

The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
Tuesday, December 5, 2000

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EEOC SEEKS TO JOIN CLASS RACE HARASSMENT SUIT AGAINST DEFENSE GIANT LOCKHEED MARTIN

Commission Intervention Aims to Protect Public Interest, Remedy Egregious Bias

NEW YORK -- The U.S. Equal Employment Opportunity Commission (EEOC) today moved to intervene in two private class action lawsuits filed against defense contractor Lockheed Martin Corp. The suits, brought on behalf of hundreds of salaried and hourly African-American employees, charge that Lockheed harassed black workers, denied them deserved promotions or wages, and retaliated against them for complaining about the discrimination.

"EEOC carefully chooses those cases in which it seeks to intervene," said Commission Chairwoman Ida L. Castro. "The egregious nature of the racial harassment and Lockheed's persistent failure to respond to the systemic discrimination make these cases entirely appropriate for involvement by EEOC."

She added: "The Commission is in a unique position to offer expertise in class-wide discrimination and harassment cases. Our presence in the case will ensure that appropriate injunctive relief is fashioned to correct past discrimination and prevent future discriminatory conduct. Through this intervention, we seek to represent the public interest and remedy the egregious harassment and race discrimination that has affected hundreds of African-American workers at Lockheed facilities across the country."

EEOC has asked the U.S. District Court for the Northern District of Georgia, Atlanta Division, to allow it to join the private race discrimination class action suits. The cases are Reid et al. v. Lockheed Martin Corp. et al. and Yarbrough et al. v. Lockheed Martin Corp. et al. EEOC asserts that Lockheed permitted a racially hostile work environment to exist by subjecting African-American employees to egregious and widespread harassment, which also led to biased decisions about promotions and pay. The alleged discriminatory conduct includes:

- Directing racial slurs toward African-American workers such as "nigger" and "boy."
- Subjecting African-American workers to hangman's nooses at the work site.
- Placing "Back to Africa tickets" at or near the work stations of black employees.
- Leaving Ku Klux Klan (KKK) materials and graffiti in Lockheed facilities.
- Subjecting employees who complained about discriminatory practices to intimidation and retaliation, including physical threats and termination.

"Not only has Lockheed failed to prevent and correct such overt discriminatory conduct," said Katherine Bissell, Acting Regional Attorney of the New York District Office and lead counsel in this matter, "but the company permitted the discrimination to continue even after charges were filed with the EEOC and

the private litigation was initiated."

EEOC's New York and Atlanta offices worked jointly to carry out the intervention by utilizing their shared expertise and maximizing limited agency resources.

Spencer Lewis, Director of EEOC's New York District Office, said, "Neither the Lockheed plaintiffs nor the EEOC will tolerate racial harassment, particularly when the harassment goes so far as to become corporate policy. We look forward to joining in the national effort to bring Lockheed into compliance with federal civil rights law."

Bernice Kimbrough-Williams, Director of EEOC's Atlanta District Office, said, "By allowing this blatantly racist behavior to continue, Lockheed has created an atmosphere of intimidation, where management has gone unchecked in denying equal employment opportunities based on race. This is utterly unacceptable."

Charges of racial harassment filed with EEOC have more than doubled over the past decade from 2,849 charge filings in Fiscal Year 1991 to approximately 6,550 charge filings in FY 2000, about 8% of all charges filed with the agency. Racial harassment is a form of race discrimination which includes racial jokes, ethnic slurs, offensive or derogatory comments, or other verbal or physical conduct based on an individual's race or color. Such conduct may create an intimidating, hostile, or offensive working environment, or interfere with workers' performance, in violation of Title VII of the Civil Rights Act of 1964.

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.

This page was last modified on December 5, 2000.



[Return to Home Page](#)