

*The U.S. Equal Employment Opportunity Commission*

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FOR IMMEDIATE RELEASE  
Thursday, June 15, 2000

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## EEOC FILES TWO RACIAL BIAS SUITS AGAINST FLORIDA EMPLOYERS

\*\*\* Allegations Include Hangman's Noose at Work Site, Failure to Hire African Americans and Haitians  
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MIAMI - As part of its increased enforcement efforts to eliminate racial bias and national origin discrimination in the workplace, the U.S. Equal Employment Opportunity Commission (EEOC) today announced the filing of two lawsuits against Florida companies in the recreational sports and agricultural industries. The first suit charges the Sanctuary Golf Course of Sanibel Island with persistent racial harassment of a male African American employee by subjecting him to repeated verbal abuse and physical threats, including displaying a hangman's noose. The second suit charges Sun-Rich of Florida City, a major Sunbelt agricultural employer, with failure to hire qualified Haitian and African American applicants due to their national origin and race.

Ida L. Castro, Chairwoman of the EEOC, announced the filing of the suits today during a visit to Miami to deliver a speech to the AFL-CIO's National Convention on Civil and Human Rights. "Discrimination and harassment based on race and national origin continue to run rampant at work sites across the country," she said. "The Commission has stepped up its enforcement efforts to combat such blatant forms of bias and bigotry."

Ms. Castro noted that not only does race discrimination continue to account for the highest percentage of all charges filed with the agency, but charges of racial harassment have skyrocketed by nearly 400% since the 1980s. "As the EEOC prepares to observe its 35th anniversary this summer, it is extremely disturbing that the types of egregious racial harassment that America witnessed in the 1960s, including the presence of nooses in the workplace, are resurfacing at the dawn of the 21st century."

EEOC's suit against Sanctuary Golf Course, filed in U.S. District Court for the Middle District of Florida (Orlando Division), charged the company with maintaining a racially hostile work environment and constructively discharging Samuel Hulsinger based on his race, African American. Mr. Hulsinger, who was hired in April 1997 as a groundskeeper, was subjected to frequent and severe verbal racial harassment in the presence of supervisors, including derogatory racial slurs such as "monkey, spook, black boy" and "Sambo." One manager of the landscaping department made repeated references to the Ku Klux Klan, telling Mr. Hulsinger, "You're going to have to deal with this, you're in the South now."

Physical threats to Mr. Hulsinger included one co-worker who flashed a knife while remarking, "We know how to take care of you, Sam...the KKK will take care of you." On another occasion, several co-workers held up a hangman's noose and said to Mr. Hulsinger, "Hey Sam, do you want to go for a ride with us? We know how to take care of you."

Despite Mr. Hulsinger's complaints to senior management, no action was taken to correct the

harassment. As a result of the harassment, Mr. Hulsinger suffered from serious medical ailments, including dangerously high blood pressure, stress, chest pains, and an angina attack which required hospitalization. Mr. Hulsinger subsequently resigned from the company due to the discriminatory work conditions and related health problems.

EEOC also filed a class suit today alleging race and national origin discrimination against Sun-Rich Immokalee, Inc., a major agricultural employer based in Florida City. The suit, filed in U.S. District Court for the Middle District of Florida (Ft. Myers division), charged the company with refusing to hire any qualified Haitian or African Americans as agricultural workers, despite numerous openings, during the period of May 1999 through December 1999.

The suit alleges that when African Americans and Haitians tried to apply for jobs, they were continually told that there was no work available, even though applicants of other races and national origins were hired. In one instance, a charging party was told by a manager that the company "was not going to hire Haitians anymore. I don't want to work with Haitians."

Both EEOC suits seek compensatory and punitive damages for the aggrieved individuals, injunctive relief, employer training of their workforces, monitoring by EEOC, and posting of notices at the work site to comply with the anti-discrimination laws.

EEOC General Counsel C. Gregory Stewart said, "No one should have to put up with harassment or adverse treatment on the job because of their race, national origin, or other protected characteristics, and the EEOC will continue to prosecute these kinds of cases as part of its strategic enforcement efforts."

Delner Franklin-Thomas, Regional Attorney for EEOC's Miami District Office, who was responsible for prosecuting the cases, said, "Employers in Florida and other states must understand that discrimination comes at a high cost. The EEOC will aggressively pursue employers and hold them accountable when they violate the anti-discrimination laws."

Federico Costales, District Director of EEOC's Miami office, said, "These cases show that no employer can target workers for discrimination based on their race or national origin. The Commission will continue to root out racial harassment and other forms of discrimination in order to ensure that equal employment opportunities are provided to everyone."

Both suits were filed under Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex, or national origin. In addition to enforcing Title VII, the EEOC enforces the Age Discrimination in Employment Act, which protects workers 40 and older; the Equal Pay Act; the Americans with Disabilities Act, which prohibits discrimination against qualified individuals with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting persons 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](http://www.eeoc.gov).

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