

The U.S. Equal Employment Opportunity Commission

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EEOC SUES ARIZONA AREA BUSINESS FOR DISCRIMINATING AGAINST FEMALE AND HISPANIC LOW-WAGE WORKERS

PHOENIX - The U.S. Equal Employment Opportunity Commission (EEOC) announced today that it filed a class lawsuit against Gilbert, Arizona-based Quality Art LLC and Palestra Capital alleging widespread sexual harassment and national origin discrimination against 27 female and Hispanic employees. The suit, filed in U.S. District Court for the District of Arizona, also claims that Quality Art retaliated against employees who complained about the discriminatory treatment by firing them or forcing them to resign, as well as by reporting several undocumented workers to the Immigration and Naturalization Service (INS) in an effort to have them arrested and deported.

"This case exemplifies the type of egregious discrimination and exploitation of low-wage workers that is still perpetrated against the most vulnerable in our workforce," said EEOC Chairwoman Ida L. Castro. "Workers cannot be singled out for discrimination and harassment based on their national origin and gender, regardless of their immigration status, much less be retaliated against for trying to protect their civil rights. The Commission's anti-discrimination mandate is clear and it applies to everyone in the American workplace."

In addition to alleging retaliation against workers who sought protection against their mistreatment, the suit charges Quality Art, a picture frame manufacturer, with an extensive list of discriminatory actions, including: conducting intrusive searches of female Mexican and Guatemalan workers based on their sex and ethnicity, subjecting female employees to unwanted sexual advances and assigning them to sex-segregated positions, and paying lower wages and benefits to women and Hispanics because of their gender and country of origin.

"The Commission is committed to protecting the rights of low-wage workers, who are among the most vulnerable segments of today's workforce," said EEOC General Counsel C. Gregory Stewart. "When the workers in this lawsuit found the courage to protest, the company contacted the INS and attempted to secure their arrest and deportation. With this lawsuit, the EEOC seeks to hold Quality Art fully responsible for such reprehensible conduct."

According to EEOC Regional Attorney Richard R. Trujillo, "The case against Quality Art is one of the largest national origin cases ever filed by the EEOC's Phoenix District Office. This case should send a strong message to employers and the general public that national origin discrimination is unlawful and, when discovered, will be aggressively prosecuted by the Commission."

In addition to seeking monetary relief for the aggrieved individuals -- including back pay and compensatory and punitive damages -- the suit seeks a court order preventing Quality Art from engaging in sexual harassment, retaliation, and discrimination based on gender and national origin in the future.

Charles Burtner, Director of the EEOC's Phoenix office, said, "In addition to seeking reasonable relief for the charging parties, this case will help to promote the understanding and awareness of workers' rights under the anti-discrimination laws, especially among the large Hispanic community in the Southwest, as well as employers throughout the district." The Phoenix office has jurisdiction for Arizona, New Mexico and Utah.

The EEOC enforces Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin; the Age Discrimination in Employment Act; the Equal Pay Act; Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991.

Further information about the Commission, including its policy guidance on remedies for undocumented workers, is available on the agency's Internet web site at www.eeoc.gov.

NOTE TO MEDIA: Spanish language media should contact EEOC Trial Attorney David Lopez at (602) 640-5016 for further information about the case.

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