

## Discrimination: Haitian Man Fired, Cell Phone Use On The Job.

A family member complained to management because three nursing home employees were using her mother's room as a place to "hang out" and talk on the cell phone.

The three, two white or Hispanic females and a black man from Haiti, were working together that day. When the daughter walked in on them they were waiting around while one of the females finished a personal cell phone call.

The director of nursing, a white female, decided to fire the black Haitian man over the incident. He filed a discrimination complaint against the nursing home.

The US District Court for the District of New Jersey acknowledged that all three of the employees were at fault for "hanging out" in a resident's room and the one female was at fault for making a personal cell phone call on the job.

That being said, it was discriminatory for the black man from Haiti to be singled out for a harsher punishment. His race, nationality and gender were the only factors that explained why he was treated differently. Angrand v. Paragon Village, 2010 WL 1644132 (D.N.J., April 22, 2010).