

Employment Discrimination: White Male Nurse's Case Thrown Out.

A white male filed suit against his employer of twenty-three years after his applications were turned down for three different Certified Registered Nurse Practitioner positions which would have represented a substantial job promotion for him.

The reason given was the positions all called for a minimum of two years prior mental-health work experience as a CRNP, which he did not have.

One of the positions went to a Caucasian female who had ten years prior experience. Two of the positions went to African American females, one with four and one with six years prior experience.

The US District Court for the Middle

No one disputes that the white male in this case fits the definition of a minority for purposes of Title VII of the US Civil Rights Act.

UNITED STATES DISTRICT COURT
ALABAMA
May 29, 2009

District of Alabama noted for the record that a white male nurse would be considered a minority group member for purposes of the US anti-discrimination laws under this particular factual scenario.

That being said, the facility was able to show a legitimate, non-discriminatory reason for not giving him one of the positions: although he did have the certification he did not have the prior experience that the job descriptions called for.

The court gave no credence to the contention that the two-years experience requirement was maliciously added into to the job descriptions just to keep him from getting a promotion. He had the burden of proof on that issue but had no actual proof to offer. ***Lisenby v. Shinseki, 2009 WL 1510781 (M.D. Ala., May 29, 2009).***