

The U.S. Equal Employment Opportunity Commission

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EEOC and Pinnacle Nissan Settle National Origin and Religious Harassment Lawsuit

The U.S. Equal Employment Opportunity Commission (EEOC) today announced the settlement of a class national origin and religious harassment and discrimination lawsuit filed against Pinnacle Nissan, a Scottsdale, Arizona-based automobile dealership (*EEOC v. Pinnacle Nissan, CIV 00-1872 PHX MHM*).

Under the terms of the Consent Decree submitted for approval to the United States District Court for the District of Arizona, Pinnacle Nissan will pay \$361,451 to resolve claims brought by the EEOC on behalf of three charging parties, Sam Darmo, Sam Einhorn, and Amer Darmo and a class of four individuals, Mike Madrid, Bassam Abazly, Claudio Guazzelli, and Sal De Luna. Pinnacle Nissan also agreed to strengthen its policies prohibiting discrimination and harassment and provide training to employees, supervisors, and management supervised by the EEOC. Pinnacle Nissan also agreed to hire an Ombudsperson, who will review Pinnacle's anti-harassment policies, establish a meaningful diversity awareness program, and investigate all complaints of discrimination. Pinnacle Nissan has agreed to an injunction and to evaluate their managers for EEO compliance. Pinnacle Nissan will also pay attorneys fees and costs as part of the agreement with the EEOC. The term of the Consent Decree is for two years.

In the lawsuit filed on September 29, 2000, the EEOC alleged that six former employees of Pinnacle Nissan were subjected to a hostile working environment on the basis of national origin, Middle Eastern and Hispanic, and one former employee was subjected to a hostile work environment because of his religion, Jewish. The EEOC attempted to conciliate and settle this matter before it filed the lawsuit.

"By entering into this Consent Decree, management at Pinnacle Nissan has committed to equal employment opportunity. We hope that this will ensure that employees at Pinnacle Nissan will be able to work in an environment free of harassment because of their national origin or religion," said Charles Burtner, District Director of the Phoenix EEOC office.

Regional Attorney Mary Jo O'Neill remarked, "The Commission is very pleased with the resolution of this case, especially for the former employees of Pinnacle Nissan. It is our hope that the Consent Decree announced today will be a significant achievement that solidifies the improvements Pinnacle Nissan is making in its employment practices and will ensure that future complaints of discrimination and harassment will be addressed at Pinnacle Nissan."

While not admitting any wrongdoing, Pinnacle Nissan, emphasized its commitment to maintaining a workplace free of discrimination, as well as its desire to get on with the business of selling cars. "This settlement agreement reflects Pinnacle Nissan's ongoing commitment to equal opportunity in employment. Pinnacle Nissan wants to send a message to employees that discrimination of any kind will not be tolerated," said Chris Garrett, spokesperson for Pinnacle Nissan.

The EEOC enforces Title VII of the Civil Rights Act of 1964, as amended, which prohibits employment discrimination based on race, color, religion, sex or national origin; the Age Discrimination in Employment Act; the Equal Pay Act; Title I of the Americans with Disabilities Act, which prohibits disability discrimination against employees in the private sector and state and local governments; certain prohibitions in the Rehabilitation Act against discrimination affecting individuals with disabilities in the federal sector; and certain sections of the Civil Rights Act of 1991. Further information about the EEOC is available on the agency's Web site at www.eeoc.gov.

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