The U.S. Equal Employment Opportunity Commission

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EEOC SETTLES PAY DISCRIMINATION SUIT FOR $450,000 AGAINST NATIONWIDE TRUCKING COMPANY

ST. LOUIS -- The U.S. Equal Employment Opportunity Commission (EEOC) today announced a $450,000 settlement of a wage discrimination lawsuit against Arizona-based Swift Transportation Co., Inc., the third largest publicly held truck carrier nationwide. The suit, filed in July 1999 under the Equal Pay Act and Title VII of the Civil Rights Act of 1964, charged Swift with paying six female driver managers in its Edwardsville, Kansas, terminal less than men in the same job.

"Pay disparities for women not only violate the Equal Pay Act and Title VII but also conflict directly with sound business judgment," said EEOC Chairwoman Ida L. Castro. "Women make tremendous contributions in today's economy, and companies that fail to review stale pay practices will find themselves unable to retain these valuable employees as well as risk being in breach of the federal civil rights laws. I strongly encourage all employers to closely examine their salary policies in order to identify and voluntarily eliminate pay discrepancies based solely on gender."

In the proposed Consent Decree, now pending approval of the U.S. District Court for the District of Kansas in Kansas City, Swift agreed to pay a total of $450,000 in backpay and damages to Pam Dishon, Kim Harrington, Julie Pine Meek, Sheri Rice, Barbara Vaught and Sue Matlack. The Decree provides that Swift will immediately increase the salaries of Dishon, Harrington, Rice and Vaught, who are still employed by the company, in order to bring their salaries in line with those of male driver managers.

According to Robert Johnson, EEOC's Regional Attorney in St. Louis, this is the largest pay discrimination settlement obtained nationwide in recent years by EEOC. "We hope that all employers, particularly those in male-dominated industries such as trucking, get the message that men and women must receive equal pay for doing the same work," he said.

Swift also agreed to prepare and publicize a policy setting forth the factors to be relied upon by Swift's managers in setting initial salaries and determining the amounts of raises to be given to driver managers. Moreover, Swift agreed to post a notice in its Edwardsville terminal explaining the terms of the settlement and to report to EEOC on driver manager salaries and raises for a two-year period.

EEOC General Counsel C. Gregory Stewart said, "Strong enforcement of the equal pay laws is a priority issue for the Commission and an integral part of our national litigation strategy. Employers should be aware that they will be held accountable for discrimination based on sex in the payment of wages. EEOC will remain on the front lines of preventing and remedying such unlawful workplace conduct through voluntary means, as appropriate, and by litigation when necessary."

The lawsuit stemmed from a charge of employment discrimination filed with EEOC's St. Louis District Office by Melissa Meek, a former driver manager, alleging that Swift discriminated against her because of her sex by paying her less than male driver managers. After investigating the charge, EEOC found "reasonable cause" to believe that Swift had discriminated against Meek as well as six other female driver managers. Meek filed an individual lawsuit, which was subsequently settled. EEOC filed this action on behalf of the six other female driver managers employed in Swift's Edwardsville terminal during the period April 1996 to present. Each was paid less than male employees who performed the same job as driver managers.

Lynn Bruner, Director of EEOC's St. Louis District Office, said, "This settlement should send a clear message to employers in the Midwest and across the country that EEOC will not tolerate corporate policies and practices that single out women for lower pay because of their sex. Equal pay for equal work' is not just a feel-good phrase, it's the law of the land and must be adhered to."

Swift Transportation is headquartered in Phoenix, Arizona, and operates 36 terminals throughout the United States. The Edwardsville terminal is located in the Kansas City metropolitan area. The driver managers are responsible for directing and managing fleets of trucks that carry freight for Swift throughout the country.

In 1999, EEOC settled another sex-based discrimination lawsuit against Swift for $529,780 in Seattle. In that case, the EEOC challenged Swift's policy of prohibiting female truck drivers from being trained by male instructors. That policy resulted in delays for female drivers in beginning their driving for the company. Swift modified its policy to permit coed training after the EEOC filed suit.

In addition to enforcing the Equal Pay Act, which bars sex-based differences in compensation, the 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, which protects workers 40 and older;; the Americans with Disabilities Act, which prohibits discrimination against qualified individuals with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting persons with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on its Web site at www.eeoc.gov.

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