




# EEOC Charge

Final Audit Report


2025-10-24


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## "EEOC Charge" History

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4. Soon after joining the Organization, however, [REDACTED] began experiencing a shocking pattern of discrimination and exclusion based on her race and ethnicity.

5. Despite Hopewell's stated commitment to racial equity through its Racial Equity, Diversity, & Inclusion ("REDI") initiatives, [REDACTED] found herself systemically excluded from decision-making processes and subjected to different treatment than her white colleagues.

6. [REDACTED] supervisor, Meg Cavanaugh, a white female, regularly initiated new funding programs and made strategic decisions regarding such programs without consulting [REDACTED]

7. By doing so, Ms. Cavanaugh clearly excluded [REDACTED] since these funding programs were squarely within [REDACTED] role.

8. On or about February 21, 2024, Ms. Cavanaugh informed [REDACTED] during a one-on-one meeting that she planned to start joining the [REDACTED] team's weekly meetings, claiming that she wanted to reorient herself and catch up following her sabbatical.

9. However, based on Ms. Cavanaugh's clear attempt to undermine her, [REDACTED] felt compelled to raise with Ms. Cavanaugh her concerns regarding who held decision-making authority on the [REDACTED] team.

10. From February 2024 through October 2024, [REDACTED] repeatedly requested clarity on decision-making authority, raising this issue during one-on-one meetings with Ms. Cavanaugh on February 21, April 17, April 22, July 11, July 18, July 22, September 30, and October 10, 2024.

11. Each time, the issue was either dismissed, postponed, or inadequately addressed by Ms. Cavanaugh.

12. Beginning in March 2024, when [REDACTED] raised legitimate policy concerns about potential RICO liability pursuant to the Comstock Act during her one-on-one meetings with Ms. Cavanaugh, her concerns were dismissed despite her former federal policy advocacy experience.

13. [REDACTED] had been attempting to raise these concerns since November 2023, warning about the significant danger that conservative strategies to restrict items as “obscene” material could set up scenarios where the United States Department of Justice would pursue RICO charges.

14. These RICO-related concerns were not well understood by the RAD Leadership Team and were largely dismissed, with RAAP Director Janet Crepps even sending leadership an email overview of the narrow legal definition of obscenity as a reason she was not worried about Comstock.

15. Given both the potential consequences and her formal and informal federal policy advocacy experience, not being taken seriously on these issues was extremely frustrating for [REDACTED]

16. In April 2024, members of the Leadership Team attended an “ecosystem” meeting with partner organizations where an external consultant presented findings from confidential interviews with each person in the group.

17. The consultant’s analysis focused heavily on RAD being problematic regarding racial power dynamics and white supremacy culture.

18. Partner organizations, particularly those led by people of color, expressed significant concerns about how RAD operated and the negative impact on colleagues of color in the field.

19. On May 21, 2024, at a Leadership Team meeting, Ms. Cavanaugh and Melanie Zurek, Co-Interim Executive Director and Chief Operating Officer, reported back on what transpired at the April “ecosystem” meeting they attended with leadership from four other national organizations working in the same space.

20. Ms. Cavanaugh and Ms. Zurek shared at length about feeling blindsided by the consultant’s presentation of the results of interviews she conducted with each person in the group and that the entire meeting overwhelmingly focused on RAD being problematic with respect to racial power dynamics.

21. Ms. Cavanaugh and Ms. Zurek claimed there weren’t opportunities to learn more or ask for examples, given confidentiality agreements.

22. They were extremely defensive and stated that RAD’s role in convening mutual funders and the lack of transparency regarding funder meetings made others jealous rather than uncomfortable.

23. With the little time left in the hour for discussion from Ms. Crepps, [REDACTED] informed Ms. Cavanaugh and Ms. Zurek that she needed to process her thoughts before responding, and that regardless of blame or other possible issues underlying what partners shared about race-related tensions, the negative impact that meeting had on their colleagues of color should not be taken lightly.

