

- **EEOC v. United Parcel Service**

No. 01-00342 SPK KSC (D. Hawaii Dec. 12, 2003)

In this Title VII action, the San Francisco District Office alleged that Defendant, a national package delivery firm that is headquartered in Atlanta, Georgia, discriminated against charging party, an African American driver in its Kahului-Maui, Hawaii terminal, by firing him because of his race. The district office claimed that defendant's reasons for discharging charging party insubordination and use of profanity were pretextual because defendant administered less severe discipline to non-Black coworkers who engaged in similar or substantially worse behavior. The case was resolved by a two-year consent decree that applies to UPS locations in Hawaii. Defendant is required to pay charging party \$150,000 and to provide him with a letter of reference which includes a statement that defendant received letters from customers commenting favorably on charging party's treatment of them. Defendant will create a two-hour training program to instruct all current supervisory and managerial staff on nondiscrimination laws, disparate treatment discrimination, and the company's anti-discrimination policies and complaint procedures. Defendant is also obligated to conduct nondiscrimination training by videotape or computer for all new supervisors and managers within thirty days of their employment. Finally, Defendant must distribute its nondiscrimination policies to all of its Hawaii employees and all new hires and post them in conspicuous locations at all Hawaii facilities.