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David W. Daniel, Clerk  
US District Court  
E. Dist. N. Carolina

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**FILED**  
SEP 19 2001

DAVID W. DANIEL, CLERK  
US DISTRICT COURT  
E. DIST. N. CAROLINA

<b>EQUAL EMPLOYMENT OPPORTUNITY</b>	)
<b>COMMISSION,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>and</b>	)
	)
<b>GRETA C. CROUSE,</b>	)
	)
<b>Plaintiff-Intervenor,</b>	)
	)
<b>v.</b>	)
	)
<b>ENVIRONMENTAL AIR SYSTEMS, INC.</b>	)
	)
<b>Defendant.</b>	)

**CIVIL ACTION NO.  
5:01-CV-406-BO(3)**

*BO #18, p. 212*

**CONSENT DECREE**

The Equal Employment Opportunity Commission (the "Commission") instituted this action pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-5(f)(1) and (3), ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

The Commission, the Plaintiff-Intervenor, Greta C. Crouse ("Crouse") and the Defendant, Environmental Air Systems, Inc. (the "Defendant"), hereby stipulate to jurisdiction of the Court over the parties and agree that the subject matter of this action is properly before the Court.

The parties have advised this Court that they desire to resolve the allegations in the Complaint without the burden, expense, and delay of further litigation. Neither this Decree, nor the provisions contained herein, shall be interpreted or construed as an admission by Defendant

of a violation of Title VII or any other law prohibiting discrimination.

It is therefore the finding of this Court, made on the pleadings and the record as a whole, that: (1) the Court has jurisdiction over the parties and the subject matter of this action; (2) the purpose and provisions of Title VII will be promoted and effectuated by the entry of the Consent Decree; and (3) this Decree resolves all matters in controversy between the parties as provided in paragraphs 1 through 13 below.

It is therefore ORDERED, ADJUDGED AND DECREED as follows:

1. Defendant shall not discriminate against any applicants for employment on the basis of sex or any other protected category.
2. Defendant shall not discriminate or retaliate against any person because of opposition to any practice made unlawful under Title VII of the Civil Rights Act of 1964 or the Equal Pay Act of 1963, or because of the filing of a charge, the giving of testimony or assistance, or the participation in any investigation, proceeding or hearing under any of the foregoing statutes.
3. Defendant shall pay Greta C. Crouse the sum of Forty-Four Thousand Dollars (\$44,000) in settlement of the claims raised in this action, as follows: Defendant shall issue one check made payable to Greta C. Crouse in the sum of thirty-four thousand three hundred thirty three dollars and thirty-three cents (\$34,333.33), and shall issue one check made payable to Joyce L. Davis and Associates in the sum of nine thousand six hundred sixty-six dollars and sixty-seven cents (\$9,666.67), for Crouse's attorneys' fees. Payment shall be delivered to Crouse upon execution of this Consent Decree by all parties, and the Defendant shall deliver said payment to Laura J. Wetsch, Attorney for Greta C. Crouse, at the offices of Joyce L. Davis

& Associates, P.O. Box 709, Raleigh, N.C. 27602-0709. Within ten (10) days after the checks have been delivered to Crouse's attorney, Defendant shall mail to Mindy E. Weinstein, Regional Attorney, Equal Employment Opportunity Commission, 129 Trade Street, Suite 400, Charlotte, NC 28202, a copy of the checks and proof of the delivery to Crouse's attorney.

4. Defendant agrees that it shall provide a training program to all of its management and supervisory employees who participate in hiring and personnel selections at its facilities in North Carolina. At least fifteen (15) days prior to the program, Defendant shall provide the Commission with an agenda for the training program. The training program will include an explanation of the requirements of the federal equal employment opportunity laws, including Title VII of the Civil Rights Act of 1964 and its prohibition against sex discrimination in the workplace, including sex discrimination in hiring. The training will also cover Defendant's anti-discrimination policy, and an explanation of the rights and responsibilities of employees and managers under the policy. This training shall be completed within ninety (90) days after entry of the decree by the Court. Within ten (10) days after completion of the training, Defendant shall certify to the Commission the specific training which was undertaken and shall provide the Commission with a roster of all employees in attendance.

5. During the term of this Decree, Defendant shall conspicuously post the attached Employee Notice, marked Appendix A, hereby made a part of this Decree, in a place where it is visible to employees at each of its North Carolina facilities. If the Notice becomes defaced or unreadable, Defendant shall replace it by posting another copy of the Notice.

6. Defendant agrees that all advertisements it places for job vacancies will include a statement that Environmental Air Systems, Inc. is an equal opportunity employer that does not

discriminate on the basis of sex, race, national origin, color, religion, age, disability, or any other protected status.