24. Ms. Cavanaugh and Ms. Zurek had information that their colleagues of color were uncomfortable prior to the late April National Abortion Federation Conference and chose not to share it with [REDACTED]

25. On May 23, 2024, Ms. Zurek emailed the Leadership Team the overview of the meeting they shared with RAD's Advisory Board and the consultant's slide deck review of their conflict analysis.

26. The group would later decide to hire another consultant to replace the one who completed the conflict analysis. Ms. Cavanaugh and Ms. Zurek's Advisory Board memo did not mention the racial tensions and related harms that were so central to the meeting's discussion, which was the second instance of Ms. Cavanaugh and Ms. Zurek omitting essential facts to the Advisory Board.

27. On June 3, 2024, when [REDACTED] provided comprehensive and thoughtful analysis of the consultant's findings in a detailed email response, emphasizing that the negative experiences of colleagues of color should matter regardless of underlying causes, her input was largely ignored.

28. [REDACTED] demonstrated sophisticated understanding of racial equity issues, noting concerns about language precision such as distinguishing between "white supremacy culture" and "white supremacist," and provided specific recommendations for addressing the consultant's findings regarding racial power dynamics.

29. This external acknowledgement of racial problems at RAD provides crucial context for [REDACTED] individual experiences of discrimination.

## **II. Hopewell Escalates Its Discriminatory Treatment Towards [REDACTED] Through Systematic Exclusion, Undermining her Authority, and Dismissing her Professional Concerns**

30. From June 18 through July 22, 2024, [REDACTED] had a serious medical emergency.

31. [REDACTED]

32. Sadly, [REDACTED]

[REDACTED] Bureaucratic delays and power outages pushed back the funeral date, requiring [REDACTED] miss more time from work from August 23 to August 29, 2024.

33. These delays were later inappropriately characterized as performance deficiencies in Ms. Cavanaugh's evaluation of [REDACTED], despite being solely related to time [REDACTED] needed to take to deal with a significant loss in her family.

34. On or about July 11, 2024, [REDACTED] again attempted to discuss with Ms. Cavanaugh the issue of how [REDACTED] decisions are made in response to Ms. Cavanaugh informing [REDACTED] of [REDACTED] work, rather than collaborating with her to develop such projects.

35. Unsurprisingly, Ms. Cavanaugh failed to address this topic, which therefore needed to be pushed back to July 18, 2024, and again to July 22, 2024.

36. Despite the note on their July 22 meeting agenda, indicating they discussed "making sure we are clear," the issue was not resolved.

37. Throughout [REDACTED] employment, her professional expertise was consistently questioned and dismissed, even when she raised legitimate concerns regarding issues for which she had extensive background.

38. On July 30, 2024, in an email to the REDI Data Subcommittee regarding data and equity methodology, [REDACTED] raised serious methodological flaws in the Organization's approach to measuring racial equity, specifically noting that using Medicaid payment as a proxy for reaching BIPOC patients was "wildly inappropriate" and factually incorrect.

39. Her detailed statistical analysis explained why this methodology was both imprecise and offensive and included comprehensive demographic data and structural barriers analysis, yet it was dismissed without meaningful response.

40. This email referenced comments on a grant application review where the proxy's failure was extremely obvious, with an applicant based in San Juan, Puerto Rico allegedly failing to meet an eligibility threshold of serving a majority of low-income patients despite the fact that this is impossible given Puerto Rico's poverty profile.

41. Her comment was directed at Leah Chamberlain, one of two managers on her team and lead on this application, for their discussion the next day.

42. Ms. Cavanaugh's response was dismissive, naming information that was a standard requirement all applicants meet and was clearly labeled as such within the document.

43. Ms. Cavanaugh neglected to address the actual issue that was impacting BIPOC patients, including those from Puerto Rico. [REDACTED], who felt undermined and restricted from performing her role, continued to seek clarity on her decision-making authority in subsequent meetings with Ms. Cavanaugh.

44. On August 5, 2024, she again raised this issue during their one-on-one meeting, but there was never follow through on this.

