

- **EEOC v. Mini Mart, Inc., d/b/a Loaf 'N Jug**
No. 05-cv-01880-LTB-MJW (D. Col. May 23, 2006)

The Denver District Office filed this Title VII case alleging that defendant, a convenience store chain that is part of the Kroger Company, subjected several women to sexual harassment and discharged two of them for complaining about the harassment. The charging parties, a restaurant manager trainee and a 17-year-old store clerk, worked at defendant's Littleton, Colorado store. On February 14, 2003, defendant brought in a new store manager, who began regularly fondling the CPs and other female employees and making offensive sexual comments to them. He physically intimidated women who discouraged his attention. One of the CPs warned the store manager that the store's surveillance cameras had probably captured his actions, and threatened to contact the police if the conduct continued. A week after the CPs complained to the district manager about the harassment, the district manager and another defendant manager visited the Littleton store. When the CPs went to the back of the store to ask about their complaint, they found the two visiting managers destroying the surveillance tapes. Defendant replaced the store manager later that day, February 27, 2003, and the same day the district manager told CPs that all of the employees at the store were going to be fired. One CP was fired the next day and the other a few days later.

The Phoenix District Office entered into a 3-year consent decree under which three claimants will receive \$225,000 in monetary relief (\$100,000 to each CP and \$25,000 to an additional claimant). Defendant will provide each CP with a written apology and will change each CP's personnel record to reflect resignation instead of discharge. The decree enjoins defendant from discrimination based on sex and from retaliation under Title VII, the ADA, the ADEA, and the EPA. The injunctions and affirmative relief apply at all Mini Mart facilities in District No. 11 during the first year of the decree and at all Mini Mart facilities in Colorado for the remainder of the decree. The affirmative relief includes: (1) posting defendant's antidiscrimination policy and distributing a copy to every employee; (2) conducting employment discrimination training for human resources employees (20 hours per year), managerial and supervisory employees (8 hours a year), and nonmanagerial employees (2 hours a year); (3) posting a notice explaining the resolution of the lawsuit, Title VII's requirements, and how to reach the EEOC; and (4) reporting to EEOC semiannually on written or verbal sex discrimination complaints made by employees, including any resolution reached.