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Verona Resort and Spa to Pay \$16,000 to Settle EEOC Pregnancy and Disability Suit

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Hotel Resort and Spa Failed to Accommodate Employee With Pregnancy-Related and Diabetic Conditions, Then Fired Her, Federal Agency Charged

TAMUNING, Guam - Verona Resort and Spa, a hotel resort and spa in Tamuning, will pay \$15,871.56 and provide other relief to settle a pregnancy and disability lawsuit by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, EEOC filed suit against Polaris Guam LLC dba Verona Resort and Spa in 2017, charging that the company refused to allow an employee with gestational diabetes to be allowed to wear open-toed shoes and be able to sit while fulfilling her duties as front desk agent. Verona failed to provide a reasonable accommodation, and then fired her after she made the request claiming her pregnancy impacted her ability to perform the job.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act and the Americans with Disabilities Act (ADA) which requires employers to provide employees reasonable accommodations, unless it causes the employer an undue hardship, including for conditions related to pregnancy and/or childbirth.

The EEOC filed suit (EEOC v. Polaris Guam LLC, dba Verona Resort and Spa, Case No. 1:17-CV-00090) after first attempting to reach a prelitigation settlement through its voluntary conciliation process.

According to the four-year consent decree, approved by the U.S. Court for Guam, Verona will provide \$15,871.56, plus applicable interest, in damages to the former front desk clerk. Verona is required to designate an equal employment opportunity (EEO) monitor to ensure the company's compliance with Title VII, ADA, and anti-retaliation policies and procedures; establish a complaint process and impartial investigations, along with a centralized tracking system for discrimination and retaliation complaints and provisions holding employees accountable; provide annual training on pregnancy and disability discrimination, as well as retaliation, especially for those involved at the management level to educate them on their rights and responsibilities with the goal of preventing and deterring any discriminatory practices in the future. The court will maintain jurisdiction over this case for the term of the consent decree.

"We commend Verona for putting in place measures that will prevent future discrimination in the workplace," said Anna Park, regional attorney for the EEOC Los Angeles District, which includes Guam in its jurisdiction. "As noted in the recent release of the EEOC's FY2018 enforcement and litigation data, retaliation is the most filed complaint with the EEOC. Employers should take every opportunity to review their policies and practices to make sure they are in-line with federal law."



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Glory Gervacio Saure, director of the EEOC Honolulu Local Office, said, "This settlement reinforces the EEOC's unwavering commitment to ensuring pregnancy and disability discrimination have no place in the work force. This resolution sends a clear message to employers the EEOC will not hesitate to enforce these federal protections across its jurisdiction, including Guam."

According to the company's website, Verona Resort and Spa provides accommodations and other luxurious amenities in Tumon Bay, Guam.

Addressing emerging and developing issues is one of the six national priorities identified by the Commission's Strategic Enforcement Plan (SEP).

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our email updates.

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