45. On September 30, 2024, given the number of new funding initiatives Ms. Cavanaugh committed [REDACTED] to urgently launching, [REDACTED] once again raised the question of clarity on decision-making regarding initiating new programs.

46. On October 10, 2024, [REDACTED] decision-making authority was on the agenda for another one-on-one meeting with Ms. Cavanaugh, but this discussion was again pushed back to October 15, 2024.

47. By then, [REDACTED] realized she was just a figurehead, and Ms. Cavanaugh would never allow her to be responsible for actual decision-making.

48. On October 17, 2024, when [REDACTED] suggested exploring a partnership with Solidaire's fund for additional support, Ms. Cavanaugh explicitly excluded her from the Organization's leadership in her email response.

49. Despite [REDACTED] Director-level position and her reasonable suggestion for collaborative funding opportunities, Ms. Cavanaugh dismissed the proposal by stating, "there is really no leadership bandwidth at RAD to move this forward in the next couple of months."

50. This response from a white supervisor deliberately omitted [REDACTED] from RAD leadership in front of other white colleagues, publicly undermining her authority and position within the Organization, and made her feel marginalized as a [REDACTED] minority amongst many white female coworkers.

51. [REDACTED] authority was systematically undermined in ways that diminished her role in comparison to her white colleagues.

52. External partners were encouraged to bypass [REDACTED] and communicate directly with Ms. Cavanaugh and Ms. Zurek, damaging her professional relationships and reputation.

53. In December 2024, when external partners improperly escalated routine matters to the executive level rather than working through [REDACTED], neither Ms. Cavanaugh nor Ms. Zurek redirected them appropriately.

54. Instead, they handled the matters directly, further undermining [REDACTED] role and authority.

55. In a particularly egregious example, [REDACTED] was excluded from attending a professional convening in December 2024 that was directly aligned with her expertise in harm reduction.

56. Despite having provided contacts and recommendations to the conveners in May 2024, and the work being “right up her alley” as Ms. Cavanaugh acknowledged, Ms. Cavanaugh attended the event without [REDACTED] without explanation.

57. On December 18, 2024, when [REDACTED] provided thoughtful feedback about coordination with the National Abortion Federation regarding a new staff support fund, raised legitimate concerns about timeline management, and suggested inclusion of additional partner organizations, her professional input was received differently than similar contributions from white colleagues.

58. Despite her suggestions being practical and well-reasoned—including recommending buffer time for potential delays and ensuring comprehensive partner inclusion—her contributions were later characterized as problematic, demonstrating how white staff members who raised similar operational concerns were treated with respect while [REDACTED] faced criticism.

59. This hostile treatment escalated on December 20, 2024, when Ms. Zurek sent [REDACTED] an email characterizing her professional communications as “alarming” and “anxietyprovoking” without providing specific examples or constructive guidance.

60. Ms. Zurek criticized [REDACTED] leadership approach, stating that emails like hers “raise alarm without offering a path forward” and demanding that she “offer an idea, direction, encouragement.”

61. This email exemplifies how [REDACTED] every communication was scrutinized and criticized through a discriminatory lens, with Ms. Zurek concluding by lecturing [REDACTED] about “finding in ourselves the leader our teams need us to be,” language that was never raised to Ms. Cavanaugh, who had issues with her own leadership.

62. Aside from these discriminatory acts, [REDACTED], the only Hispanic, Puerto Rican woman on the team, was assigned disproportionate workloads compared to white colleagues.

63. Further, Ms. Cavanaugh and Ms. Zurek would routinely dismiss [REDACTED] professional concerns and questions, treating her input as inappropriate or unwelcome when similar engagement from white colleagues was accepted.

64. For example, in December 2024, after [REDACTED] asked a reasonable question about potential barriers to a new funding initiative that warranted a yes or no response, and rather than simply answering her, Ms. Cavanaugh and Ms. Zurek responded by framing the question as invalid in front of nearly the entire staff.

### **III. [REDACTED] Faces a Retaliatory Performance Management Process**

65. Despite receiving positive feedback throughout 2024, [REDACTED] was suddenly subjected to an adverse performance evaluation in January 2025.

