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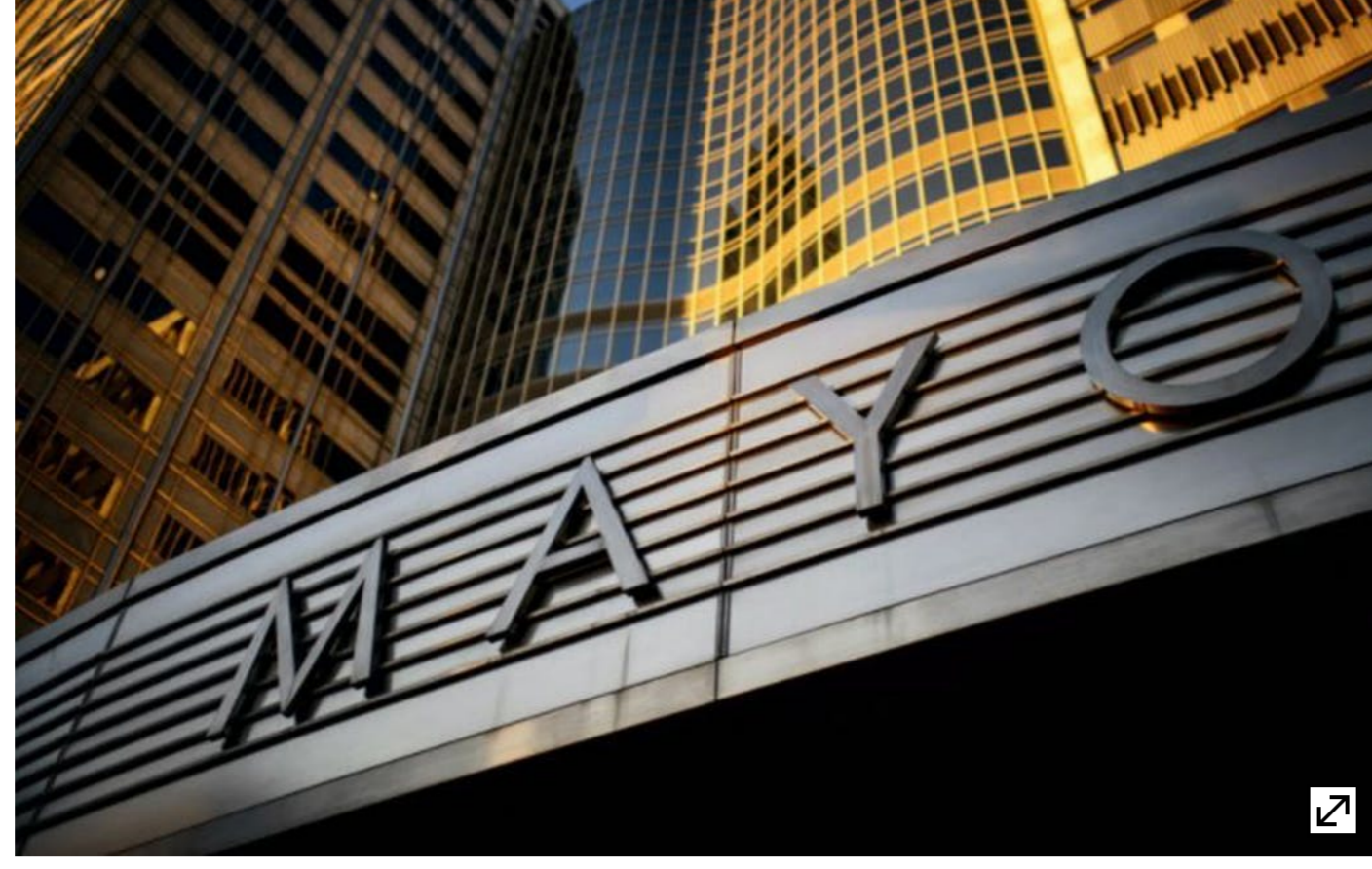
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LOCAL

Lawsuit: Mayo Clinic unjustly fired custodial worker who accused a supervisor of raping her

Mayo denies the allegations, and says internal investigation concluded that the "allegations were made in bad faith."

By Paul Walsh Star Tribune | JUNE 28, 2021 - 2:33PM



Mayo Clinic in Rochester. Credit: Glen Stubbe/Star Tribune

A former custodial worker at Mayo Clinic in Rochester is suing the health care giant, alleging that an assistant supervisor raped her and management accused her of lying and then fired her in retaliation.

