

The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
Wednesday, September 6, 2000

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MONITORS SAY MITSUBISHI IN COMPLIANCE WITH EEOC CONSENT DECREE; SEXUAL HARASSMENT 'FIRMLY UNDER CONTROL' AT U.S. PLANT

CHICAGO -- Monitors watching over efforts of Mitsubishi Motor Manufacturing of America, Inc. to combat sexual harassment and to obey the Consent Decree which resolved the U.S. Equal Employment Opportunity Commission's (EEOC) landmark lawsuit against the company reported today to the Federal District Court in Peoria, Illinois, that: "Mitsubishi is in compliance with the Decree, has sexual harassment in the plant firmly under control, and has made commendable progress in improving its systems for preventing such behavior and dealing with it appropriately when it occurs."

The monitors were appointed by District Judge Joe Billy McDade in the Consent Decree he entered on June 23, 1998, which brought to an end the largest sexual harassment case in the history of Title VII of the Civil Rights Act of 1964. The Decree required Mitsubishi to pay \$34 million to the victims of sexual harassment identified by EEOC, enjoined the company from permitting sexual harassment or retaliating against women who complain, and required the company to implement procedures to deal effectively with any harassment which arose in the future. The Decree provided that the team of three monitors would periodically assess whether the changes required by the Decree are actually being carried out by Mitsubishi.

"I applaud the job that the Decree monitors are doing and share their cautionary note that Mitsubishi must not become complacent with their success, but must firmly secure its progress to ensure a harassment-free work environment well beyond the three-year life of the Decree," said EEOC Chairwoman Ida L. Castro. "While this report shows that Mitsubishi has made substantial progress in ridding pervasive sexual harassment from its workplace, the Commission will remain vigilant in monitoring its employment practices in accordance with the landmark settlement of two years ago."

The monitors, who submitted their second annual report under the Decree, are Nancy B. Kreiter, Research Director of Women Employed in Chicago; George F. Galland, Jr., an attorney in the Chicago law firm of Miner, Barnhill & Galland; and Joyce E. Tucker, formerly a Commissioner of EEOC and now a member of the consulting firm of Tucker, Spearman & Associates of Alexandria, Virginia.

The report says:

"We [the monitors] have had continuous dealing with [Mitsubishi] management. We have been provided extensive documentation by the company, including, among many other subjects, copies of complaints of sexual and sex-based harassment and related retaliation and the company's reports of the investigations into and follow-up on those complaints. We have visited the plant on a number of occasions . . . when we conducted extensive interviews with plant employees. We observed the sexual harassment training for associates . . . and for supervisors."

"Today . . . we remain confident that sexual harassment remains firmly under control at the plant and that [Mitsubishi] is in compliance under the Consent Decree."

The report continues:

"Despite the fact that we believe that very little sexual harassment is occurring at the plant, and that sexual harassment is dealt with appropriately when brought to management's attention, as a result of increased responsibilities and the increased scope of [line supervisors'] duties, we have some concern . . . The company cannot let down its guard in the control of harassment, which requires vigilance. . . ."

"The challenge for [Mitsubishi] now is to institutionalize these systems [for preventing and dealing

with sexual harassment] so that when the Decree expires a year from now, the company can continue the significant progress it has made."

John C. Hendrickson, Regional Attorney in EEOC's Chicago District Office and lead counsel for the government in the Mitsubishi case, said, "The test of success for EEOC in the Mitsubishi case has always been comparable to the two-sides of a coin. On one side was monetary relief to compensate for the harm done in the past. Thirty-four million dollars is the most ever in a sexual harassment case and surely counts as a major success. On the other side -- equally important is putting a stop to sexual harassment in the workplace itself, making a concrete change for the employees of today and tomorrow. The monitors are telling us that this kind of change is a reality at Mitsubishi. That, I believe, means that EEOC has had a real success here."

Hendrickson said that EEOC believed the experience of the monitors and the way they worked under the Consent Decree was particularly significant. "This is not, as I have said before, a blue-ribbon panel designed to conduct drive-by inspections and issue once-over-lightly reports which go nowhere and say nothing. Under this Consent Decree, the monitors all of whom have distinguished real-world records were expected to dig in at the plant, spend time there, and assess what is actually going on."

"Their report," Hendrickson added, "including its recommendations for further improvement, shows they have been doing their job. More than that, it shows that this kind of monitoring process can be an efficient and effective way for both EEOC and employers to get on top of the most difficult problems of employment discrimination."

John P. Rowe, EEOC District Director in Chicago, said, "It is always fair to ask of us at EEOC whether what we are doing makes a difference. What we are learning from the Consent Decree monitors is very positive. Not only have women who suffered from sexual harassment been provided relief, but their sisters and daughters who go into jobs at Mitsubishi today and tomorrow will be going into a very different workplace. Under the impetus of the Consent Decree and the guidance of the monitors, the company appears to have made a real change for the better. That is making a difference."

EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin; 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.

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