

*The U.S. Equal Employment Opportunity Commission*

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## HOME DEPOT TO PAY \$5.5 MILLION TO RESOLVE CLASS DISCRIMINATION LAWSUIT IN COLORADO

### ***EEOC Suit Alleged Retaliation and Harassment Based on Race, Sex, and National Origin***

DENVER - The U.S. Equal Employment Opportunity Commission (EEOC) today announced the simultaneous filing and resolution of a class-wide discrimination and retaliation lawsuit against Atlanta-based Home Depot, U.S.A., Inc., on behalf of employees in the company's Colorado stores (Civil Action No. 04 D 1776; U.S. District of Colorado).

If the settlement is approved by a U.S. District Judge in Colorado, Home Depot will pay \$5.5 million to current and former employees, as well as significant injunctive relief. The EEOC lawsuit alleges that in Home Depot's Colorado stores, there was a hostile work environment based on gender, race, and national origin, and that the company retaliated against employees who complained about discrimination.

"We commend Home Depot for working cooperatively with us to resolve this case," said Joseph H. Mitchell, Regional Attorney in the EEOC's Denver District Office. "Without the willingness of Home Depot to mediate and bring prompt closure, this case could have taken years to litigate. Instead, the parties were able to work collaboratively to bring this matter to an amicable resolution that satisfied the interests of all the parties concerned."

The proposed Consent Decree, a voluntary agreement between EEOC and Home Depot, provides for \$3 million to resolve charges of discrimination filed by 38 individuals, and an additional \$2.5 million in a class settlement fund to provide relief for other individuals who were harmed by the alleged unlawful conduct. Upon approval of the Decree, claim forms will be sent to former and current employees who were employed at the company's stores in Colorado between January 1, 2000, and the date of the approved Decree.

Those complainants deemed eligible may receive monetary awards as determined by EEOC and approved by the Court. EEOC anticipates that the class settlement fund will be ready to accept claims by November 1, 2004. Interested parties may contact the Denver District Office of the EEOC at (303) 866-1358.

In addition to the monetary relief, the Consent Decree calls for Home Depot to do the following:

- Provide training on the requirements of anti-discrimination laws, with appropriate levels of information presented to non-supervisory employees, managers, and human resource employees.
- Appoint an EEO Coordinator to insure compliance with the Consent Decree and oversee the company's investigation of employee complaints of discrimination.
- Submit quarterly reports to the EEOC, and remain under continued monitoring by the EEOC for a period of 30 months.

Home Depot denies the allegations in the complaint filed by the EEOC. According to its web site, [www.homedepot.com](http://www.homedepot.com), "Founded in 1978, The Home Depot is the world's largest home improvement specialty retailer and the second largest retailer in the United States, with fiscal 2003 sales of \$64.8 billion. At the end of the second quarter of fiscal 2004, the company operated a total of 1,788 stores, including 1,569 The Home Depot stores in the United States, 105 The Home Depot stores in Canada, and 42 The Home Depot stores in Mexico."

EEOC is the federal agency responsible for enforcing the federal statutes which prohibit employment discrimination, including Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, sex, national origin, or religion; the Americans with Disabilities Act (ADA), which prohibits job discrimination based on the existence or perception of a disability; the Age Discrimination in Employment Act, which prohibits discrimination against persons age 40 and over; and the Equal Pay Act (EPA), which prohibits wage discrimination based on sex. The EEOC's Denver District Office, located at 303 East 17th Avenue, Suite 510, in Denver, enforces the anti-discrimination laws in Colorado, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. Further information about the Commission is available on its web site at [www.eeoc.gov](http://www.eeoc.gov).

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