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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT
NORTHERN DISTRICT

FILED

JUN 7 2000

NANCY DOHERTY, CLERK

BY

Deputy

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

CAFÉ ACAPULCO, INC.

Defendant.

CIVIL ACTION NO.

3:98CV2302-P

ENTERED ON DOCKET

JUN - 8 2000

U.S. DISTRICT CLERK'S OFFICE

PERMANENT INJUNCTION

This action came on for trial before the Court and a jury. The issues having been duly tried and the jury having rendered its verdict, and it further appearing to the Court that a permanent injunction should be entered against the Defendant to restrain future violations of Title VII of the Civil Rights Act of 1964, as amended, based on the evidence introduced at trial,

IT IS HEREBY ORDERED AND ADJUDGED that Defendant, Café Acapulco, Inc., its officers, agents, managers, employees, successors, assigns, and all persons in active concert or participation with it, are hereby permanently enjoined and restrained from engaging in any employment practice which discriminates on the basis of sex and from failing to take prompt and effective measures to prevent and remedy sexual harassment directed at any employee of Acapulco, Inc and from retaliating against any person who makes a complaint of sexual harassment.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant, Café Acapulco, Inc., shall within 30 days after entry of this order provide all current employees with a written sexual

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harassment policy which complies with the Equal Employment Opportunity Commission Guidelines on Sexual Harassment, 29 C.F.R. §1604.11 and the EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, issued June 18, 1999, including a complaint policy. New employees shall be provided with a copy of the policy at the time of their hire. A copy of policy shall be filed with the Clerk of the Court, served on counsel for the Plaintiff, Equal Employment Opportunity Commission, and posted conspicuously at Defendant's premises.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant, Café Acapulco, Inc., shall provide one hour of training of all managers and employees concerning sexual harassment and complaint procedures at least twice per year. This training must be conducted by an independent instructor, not an employee or manager of Café Acapulco, Inc.

IT IS FURTHER ORDERED AND ADJUDGED that the complaint procedure set forth in Café Acapulco, Inc.'s, sexual harassment policy must specify that complaints be directed to an independent person, not an employee or manager of Café Acapulco, Inc. with power to conduct investigations and make recommendations to management. All complaints of sexual harassment for a period of one year after entry of this order shall be reported to the District Director of the Dallas District Office of the EEOC by Café Acapulco, Inc.

SIGNED THIS 7th DAY OF June, 2000.

Jose A. Solis
UNITED STATES DISTRICT JUDGE