

- **EEOC v. ThyssenKrupp Elevator Manufacturing, Inc.**

No. 03-1160-T/An (W.D. Tenn. Oct. 25, 2005)

The Memphis District Office alleged in this Title VII case that defendant, which manufactures, installs and repairs elevators throughout the United States, failed to hire and promote black employees, and discharged black employees, at its Middleton, Tennessee facility because of their race. Defendant's Middleton facility employs welders, mechanics, temporary mechanics, and helpers in its construction and service departments. Memphis also alleged that only black employees were discharged during their probationary period for performance (as opposed to conduct or attendance) reasons.

The 2-year consent decree resolving this case provides \$175,000 in monetary relief to a class of blacks identified by the Commission. Under the decree, defendant is enjoined from race-based discrimination against applicants and employees and from engaging in racial harassment. Defendant is also enjoined from retaliating against employees and applicants as set forth in Title VII. The decree provides that defendant will use its best efforts to hire qualified minority applicants, including advertising in a designated newspaper and other area newspapers. The decree names five individuals to whom defendant is required to offer entry-level jobs, conditioned on a successful criminal background check. In addition, Memphis will provide defendant with a list of qualified blacks previously denied employment by ThyssenKrupp who now wish to be hired. By June 1, 2006, defendant must invite each person on the list to take a preemployment test and must make a good faith effort to hire each individual who passes the test.