
Nurse Threat

Anurse's aide began having serious difficulties getting along with her co-workers. She was eventually terminated by the hospital where she worked after it came to light that she had made repeated threats of violence toward nursing staff members and toward at least one nursing supervisor, and after it was reported to hospital administrators by her psychiatrist that she had voiced an intention to kill one of the hospital's nurses.

The aide filed formal charges of racial discrimination with the EEOC after she was fired, and then filed suit in Federal court as permitted by Federal anti-discrimination laws.

The U.S. District Court for the Eastern District of Michigan reviewed the facts of the case under the law of racial discrimination. The court conceded that the employee had proven the basic essentials did exist for an employment discrimination case: she was an African-American; she was qualified for her job; she was fired; and her job was then filled with a Caucasian person.

However, even with the legal essentials ostensibly proven for a case of racial discrimination in employment, the court still must look at the evidence to see if the employer can prove a legitimate, non-discriminatory motive for the termination.

In this regard, the court accepted the testimony of witnesses who substantiated the hospital's allegations that this aide had made threats toward co-workers and a supervisor. The court stated it was unable to find any indication that racial bias had motivated the hospital to go forward with its investigation of the alleged threats, or of racial bias in the manner in which the hospital had conducted its investigation.

According to the court, making threats of violence toward co-workers or supervisors is a legitimate, non-discriminatory reason for a hospital to fire an employee, assuming the threats are proven by a fair and unbiased investigation. Dooley vs. Henry Ford Hospital, 916 F. Supp. 666 (E.D. Mich., 1996).