

*The U.S. Equal Employment Opportunity Commission*

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## RIVERA VINEYARDS SETTLES EEOC SUIT ALLEGING SEXUAL HARASSMENT, RETALIATION, JOB SEGREGATION

### *Landmark Million Dollar Settlement for Latino Farm Workers in Southern California*

LOS ANGELES – A class of Latino farm workers at Rivera Vineyards will share \$1,050,000 in one of the largest employment discrimination settlements by the U.S. Equal Employment Opportunity Commission (EEOC) in the agribusiness industry. The agreement covers a group of employees, mostly Hispanic women, who were allegedly sexually harassed, retaliated against for complaining, and segregated into certain jobs based on gender.

Rivera Vineyards and its affiliated companies, prior to this litigation, were the largest growers and packers of table grapes, encompassing more than 2,000 acres of vineyards in California's Coachella Valley. The settlement, obtained by the agency's Los Angeles District Office under Title VII of the 1964 Civil Rights Act, will benefit a class of women who were allegedly sexually harassed, including one who was allegedly raped; a class of workers who were allegedly fired and not hired back after opposing the harassment; and a class of women who were denied certain job opportunities in positions of pruning, vine tying, girdling, swamping (loading field trucks) and irrigating.

In addition to the \$1,050,000 monetary settlement, the company also agreed to a Consent Decree to last three to eight years that provides significant injunctive remedies, including:

- Reinstatement for workers who were allegedly wrongfully terminated;
- Hiring of an outside consultant specifically to handle complaints of harassment;
- Implementing anti-discrimination policies and procedures;
- Providing EEO training for managers and employees;
- Establishing anti-discrimination and retaliation complaint procedures;
- Hiring goals for positions that were not open to women; and
- Reporting to the EEOC to show compliance with the Consent Decree.

Eric Dreiband, General Counsel for the Commission, who participated in a press conference to announce the landmark settlement, said: "I commend both the individuals who sought the EEOC's assistance and Rivera Vineyards for taking this case seriously and for doing what is right to ensure a workplace free of discrimination."

Rivera's trial counsel, Shawn Caine, and general business counsel and chief negotiator, Charles Ellis, said Rivera Vineyards vehemently denied the allegations. Ellis said, "Rivera Vineyards made a practical business decision that the settlement terms presented an economic arrangement which, when balanced against the overall costs of completing the litigation process, was clearly advantageous. Moreover, while sincerely hurt and offended by the allegations, Rivera Vineyards' core beliefs and support for Title VII convinced them that the negotiated settlement would add considerable weight to the EEOC's cause at a cost/benefit to all concerned when compared with litigation. Thus, the settlement presented Rivera Vineyards with a win/win situation- a confirmation of their long term support of the goals of Title VII and economic advantage to all parties."

The EEOC's lawsuit was filed on September 5, 2003, in the Eastern Division of the Federal District Court for the Central District of California (EEOC v. Rivera Vineyards, Inc., et al, Case No. CV-01117-RT-SGL), after the agency

first attempted to reach a voluntary pre-litigation settlement.

Specifically, the EEOC alleged that some of the women were subjected to touching, groping, breast grabbing, leering, and derogatory comments. EEOC also alleged that when a longtime employee tried to complain about the harassment, she and her entire crew were terminated and not hired back. The EEOC further alleged that women were excluded from certain jobs at the vineyard.

Anna Y. Park, Regional Attorney for the EEOC's Los Angeles District Office, said, "We hope this case will give other farm worker women the strength to come forward if they are facing workplace harassment or retaliation. The EEOC is determined to erase barriers to justice by actively investigating farm workers' claims of discrimination and seeking judicial enforcement of the law, when necessary."

Olophius Perry, Director of the EEOC's Los Angeles District Office, said, "I am pleased with the results of this case and commend Mr. Rivera for implementing sweeping policy changes for his company. We hope other employers in the agricultural industry take Mr. Rivera's lead in proactively ensuring a workplace free of harassment."

The EEOC is the federal government agency responsible for enforcing the nation's anti-discrimination laws in the workplace. Further information the EEOC and on the Freedom to Compete Award is available online at [www.eeoc.gov](http://www.eeoc.gov).

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