

The U.S. Equal Employment Opportunity Commission

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\$1.3 MILLION SETTLEMENT IN EEOC RACIAL AND SEXUAL HARASSMENT SUIT AGAINST FOSTER WHEELER CONSTRUCTORS

Chicago, IL. The U.S. Equal Employment Opportunity Commission ("EEOC") announced today that Judge David H. Coar of the United States District Court in Chicago has entered a \$1.3 million Consent Decree resolving an EEOC racial and sexual harassment lawsuit against Foster Wheeler Constructors, Inc. ("Foster Wheeler"). The lawsuit, which EEOC filed in 1998, arose from complaints EEOC received regarding racial and sexual harassment at a Foster Wheeler construction project in Robbins, Illinois. The harassment included racist and sexist graffiti in portable toilets at the Robbins site.

Foster Wheeler is a large construction company based in New Jersey which performs work throughout the United States and many foreign countries.

Pursuant to the Consent Decree, Foster Wheeler will pay a total of \$1,325,000 to approximately 100 former African-American and/or female employees. Foster Wheeler is also required to implement an anti-harassment policy, provide training to its managers and workforce and make periodic reports to the EEOC regarding any complaints received about racial or sexual harassment at its work sites throughout the United States during the next two years.

Gregory Gochanour, the EEOC Trial Attorney in Chicago responsible for the government litigation, said the Foster-Wheeler case was important because it challenged a persistent problem in the construction industry harassment in the form of graffiti. "This case," Gochanour said, "ought to serve as a lesson to the construction industry at large. Racial and sexual harassment, including racial and sexual graffiti, is no more acceptable at construction sites than at other places of business. It's illegal, and construction industry employers who permit it may be looking at costly litigation."

John C. Hendrickson, EEOC Regional Attorney in Chicago said, "The construction industry provides thousands of jobs and is an enormous factor in the Chicago area economy. Foster-Wheel is a major player in that industry. So EEOC's determination to challenge the harassment uncovered in this case should surprise no one. Racial and sexual harassment are particularly vicious forms of discrimination--as illegal at muddy construction sites as on the factory floor or in the carpeted office suite."

EEOC's District Director in Chicago, John P. Rowe, said, "By any measure, recovering more than \$1.3 million for almost 100 victims of discrimination is a significant accomplishment. It should also be understood as part of the agency's Comprehensive Enforcement Program developed under EEOC Chairwoman Ida L. Castro. We believe our outreach efforts over time contributed to the victims of harassment at Foster-Wheeler reaching out to EEOC. That the investigative record our staff put together provided a sound foundation for litigation or for conciliation if the company had wanted that. And, that the strength of our litigation program made the million dollar plus recovery a reality."

The Equal Employment Opportunity Commission is responsible for enforcing Title VII of the Civil Rights Act of 1964, as amended, which prohibits employment discrimination based on race, color, religion, sex, pregnancy, or national origin; the Age Discrimination in Employment Act of 1967, as amended; the Equal Pay Act of 1963; and the Americans with Disabilities Act.

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