

- **EEOC v. Tom Lange Co., Inc.**

No. 05-0955 (W.D. Pa. Sept. 22, 2005)

The Philadelphia District Office brought this Title VII case alleging that defendant, a wholesale distributor of fresh fruits and vegetables headquartered in Springfield, Illinois, permitted a sexually hostile work environment at its Pittsburgh facility and retaliated against charging party, an administrative assistant, for complaining about her male supervisor's unwelcome behavior. After 18 years as an administrative assistant for defendant, charging party was terminated in May 2004. Seven years earlier, the male office manager began engaging in unwelcome sexual conduct toward charging party (touching her breasts, rubbing her shoulders, requesting sex, and commenting on her sexy appearance). She repeatedly asked him to stop, and complained to the CEO. After the CEO warned him about his behavior, the office manager stopped the harassment, but recommenced the behavior 2 years later. Charging party complained numerous times to the CEO, who finally came to Pittsburgh and met with the office manager. The CEO told charging party that his investigation did not reveal any violation of legal standards, but that he had alerted the office manager of charging party's concerns and the need to maintain a professional and legally appropriate work environment. Defendant fired charging party 3 weeks later, ostensibly for insubordinate behavior and "failure to follow company policy." In the days leading up to her termination, she complained to the CEO that the office manager was forcing her to work extra hours without pay and had reprimanded her for being 3 minutes late but had not disciplined a coworker who was frequently late.

Under the 3-year consent decree resolving this case, charging party will receive \$150,000 in monetary relief. The decree enjoins defendant from sex discrimination under Title VII, and specifically from creating, fostering, or tolerating a sexually hostile work environment. Defendant is also enjoined from retaliating against any person for engaging in activity protected under Title VII.