

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	CIVIL ACTION NO.5:02CV2501
COMMISSION, et al)	
)	
PLAINTIFF)	
)	JUDGE SOLOMON OLIVER, JR.
v.)	MAGISTRATE PERELMAN
)	
)	
)	
ROYAL CHEMICAL COMPANY, LTD.)	
)	CONSENT DECREE
)	
DEFENDANT)	
)	
)	

This action was commenced on December 20, 2002 when the Equal Employment Opportunity Commission (“EEOC” or “Commission”) filed a Complaint alleging that Royal Chemical Company, LTD., (“Royal”) had violated Title VII of the Civil Rights Act of 1964, as

amended, ("Title VII"), by engaging in race discrimination, (hostile environment harassment).

Defendant denies the material allegations raised by the Complaint.

The parties have now conferred and resolved their differences and agree that this litigation should be resolved by the issuance of a consent decree.

IT IS THEREFORE, the finding of this Court as follows:

- 1) This Court has jurisdiction over the parties hereto and the subject matter of this action pursuant to Section 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981A;
- 2) The provisions of Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 will be carried out by the implementation of this Consent Decree;
- 3) This Consent Decree is intended to and does resolve all matters in controversy between the parties.

It is therefore **ORDERED, ADJUDGED** and **DECREED** as follows:

1. The term of this Decree shall be two (2) years from the date of entry by the Court.
2. Nothing contained in this Consent Decree shall be construed to be an admission by the Defendant that it has violated Title VII of the Civil Rights Act of 1964, as amended.
3. Defendant shall pay non-pecuniary compensatory damages in the total amount of \$125,00.00 to be divided between Kenneth Taylor, Donald J. Robinson, Gerald Boiner, Brandon L. Clarke, Alonzo Render and Philip L. Gahring. Defendant's obligation to pay Messrs. Robinson, Boiner, Clarke, Render and Gahring shall not inure until December 30, 2004. Defendant's financial obligation to Kenneth Taylor shall be completed upon July 15, 2004.

4. Defendant is hereby **ENJOINED** from subjecting any employee to harassment due to that person's race or any other illegal basis.

5. Within ten (10) days after the entry of this Decree, Defendant shall post in conspicuous locations throughout all of its facilities, where notices to employees and applicants are customarily posted, the Notice attached hereto and incorporated herein as Exhibit "A". Said Notice shall remain posted for the duration of this Consent Decree.

6. No later than thirty (30) days after entry of this Consent Decree, Defendant shall create, adopt and promulgate a written non-harassment policy describing racial harassment, and providing a complaint system for the reporting of suspected harassment. Said policy shall be posted in a conspicuous location in Defendant's facility for the duration of the Decree.

7. No later than sixty (60) days after entry of this Decree, Defendant shall have all of its employees and managers trained by an appropriately knowledgeable professional in the laws prohibiting employment discrimination.

Said training shall be mandatory for all employees of the Defendant. After such training is completed, Defendant will provide to the Commission a list of the names of all attendees as well as the name of the trainer(s) and a summary of the material covered in the training session.

8. For the duration of this Decree, Royal shall report on a quarterly basis to the Commission, whether or not any complaints of racial harassment have been made. Said report shall include the name of the person complaining, the nature of the complaint, and a description of Royal's response to the complaint.

9. For the term of this Decree, the Commission shall have, with reasonable notice to the

Defendant, entry at Respondent's facility and access to witnesses and documents for purposes of ascertaining compliance with this Decree.

10. Nothing in this Consent Decree shall preclude the Commission from bringing suit to enforce the terms of this Consent Decree.

11. This Court shall retain jurisdiction of this case for purposes of compliance with this Consent Decree and the entry of such further orders as may be necessary or proper to effectuate the purposes of this Consent Decree.

12. Each party to this action shall bear its own costs.

IT IS SO ORDERED this 16th day of September 2004



JUDGE SOLOMON OLIVER, JR.

UNITED STATES DISTRICT COURT JUDGE

NOTICE OF SETTLEMENT

This Notice is being posted pursuant to a Consent Decree entered into between the U. S. Equal Employment Opportunity Commission and Royal Chemical Company, LTD. in the matter of EEOC v. Royal Chemical Company LTD., U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 5:02CV2501. In this litigation, the EEOC alleged that Royal Chemical had engaged in unlawful discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended, by engaging in racial harassment. Royal Chemical Company denied the allegations contained in the EEOC's complaint.

On _____ the Honorable Judge Solomon Oliver, Jr. of the U. S. District Court for the Northern District of Ohio, Eastern Division, entered a Consent Decree which settled the aforementioned litigation without any admission of liability by Royal Chemical Company LTD.

This is to inform you that all employees have the right to a working environment that is free from harassment based on their race. You are also advised that employees have the right to be free from retaliation for engaging in their right to complain about unlawful discrimination and to oppose discrimination and/or to assist anyone else who believes that they have been discriminated against in employment.

Royal Chemical Company LTD. is committed to complying with and enforcing all of the laws prohibiting employment discrimination, including Title VII of the Civil Rights Act of 1964, as amended.

Any employee with any questions concerning the federal laws against discrimination is encouraged to speak with any Royal Chemical Company manager or to call the Cleveland District Office of the U. S. Equal Employment Opportunity Commission.

U. S. Equal Employment Opportunity Commission
Cleveland, Ohio
(216) 522-2001

Royal Chemical Company