The U.S. Equal Employment Opportunity Commission

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EEOC SUES MAJOR CONSTRUCTION FIRM FOR WIDESPREAD RACE DISCRIMINATION

NEW ORLEANS - The U.S. Equal Employment Opportunity Commission (EEOC) today filed a race discrimination lawsuit against TIC - The Industrial Company (TIC) and TIC Holdings, Inc. (TICH), one of the nation's largest industrial construction firms, alleging discrimination in recruiting and hiring on behalf of a class of up to 600 African-American construction workers nationwide.

EEOC's lawsuit, filed in U.S. District Court in New Orleans, charges TIC with violating Title VII of the Civil Rights Act of 1964 on a nationwide basis since at least 1994 by denying employment to African-Americans in construction positions because of their race.

"This lawsuit sends a loud and clear message to employers in Louisiana and across the country that such widespread race discrimination will not go unchallenged by the federal government," said Keith T. Hill, regional attorney for EEOC's New Orleans District Office, which filed the suit. "It is appalling to think that nearly 37 years after the passage of the landmark Civil Rights Act of 1964 that some large employers still have not gotten the message that discriminating against individual groups because of their race is a serious violation of the law."

The unlawful employment practices cited in the suit include, but are not limited to, a specific set of written policies, procedures, and rules dictating the manner in which individuals are to be recruited and hired. The suit also alleges that, in the alternative, the discrimination is the result of facially neutral policies and practices which may have an unintentional "disparate impact" on African-Americans as a class.

Patricia Bivins, director of the agency's New Orleans office, said: "Unfortunately, some employers continue to implement racially discriminatory hiring and recruiting practices on a national scale. Every employer across the country should be aware that EEOC will not hesitate to vigorously enforce the anti-discrimination laws to eradicate such egregious conduct from the workplace."

EEOC's suit seeks a permanent injunction enjoining TIC and TICH from refusing to hire, and from failing to recruit, individuals because they are African-American, as well as prohibiting other employment practices that discriminate on the basis of race. In addition, EEOC is asking the court to order TIC and TICH to institute and carry out policies, practices, and programs which provide equal employment opportunities for persons of all races, and which eradicate the effects of their past and present unlawful employment practices. EEOC also seeks back pay, compensatory and punitive damages for all individuals affected by the discrimination, and an order requiring TIC to pay punitive damages to EEOC as a complaining party.

TIC, a national construction company with approximately 5,000 employees, focuses on power, cement,

mining, industrial, process, coal, marine, water/wastewater, pulp and paper, food and beverage, and related market construction. The company has annual contract awards exceeding \$500 million with offices in Denver, Steamboat Springs, and Sedalia Colorado; Atlanta and Savannah, Georgia; Bakersfield and Carlsbad, California; Tualatin, Oregon; Kansas City, Missouri; St. Paul, Minnesota; Casper, Wyoming; and Houston, Texas. The company also does business in Louisiana and has heavy construction operations in facilities across the United States.

Race discrimination charges filed with EEOC account for the highest percentage of all charge filings, a trend that has remained consistent throughout the Commission's history. In Fiscal Year 2000, EEOC received 28,945 race discrimination charge filings nationwide, accounting for 36% of all charges filed with the agency.

In addition to enforcing Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin, EEOC enforces the Age Discrimination in Employment Act; the Equal Pay Act; prohibitions against discrimination affecting individuals with disabilities in the federal sector; sections of the Civil Rights Act of 1991; and Title I of the Americans with Disabilities Act, which prohibits discrimination against people with disabilities in the private sector and state and local governments. Further information about EEOC is available on its Web site at www.eeoc.gov.

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