66. This evaluation contained numerous false statements and mischaracterizations of her work, including mischaracterizations of the time she needed to [REDACTED] [REDACTED] stating that work delays during the summer of 2024 were performance deficiencies.

67. The evaluation also misrepresented [REDACTED] coaching participation, falsely claiming [REDACTED] failed to follow through on coaching opportunities when in fact, [REDACTED] completed four coaching sessions with Evelin Montes throughout 2024.

68. Significantly, Ms. Montes herself recognized the racial toxicity [REDACTED] was experiencing and asked whether leaving RAD was an option.

69. Ms. Montes offered [REDACTED] additional support to help prepare her for the performance evaluation, demonstrating that [REDACTED] was in fact subject to a hostile work environment.

70. Lastly, the performance evaluation made false claims about professional engagement, criticizing [REDACTED] for raising legitimate concerns about flawed Standard Operating Procedures and decision-making processes, inaccurately reframing her professional expertise and advocacy as problematic behavior.

71. On January 14, 2025, [REDACTED] was placed on a Performance Improvement Plan (“PIP”) with unrealistic deadlines and requirements spanning only five weeks and two days, with the alternative option being to accept a severance package.

72. Tellingly, the PIP was based on the false statements in her performance evaluation and failed to provide the clarity on decision-making authority that she had been requesting for nearly a year.

73. When [REDACTED] declined the severance offer and chose to complete the PIP, she was given impossible standards while still being denied the basic authority and clarity needed to succeed in her role.

74. Contrary to the false narrative constructed in her performance evaluation, [REDACTED] consistently demonstrated high-level professional competence throughout her

employment, as evidenced by her comprehensive email communications and professional analyses.

75. ██████████ professional contributions are thoroughly documented in her emails dated May 23, June 3, and July 30, 2024, which demonstrate her thoughtful engagement with organizational challenges, her expertise in data analysis and racial equity issues, and her sophisticated understanding of policy and program management.

76. ██████████ provided thorough analysis on complex policy issues, including warnings about the Comstock Act that proved accurate as legal challenges developed.

77. She demonstrated exceptional data analysis skills, identifying serious methodological flaws in the Organization's equity measurement approaches and provided detailed statistical analysis about why using Medicaid as a proxy for reaching BIPOC patients was both imprecise and inappropriate.

78. Her strategic thinking was evident in her thoughtful analysis on Organizational challenges, including comprehensive feedback on "ecosystem" meetings that demonstrated her understanding of racial equity issues and organizational dynamics.

79. Throughout her employment, ██████████ successfully managed complex funding programs and technical assistance initiatives.

#### **IV. ██████████ Files a Formal Complaint and Faces Swift Retaliation**

80. On January 27, 2025, ██████████ filed a formal complaint with Hopewell's employee advocate hotline and leadership, detailing the discriminatory treatment she had been experiencing.

81. Her complaint included a comprehensive response to her performance evaluation, refuting the false statements with documented evidence. On the same day she filed her formal

complaint, [REDACTED] attempted to contact Arabella Advisors to pursue a formal report of discrimination demonstrating the seriousness of her concerns and her recognition that internal processes had failed.

82. Hopewell's response was swift and retaliatory. On January 28, 2025, just one day after filing her complaint— [REDACTED] was placed on administrative leave.

83. While Hopewell claimed this decision was made “for her protection,” the immediate removal of [REDACTED] from the workplace sent a clear message to not only [REDACTED] but also other employees, regarding the negative consequences of challenging discriminatory treatment.

84. This no doubt had, and will continue to have, a chilling effect on Hopewell's employees' perception of their ability to report unlawful conduct, which further demonstrates Hopewell's retaliatory intent.

85. Hopewell then hired an investigator Natalie Norfus who, after a perfunctory investigation, predictably found no violations.

86. The investigation was limited in scope, as the investigator explicitly stated that it was not her role to determine which conflicting accounts of [REDACTED] performance were accurate, yet Hopewell used the investigator's process to validate the discriminatory performance evaluation.

