



**U.S. Department of Justice**

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**FOR IMMEDIATE RELEASE**

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**PRESS RELEASE**

**UNITED STATES SETTLES PREGNANCY DISCRIMINATION ACTION AGAINST  
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY**

BROOKLYN, NEW YORK--Robert L. Capers, United States Attorney for the Eastern District of New York, today announced the filing of a Complaint and Settlement Agreement in *United States v. Triborough Bridge and Tunnel Authority a/k/a MTA Bridges and Tunnels*, Civil Action No. CV-15-6417 to settle violations of Title VII of the Civil Rights Act of 1964 ("Title VII").

In its Complaint, the United States alleges that the Triborough Bridge and Tunnel Authority ("TBTA") routinely required pregnant Bridge and Tunnel Operating Force Officers, whose duties include protecting the safety and security of many of the major bridges and tunnels in the New York City area, to surrender their guns and work in less than full duty status regardless of their physical condition or ability to perform the requirements of the job. In one case, Officer Lori Ann DiPalo, then early in her pregnancy, provided a written opinion from her personal physician certifying that she could perform the full range of her duties. Nonetheless, without examining her, the TBTA determined that simply because DiPalo was pregnant, she could not perform her full duties or safeguard a firearm. The TBTA stripped DiPalo of her firearm privileges and forced her to choose between toll booth duty or disability leave for the remainder of her pregnancy.

Under the terms of the settlement, the TBTA will revise its EEO policy to reflect Title VII's requirements, as well as create a new policy addressing fitness for duty status and workplace accommodations for Bridge and Tunnel Officers. The TBTA will also train all its employees on Title VII and the protection that Title VII affords pregnant employees. The TBTA will pay Officer DiPalo

\$100,000 in damages and \$106,500 in damages collectively to a group of twelve other officers affected by the TBTA's discriminatory practice.

"Title VII prohibits discrimination against pregnant employees" stated U.S. Attorney Capers. "This Settlement Agreement ensures that pregnant Bridge and Tunnel Operating Force Officers able to perform their duties will not be forced to accept lesser roles simply because they are pregnant."

The United States' claims were litigated by Assistant United States Attorney Kelly Horan Florio. The United States Equal Employment Opportunity Commission also participated in the settlement process.