

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, FAYETTEVILLE DIVISION

Equal Employment Opportunity Commission v. Northwest Arkansas
Hospitals, LLC d/b/a Northwest Medical Center-Bentonville

No. 5:24-CV-5195 (W.D. Ark. May 28, 2026) · No. 5:24-CV-5195 · Decided May 28, 2026

SUMMARY

The court considers Northwest Arkansas Hospitals, LLC’s motion for summary judgment in an EEOC Title VII sex-discrimination action brought on behalf of Efrin Chavez. Chavez alleges that he was excluded from assisting with certain vaginal deliveries because he is male, while the Hospital attributes the exclusion to unprofessional conduct and patient-privacy concerns. The court concludes that the evidence could support an adverse employment action and an inference of discrimination and denies the motion for summary judgment.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, Fayetteville Division
JURISDICTION	United States District Court for the Western District of Arkansas, Fayetteville Division
DECIDED	May 28, 2026
DOCKET	5:24-CV-5195
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for summary judgment on the EEOC's Title VII sex-discrimination claim; the court denied the motion.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. At summary judgment, the court considers evidence that could be presented in admissible form at trial and views the evidence in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	unpublished
PARTIES	Equal Employment Opportunity Commission v. Northwest Arkansas Hospitals, LLC d/b/a Northwest Medical Center-Bentonville

TOPICS

title vii

employment discrimination

summary judgment

evidence

civil procedure

PRACTICE AREAS

employment law

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federal employment law

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evidence

QUESTIONS PRESENTED

1. Whether Chavez's exclusion from approximately half of the vaginal deliveries performed by two physicians constituted an adverse employment action under Title VII after *Muldrow v. City of St. Louis*.
2. Whether the evidence supported an inference of sex discrimination sufficient to establish a prima facie Title VII case.
3. Whether Northwest Arkansas Hospitals established the absence of a genuine dispute regarding its asserted legitimate, nondiscriminatory reasons and the EEOC's evidence of pretext.

HOLDINGS

1. Evidence that Chavez was excluded from approximately half of the vaginal deliveries and thereby lost opportunities to assist with patient care and receive on-the-job training could permit a reasonable jury to find a disadvantageous change in his employment conditions. The action need not satisfy a heightened threshold of harm.
2. The EEOC presented sufficient evidence to support an inference of discrimination and to establish a prima facie case, including evidence of allegedly biased comments by decisionmakers.
3. Summary judgment was improper because genuine issues of material fact remained regarding why the physicians excluded Chavez and, more importantly, why the Hospital allowed the categorical exclusion.
4. The EEOC could not rely on Chavez's voluntary resignation itself as the adverse employment action absent evidence that the resignation constituted constructive discharge, but the claim was instead anchored in his exclusion from deliveries.

KEY QUOTATIONS

"In its recent Muldrow decision, the Supreme Court held that said disadvantage or injury does not have to 'meet a heightened threshold of harm—be it dubbed significant, serious, or something similar,' abrogating the Eighth Circuit and several others that had adopted heightened harm requirements." (at 7)

"There are genuine issues of material fact regarding why Drs. Beal and Fry excluded Chavez from their delivery rooms and, more pertinently, why NWAH allowed them to." (at 17)

FACTUAL BACKGROUND

Efrin Chavez worked as a noncertified surgical technician in Northwest Arkansas Hospitals' labor and delivery unit. Two hospital-affiliated, but nonemployee, physicians excluded him from assisting with their vaginal deliveries; the Hospital asserted that the exclusions were based on unprofessional conduct and patient-privacy concerns, while the EEOC contended that they were based on Chavez's sex. Chavez remained employed for

approximately six months, assisted with other physicians' deliveries, and resigned for reasons he communicated as involving a shorter commute and enrollment in a licensed practical nursing program.

PROCEDURAL HISTORY

The EEOC brought a single Title VII sex-discrimination claim on behalf of Efrin Chavez, alleging that Northwest Arkansas Hospitals permitted two nonemployee physicians to exclude Chavez from assisting with certain vaginal deliveries because he was male. After reviewing the parties' factual submissions, briefs, and supporting evidence, the district court found genuine disputes concerning the reasons for Chavez's exclusion and the Hospital's role in permitting it. The court denied the Hospital's motion for summary judgment.

DISPOSITION

other

CASES CITED

- Nat'l Bank of Com. of El Dorado v. Dow Chem. Co., 165 F.3d 602, 606 (8th Cir. 1999)
- RSBI Aerospace, Inc. v. Affiliated FM Ins. Co., 49 F.3d 399, 401 (8th Cir. 1995)
- Torgerson v. City of Rochester, 643 F.3d 1031, 1052 (8th Cir. 2011)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252, 256 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 324 (1986)
- Smith v. Kilgore, 926 F.3d 479, 485 (8th Cir. 2019)
- Hernandez v. Jarman, 340 F.3d 617, 622 (8th Cir. 2003)
- Muldrow v. City of St. Louis, 601 U.S. 346, 353–54, 359 (2024)
- Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75, 80 (1998)
- Fenney v. Dakota, Minn. & E. R. Co., 327 F.3d 707, 717 (8th Cir. 2003)
- Brown v. City of Dermott, 151 F.4th 985 (8th Cir. 2025)
- Norgren v. Minn. Dep't of Hum. Servs., 96 F.4th 1048, 1056 (8th Cir. 2024)
- Green v. Brennan, 578 U.S. 547, 555 (2016)
- Lewis v. Heartland Inns of Am., L.L.C., 591 F.3d 1033, 1040 (8th Cir. 2010)
- Young v. Warner-Jenkinson Co., 152 F.3d 1018, 1022 (8th Cir. 1998)
- Mayorga v. Marsden Bldg. Maint. LLC, 55 F.4th 1155, 1162 (8th Cir. 2022)
- Richey v. City of Indep., 540 F.3d 779, 784 (8th Cir. 2008)
- Gibson v. Am. Greetings Corp., 670 F.3d 844, 854 (8th Cir. 2012)

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