

*The U.S. Equal Employment Opportunity Commission*

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## SPS TEMPORARIES AND TWO CLIENTS TO PAY UP TO \$580,000 IN CLASS ACTION LITIGATION SETTLEMENT WITH EEOC

### ***Employers Charged with Bias Based on Race, Sex, Age, Disability and National Origin***

BUFFALO, N.Y. - SPS Temporaries, Inc. and two of its clients Jamestown Container and Whiting Door Manufacturing Corporation will pay up to \$580,000 and take substantial steps to prevent future workplace discrimination as part of a class action litigation settlement announced today by the U.S. Equal Employment Opportunity Commission (EEOC). The lawsuit charged that a large group of temporary workers potentially hundreds or thousands was denied work assignments based on race, sex, national origin, disability and/or age in violation of various federal laws.

Additionally, the EEOC had alleged that SPS dismissed a full-time employee due to her pregnancy and fired another for opposing the company's discriminatory practices. Three consent decrees resolving the case were filed today by the EEOC with Judge John Elfvig of the U.S. District Court for the Western District of New York (*EEOC v. SPS Temporaries, Inc., Professional Personnel Management Corp., Jamestown Container Companies and Whiting Door Manufacturing Corp.*, Case No. 04-CV-0052).

"As one of the largest temporary agencies in the Buffalo area, SPS's discriminatory practices affected hundreds, if not thousands, of temporary workers," said Robert D. Rose, the EEOC's lead attorney on the case. "This resolution will fairly compensate the victims of that discrimination and put protective measures in place to prevent further discrimination."

The consent decrees establish a claims fund of nearly \$600,000 to compensate victims of the discrimination. EEOC will issue public announcements regarding the claims process and accept claim forms from eligible individuals who applied for temporary employment with SPS between January 1, 1999, and the approval date of the settlement.

Individuals who believe they may have been subject to discrimination by SPS during the relevant time period should call (866) 464-4691 or go online to [www.eeocspsettlemnt.com](http://www.eeocspsettlemnt.com). The consent decrees also require the companies to take numerous steps to prevent further discrimination, including the adoption of new policies and procedures prohibiting discrimination, training for their employees, and periodic reporting to the EEOC regarding their hiring practices.

Spencer H. Lewis, the EEOC's New York District Director, said, "Discriminatory practices such as those in this case wrongfully deny individuals the freedom to compete and advance in the workplace on a level playing field. This major settlement should remind employers that all individuals must be afforded equal opportunities, and that employment decisions must be based solely on merit and ability to do the job."

SPS is a Buffalo-based temporary employment agency with six offices in the region. Jamestown Container provides packaging products and services and has locations in Buffalo and Lockport, N.Y. Whiting Door produces roll up doors and is headquartered in Akron, N.Y.

The EEOC enforces Title VII of the Civil Rights Act of 1964, which prevents workplace harassment and discrimination against employees on the basis of race, national origin, religion, or gender; Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; the Age Discrimination in Employment Act, which protects individuals 40 years of age or older; the Equal Pay Act of 1963; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. For more information about EEOC, visit [www.eeoc.gov](http://www.eeoc.gov).

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