

FY 1999 Major Litigation Highlights

During FY 1999, EEOC filed 464 lawsuits and resolved 349 lawsuits, resulting in monetary benefits of \$98.4 million for victims of discrimination. Highlights include:

- A \$28 million settlement of a class action age discrimination case against Johnson and Higgins, a large insurance brokerage and employee benefits firm with 7,000 employees nationwide. The lawsuit alleged that the firm violated the ADEA through its policy of forcing employees who were members of its board of directors to retire at age 62.
- A \$25 million settlement (in pension adjustments and restoration of benefits) of a class action pregnancy discrimination case against Pacific Bell Telephone and Nevada Bell Telephone on behalf of 10,000 present and former employees. The lawsuit charged the employer with unlawfully denying pension credit to pregnant workers who took maternity leave.
- A \$7.1 million settlement of a class age bias case against Thomson Consumer Electronics and the International Brotherhood of Electrical Workers both based in Indianapolis. The settlement covers 800 older workers who were discriminated against in severance payments.
- A \$3.2 million settlement of a Title VII sexual harassment and retaliation case with Tyson Foods, Inc. (owner and operator of poultry processing plants nationwide). The monetary award is the largest EEOC settlement to date of a sexual harassment case in the South. As part of the consent decree, Tyson also agreed to implement management and employee training, anti-harassment policies, and internal complaint procedures.
- A \$2.6 million settlement of a Title VII sexual harassment lawsuit against Sidney Frank Importers and All State Promotions, distributors of Jagermeister liquor and Grey Goose vodka. The settlement on behalf of over 100 female employees is the largest EEOC settlement to date of a sexual harassment case in New York State.
- A \$2.1 million settlement of a class lawsuit against Woodbine Healthcare Center, a nursing home in Gladstone, Missouri. The lawsuit alleged that the employer discriminated against 65 Filipino registered nurses in wages, assignments, and other terms and conditions of employment due to their national origin.
- A \$1.9 million settlement of a class action sexual harassment lawsuit against Long Prairie Packing, a Minnesota-based meat packing company. The settlement represents EEOC's first class action challenging a pattern and practice of sex-based harassment by men against men.
- A \$1.85 million settlement of a Title VII quid pro quo sexual harassment and retaliation case with Tanimura & Antle, Inc., one of the largest lettuce growers and distributors in the United States. The employer agreed to take innovative steps to revise, as necessary, its existing sexual harassment policy and the handling of complaints of harassment. Tanimura & Antle also agreed to provide mandatory sexual harassment training to all of its employees.
- A \$1.25 million settlement of a class action lawsuit against American Seafoods Company, a Seattle-based operation and a dominant force in the U.S. fishing industry. The suit charged the employer with subjecting 18 Vietnamese American at-sea workers to discriminatory conditions due to their national origin.
- A consent decree providing \$1 million in monetary relief to a class of women employed by Southwest Supermarkets, Inc. The lawsuit alleged that the defendant subjected female employees in its Arizona stores to a sexually hostile work environment, and retaliated against employees who complained about the sexual harassment, including by constructive discharge.
- A consent decree settling a lawsuit against American National Can Company, doing business as Foster-Forbes Glass and Bell-Foster Glass Container Company of Wilson, North Carolina. The suit alleged that the company had subjected black employees to racial harassment, including racially offensive graffiti, name calling, and jokes. The consent decree provided that a class of 90 current and former employees would receive \$275,000 and established a \$100,000 Partnership Training Program designed to improve employee relations and help employees enhance their problem-solving skills.
- A \$167,000 settlement in a lawsuit brought under the ADA against Annett Holdings, doing business as TMC Transportation, of Des Moines, Iowa, on behalf of a former TMC over-the-road truck driver. The suit alleged that TMC violated the ADA by refusing to schedule the driver's runs in a way that would accommodate regularly-scheduled medical visits to treat his lupus disease, and by firing him because

of the disease rather than returning him to work as a driver.

- A \$55,000 settlement in a religious discrimination lawsuit brought under Title VII against UNICCO Services Company. The suit alleged that UNICCO discriminated by denying employment as a security guard to a member of the Islamic faith because of his religious practice of wearing a cap.