

*The U.S. Equal Employment Opportunity Commission*

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## PAND ENTERPRISES TO PAY \$90,000 TO YOUNG MEN WHO WERE SEXUALLY HARASSED BY MALE SUPERVISOR

### ***EEOC Settles Suit Alleging Teen Harassment, Retaliation, at McDonald's Franchise***

ALBUQUERQUE, N.M. -- The U.S. Equal Employment Opportunity Commission (EEOC) today announced it has settled, for \$90,000 and other relief, its sexual harassment and retaliation lawsuit against Pand Enterprises, Inc., doing business as a McDonald's restaurant franchise, for subjecting a class of teenage male employees to sexual harassment by a male supervisor.

The EEOC's lawsuit, *EEOC v. Pand Enterprises, Inc., d/b/a McDonald's Restaurant* (Civil Action No. CIV- 05-204 in U.S. District Court for the District of New Mexico), alleged that the supervisor's abuse of the young workers included unwanted touching, requests for sex and sexual remarks. The agency further charged that one young male employee's work hours were cut in retaliation for opposing the sexual harassment. The young men, some who were only 15 years old at the time, worked as part-time crew members at the McDonald's franchise at 925 San Pedro N.E. in Albuquerque.

"We commend Pand Enterprises for working cooperatively with us to reach this agreement," said EEOC Phoenix Regional Attorney Mary Jo O'Neill. "The consent decree includes important provisions to ensure that discrimination does not occur again at this workplace."

As part of the settlement, in addition to the monetary relief, Pand Enterprises entered into a consent decree which was submitted to and approved by the federal district court. The decree requires training and other relief to prevent future discrimination. Sexual harassment and retaliation violate Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) or national origin and protects employees who complain about such offenses from retaliation.

EEOC Phoenix District Director Chester V. Bailey said, "We are hopeful that this settlement will help other young workers become aware of their rights under Title VII. No covered employee, no matter the age, gender, or citizenship status, should be afraid to report workplace discrimination or harassment to the EEOC."

Edgar Hernandez, a class member, stated in Spanish, "Yo estoy muy agradecido al EEOC por sus esfuerzos y muy contento que se resolvi  este caso. Mi esperanza es que por medio de esta resoluci n, manejadores y empleados, incluyendo empleados jovenes, aprendan algo de sus responsabilidades y derechos bajo la ley." Translation: "I am very grateful to the EEOC for its efforts and very happy that this case was resolved. My hope is that through this settlement, managers and employees, including young employees, will learn something about their responsibilities and their rights under the law."

In September 2004, the EEOC launched its national Youth@Work initiative a comprehensive outreach and education campaign designed to inform teens about their employment rights and responsibilities and to help employers create positive first work experiences for young adults. In the program's first year, approximately 850 Youth@Work events reaching more than 72,000 students, education professionals, and employers were hosted across the country. Further information about the Youth@Work campaign, including how to schedule a free Youth@Work outreach presentation, is available on the agency's web site at <http://www.eeoc.gov/initiatives/youth/index.html>. Specific EEOC-related information for teens is available on the Youth@Work web site at <http://www.youth.eeoc.gov>.

In addition to enforcing Title VII, the EEOC enforces the Age Discrimination in Employment Act (ADEA), which

protects workers age 40 and older from discrimination based on age; the Equal Pay Act, which prohibits gender-based wage discrimination; the Rehabilitation Act, which prohibits employment discrimination against people with disabilities in the federal sector; Title I of the Americans with Disabilities Act (ADA), which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; and sections of the Civil Rights Act of 1991. Further information about the EEOC is available on the agency's web site at [www.eeoc.gov](http://www.eeoc.gov).

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*This page was last modified on March 10, 2006.*



[Return to Home Page](#)