

Nov. 22. 2016 11 AM

EXHIBIT 17PO-CC00016

No. 3721 P. 3

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CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement before

ENTER CHARGE NUMBER

FEPA E-11/16-475
 EEOC 28E-2017-006

MISSOURI COMMISSION ON HUMAN RIGHTS AND EEOC

NAME (Indicate Mr., Ms., or Mrs.)
Mrs. Kera Renee Cantrell

DATE OF BIRTH
9-22-82

HOME TELEPHONE NO.
(Include Area Code)
(417) 327-3566

Street Address
453 East Hwy 32

City, State and Zip Code
Fair Play, MO 65649

County
Polk

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP, COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below).

NAME
Citizens Memorial Healthcare

NO. OF EMPLOYEES/MEMBERS
>15

TELEPHONE NUMBER (Include Area Code)
(417) 326-6000

STREET ADDRESS
1500 N. Oakland

CITY, STATE AND ZIP CODE
Bolivar, MO 65613

FILED

NAME
Jodi Brand and John or Jane Does

TELEPHONE NUMBER (Include Area Code)
(417) 326-6000

NOV 22 2016

STREET ADDRESS
1500 N. Oakland

CITY, STATE AND ZIP CODE
Bolivar, MO 65613

MO Commission on Human Rights
Jefferson City Office

CAUSE OF DISCRIMINATION BASED ON (check appropriate box(es))
 RACE COLOR SEX RELIGION
 NATIONAL ORIGIN RETALIATION AGE
 DISABILITY OTHER (specify)

DATE DISCRIMINATION TOOK PLACE (Month, day, year)
Counseling date fall of 2016 and terminate date of November 15, 2016
 CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I became employed at CMH in February of 2016. My position was that of a registered nurse in the Cardiac Cath Lab. Robert Richardson is the charge nurse. Pat McClure was my immediate supervisor. Jodi Brand is the Director.

The John and Jane Does in this Charge are those employees of CMH with knowledge of my reports of sexual harassment and who provided input or information or participated in the decision of termination. I do not know for sure who these persons are and therefore am unable to name them in this Charge. I suspect Dr. Best provided input, possibly Robert Richardson - both of whom would know that I voiced opposition to the conduct of sexual harassment. I request that CMH provide Notice of this Charge to those employees who provided information or participated in the decision of termination, especially Dr. Best and Mr. Richardson if my belief is correct..

Dr. John Best is the lead cardiologist. Dr. Best made several inappropriate statements of a sexual nature. He told persons that he had seen my "ass." He told people that I touched his butt. Dr. Best nicknames persons/employees. The nickname he gave me was "Veggie." Dr. Best would sing parts of the song Mary Moon at least once a week. He would sing the part "She's a vegetarian She don't eat meat but she sure likes the bone." The "bone" referring to the male anatomy. The song goes on to state "Mary Moon despite that fact remains quite sexual." It was offensive, degrading and inappropriate. No one said anything as they were scared, he was the doctor and in charge. Several times I told Dr. Best I didn't like it and asked that he stop singing it. After speaking with him, Dr. Best didn't stop, but he would sign the song, laugh and sometimes then look at me and say "oh, I guess I shouldn't say that." On more than one occasion Dr. Best would be talking about me being a vegetarian and not getting enough protein. Dr. Best would say "I am sure that you can go home to your husband and get plenty." Dr. Best also frequently told inappropriate jokes of a sexual nature. He would tell blond jokes a Molly and I were both blonds. I would try to tune them out. A lot of the statements were towards Molly. He would make statements about her having different guys, hugging on her, grabbing her sides. One day she came in without make-up and he told her that she needed to have make-up permanently tattooed on his face. He told Molly that she needed a "boob job." DR. Best would squirt the girls, more so than the guys, with water. Dr. Best has a boat party. Dr. Best made the statement that he should not bring myself and Molly because we would get drunk and would be stripping - taking our clothes off. Dr. Best made statements about if Hillary became president she would be in the safe office where Bill got head from Monica. And other statements of a sexual nature.

I reported the conduct of sexual harassment to Robert Richardson, charge nurse and Jodi Brand, Director. I also made a report to Pat McClure. I would describe what was being said and that it was inappropriate and made me feel uncomfortable. I told her I didn't like it, but I didn't want to lose my job over making the report. The response was basically that I should accept it as that it was Dr. Best. My most recent report prior to termination was week before my termination. Dr. Best came up behind me and grabbed my side. I reported to Jodi Brand, again, as to the touching and told her that I felt it was inappropriate and it made me uncomfortable. I told her that it happened before especially with Molly and that something needed to be done about it. It wasn't OK for DR. Best's conduct toward female employees to continue. Jodi Brand said that it was going to be looked into which I took to mean that she was going to talk with HR and an investigation conducted under the sexual harassment policy of CMH.