7. Defendant agrees to make good faith efforts to recruit qualified female applicants for Pipe Helper positions. As part of its efforts, Defendant will post all Pipe Helper openings at its North Carolina facilities in locations accessible to and frequented by employees and applicants for employment, where notices/information concerning employment are typically posted. Defendant will publically advertise vacancies for Pipe Helper positions in local newspapers and with the local office of the Employment Security Commission in each location where Defendant seeks to hire Pipe Helpers. Defendant agrees that it shall maintain records to demonstrate its compliance with this paragraph. Records shall include, but not be limited to, copies of advertisements, names and dates of publications in which advertisements appeared, and all documents reflecting recruitment efforts through the Employment Security Commission. Defendant agrees to provide this information to the Commission regarding these efforts on January 30th and July 30th of each year during the term of this Decree.

8. Defendant agrees to provide the Commission with semi-annual reports during the term of this Decree. The reports shall include the following information: the identities of all applicants for employment in Pipe Helper positions at Defendant's North Carolina facilities, including by way of identification each person's name, address, telephone number, social security number, sex and a statement of whether the individual was offered employment and/or hired, and the identify of the selecting official. Defendant shall submit the reports to the Commission on January 30th and July 30th of each year during the term of this Decree.

9. Defendant agrees that the Commission may review compliance with this Decree. As part of such review, the Commission may inspect the premises, interview employees and examine and copy documents.

10. If anytime during the term of this Decree, the Commission believes that Defendant is in violation of this Decree, the Commission shall give notice of the alleged violation to the Defendant. Defendant shall have thirty (30) days in which to investigate and respond to the allegations. Thereafter, the parties shall have a period of thirty (30) days, or such additional period as may be agreed upon by them, in which to engage in negotiation and conciliation regarding such allegations, before the Commission exercises any remedy provided by law.

11. The term of this Decree shall be for three (3) years from its entry by the Court.

12. Each parties shall bear its own costs in this action.


13. This Court shall retain jurisdiction of this cause for purposes of monitoring compliance with this Decree and entry of such further orders as may be necessary or appropriate.

Sept. 18, 2004  
Date

Tennel Boyl  
Judge, U.S. District Court  
Eastern District of North Carolina

The parties jointly request that the Court approve and enter the Consent Decree:

**ENVIRONMENTAL AIR SYSTEMS, INC.**


by:   
WILLIAM P.H. CARY  
Brooks, Pierce, McLendon,  
Humphrey & Leonard, L.L.P.  
P.O. Box 26000  
Greensboro, N.C. 27420

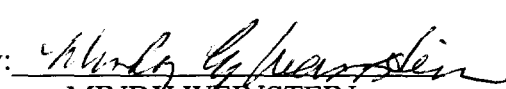
**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

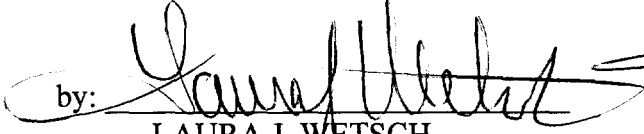
GWENDOLYN YOUNG REAMS  
Associate General Counsel


EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
1801 "L" Street, N.W.  
Washington, D.C. 20507

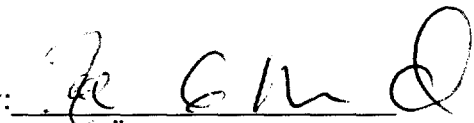
**GRETA C. CROUSE,**

by:   
GRETA C. CROUSE  
c/o Joyce L. Davis & Associates  
P.O. Box 709  
Raleigh, N.C. 27601

by:   
MINDY WEINSTEIN  
Regional Attorney  
129 West Trade Street, Suite 400  
Charlotte, NC 28202

by:   
LAURA J. WETSCH  
Attorney for Greta C. Crouse  
Joyce L. Davis & Associates  
P.O. Box 709  
Raleigh, N.C. 27601

by:   
LYNETTE BARNES  
Supervisory Trial Attorney  
129 West Trade Street, Suite 400  
Charlotte, NC 28202

by:   
ZOË G. MAHOOD  
Trial Attorney  
1309 Annapolis Drive  
Raleigh, NC 27608

## NOTICE TO EMPLOYEES

1. This Notice is posted pursuant to a settlement between Environmental Air Systems, Inc. and the U.S. Equal Employment Opportunity Commission in a case alleging discrimination based on sex.
2. Federal law requires that employers may not discriminate against any employee because of the employee's race, color, religion, sex, national origin, age (40 or older) or disability. Environmental Air Systems, Inc. supports and will comply with such federal law in all respects. Specifically, Environmental Air Systems, Inc. agrees that it will not discriminate any applicants or employees based on sex.
3. Environmental Air Systems, Inc. will not take any actions against employees because of the filing of a charge, the giving of testimony or assistance, or the participation in any investigation, proceeding or hearing conducted by the U. S. Equal Employment Opportunity Commission.

An employee has the right, and is encouraged to exercise that right, to report allegations of employment discrimination in the workplace. An employee may contact the U. S. Equal Employment Opportunity Commission at the following address and telephone number for the purpose of filing a charge of employment discrimination.

Equal Employment Opportunity Commission  
Raleigh Area Office  
1309 Annapolis Drive  
Raleigh, North Carolina 27608  
Tel: (919) 856-4064

**APPENDIX A**