

FORMER RESCARE EMPLOYEE FILES LAWSUIT



A female from Mason County is filing a lawsuit against Res-Care Health Services, Inc., for supposedly dismissing her job after she spoke up regarding her private problems that had been infringed upon. Marjorie Carpenter was a worker for Res-Care as a registered nurse from early January to 2003 until 2008, before being named director of nursing. She was terminated in November 2011. She believes that starting in January 2011, she articulated to her superiors regarding issues with care, patients' privacy and its violation, illegal drug use by workers who were in charge of disabled individuals and likely abuse of patients by workers. In August of 2011, two workers, who ended up being reported by Carpenter, slapped harassment charges against Carpenter. After investigation, Carpenter was told that the charges had no traction. Carpenter went on to state that the workers conceded privacy violations and to spending money on illegal drugs. The West Virginia Office of Health Facility Licensure and Certification handles surveys and audits of facilities and on September 7, 2011, OFLAC did a survey in the Kenova facility. Carpenter says she caught up with the surveyor and emitted honest answers to her questions and when questioned why the survey was inadequate, Carpenter responded that no one would hear it. Two OFLAC surveyors came back to Kenova five days later and filed deficiency citations. One day later, Carpenter found evidence of a disc that held important details regarding privacy violations and illegal drug use and turned it over to OFLAC. She said on September 13, that her superior told her that in an April 2011 letter of resignation, a worker claimed that Carpenter had generated a contentious workplace. Until September 13, 2011, Carpenter was never informed of this. On September 15, surveyors asked Carpenter to meet at Kenova. She was aware that she would be giving them honest details. On September 19, she was put on a leave of absence for supposedly creating that contentious workplace, even though she was never allowed to counter those claims. From Carpenter's info, her executive director was also put on leave two days later. He was stripped of his job after an investigation. Carpenter says Res-Care tore up her contract on November 1, as a punishment for providing OFLAC with patient privacy violations and other information. The lawsuit says her actions breach West Virginia code. Carpenter says Res-Care's actions were neglectful and prompted damages. The suit goes on to say that Res-Care's actions were done on purpose, stubbornly and without care. Carpenter desires compensatory and disciplinary punishment.

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