

The U.S. Equal Employment Opportunity Commission

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EEOC SETTLES RACIAL HARASSMENT SUIT FOR \$1.8 MILLION AGAINST APOLLO COLORS OF ILLINOIS

African-American Workers Subjected to Hangman's Nooses, Racist Slurs and Graffiti

CHICAGO - The U.S. Equal Employment Opportunity Commission (EEOC) today announced a \$1,825,000 settlement of a racial harassment lawsuit on behalf of 32 current and former African-American employees of Scientific Colors, Inc., doing business as Apollo Colors. According to the suit, the egregious harassment included racist graffiti, display of hangman's nooses, and racial epithets at the employer's facility in Rockdale, Ill. Apollo Colors is a manufacturer of pigments used in printing ink and employs approximately 200 people.

The settlement was entered as a Consent Decree by Judge David McKeague of Michigan sitting as a visiting judge in the federal district court in Chicago. EEOC filed the lawsuit in January 2000 under Title VII of the Civil Rights Act of 1964 after the failure of attempts to reach a voluntary pre-litigation settlement with the employer.

"Proactive prevention of employment discrimination is the EEOC's first priority," said Commission Chair Cari M. Dominguez. "We are pleased that Apollo Colors worked cooperatively with us to resolve this case and design creative measures to prevent racial harassment."

In addition to the monetary payment and an injunction prohibiting future racial harassment, the settlement requires the adoption and implementation of preventive discrimination measures at Apollo Colors. Among these measures are a policy against racial harassment (including camera monitoring of its facility to prevent racist graffiti), training for managers and employees, and periodic reporting to EEOC regarding complaints of any racial harassment which persists at the company.

Ethan Cohen, one of EEOC's trial attorneys in Chicago responsible for the government litigation, said that the Apollo case was important because it challenged a persistent problem in many industries engaged in manufacturing and production - harassment in the form of graffiti. "Racial harassment, including racist graffiti, is no more acceptable in a factory than at any other place of business. It's illegal, and companies that permit it to continue may be exposing themselves to costly risks, as this case demonstrates."

EEOC's suit was consolidated with a private case on behalf of other individuals involving the same issues. The nine individuals who brought the private action were represented by John Foreman and

Christian Spesia of the Joliet, Ill.-based law firm Spesia, Ayers & Ardaugh.

John C. Hendrickson, Regional Attorney of the agency's Chicago District Office, said: "EEOC is more than satisfied with the litigation and resolution of this case. We view the Consent Decree announced today as a significant achievement in terms of both the money - which will be going to the past victims of harassment - and the measures, which will be instituted to improve the situation on the factory floor."

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, the EEOC enforces the Age Discrimination in Employment Act, which protects workers 40 and older from discrimination based on age; the Equal Pay Act; Titles I and V of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on the agency's Web site at www.eeoc.gov.

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