I believe there is documentation in my personnel file of being late and a counseling. The counseling document is retaliation in after one of the occasions that I had asked Dr. Best to stop signing the Mary Moon lyrics, Dr. Best voiced negative things about my job performance and I was counseled.

I recently received an evaluation in September. It was very good evaluation.

After my most recent report of sexual harassment as to the touching by Dr. Best, on Wednesday, Nov. 9, 2016, I was told that I needed to speak with Jodi Brand. Jodi Brand had Kathy Williams of HR join. They had me do a drug screen. I was told to clock-out and that they would set up a meeting with me. A meeting was set for the following Tuesday, November 15, 2016. I again met with Jodi Brand and Kathy Williams. I was terminated. I was told that I was an excellent nurse and employee. But, that "I wasn't the right fit for the job." They said that I was under stress to handle the job. They told me that there was gap in the charting -- one of 6 minutes and one of 9 minutes. I told them that I wasn't able to hear and explained the gap, and that this had been reported on several occasions by others -- that you could not hear and would have to catch-up on charting. They also said that Rob had said it appeared that I was sleeping. I told them no, I was awake and was trying to hear to chart and monitor. I was told that I could re-apply in six months and would be considered eligible for rehire.

I have been subject to a hostile environment based on my gender. I have been discriminated against due to my gender. My reports of sexual harassment were a contributing factor to the counseling and my termination.

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NOV 22 2016

MO Commission on Human Rights
Jefferson City Office

I want this charge filed with both the EEOC and the state or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary to meet State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Maria Cantrell
Charging Party (Signature)

1-22-16
Date

SIGNATURE OF COMPLAINTANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month and year)



ERIC R. GREITENS
GOVERNOR

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
MISSOURI COMMISSION ON HUMAN RIGHTS



TAMMY GAVENDER
ACTING DEPARTMENT DIRECTOR

SARA NELL LAMPE
COMMISSION CHAIRPERSON

ALISA WARREN, PH.D.
EXECUTIVE DIRECTOR

Kera R. Cantrell
453 East Hwy 32
Fair Play, MO 65649

RE: Kera R. Cantrell vs. CITIZENS MEMORIAL HEALTHCARE ET AL
E-11/16-47505 28E-2017-00297C

The Missouri Commission on Human Rights (MCHR) is terminating its proceedings and issuing this notice of your right to sue under the Missouri Human Rights Act because you have requested a notice of your right to sue.

You are hereby notified that you have the right to bring a civil action within 90 days of the date of this letter against the respondent(s) named in the complaint. Such an action may be brought in any state circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred, either before a circuit or associate circuit judge. Not only must any action brought in court pursuant to this right to sue authorization be filed within 90 days from the date of this letter, any such case must also be filed no later than two years after the alleged cause occurred or your reasonable discovery of the alleged cause.

IF YOU DO NOT FILE A CIVIL ACTION IN STATE CIRCUIT COURT RELATING TO THE MATTERS ASSERTED IN YOUR COMPLAINT WITHIN 90 DAYS OF THE DATE OF THIS NOTICE (AND WITHIN TWO YEARS OF THE ALLEGED CAUSE, OR THE DISCOVERY OF THE ALLEGED CAUSE, OF YOUR COMPLAINT), YOUR RIGHT TO SUE IS LOST.

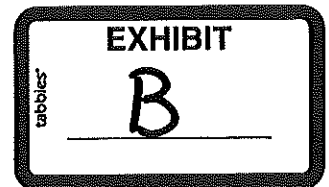
You are also notified that the Executive Director is administratively closing this case and terminating all MCHR proceedings relating to your complaint. You may not reinstate this complaint with the MCHR or file a new complaint with the MCHR relating to the same act or practice, but rather, if you choose to continue to pursue your complaint, you must do so in court as described in this letter. This notice of right to sue has no effect on the suit-filing period of any federal claims.

In addition to the process described above, if any party is aggrieved by this decision of the MCHR, that party may appeal the decision by filing a petition under § 536.150 of the Revised Statutes of Missouri in state circuit court. Any such petition must be filed in the circuit court of Cole County.

Respectfully,

Alisa Warren, Ph.D.
Executive Director

March 21, 2017
Date



C: additional contacts listed on next page

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Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

TDD/TTY: 1-800-735-2966 (TDD) Relay Missouri: 711
www.labor.mo.gov/mohumanrights E-Mail: mchr@labor.mo.gov

RE: Kera R. Cantrell vs. CITIZENS MEMORIAL HEALTHCARE ET AL
E-11/16-47505 28E-2017-00297C

CITIZENS MEMORIAL HEALTHCARE ET AL
ATTN: Human Resources Director
1500 N Oakland Ave
Bolivar, MO 65613

ATTN: Jodi Brand; John Does and Jane Does

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