

The U.S. Equal Employment Opportunity Commission

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EEOC SUES MANDALAY BAY RESORT & CASINO FOR SEXUAL HARASSMENT AND RETALIATION

Second Recent Suit by Federal Agency for Employment Bias on Las Vegas Strip

LAS VEGAS – A female employee of Mandalay Bay Resort & Casino on the Las Vegas Strip was subjected to physical and verbal sexual harassment and her co-workers were severely retaliated against for opposing the unlawful conduct, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today in federal court. The charging parties were all Chinese kitchen workers who were discriminated against by a male supervisor.

The litigation is the second recent lawsuit by EEOC against a major Las Vegas Strip resort/casino over the past six months. In April, the EEOC sued Caesars Palace for sexual harassment and retaliation against a class of Hispanic kitchen workers.

The sexual harassment alleged against Mandalay Bay consisted of unwanted touching, intimidation, and leering, according to the EEOC. In its court-filed complaint, the EEOC alleges that since March 2003, the workers who complained of the sexual harassment were themselves victimized by egregious retaliatory harassment, including, but not limited to, verbal threats, physical assaults, vandalism of personal property, unwarranted discipline, reduced work hours, and termination. Such conduct violates Title VII of the 1964 Civil Rights Act, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) and national origin. Title VII also protects from retaliation against employees who complain about such discrimination. The EEOC's suit, (*EEOC v. MGM Mirage, Inc., d/b/a Mandalay Bay Resort & Casino*, Case No. CV-S-05-1101-PMP-(PAL)) was filed in U.S. District Court for the District of Nevada after the agency first attempted to reach a voluntary pre-litigation settlement through its conciliation process.

Acting Regional Attorney A. Luis Lucero, Jr., of the EEOC's Los Angeles District Office, said of the case, "The sexually harassing and retaliatory behavior exhibited here was egregious. When the harassment victim's coworkers, who were Chinese kitchen workers, came to her aid, their supervisor openly threatened them with physical harm and termination and called them offensive names."

Olophius Perry, District Director of the EEOC's Los Angeles District Office, added, "The retaliation alleged here was clearly intended to deter the workers from exercising their civil rights. Retaliation raises large red flags for us because it often *does* operate as a deterrent, and many acts of discrimination don't see the light of day because people are too afraid to come forward. These workers were brave to come forward. Hopefully, their example will help other workers out there realize there is

a remedy if they are retaliated against for complaining of discrimination."

During April 2005, Mandalay Bay finalized a merger with MGM Mirage, Inc., to form one of the top three casino gaming companies in the world. As a result of the merger, the newly formed company, MGM Mirage, Inc. ("MGM Mirage"), now earns approximately \$7 billion in revenue and has upwards of 70,000 employees. In addition to Mandalay Bay, MGM Mirage operates and owns 24 hotel-casinos, including the world famous Bellagio, MGM Grand, Treasure Island, Monte Carlo, Luxor, and Excalibur in Las Vegas.

In addition to enforcing Title VII, the EEOC enforces the Age Discrimination in Employment Act of 1967 (ADEA), which protects workers age 40 and older from discrimination based on age; the Equal Pay Act of 1963, which prohibits gender-based wage discrimination; the Rehabilitation Act of 1973, which prohibits employment discrimination against people with disabilities in the federal sector; Title I of the Americans with Disabilities Act of 1990 (ADA), which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on the agency's web site at www.eeoc.gov, or by calling (800) 669-4000.

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