

*The U.S. Equal Employment Opportunity Commission*

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## Two Florida Restaurants To Pay \$525,000 For Sexual Harassment of Teenagers

*EEOC Settles Bias Suits with ABC Pizza and Longhorn Steakhouse*

MIAMI - The U.S. Equal Employment Opportunity Commission (EEOC) today announced two settlements of employment discrimination lawsuits under Title VII of the 1964 Civil Rights Act against Tampa, Fla.-area restaurants for sexual harassment of teenaged former employees. The settlements against Pizza of Florida, Inc., doing business as ABC Pizza, and Rare Hospitality International, Inc., doing business as Longhorn Steakhouse, total \$525,000 in monetary relief and include extensive remedial relief, such as company training, posting of notices, and monitoring provisions.

The EEOC's lawsuit against Pizza of Florida (Civil Action No.8:03cv567-T17MSS), charged the Tampa Bay area pizza chain with subjecting female employees to a sexually hostile working environment. The EEOC contends that the sexually harassing conduct, created by the restaurant's manager, was primarily directed towards two sisters who were ages 16 and 17 at the time they were employed with ABC Pizza. The conduct included inappropriate touching as well as egregious verbal comments. The \$325,000 in monetary relief, includes a \$100,000 fund to be distributed among other similarly situated female employees subjected to the sexually harassing conduct.

EEOC's settlement with Longhorn (Civil Action 8:02-CV-1770-T-30TBM) requires the company to pay Collen Falkowski and two other former similarly situated employees a total of \$200,000 in monetary relief for harassment that they were subjected to at the hands of an assistant manager. Ms. Falkowski was 16-years old when she associated with Longhorn as part of a high school on-the-job training class requirement. The assistant manager subjected Ms. Falkowski and the two other similarly situated female employees to conduct ranging from inappropriate hip and lower back touches and breast grabbing to inappropriate verbal comments, the EEOC's lawsuit said.

Both of these cases were pending in United States District Court for the Middle District of Florida, and were settled via Consent Decrees. Judge Elizabeth A. Kovachevich presided over and approved the Consent Decree in the suit against Pizza of Florida on October 21, 2003, while Judge James S. Moody, Jr. presided over and entered the Consent Decree in the case against Longhorn on December 30th.

Federico Costales, Director of EEOC's Miami District Office, said, "We are pleased with these resolutions and are confident that the injunctive measures secured through the Consent Decrees will afford other Pizza of Florida and Longhorn employees the ability to work in an environment free of unlawful harassment."

The Consent Decrees require each of the companies to conduct annual training on Title VII with emphasis on sexual harassment. In addition, each company is required to post an 11x17 laminated poster which expresses the companies' commitment to complying with federal anti-discrimination laws enforced by the EEOC, and explains how an employee can obtain more information about their rights

under Title VII or any other federal anti-discrimination law. The EEOC will monitor each company to ensure that any further complaints of sexual harassment are handled in accordance with federal law, and that all provisions of the Consent Decree are strictly followed.

Delner Franklin-Thomas, EEOC's Regional Attorney in Miami, said: "The facts of these cases were very compelling in that they involved egregious treatment of youth who in many instances were receiving their first introduction into the workforce. We are hopeful that these resolutions will send a message to employers in the restaurant industry, where many high school youth often seek employment, to set in place preventive measures that will ensure that employees do not have to endure the type of hostile environment the claimants in these cases were subjected to."

In addition to enforcing Title VII, 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 EEOC enforces the Age Discrimination in Employment Act of 1967, 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, 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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*This page was last modified on January 8, 2004.*



[Return to Home Page](#)