lawsuits are rather high with these low statistics.

Learning Objectives

By the conclusion of this session, participants should be able to: 1) Realize the importance of keeping a job environment of mutual respect with empathy and consideration of other physicians racial or ethnic groups. 2) Discuss, in small groups those aspects that arise conflicts between different racial or ethnic groups and how to delineate amicable solutions to the disagreements. 3) Identify an effective treatment of individual personal communication as an early eradication of conflicts originating discriminatory problems.

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References

Court Dockets; Legal Complaints; Court Pleadings; Documentation of Settlement or Trial Verdicts; Newspapers Clips