

SUPREME COURT OF APPEALS OF WEST VIRGINIA

Martha Knotts v. Grafton City Hospital

No. 14-0752 (W. Va. Aug. 28, 2015) (memorandum decision) · No. No. 14-0752 · Decided August 28, 2015

SUMMARY

The West Virginia Supreme Court of Appeals affirmed summary judgment for Grafton City Hospital in Martha Knotts’s age-discrimination action under the West Virginia Human Rights Act. The court held that Knotts failed to establish a prima facie case because her replacement and proposed comparators did not support an inference of age discrimination under existing West Virginia law. The court declined to address pretext because the prima facie case was not established.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Chief Justice Margaret L. Workman; Justice Robin Jean Davis; Justice Brent D. Benjamin; Justice Menis E. Ketchum; Justice Allen H. Loughry II
JURISDICTION	West Virginia
DECIDED	August 28, 2015
DOCKET	No. 14-0752
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petitioner appealed the Circuit Court of Taylor County's order granting respondent summary judgment and dismissing her age-discrimination claim under the West Virginia Human Rights Act.
STANDARD OF REVIEW	Summary judgment is reviewed de novo.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Martha Knotts v. Grafton City Hospital

TOPICS

- age discrimination
- wrongful termination
- standard of review
- appellate procedure
- employment law

PRACTICE AREAS

- employment law
- civil rights
- health law

QUESTIONS PRESENTED

1. Whether evidence that Knotts was replaced by an employee substantially younger than her, but still over forty, established a prima facie case of age discrimination under the West Virginia Human Rights Act.
2. Whether evidence that Knotts was treated less favorably than substantially younger employees, who were also over forty, established a prima facie case of age discrimination.
3. Whether Knotts presented sufficient evidence that the hospital's legitimate, nondiscriminatory reason for termination was pretextual.

HOLDINGS

1. The circuit court's entry of summary judgment is reviewed de novo, and summary judgment is proper when the record shows no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.
2. A plaintiff establishes a prima facie case of employment discrimination under the West Virginia Human Rights Act by proving that the plaintiff is a member of a protected class, the employer made an adverse employment decision, and but for the plaintiff's protected status the adverse decision would not have been made.
3. The court declined to overrule existing West Virginia law requiring the plaintiff to establish the applicable prima facie standard under Conaway and Young; evidence that a replacement was substantially younger but still over forty was insufficient on the record to establish Knotts's prima facie case.
4. Comparator evidence involving employees who were also over forty did not establish an inference of age discrimination because those employees were members of the same protected age class as Knotts.
5. The court did not reach the pretext issue because Knotts failed to establish a prima facie case of age discrimination.

KEY QUOTATIONS

"We review a circuit court's entry of summary judgment de novo." (at 3)

"Based upon our review of the record in this case, we find no error in the circuit court's award of summary judgment to respondent." (at 5)

FACTUAL BACKGROUND

Martha Knotts worked as a hospital housekeeper beginning in 2005. In April 2012, she repeatedly asked patients, a patient's family member, and emergency medical personnel questions concerning medical conditions or activities, despite a hospital confidentiality policy, prior admonitions, and recent confidentiality and HIPAA training. After an investigation, the hospital terminated her employment for flagrant and repetitive violations of its confidentiality policy. Knotts, who was over forty, alleged that the termination was age discrimination.

PROCEDURAL HISTORY

Knotts filed suit on August 31, 2012, asserting a single claim for age discrimination under the West Virginia Human Rights Act. After discovery, Grafton City Hospital moved for summary judgment. The Circuit Court of Taylor County granted the motion on July 8, 2014, and denied Knotts's motion to alter or amend the judgment. The Supreme Court of Appeals of West Virginia affirmed by memorandum decision.

DISPOSITION

affirmed

CASES CITED

- Painter v. Peavy, 192 W. Va. 189, 451 S.E.2d 755 (1994)
- Wilkinson v. Searls, 155 W. Va. 475, 184 S.E.2d 735 (1971)
- Young v. Bellofram Corp., 227 W. Va. 53, 705 S.E.2d 560 (2010)
- Shepherdstown Volunteer Fire Department v. State ex rel. State of West Virginia Human Rights Commission, 172 W. Va. 627, 309 S.E.2d 342 (1983)
- Conaway v. Eastern Associated Coal Corp., 178 W. Va. 164, 358 S.E.2d 423 (1986)
- O'Connor v. Consolidated Coin Caterers Corp., 517 U.S. 308, 116 S. Ct. 1307 (1996)
- Dailey v. Bechtel, 157 W. Va. 1023, 207 S.E.2d 169 (1974)
- Adkins v. St. Francis Hospital, 149 W. Va. 705, 143 S.E.2d 154 (1965)