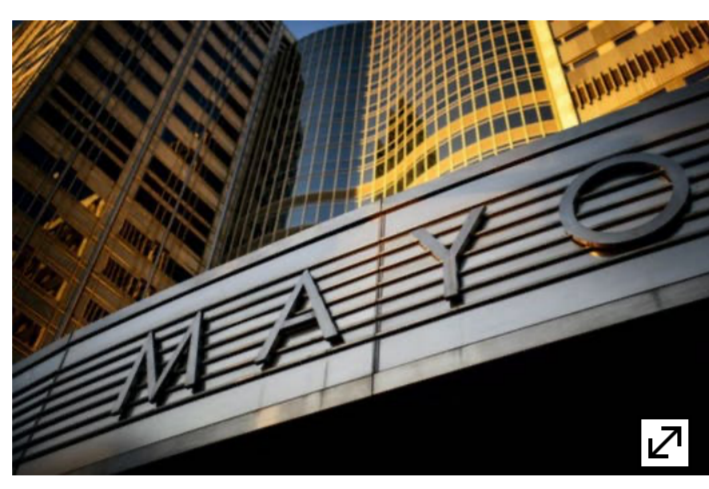
Yelena Ryabchuk, 33, says in her lawsuit filed in Olmsted County District Court that the 37-year-old man sexually assaulted her on the night of Oct. 2 in a room at Mayo Clinic Hospital, Saint Marys Campus. The Star Tribune generally does not name victims of alleged sexual assault, but Ryabchuk consented to be identified through her attorney.

The man watched Ryabchuk in the room for about 30 minutes, pushed the 115-pound woman against a counter and pinned her arms in order to assault her, the lawsuit details.

Ryabchuk said that afterward, the supervisor told her that if she ever told anyone what happened, "she would be fired because no one would believe a 'stupid housekeeper,' " the suit reads.

Ryabchuk took her allegation to police and a member of Mayo's management on Oct. 30, and she was fired on Dec. 30 for what she was told was "failure to be forthcoming during an investigation, including by providing false statements or omission of facts," according to the suit.

In response, Mayo Clinic spokeswoman Ginger Plumbo issued a statement Friday that read in part, "Mayo Clinic is not in a position to comment on specifics related to Ms. Ryabchuk's recently commenced lawsuit. Mayo terminated Ms. Ryabchuk's employment in accordance with Mayo Clinic's workplace policies and the law, and following a thorough internal investigation. Mayo Clinic denies Ms. Ryabchuk's allegations and will defend itself vigorously in court."



Mayo Clinic in Rochester. Credit: Glen Stubbe/Star Tribune

Plumbo said Mayo promptly investigates reports of misconduct and that in this instance, "the evidence did not support Ms. Ryabchuk's claims. Ms. Ryabchuk's termination was in no way retaliatory."

Plumbo said the man remains employed by Mayo, but she did not say whether he retains a supervisory position.

The suit contends that Mayo Clinic committed sexual discrimination and retaliated against Ryabchuk in violation of the Minnesota Human Rights Act. She is seeking from the court unspecified monetary compensation for "loss of past and future income, emotional distress, loss of reputation and related damages."

Ryabchuk's attorney, Emma Denny, said Thursday, "The rape itself was very traumatic for my client, obviously. It was similarly traumatic to be treated that way by Mayo by not taking her seriously and terminating her employment."

Her suit says that during one discussion with two male members of management, they became "extremely aggressive and rude as they grilled Ryabchuk for over two hours and repeatedly accused her of lying about being raped."

Mayo's termination letter, provided to the Star Tribune by Denny, offered further specifics behind her being fired, including that she left work on the day of the alleged assault without making proper notification, falsified timekeeping records, made false or incomplete statements, and engaged in "harassment, threats, threatening behavior, acts of violence, and abusive derogatory comments."

Denny acknowledged that Ryabchuk left her job that day without telling a supervisor, but did so "because she was distraught and in shock."

Police said Thursday that the criminal investigation against the man remains open but inactive at Ryabchuk's request. Her attorney explained that Ryabchuk "was feeling intimidated at the time [by] the events that were happening."

No charges have been filed against the man. The Star Tribune generally does not name people accused of crimes before they are charged.

A redacted police report provided to the Star Tribune by Ryabchuk's attorney read that she said no to the supervisor several times and was left with injuries from the assault, which lasted for "a few minutes."

The report noted that Mayo told police that it interviewed Ryabchuk, her boss and "many other witnesses" and that its internal investigation ended "with a conclusion that the allegations were made in bad faith by Ryabchuk, based upon multiple interviews and contradicting information."

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A nonprofit conservative law firm filed a lawsuit in Wisconsin Monday that challenges the state's use of absentee ballot drop boxes.

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Electronic cigarette giant Juul Labs Inc. will pay \$40 million to North Carolina and take more action to prevent underage use and sales, according to a landmark legal settlement announced Monday after years of accusations that the company had fueled an explosion in teen vaping.



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California bans state travel to Florida, 4 other states

California added five more states, including Florida, to the list of places where state-funded travel is banned because of laws that discriminate against members of the LGBTQ community, the state attorney general announced Monday.

2:53PM

YWCA Minneapolis names University of Minnesota attorney as new CEO

The Minneapolis nonprofit's new leader, Shelley Carthen Watson, starts Aug. 9.



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