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EEOC Wins \$1.55 Million Dollar Jury Verdict in Sexual Harassment Suit Against Florida Restaurant

Five Former Waitresses/Hostesses Subjected to Physical and Verbal Abuse in Clearwater

MIAMI - The U.S. Equal Employment Opportunity Commission (EEOC) today announced that a jury in Federal District Court in Tampa, Florida, has returned a \$1,550,000 verdict in a major sexual harassment lawsuit brought by the EEOC and the private law firm of Florin, Roebig & Walker, P.A. The lawsuit was originally brought against Applebee's International, Inc., Rio Bravo International, Inc. and Innovative Restaurant Concepts, Inc. for sexual harassment occurring from approximately 1994 until early 1998 at their formerly owned Rio Bravo Cantina restaurant in Clearwater, Fla. (EEOC, et al. v. Rio Bravo International, Inc. et. al., Civil Case No. 99-1371-CIV-T-17A).

After a 12-day trial, the jury rendered a verdict in favor of the EEOC and private plaintiffs, awarding \$10,000 each to the five women represented in the case to compensate them for the emotional pain and suffering they endured. The jury also assessed punitive damages against the remaining two corporate defendants in the amount of \$500,000 each for three of the five women.

The EEOC lawsuit, filed in 1999, said that former waitresses and hostesses were subjected to egregious acts of verbal and physical sexual conduct on the part of one of the employer's assistant managers and, despite repeated complaints to management, the corporate defendants failed to take necessary steps to stop the harassment. The harassment of the young women included touching, groping and rubbing their breasts, legs and buttocks in a sexually offensive manner; forcing the women to sit on the assistant manager's lap before leaving their shifts; attempting to kiss them; and making graphic, offensive sexual remarks to them. EEOC asserted that the women repeatedly complained to management about the sexually offensive conduct; however, the corporate defendants failed to implement corrective action, allowing the behavior to continue and escalate.

Delner Franklin-Thomas, EEOC's Regional Attorney for the Miami District Office, said: "I commend the women for their courage to stay the course throughout this litigation. I believe this jury has sent a strong message to the community that there are serious consequences for employers who allow the type of egregious sexual conduct that occurred here to infest their workplace."

The case was tried on behalf of the EEOC by Senior Trial Attorneys Carla Von Greiff and Kenneth Gillespie. The Florin law firm intervened in the case after EEOC filed suit. Prior to trial, the Court dismissed Applebee's International, Inc. as a named defendant in the case.

EEOC Supervisory Trial Attorney Michael Farrell said, "Today, this jury acknowledged that individuals have a right to work in an environment free of sexual harassment and that employers have a duty to protect that right."

Federico Costales, Director of the EEOC's Miami office, added: "I am confident that this verdict will encourage employers to be vigilant in their efforts to comply with the federal laws which prohibit sex discrimination in the workplace."

The EEOC enforces Title VII of the Civil Rights Act of 1964, as amended, which covers discrimination based on national origin, sex (including pregnancy and sexual harassment), race, color, and religion. The EEOC also enforces the Age Discrimination in Employment Act of 1967, as amended, which covers discrimination based on age (for persons age 40 and over); the Equal Pay Act of 1963, which prohibits sex-based wage discrimination; the Rehabilitation Act of 1973; and Title I of the Americans With Disabilities Act, which prohibit employment discrimination against qualified people with disabilities. The Legal Unit of the Miami District Office of the EEOC can be reached at 305-530-6001. Further information about the Commission is available on its web site at www.eeoc.gov.

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