

2006 WL 3207714

Only the Westlaw citation is currently available.
United States District Court,
W.D. Missouri, Western Division.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff,
and
Cindy JOHNSTON, Plaintiff-Intervenor,
v.
GARDEN CITY PLASTICS EQUIPMENT AND SUPPLY CO., INC., and Plastic Packaging Concepts, Inc.,
Defendants.

No. Civ.A.04-00726-CV-DW. | Oct. 18, 2006.

Dear Ms. Constanzo:

Attorneys and Law Firms

Andrea G. Baran, Anne E. Gusewelle, US Equal Employment Opportunity Commission, Kansas City, KS, Eric S. Dreiband, Gwendolyn Young Reams, James L. Lee, Robert G. Johnson, US Equal Employment Opportunity Commission, St. Louis, MO, for Plaintiff.

Bradley Kent Kavanaugh, Michael S. Ketchmark, Davis Ketchmark & McCreight, PC, Kansas City, MO, for Plaintiff-Intervenor.

Charles E. Weedman, Jr., Crouch Spangler & Douglas, Harrisonville, MO, for Defendants.

Opinion

BARAN, Senior J.

*1 Enclosed is a recent decision in this case that merits publishing in Fair Employment Practices Cases.

ORDER

WHIPPLE, J.

On August 24, 2006, after a four-day jury trial of Plaintiff EEOC's and Plaintiff-Intervenor Cindy Johnston's sexual harassment claims against Defendants Garden City Plastics Equipment and Supply Company, Inc., and Plastic Packaging Concepts, Inc., the jury returned a verdict in favor of Plaintiff and Plaintiff-Intervenor. Plaintiff EEOC now asks this Court to award injunctive and equitable relief against Defendants on behalf of both Cindy Johnston and the public pursuant to Section 706(g)(1) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-5(g)(1). *See* Doc. 157. As allowed by statute, and for good cause shown, the Court will grant in part the motion for injunctive relief.

It is hereby ORDERED:

1. Defendants Garden City Plastics Equipment and Supply Company, Inc., and Plastic Packaging Concepts, Inc., their officers, successors, assigns, agents, independent contractors, and any and all other persons in active concert with them, are permanently enjoined from creating, condoning, or allowing a sexually hostile work environment, sexual harassment, or discrimination on the basis of sex to exist or occur at its Garden City, Missouri facility.

2. Defendants are ordered to institute and carry out policies, practices and programs which prohibit sexual harassment in the workplace, provide effective complaint mechanisms for reporting sexual harassment, establish procedures for the investigation of complaints of harassment, set forth discipline for individuals who participate in sexual harassment or create a sexually hostile work environment, and which otherwise protect employees from sexual harassment in the workplace. Defendants shall reduce the sexual harassment policy to writing and provide the writing to all employees.

3. Defendants are ordered to purge, within thirty (30) days of the entry of the final judgment, any and all employment files of Cindy Johnston, including her personnel file, of any and all documents concerning this lawsuit or the charge of employment discrimination that served as the predicate to this lawsuit.

4. Defendants and their agents are ordered to limit their response to any inquiries by any entities or persons concerning or related to Cindy Johnston to the title of the position Ms. Johnston held with Defendants at the time of her discharge, the dates of her employment in that position, and a statement that her job performance was satisfactory.

SO ORDERED.