

The U.S. Equal Employment Opportunity Commission

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EEOC SCORES MAJOR VICTORY IN MITSUBISHI LAWSUIT

CHICAGO -- The U.S. Equal Employment Opportunity Commission (EEOC) scored a major legal victory yesterday in its class action sexual harassment lawsuit against Mitsubishi Motor Manufacturing of America, Inc. Ruling in EEOC's favor, Federal District Court Judge Joe Billy McDade held that the agency could pursue its sexual harassment lawsuit as a class action "pattern or practice" suit. Mitsubishi had argued that a class action "pattern or practice" approach was not workable in the sexual harassment context, and sought to require EEOC to litigate the case, involving more than 300 victims, on a person-to-person basis.

In its sweeping decision, the Court also rejected a number of procedural arguments raised by Mitsubishi in its efforts to derail the lawsuit.

John C. Hendrickson, EEOC's Regional Attorney in the agency's Chicago District Office, said, "This decision constitutes a significant victory not only for EEOC in this lawsuit, but for all plaintiffs who have been victims of sexual harassment. This is the first court that has addressed directly the question of whether Title VII authorizes 'pattern or practice' suits in the sexual harassment context. The court answered this question with an emphatic 'yes'."

Hendrickson added: "This decision will make it easier for women to pursue class action lawsuits for sexual harassment and make it more difficult for employees to engage in 'scorched earth' litigation tactics to deter women from pursuing class action sexual harassment claims. While we are still in the process of digesting the Court's scholarly and well-supported opinion, it doubtless constitutes a major victory for the rights of victims of sexual harassment."

C. Gregory Stewart, EEOC's General Counsel, noted that EEOC's lawsuit against Mitsubishi was only one of a number of sexual harassment suits that are currently pending in the federal courts. "The Court's acceptance of a 'pattern or practice' model in the sexual harassment context will go far in assisting plaintiffs in the litigation of these types of cases," Stewart said.

At the conclusion of his decision, Judge McDade urged the parties to pursue settlement in this case, noting that further conciliation efforts "may appear more attractive to Mitsubishi given the developments in the litigation."

EEOC Chairman Paul M. Igasaki stated, "The EEOC is extremely pleased by Judge McDade's decision and hopes that it will send a strong signal to Mitsubishi. EEOC believes the decision confirms the agency's approach in this important challenge to employment discrimination."

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex, and national origin; the Age Discrimination in Employment Act, which prohibits discrimination against individuals 40 years of age or older; sections of the Civil Rights Act of 1991; the Equal Pay Act; Title I of the Americans with Disabilities Act, which prohibits discrimination against people with disabilities in the private sector and state and local governments; and the Rehabilitation Act's prohibitions against disability discrimination in the federal government.

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