

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

FILED _____ ENTERED _____
LODGED _____ RECEIVED _____
DEC 6 2006

CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
SHREE LALAJI LLC t/a)
BEST WESTERN SALISBURY PLAZA)
)
Defendant.)
_____)

Civil Action No. 8:06cv2154 WMN

CONSENT DECREE

This action was instituted by Plaintiff, Equal Employment Opportunity Commission (the “EEOC” or the “Commission”), against Defendant, Shree Lalaji LLC t/a Best Western Salisbury Plaza (hereinafter “Defendant”), alleging that Defendant violated Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, (“Title VII”) 42 U.S.C. Section 2000e-2(a) by refusing to correct unlawful employment practices on the basis of race (Black) and to provide appropriate relief to Gerald Savage (“Mr. Savage”) and other Black employees of Defendant Employer, all of whom were adversely affected by such practices.

Both the Commission and Defendant desire to resolve the Commission’s action without the time and expense of continued litigation, and they desire to formulate a plan to be embodied in a Decree which will promote and effectuate the purposes of Title VII.

This Decree shall not constitute adjudication on the merits of the Commission’s case and shall not be construed as an admission by Defendant of any discriminatory practice or as a

waiver by the Commission of any contentions of discrimination. The Court has examined this Decree and finds it reasonable and just and in accordance with the purposes of Title VII. Therefore, upon due consideration of the record herein and being fully advised in the premises, it is ORDERED, ADJUDGED, AND DECREED:

1. This DECREE resolves all issues and claims alleged in the Complaint filed by the Commission in this Title VII action which emanated from the charge of discrimination filed by Gerald Savage.

2. Defendant, its officers, agents, servants, employees and all persons acting or claiming to act in its behalf and interest shall be permanently enjoined and restrained from discriminating against any employee on the basis of race, specifically with regard to adversely affecting the terms and conditions of any individual's employment and creating a racially hostile work environment. Specific reference is made to the following provision of Title VII:

It shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge any individual with respect to his compensation, terms, conditions or privileges of employment, because of such individual's race

42 U.S.C. § 2000e-2(a).

3. Defendant, its officers, agents, servants, employees and all persons acting or claiming to act in its behalf and interest agree that they will not retaliate against any employee who opposes any of Defendant's practices which the employee believes to be a violation of Title VII, who files a charge of discrimination with the EEOC alleging violation(s) of such statute, who cooperates with the EEOC in the investigation and/or prosecution of any charge of discrimination, or who cooperated in the investigation or prosecution of this case.

4. In furtherance of Paragraphs 2 and 3, above, within six months following the entry of this Decree, Defendant will provide a minimum of four hours equal employment

opportunity (“EEO”) training, through a qualified law firm or consultant with expertise in EEO matters, to its Owner and General Manager and to all other employees responsible for the hiring and firing and supervision of hotel employees, specifically with regard to making its work environment free of race-based harassment in accordance with Defendant’s obligations under Title VII. Upon the completion of such training, Defendant will provide certification to Commission counsel that such training has been provided including the identity of the provider, the dates and location of the training, the names of the attendees, and the number of hours of training.

POSTING

5. Upon approval of this Decree, Defendant will post immediately in all places where notices to employees customarily are posted, the Notice attached hereto as Exhibit “A” and made a part hereof. Said Notice attached hereto as Exhibit “A” shall be posted and maintained for a period of at least one year from the date of actual posting shown thereon. Should the Notice become defaced, marred, or otherwise made unreadable, Defendant will ensure that new readable copies of the Notice are posted in the same manner as heretofore specified. Within thirty (30) days of approval of this Decree, Defendant shall forward to the attorney of record at the Baltimore Field Office a copy of the signed Notice attached hereto as Exhibit “A” and written certification that the Notice referenced herein has been posted and a statement of the location(s) and date of posting.

MONETARY RELIEF

6. Within ten days after entry of this Consent Decree, Defendant will pay back wages, in the amount of Seven Thousand Dollars (\$7000.00) and compensatory damages in the amount of Eight Thousand Dollars (\$8000.00) to Gerald Savage. Defendant will issue a W-2

form reflecting the back pay payment and a 1099 form reflecting the compensatory damages payment.

7. Defendant will pay Five Thousand Dollars (\$5000.00) to be distributed among former Black employees who, in the Commission's determination, were subjected to a hostile work environment. Within twenty business days after the entry of this Decree, the Commission will provide to Defendant the names, addresses, and amounts of payment to be distributed by Defendant to each claimant. Within ten (10) business days of receipt of this information, Defendant will issue payments to each claimant. Defendant will issue 1099 forms to reflect the payments to the claimants.

FEES

8. The Commission and Defendant shall bear their own costs and attorneys' fees. The undersigned counsel of record in the above-captioned action hereby consent, on behalf of their respective clients, to the entry of the foregoing Consent Decree.

For Defendant:

/s/ _____
MARY KEATING
728 Deepdene Road
Baltimore, MD 21210
(410) 532-8900

For Plaintiff:

RONALD S. COOPER
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

/s/ _____
JACQUELINE H. McNAIR
Regional Attorney

/s/ _____
DEBRA M. LAWRENCE
Supervisory Trial Attorney (Bar No. 04312)

