

The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
Thursday, May 4, 2000

CONTACT for EEOC: Anna M. Stathis
(973) 645-5974
TTY: (973) 645-3004

CONTACT for Toyota: Mike Michels
(310) 468-5297

EEOC AND TOYOTA LOGISTICS SERVICES SETTLE LAWSUIT ALLEGING SEX AND RACE BIAS AT NEW JERSEY PORT

Agreement Opens Doors For Women and African American Applicants in Non-Traditional Jobs At Port Newark

NEWARK, N.J. - The U.S. Equal Employment Opportunity Commission (EEOC) and Toyota Logistics Services, Inc. today announced a voluntary agreement to resolve a lawsuit alleging that the manner in which TLS recruited drivers and auto accessories installers at its Port Newark facility unlawfully deterred interested females and African Americans from applying for the sought-after positions. Port Newark is widely considered the nation's largest vehicle offloading facility.

"This settlement is groundbreaking," said EEOC Chairwoman Ida L. Castro, "because it allows qualified women and African Americans to compete fairly for high paying union jobs in a field traditionally dominated by men. Employers must avoid recruitment practices that disproportionately exclude qualified minorities and women."

An innovative Consent Decree, crafted by both parties, has been approved by U.S. District Court Judge John W. Bissell of the District of New Jersey. In addition to providing monetary relief to Sandra Burrows of Perth Amboy, N.J., whose sex discrimination charge initiated the EEOC's investigation, the agreement significantly alters the past recruitment practices of TLS-Port Newark through a combination of actions designed to obtain a racially and sexually diverse pool of applicants.

The Consent Decree also provides injunctive and other relief, including an internal training program regarding screening and hiring procedures for all TLS-Port Newark employees involved in the recruitment and hiring process. This training program will supplement the larger training effort already implemented to acquaint all TLS employees with workplace anti-discrimination laws.

In addition, it will be company policy to issue annually a "Zero Tolerance Toward Discrimination" policy and assess the value of its managers' performance, partially in light of how they handle equal employment opportunity issues. In order to supplement and alleviate the effect of word-of-mouth referrals from employees and labor organizations, TLS has forged links with community organizations and has agreed to contact welfare-to-work programs able to refer qualified applicants.

TLS-Port Newark Manager Jim Martin said: "We have already hired a diverse group of 22 new hourly employees since the beginning of this year. Although we do not have any additional openings at this time, we are committed to using these expanded recruitment and hiring procedures when future openings arise. We are confident that these changes will help achieve the equal employment opportunity objectives that TLS shares with the EEOC."

"This Consent Decree highlights the careful thinking and plan of action an employer needs to engage in if it genuinely wishes to address the complex problems of employment discrimination," said EEOC General Counsel C. Gregory Stewart. "From changing its methods of recruitment through training its hiring officials to ensure compliance with record keeping procedures, TLS-Port Newark has chosen to invest the resources needed to ensure equal opportunity for all applicants."

The lawsuit stemmed from an EEOC investigation of a charge of sex bias filed by Ms. Burrows under Title VII of the Civil Rights Act of 1964. Ms. Burrows, a qualified African American female applicant, filed her charge after she was rejected for a position with TLS-Port Newark in 1996. Evidence obtained by EEOC showed that TLS's policies and practices at its Port Newark facility resulted in an applicant pool which failed to reflect the relevant labor market availability for females and African Americans in the local area.

TLS indicated that it agreed to resolve the lawsuit to further the company's EEO goals. As part of the agreement, TLS does not admit any violation of the law and denies that any of its agents or employees engaged in discriminatory conduct. "Diversity is a core business objective for Toyota Logistics Services," Martin said. "This case helped identify certain recruitment and hiring practices that can help achieve our goals. In cooperation with

the EEOC, we have established more effective outreach and hiring processes to assure a diverse pool of qualified applicants."

Anna M. Stathis, the EEOC Senior Trial Attorney who handled the case, said: "By working together in a cooperative and productive manner, the EEOC and TLS-Port Newark reached a settlement in the best interest of all parties involved. We hail their commitment and hope to work together with them throughout the life of the agreement."

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; the Equal Pay Act; Title I 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.

This page was last modified on May 4, 2000.



[Return to Home Page](#)