

The U.S. Equal Employment Opportunity Commission

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EEOC AND PRIVATE PLAINTIFFS SETTLE HARASSMENT SUIT FOR \$485,000 AGAINST CHICKEN PROCESSING PLANT

BIRMINGHAM, ALA. -- The U.S. Equal Employment Opportunity Commission (EEOC) today announced a \$485,000 settlement of a harassment lawsuit against Charoen Pokphand, USA, Inc., at its Eufaula, Ala., chicken processing plant. The EEOC and private plaintiffs alleged that seven African-American female line workers were subjected to egregious sexual harassment, racial discrimination, and retaliation in violation of Title VII of the Civil Rights Act of 1964. The private plaintiffs were represented by the law firm of Gordon, Silberman, Wiggins & Childs, with Jon Goldfarb acting as lead counsel.

This is the second harassment suit that has been settled by the EEOC against an Eufaula, Ala., employer in the past year. In June 2000, the EEOC and private plaintiffs settled a sexual and racial harassment lawsuit for \$625,000 against London International Group, LLC, a condom manufacturer in the Eufaula area.

"EEOC has witnessed a disturbing national trend of increased sexual and racial harassment followed by retaliation of workers over the past decade," said Commission Chairwoman Ida L. Castro. "Employers should realize that they will pay a high price by tolerating, condoning, or ignoring the creation of hostile work environments and retaliating against employees for complaining about discrimination. I am pleased that in this case the employer has stepped up its efforts to prevent the recurrence of these incidents."

Under the terms of the settlement, the women will share monetary relief consisting of compensatory damages, attorney's fees, and costs. In addition, Charoen will establish and distribute a zero tolerance policy regarding discrimination; establish and distribute an anti-harassment policy in both Spanish and English to all of its current and future employees on at least a semi-annual basis; conduct training sessions for its management employees, hourly employees, and human resource personnel on sexual harassment, racial harassment and retaliation; and report to EEOC any complaints of sexual harassment, racial harassment and/or retaliation that it receives as well as the results of any investigation, and/or subsequent action taken to remedy the situation.

"The settlement reached by EEOC and private counsel resolves this case in a fair and reasonable manner," said Cynthia G. Pierre, EEOC's Birmingham District Office director. She added: "The settlement not only provides monetary compensation for the aggrieved victims, it also provides significant injunctive relief to prevent and eliminate harassment and retaliation. The implementation and posting of policies and the training, which are critical to the settlement, will help Charoen foster a work environment that is free of discrimination and harassment for its current and future workforce."

Charles E. Guerrier, regional attorney of EEOC's Birmingham office, said, "It is not enough for employers simply to adopt a policy against harassment and then casually sit back and wait for claims of harassment to come in. Employers have an affirmative duty to prevent harassment from occurring."

He added: "Harassment of any kind has no place in the workplace. All employees have the right to work in an environment free of demeaning, hostile, and abusive conduct. Nowhere is this more important than in those blue-collar jobs where traditional hostility towards women can take a large toll on their performance and well-being."

Harassment charges (of all types) filed with EEOC have more than doubled in the past decade, from 6,225 such filings in FY 1991 to 14,955 in FY 2000. Retaliation charges filed with EEOC have likewise increased from 7,906 such charges in FY 1991 to 21,613 in FY 2000.

In addition to enforcing Title VII, which prohibits employment discrimination based on race, color, religion, sex or national origin, EEOC enforces the Age Discrimination in Employment Act; the Equal Pay Act; Title I of the

Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on the agency's Web site at www.eeoc.gov.

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