

Ex-Worker At Hospital Wins Job Bias Case

\$1.45 million award goes against Gottlieb

A federal jury has found a Melrose Park hospital discriminated against a former employee in violation of the Americans with Disabilities Act and awarded the woman \$1.45 million in damages.

Shirley Swiech, who worked for 22 years for Gottlieb Memorial Hospital, contended she was unjustly demoted from a supervisor in the payroll department and subjected to a hostile work environment, said her lawyer, Eugene K. Hollander.

Swiech, 55, of West Chicago, also held that Gottlieb failed to find reasonable accommodations for her disabilities of depression and lupus, Hollander said.

In its verdict Monday in U.S. District Court in Chicago, the jury found in Swiech's favor on the disability claims but cleared the hospital of discriminating against her based on her age.

Attorney David B. Ritter, who represented the hospital, insisted the case shouldn't have even gone to trial, saying Swiech's supervisors "bent over backward" to try to help her out.

"These are fine people," said Ritter, who has done legal work for the hospital for more than a decade. "They would never do anything like this."

"There's no basis in the evidence for these verdicts," he added. "We will file the appropriate legal papers."

Hollander said Swiech, who joined the hospital in 1974, was promoted to payroll supervisor in 1989 and then demoted to clerk in early 1995.

Swiech first requested a reasonable accommodation for carpal tunnel syndrome and later for fatigue caused by depression and lupus, Hollander said.

According to Hollander, the hospital rejected Swiech's request that she be allowed to take rest breaks and skip lunch so she could leave work early.

As a result of the intense fatigue, she was forced to take naps in a hospital bathroom or retreat to her car, Hollander said.

Hollander maintained Swiech was effectively discharged in 1996 because of the hostile work environment, but Ritter contended she stormed out of a meeting called by supervisors in an attempt to address her concerns.

Ritter quoted Swiech as telling supervisors at the meeting, "I don't get maid; I get even." She then walked out and never returned to work, he said.