

*The U.S. Equal Employment Opportunity Commission*

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## GULFSTREAM AEROSPACE TO PAY \$2.1 MILLION FOR AGE BIAS IN EEOC SETTLEMENT

*Commission Alleges Class of Older Workers Targeted for Layoffs at Georgia Facility*

ATLANTA - The U.S. Equal Employment Opportunity Commission (EEOC) today announced that a federal district court judge preliminarily approved a Consent Decree settling a class action age discrimination lawsuit filed against Gulfstream Aerospace Corporation (Gulfstream). The Consent Decree provides for \$2.1 million, as well as significant injunctive and remedial relief, to 61 former employees who lost their jobs during layoffs at the company's Savannah, Georgia, facility. Gulfstream is a major employer in the aviation industry.

The EEOC's lawsuit (Civil Action No. 02-CV- 243) and the Consent Decree were concurrently filed in the U.S. District Court for the Southern District of Georgia. In its lawsuit, the EEOC alleged that Gulfstream targeted employees 40 years of age or older for layoffs in violation of the Age Discrimination in Employment Act of 1967 (ADEA). The layoffs occurred during the period of August 2000 through December 2000. Gulfstream denies that it engaged in any discrimination based on age, or committed any other violation of the law in connection with the reduction in force at its Savannah facility.

"We are pleased that Gulfstream has worked cooperatively with the EEOC in bringing a satisfactory resolution to this case," said Commission Chair Cari M. Dominguez. "Age discrimination is the fastest growing category of EEOC charges. Today's settlement along with other recent age discrimination resolutions by the EEOC underscores the importance of ensuring that age is not used as a criterion in layoffs."

The EEOC's lawsuit was buttressed by statistical evidence showing a significant disparity in the impact of the layoffs on older workers. The Commission also identified specific instances in which older workers were laid off while younger, less senior employees were retained in identical job positions. The EEOC's Savannah Local Office conducted the underlying investigation.

In addition to the monetary relief, the Consent Decree provides for management training, reporting and posting by the company, and other injunctive and affirmative relief.

"Companies that layoff older more experienced workers in order to retain younger less senior individuals are violating the law and running the risk of being sued for discrimination," said S. Robert Royal, Regional Attorney for the EEOC's Atlanta District Office. "These lawsuits can result in sizeable monetary awards against companies and damage their reputations. To its credit, Gulfstream has worked cooperatively with the EEOC in arriving at a Consent Decree that provides significant monetary and affirmative relief to the victims without the need for protracted litigation."

Bernice Williams Kimbrough, Director of the EEOC's Atlanta District Office, added: "Reductions-in force may be a necessary fact of economic life. However, employers cannot use downsizing as a means of eliminating older employees from their workforce. Productive, hard- working employees with 20 to 30 years of experience deserve better than to be pushed out the door, while younger, less experienced individuals are retained."

In addition to enforcing the ADEA, which protects workers age 40 and older from discrimination based on age, the EEOC enforces Title VII of the Civil Rights Act of 1964, as amended, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) or national origin and protects employees who complain about such offenses from retaliation; 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, 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](http://www.eeoc.gov).

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