

The U.S. Equal Employment Opportunity Commission

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MONITORS REPORT CONSENT DECREE IN SEXUAL HARASSMENT CASE IS WORKING AT DIAL

Employees Say Sexual Harassment No Longer Significant Problem at Soap Maker

CHICAGO - The U.S. Equal Employment Opportunity Commission (EEOC) said today that the [first annual report of the court-appointed Consent Decree Monitors](#) in The Dial Corporation sexual harassment case has been received by the agency and filed in federal court (EEOC v. The Dial Corporation, N.D. Illinois No. 99 C 3356). According to the EEOC, the Monitors have reported that: "All evidence available to us shows that sexual harassment and related retaliation are not significant problems in the plant at the present time, and that if incidents do occur and are brought to management's attention, they will be dealt with promptly and appropriately."

The Consent Decree, which was entered by Senior District Judge Warren K. Urbom approximately a year ago, on April 29, 2003, resolved the EEOC's "pattern or practice" sexual harassment case against the soap and consumer products manufacturer's facility in far west-suburban Montgomery, Illinois, near Aurora. The Decree awarded \$10 million in damages to approximately 100 women, included injunctions against future discrimination, mandated changes in Dial's handling of sexual harassment issues, and provided for the designation of three outside Consent Decree Monitors to make certain that the company complied with the Decree for a three-year period.

The EEOC Regional Attorney in Chicago, John C. Hendrickson, said that the agency was pleased with the findings of the Monitors reflected in their report. "What we are learning from these cases," Hendrickson said, "is that, after the litigation phase of a big sexual harassment case, a strong Consent Decree combined with expert on-the-ground monitoring can make all the difference in the world for women at work."

"Of course," Hendrickson continued, "to make it work, the management of any company must be dedicated to making the necessary changes and to continuously signaling in ways large and small that employees engage in sexual harassment at their peril. What the Dial Monitors' report tells us is that the necessary changes are being made at Dial and that the employees are understanding the signals. That is good news for everybody."

"What the Monitors' report also tells us," Hendrickson added, "is that sexual harassment was a serious problem at Dial which required attention and correction and that the EEOC's litigation effort was clearly necessary."

The Monitors' report states that: "Although some employees, including women, denied that sexual harassment has ever been a significant problem, a majority, both women and men, told us they did believe that sexual harassment has been a significant problem in the plant in the past," and that "over half the women interviewed claimed to have experienced sexual harassment at some point prior to the

settlement." According to the Monitors, a "substantial majority of both men and women" said that "there had been [a] change in the environment for women in the plant in recent years." Significant numbers of employees "attributed the improvement to the [EEOC] litigation" and to the current awareness that now "persons who are found to have engaged in sexual harassment can expect to be fired."

The Monitors reported that during the first year under the Decree, Dial had successfully rewritten its previous policy regarding harassment, revised its complaint procedures, and had taken steps to improve supervisory accountability. The Monitors found that, in certain respects, Dial's sexual harassment training program has "gone well beyond" the requirements of the Decree and that the training courses were "well done." Recommendations were made for additional improvements, including "providing refresher training [which] was supported by the vast majority of the employees we interviewed," and the Monitors cautioned that "the generally favorable views employees expressed about the current control of sexual harassment at the plant should not be cause for complacency" because there are men in the plant "who still 'push the envelope' . . . even after the litigation and even after the sexual harassment prevention training."

John P. Rowe, the EEOC District Director in Chicago who oversaw the administrative investigation which led to the agency's lawsuit, said that the EEOC was not surprised that the Monitors found certain areas in which room for improvement remains. "After all," he said, "no one ever expected the Consent Decree would create a perfect world. What we wanted was change, real change."

"The Monitors tell us," Rowe continued, "that sexual harassment and retaliation are not significant problems at the plant at the present time, and that incidents which do occur are dealt with promptly. That means the process is working, that changes are being made, and that Dial's managers and employees are supporting the Consent Decree. We think things are now moving in the right direction."

The Consent Decree Monitors are George F. Galland, Jr., a partner in the Chicago law firm of Miner Barnhill & Galland, P.C.; Nancy B. Kreiter, "of counsel" to Women Employed, the Chicago-based women's rights organization; and Reginald E. Jones, a former Commissioner of the EEOC and now counsel in the Washington, D.C. office of Coudert Brothers, LLP. Galland and Kreiter previously served as court-appointed Consent Decree Monitors in the EEOC v. Mitsubishi sexual harassment case.

The Dial Corporation is the internationally known soap manufacturer associated for years with the slogan, "Aren't you glad you use Dial? Don't you wish everybody did?" The company has thousands of employees worldwide and has reported that over one million bars of Dial soap are sold daily in the United States. Dial's Montgomery, Illinois, plant is the United States facility for manufacturing bar soaps bearing the company's flagship "Dial" brand, and other brands including "Coast," "Tone," and "Pure & Natural."

EEOC is the federal agency responsible for enforcing Title VII of the Civil Rights Act of 1964, as amended, which prohibits employment discrimination based on sex (including sexual harassment), race, religion, color or national origin. The EEOC is also responsible for enforcing the Age Discrimination in Employment Act of 1967, as amended; the Equal Pay Act of 1963; Title I of the Americans with Disabilities Act; and section of the Civil Rights Act of 1991. Further information about the EEOC is available on the agency's website www.eeoc.gov.

This page was last modified on May 26, 2004.



[Return to Home Page](#)