87. There was also a complete lack of transparency in this investigation. When [REDACTED] requested a written report or additional details about the investigation's findings, her request was summarily denied.

88. Monica McHugh, an HR representative, initially claimed there was no written report, then later provided only minimal details when pressed.

89. Ms. McHugh's April 15, 2025 email epitomizes the predetermined nature of Hopewell's sham investigation. Despite concluding that there was no discrimination, Hopewell simultaneously admitted the investigator "had some recommendations which Hopewell and the project will be implementing."

90. And yet, [REDACTED] was again asked to decide whether to return to work, reporting to the same biased supervisor and being forced to complete the same PIP with discriminatory, unrealistic targets, or accept an insufficient severance package.

91. Given the hostile work environment, Hopewell's demonstrated bad faith, and the impossibility of succeeding under the circumstances, Hopewell left [REDACTED] to make an impossible choice.

92. When [REDACTED] tried to negotiate reasonable terms for her departure in response to Hopewell's attempt to force her out, Hopewell issued ultimatums and threatened to terminate her benefits and force her onto unpaid leave.

93. In specific, on April 29, 2025, Hopewell warned that if [REDACTED] did not accept their meager severance offer, she would be forced onto unpaid leave, effectively forcing her to choose between inadequate severance terms or indefinite financial hardship.

94. Then, on May 9, 2025, Ms. McHugh warned [REDACTED] that if she did not return to work by May 14, 2025, her employment would cease, effective immediately.

95. [REDACTED] once again faced an impossible choice between returning to the same hostile work environment under a discriminatory PIP or waiving her claims of discrimination and retaliation without being fairly compensated.

96. Ultimately, despite the fact that [REDACTED] shared with Ms. McHugh that she was overwhelmed by numerous family obligations, including caring for her elderly grandmother

and grieving the death of her dear friend's fiancé, Ms. McHugh terminated [REDACTED] employment on May 15, 2025.

97. The discriminatory treatment, hostile work environment, and subsequent termination [REDACTED] was forced to endure had a significantly detrimental impact on not only her career but also her emotional well-being.

98. Since Hopewell's campaign of discrimination and harassment began, [REDACTED] [REDACTED] has been in therapy for the emotional distress and humiliation she has been experiencing.

99. As a result of the discriminatory treatment, [REDACTED] constantly has feelings of stress, depression, anxiety, exhaustion, diminished self-confidence, grief, hypervigilance, and emotional isolation, as well as profound unrest about her ability to rebuild her career.

100. Based on the foregoing recitation of facts, it is clear that Respondent has engaged in a pattern and practice of discrimination and retaliation against Charging Party by treating her adversely on the basis of her race and ethnicity in violation of Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166 ("Title VII"); Section 1981 of the Civil Rights Act of 1866, 42 U.S.C. § 1981 ("§1981"), and the North Carolina Equal Employment Practices Act, N.C. Gen. Stat. Ann. §§ 143-422.2(a) *et seq.* ("NCEEPA").

101. As a result of the foregoing, Charging Party has been unlawfully discriminated and retaliated against, humiliated, and degraded, and thus has suffered loss of rights, emotional distress, as well as loss of income and earnings.

102. As a result of the Respondent's actions, Complainant feels extremely degraded, victimized, embarrassed, and emotionally distressed.

103. Specifically, as a result of the acts and conduct complained of herein, Charging Party has suffered and will continue to suffer the loss of income, the loss of a salary, bonuses, benefits and other compensation which such employment entails, as well as future pecuniary losses, emotional pain, loss of enjoyment of life, and other non-pecuniary losses. Complainant further experienced severe emotional and physical distress.

104. Because Respondent's conduct has been malicious, willful, outrageous, and done with full knowledge of the legion of law to the contrary, Charging Party demands punitive damages as against all Respondents, jointly and severally.

105. Respondent's discriminatory and retaliatory conduct is flagrant, pervasive, and constitutes a systemic pattern and practice of lawlessness worthy of adjudication by the EEOC in light of that administrative agency's National and Strategic Enforcement Plans.