

# EEOC Litigation Settlements

## June 2005

- **EEOC v. Pass & Seymour, Inc., and Kennmark Group, Ltd**  
No. SA-04-CA-0573-WWJ (W.D. Tex. June 2 and June 24, 2005)

The San Antonio District Office alleged that Pass & Seymour (P&S) (an electrical products manufacturing subsidiary of Legrand, a French multinational company) and Kennmark Group (a staffing agency) engaged in a pattern-or-practice of discrimination against men in hiring for positions as assemblers at P&S's San Antonio facility. In December 1997, P&S contracted with Kennmark Group to provide about 130 temporary assemblers and an onsite manager to hire and supervise the temporary workers. P&S's Human Resources Manager instructed the first onsite manager to hire primarily women, restricting men to about 25% of the assembler positions even though men constituted about half of the applicant pool. She instructed a subsequent onsite manager not to hire men because women were more dexterous. P&S hired permanent assemblers from the pool of temporary assemblers who had worked for at least 90 days.

The EEOC entered into a 3-year consent decree with P&S and a 5-year consent decree with Kennmark Group. Under the June 2, 2005, decree with P&S, defendant will distribute \$475,000 pro rata to those of the 216 class members identified in the decree who execute timely releases. P&S will pay any residual amount (resulting from failure of check delivery or uncashed checks) to Equal Rights Advocates in San Francisco. The decree also enjoins P&S from discriminating based on sex in recruiting and hiring for Assembler positions at any of its facilities. In addition, each P&S facility that employs Assemblers will: (a) post a notice on bulletin boards regarding Title VII's requirements; (b) adopt a statement reflecting its commitment to nondiscriminatory hiring; and (c) provide 6 hours of EEO training to human resources and management employees involved in recruiting and hiring Assemblers.

Under the June 24, 2005, decree with Kennmark Group, Kennmark will make a total payment of \$25,056 (in 72 monthly installments of \$348 each) to Equal Rights Advocates. Kennmark is enjoined from engaging in gender discrimination in recruiting, hiring, and referring individuals to fill any position.