

The U.S. Equal Employment Opportunity Commission

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EEOC SETTLES RACE AND SEX BIAS SUIT FOR \$1 MILLION AGAINST OPTICAL CABLE CORP.

ROANOKE, Va. - The U.S. Equal Employment Opportunity Commission (EEOC) today announced a \$1 million settlement of a class action race and gender discrimination lawsuit against Optical Cable Corporation, a high-tech employer and publicly held company that manufactures fiber-optic cables. EEOC's suit alleged that Optical Cable violated Title VII of the Civil Rights Act of 1964 by failing to hire African-American applicants for a 10-year period, by assigning women to lower paying positions than their similarly situated male counterparts, and by wrongfully discharging a former African-American employee based on his race.

EEOC's investigation of Optical Cable began in October 1996 shortly after charging party Douglas Bonds was fired by the company after less than four weeks on the job. Mr. Bonds, only the second African-American hired by Optical Cable since it opened for business in 1983, alleged that he was denied training and fired solely because of his race.

In the course of its investigation, in addition to finding merit in Mr. Bonds' case, EEOC found widespread violations in Optical Cable's hiring practices involving African-Americans in general.

In addition, EEOC found that the company discriminated against females in job assignments on the basis of sex by refusing to place them in higher paying positions for which they were qualified. EEOC filed suit against Optical Cable in September 2000 after conciliation efforts failed to reach a voluntary pre-litigation settlement.

"I am very pleased that we were able to negotiate a successful resolution of this lawsuit," said EEOC Chair Cari M. Dominguez. "Now Optical Cable can turn its full attention back to the important task of maintaining a healthy work environment, one that offers a level-playing field for all employees and job applicants, irrespective of race, color, and gender. We commend Optical Cable for its forward-thinking approach to resolving this case and extend an invitation to all employers to work in partnership with EEOC as Optical Cable has done to achieve workplace equality."

Douglas Bonds, whose race discrimination charge led to EEOC's investigation, noted: "I feel very good about having this case resolved. People should be judged for what they do and not what they look like."

The settlement provides for a claims procedure in which Optical Cable will make three installments into a settlement fund over the next three years to satisfy the claims of class members, including African-Americans who unsuccessfully applied for employment at the company since October 1, 1994. EEOC and Optical Cable have agreed to donate any unclaimed portion of the settlement to projects furthering equal employment opportunities in the Roanoke community. In addition, the company has agreed to take steps to recruit and hire qualified African-American applicants and to communicate these efforts to minority communities in and around Roanoke. Optical Cable also will take steps to recruit and hire qualified women candidates for higher paying positions.

Gloria Underwood, Director of EEOC's Richmond Area Office, which led the investigation, said: "Our investigation revealed that in the past Optical Cable had not demonstrated a commitment to providing equal employment opportunities to qualified African-Americans and women. EEOC is hopeful that this settlement will

mark a change in Optical Cable's employment policies and establish the company as a model corporation in offering equal employment opportunities to all segments of Roanoke's population."

Gerald S. Kiel, Regional Attorney for the EEOC's Baltimore District Office, which has jurisdiction over Virginia, said: "We are confident that this settlement will not only offer compensation to those persons harmed in the past, but will also solidify the improvements Optical Cable has made in its employment practices and ensure that these improved practices continue in the future."

In addition to enforcing Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, sex, national origin, religion, and retaliation, 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 its web site at www.eeoc.gov.

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