

EEOC NEWS



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

U.S. Equal Employment Opportunity Commission
33 Whitehall Street, 5th Floor
New York, NY 10004-2112

PHONE (212) 336-3620
TTY (212) 336-3622
FAX (212) 336-3621

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Contact:
Chinyere Ezie, Trial Attorney
(212) 336-3700 (Office)

Charles Coleman, Jr., Trial Attorney
(212) 336-3699 (Office)

Jeffrey Burstein, Regional Attorney
(212) 336-3770 (Office)

Nora Curtin, Supervisory Trial Attorney
(212) 336-3747

Michael Rojas, Outreach & Education Coord
(212) 336-3670 (Office)
(347) 789-2840 (Cell)

JURY AWARDS \$5.1 MILLION FOR WORKERS IN EEOC RELIGIOUS DISCRIMINATION CASE AGAINST UNITED HEALTH PROGRAMS OF AMERICA, INC. AND COST CONTAINMENT GROUP, INC.

Health Network Violated Federal Law by Creating a Hostile Work Environment through Forced Participation in Religious Activities, Jury Found

NEW YORK – Following a three-week trial, on April 25, a unanimous Brooklyn federal jury found that United Health Programs of America, Inc, which provides discount medical plans, and its parent Cost Containment Group, Inc. (“CCG”), violated federal law by coercing 10 employees to engage in religious practices at work and by creating a hostile work environment for nine of them. The jury also found CCG violated federal law by firing one employee, Faith Pabon, who opposed these practices.

The jury awarded \$5.1 million in compensatory and punitive damages to the 10 individuals for whom EEOC was seeking relief. The EEOC will also seek injunctive relief against CCG to prevent future

Page 2: Health Network Violated Federal Law by Creating a Hostile Work Environment through Forced Participation in Religious Activities, Jury Found

violations of federal law and back pay to be awarded to Ms. Pabon for her wrongful termination, to be determined by the District Court Judge, Kiyoo A. Matsumoto.

According to the EEOC, CCG employees were forced to engage in a variety of religious practices at work, including prayer, religious workshops, and spiritual cleansing rituals. These practices were part of a belief system called “Harnessing Happiness” or “Onionhead,” created by the aunt of CCG’s CEO’s. The judge previously ruled such practices constituted a religion, for purposes of Title VII. The aunt, employed by CCG as a consultant and fully supported by CCG’s upper management, spent substantial time in the company’s offices from 2007, implemented the religious activities at the workplace and had a role in employee hiring and firing. Nine victims said the religiously-infused atmosphere created a hostile work environment for them, and the jury unanimously agreed. The jury also found Faith Pabon was fired for opposing these practices.

Title VII of the Civil Rights Act of 1964 forbids employers from coercing employees to engage in religious practices at work. It also bars employers from firing or taking other adverse action against those who oppose such practices.

The EEOC was represented at trial by Trial Attorneys Chinyere Ezie and Charles Coleman, Jr., supervised by Supervisory Trial Attorney Nora Curtin. In addition to EEOC counsel, Anthony Mango of Mango & Iacoviello represented three claimants, Faith Pabon, Francine Pennisi, and Elizabeth Ontaneda.

EEOC Trial Attorney Chinyere Ezie said, “This verdict makes clear how federal law bars employers from imposing religion on employees in the workplace.”

EEOC Trial Attorney Charles Coleman, Jr., said, “This case featured a unique type of religious discrimination, in that the employer was pushing its religion on employees. Nonetheless, Title VII prohibits religious discrimination of this sort and makes what happened at CCG unlawful. Employees cannot be forced to participate in religious activities by their employer.”

The EEOC’s New York District Office is responsible for processing discrimination charges, administrative enforcement, and conducts agency litigation in New York, northern New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine.

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](#).