

## ■ Racial Harassment

African American employees continue to encounter racial harassment on the job, including hangmen's nooses and racial slurs

Of particular note among suits alleging racial harassment is *EEOC v. Pipefitters Ass'n., Local 597*, which involved a union that contributed to the racially hostile environment at a construction job site. Several black union members had complained about racial graffiti, including swastikas, which was present at almost all of the portable toilets at the site. The union argued that racial graffiti was common at all construction sites and that the black pipefitters could not have been offended by the graffiti because they did not complain immediately.

Agreeing with the Commission, the court found that the union had a duty to report or remedy the racially hostile work environment. The court ordered the union to pay \$155,000 in compensatory and punitive damages to eight black workers and also permanently enjoined the union from allowing such conduct at any job site.

Court holds union responsible for allowing racially hostile graffiti at construction job site

In FY 2000, in a separate action against the general contractor at the job site, the Commission had obtained \$1.325 million in compensatory damages for approximately 100 people and an injunction permanently barring the employer from discriminating on the basis of race and sex. *EEOC v. Foster Wheeler Constructors, Inc.*