

*The U.S. Equal Employment Opportunity Commission*

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## EEOC SETTLES BIAS SUIT FOR \$2.6 MILLION AGAINST TWA

### Class of Female Workers Subjected to Sexual Harassment and Retaliation at Kennedy Airport

NEW YORK - The U.S. Equal Employment Opportunity Commission (EEOC) today announced a \$2.6 million settlement of a lawsuit alleging sexual harassment and retaliation against Trans World Airlines, Inc. (TWA) under Title VII of the Civil Rights Act of 1964. The suit charged TWA with subjecting a class of female employees at John F. Kennedy International Airport to a sexually hostile work environment since January 1988 that culminated in severe and repeated harassment and retaliation for complaining about the discrimination.

According to the settlement, entered with the U.S. District Court for the Eastern District of New York, the monetary relief will be paid to the claimants directly or through a claim fund. EEOC expects the class to include dozens of female employees or former employees who were subjected to sexual harassment and/or retaliation over a 10 year period. The women held all types of positions at TWA with the exception of flight crew. The amount of monetary relief provided to individual class members will be determined by EEOC. TWA, which settled the suit without admitting liability, recently filed for reorganization under Chapter 11, and substantially all of its assets have since been purchased by American Airlines.

"Sexual harassment and retaliation continue to be persistent problems in today's workplace. Charge filings alleging these types of employment discrimination have both more than doubled since 1990," said EEOC Chairwoman Ida L. Castro. "This settlement should remind all employers to actively root out harassment and retaliation from the workplace. As this case shows, tolerating a sexually hostile work environment and retaliating against employees for exercising their statutory rights comes at a high cost."

The suit, filed in June 1998, stems from charges of discrimination by three former female employees who alleged that their on-duty male supervisors engaged in severe and repeated sexually offensive conduct, such as unsolicited touching, sexual propositions, exposing their genitals, lewd comments, and abusive or offensive language. According to the suit, several of the women who worked in the TWA Tower directing aircraft movements on the ground were harassed while they were in contact with planes for safety purposes.

According to the suit, TWA took no remedial action after the women complained about the discriminatory practices, and instead engaged in retaliation against female employees who protested and/or complained about the harassment.

"Employers have a responsibility to foster work environments that are free of sexual harassment and other types of discrimination," said Katherine Bissell, regional attorney for EEOC's New York District Office, which handled the case. "However, if and when discrimination or harassment occur, employers must act swiftly to prevent and correct the unlawful conduct which TWA failed to do in this case."

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Sexual harassment charges filed nationwide with EEOC and state and local Fair Employment Practices Agencies (FEPAs) have more than doubled in the past decade, from 6,127 in FY 1990 to 15,836 in FY 2000. Similarly, retaliation charge filings have also more than doubled from 7,906 in FY 1991 to 21,613 in FY 2000. Retaliation, which is covered under the anti-discrimination laws, occurs when employers take adverse action against employees who complain about or protest discriminatory conduct, or participate in an EEOC investigation.

In addition to enforcing Title VII, which prohibits employment discrimination based on race, color, religion, sex or national origin, EEOC enforces the Age Discrimination in Employment Act; the Equal Pay Act; 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; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information

about the Commission is available on the agency's Web site at [www.eoc.gov](http://www.eoc.gov).

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