

- **EEOC v. Oberto Sausage Co.**

No. CV05-25C (W.D. Wash. July 1, 2005)

The Seattle District Office filed this Title VII suit alleging that defendant, a leading national manufacturer of processed meat snacks, failed to accommodate the religious beliefs of Muslim packers in its Kent, Washington plant and discharged them based on religion. In spring 2002 defendant hired the Muslim packers, all Somalian with limited English skills, for the day shift (7 a.m. to 3:30 p.m.). The Somali employees took 2- to 5-minute breaks throughout the workday for some of the five Muslim daily prayers without incident. Before the month of Ramadan began in 2003, the company announced that it was switching to a 12-hour day shift (6:00 a.m. to 6:00 p.m.). The Somali employees (and a translator) met with supervisors to request a few (3-5) minutes off to pray and break their fast at sunset during the month of Ramadan. Defendant refused, even though the employees agreed to have the time taken out of their regular breaks or to clock out for the short time period involved. Defendant proposed the option of transferring the Somali employees to other shifts during Ramadan, but it was not clear whether there would be openings on the other shifts and whether the employees would be able to return to their regular shift. After Ramadan began, the Somali employees took 2- to 4-minute breaks each day at sunset. Defendant warned and then terminated them, even though the breaks did not affect production.

Under the 5-year consent decree resolving this case, defendants will pay six claimants a total of \$362,000 in monetary relief (which includes \$350,000 accepted in response to a Rule 68 offer of judgment). Defendant is enjoined from engaging in religious discrimination and will not retaliate as defined in Title VII. Defendant will provide an interpreter when communicating to Somali-speaking employees about personnel related issues.