

Written by

Thursday, 18 August 2011 18:56 - Last Updated Saturday, 21 April 2012 17:06

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By JOSEPH G. LARIOS

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CHICAGO (*jGLi*) – Anybody can speak their native language in their workplace for as long as the conversations are not job-related and are not necessary for the conduct of business.

This was the ruling of the U.S. Equal Employment Opportunity Commission in Baltimore, Maryland last Aug. 16 against an employer, Bon Secours Health System, which was found by U.S. EEOC director Gerald Kiel to have subjected registered nurse Corina Yap and her colleagues Anna Rosales, Hazel Granada and Hachelle Natano to “unequal terms and conditions of employment” when it prevented the nurses from speaking Tagalog in the workplace.

The Bon Secours Health System was found to have provided “a hostile work environment” to the nurses, who were disciplined and discharged from their jobs because of their national

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origins (Filipino) in violation of Title VII of the Civil Rights Act of 1964 as amended.

The US EEOC also determined that the aforementioned violations constitute an unlawful pattern of practice of discrimination because of national origin in violation of the Civil Rights Act.

The nurses thanked their lawyer, Arnedo Valera of the Migrant Heritage Commission based in Washington

,  
D.C.

, for standing by them during the entire process of seeking justice to their predicament.

“The ruling will also benefit other ethnic groups,” Valera said.

In April 2010, the Bon Secours Health System discharged the four nurses for speaking Tagalog in the premises of the Emergency Department. Its English Only policy is being enforced at the Emergency Department, as well as in other departments, to all employees in the conduct of their duties.

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Yap and her colleagues were indeed found to have spoken to each other in their native language. However, the US EEOC determined that the disciplinary action and discharge were unlawful and failed to support Bon Secours' assertion that the conversations were job-related and necessary for business.

In their affidavits, the nurses said they were actually exchanging pleasantries in Tagalog, including that of thanking another person for having brought to their work station a delicious Filipino meal.

Legal counsel and MHC co-executive director Arnedo Valera said the case is a great victory for immigrants and on cultural diversity.

"The English Only rule in workplaces which has nothing to do with one's performance of duties is discriminatory, based on national origin. Everyone has the right to speak their own native language whenever they want or need to so long as they do not compromise and put their patients in danger. In fact, hospitals and other facilities benefit from bilingualism. Many lives have been saved in emergency rooms because hospital personnel could understand the persons brought to them," explained Valera.

MHC co-executive director Grace Valera-Jaramillo meanwhile said that as a nation of

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immigrants, we value the contributions of immigrants, including the sharing of their culture and language. Our community is actually enriched by diversity.” # # #

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