

D. High Impact Litigation - Highlights for 2004

Certain cases by virtue of their size, amount and type of relief, or industries or individuals affected are of particular importance in redressing discriminatory practices. In this section of the Annual Report, we review highlights from some of FY 2004's high impact resolutions.

1. Sex Discrimination

The Commission secured a number of multimillion dollar recoveries in cases involving sex discrimination, demonstrating the continuing battle of women to be judged on their competencies rather than stereotypes about their gender, and to work in an environment free from offensive sexual conduct. The year's largest recovery \$54 million was in a suit against the financial services firm of **Morgan Stanley**, alleging that the firm engaged in a pattern or practice of sex discrimination in its Institutional Equity Division by preventing women from being promoted, compensated, or enjoying other terms, privileges and conditions of employment on the same basis as men. The case was resolved by a 3-year consent decree, with \$40 million going to a claim fund to pay identified victims; \$12 million to the individual who filed the discrimination charge leading to the suit (who intervened adding other claims); and \$2 million for training designed to combat discrimination and enhance promotional opportunities for women. As part of the extensive injunctive relief provided in the decree, Morgan Stanley will appoint an EEOC-approved ombudsperson to oversee implementation of the decree, and will retain an outside monitor to review Morgan Stanley's antidiscrimination policies and be a point of contact for sex discrimination complaints. *EEOC v. Morgan Stanley & Co., Inc.* (S.D.N.Y. July 12, 2004).