

- **EEOC v. Hamilton Sundstrand Corp.**

No. 03-Z-1663 (PAC) (D. Colo. May 19, 2005)

In this Title VII suit, the Denver District Office alleged that defendant, a global supplier of aerospace and industrial products, subjected charging party (a machinist) and other Hispanic employees at its Grand Junction, Colorado facility to a hostile work environment based on national origin and afforded them less favorable terms and conditions of employment than non-Hispanics. Non-Hispanic supervisors and coworkers repeatedly directed ethnic slurs and racial epithets at the Hispanic employees (who numbered about 20 of the approximate 250 employees) and, with less frequency, physically threatened them. In October 2001, an anonymous employee posted and circulated documents promoting discrimination based on race and national origin. Charging party reported numerous incidents to supervisors and to the Human Resources Department using defendant's complaint procedures. Defendant took no corrective action and the harassment of charging party escalated.

Under the consent decree resolving this case, 12 individuals will share \$1.25 million in monetary relief. The decree provides that defendant will not discriminate against applicants or employees in any terms or conditions of employment based on national origin, race, or color. In anticipation of the closure of the Grand Junction plant, defendant has prepared a "General Release and Covenant Not to Sue Agreement" (agreement). The consent decree requires defendant to remove all language from the agreement that prohibits or construes as a breach of contract: (1) assisting another person with a charge of discrimination or a lawsuit against defendant, or (2) reapplying for employment at defendant. Defendant must provide performance incentive earnings to its remaining employees who meet eligibility requirements (including claimants who receive relief under the decree) on a nondiscriminatory basis. The decree will expire upon closure of the Grand Junction facility or after 2 years, whichever occurs sooner.