News

EEOC seal

The seal of the U.S. Equal Employment Opportunity Commission is seen at its headquarters in Washington May 14, 2021. (OSV News/Reuters/Andrew Kelly)



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A federal agency has sued an Ohio-based Catholic health system and its subsidiary over alleged religious and racial discrimination against a Jewish doctor who was a longtime surgeon.

The Equal Employment Opportunity Commission sued Bon Secours Mercy Health in Youngstown, Ohio, and its subsidiary Mercy Health Physicians Youngstown Sept. 23 claiming in a Sept. 24 press release that the Mercy Health violated federal regulations "by subjecting a Jewish orthopedic surgeon to unfavorable terms and conditions of employment and firing him because of his religion and race, shortly after the Oct. 7, 2023, terrorist attacks in Israel."

EEOC, which is charged with investigating violations of federal laws that prohibit workers' discrimination, said Dr. Ian Walton had a "successful practice with Mercy for many years," and that he "performed well" and surpassed Mercy Health's "productivity goals."

The EEOC lawsuit, filed in the U.S. District Court of the Northern District of Ohio Eastern Division, states Walton is "ethnically and religiously Jewish" and had been "regularly subjected to antisemitic remarks and hostility."

But after the Oct. 7, 2023, attack on Israel by the Palestinian militant group Hamas, the EEOC suit stated, the atmosphere at Mercy Health Physicians in Youngstown was "flooded with disparaging comments" toward Walton. This was "including, but not limited to, criticizing what 'the Jews' were doing in Gaza; depicting or describing the attack as the fault of 'the Jews;' saying people should not care or be disturbed about Israelis who had been taken hostage."

EEOC said Walton had been asked in that context about whether he is "a practicing Jew" and "whether he had any part in the war" among other antisemitic remarks.

The Hamas attack on southern Israel, launched from the militants' stronghold in the Gaza Strip, killed more than 1,200 people and led to more than 200 others being taken hostage. Israel declared war on the group, leading to more than 74,000 Palestinians dead and 175,000 wounded, according to Gaza's health ministry, which is under the Hamas-run government. A ceasefire has been in place since Oct. 10, but more than 1,145 Palestinians have been killed since then, the health ministry said, as Israeli forces continue to launch strikes against perceived threats or attacks.

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The lawsuit said Mercy Health told Walton in November 2023 he was being terminated and that he was advised to stay on through the end of January 2024. EEOC said Walton was told there was "no reason" for his dismissal, and that he had been replaced by a non-Jewish physician.

"The EEOC will not hesitate to bring litigation to protect Jewish workers from unlawful discrimination and ensure they do not face adverse action simply because they are Jewish," EEOC Chair Andrea Lucas said in a statement. "Antisemitism has no place in the American workplace."

The Catholic Church explicitly condemns antisemitism at the highest level and has worked with Jewish leaders to eradicate this scourge. In its 1965 declaration Nostra Aetate, the Second Vatican Council affirmed the spiritual patrimony between the Catholic Church and the Jewish people, decrying "hatred, persecutions," and displays of antisemitism "directed against Jews at any time and by anyone."

In an email sent to OSV News Sept. 24, a spokesperson from Bon Secour Mercy Health said, "As a Catholic ministry, our Mission and values guide everything we do. We welcome individuals of all faiths and backgrounds who help us advance our commitment to improving the health and well-being of our communities."

The spokesperson said no further information will be provided "as we do not discuss pending litigation."

The EEOC lawsuit names one count of race discrimination and another count of religious discrimination under Title VII of the Civil Rights Act of 1964. It is seeking permanent injunctions on Mercy Health and its "officers, agents, servants, employees and all persons in active concert or participation with them" from engaging in employment practices that discriminate because of religion or race.

It also seeks the court to order Mercy Health to "institute and carry out policies, practices, and programs which provide equal employment opportunities to Jewish employees and that eradicate the effects of Defendants' past and present unlawful employment practices." The agency is demanding various forms of compensation for Walton, including backpay with interest, to address past and future financial losses as well as non-financial losses due to the discrimination the EEOC says he experienced.

The EEOC is also seeking a jury trial.