

Discrimination: Nurse Did Not File Complaint With EEOC.

A nurse from Nigeria sued her former employer alleging that remarks by her former co-workers which she felt were racially motivated created a hostile work environment and forced her to resign.

The US District Court for the Northern District of Texas dismissed her case without going into the details. Before filing her lawsuit in Federal court she did not file a complaint with the US Equal Employment Opportunity Commission (EEOC), which had to be done no later than 300 days after the racially offensive conduct.

The court did point out that the nurse still had the right to file suit for racial discrimination in state court under Texas state law and get her day in court that way, even though her Federal lawsuit is done.

State law provides similar legal remedies to US Title VII and contains no requirement first to file an administrative-agency complaint. **Ndupu v. Methodist Health System**, 2009 WL 1490694 (N.D. Tex., May 27, 2009).