

EEOC Litigation Settlements June 2003

The following are brief descriptions of some of the significant settlements reached by EEOC District Office Legal Units during June of 2003.

- **EEOC v. Union Independiente Autentica de la Autoridad de Acueductos y Alcantarillados (UIA) and Rule 19 Defendants Autoridad de Acueductos y Alcantarillados (AAA) and Ondeo de Puerto Rico**
C.A. No. 96 2650 (PG) (D. P.R. June 12, 2003)

The New York District Office alleged in this Title VII lawsuit that defendant UIA, one of the largest labor unions in Puerto Rico, discriminated against charging party, a Seventh Day Adventist and an employee of Rule 19 defendant AAA, Puerto Rico's aqueduct and sewer authority, because of his religion by insisting that he become a union member despite his religious beliefs which forbid membership in a labor union. The complaint also alleged that UIA failed to provide charging party a reasonable accommodation for his religious practices. When charging party refused to join UIA, the union caused his termination from AAA. After EEOC prevailed on summary judgment, defendants appealed and the case was remanded to the district court for trial. The litigation was resolved through a two-year consent decree which provides for payment by UIA of \$75,000 in back pay to charging party and an agreement by defendants that charging party (who was reinstated in January 2001 while the case was on appeal) can work in a bargaining unit position at AAA without joining the union and can pay an amount equal to the union dues to a nonreligious charitable organization. Defendants also agree that they will not discriminate based on religion or retaliate against any individual and further agree to provide religious accommodations to employees and union members as required by Title VII. Defendant UIA agrees to include a statement in its collective bargaining agreement regarding its responsibility to provide union members religious accommodations and agrees to provide a clearly identified process for requesting accommodations.