

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION)	
)	
Plaintiff,)	Hon. Bernard A. Friedman
)	
v.)	Case No. 05-CV-72516
)	
METRO SPECIALTIES, INC.,)	
)	
Defendant.)	
_____)	

CONSENT DECREE

Case No. 05-CV-72516 was instituted by the Equal Employment Opportunity Commission (“Commission”) pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. (“Title VII”).

The Commission and Metro Specialties, Inc. (“Metro”), hereby stipulate to the jurisdiction of the Court over the parties and the subject matter of this action.

The Commission and Metro have advised this Court that they desire to resolve Case No. 05-CV-72516 without the burden and expense of further litigation.

It is, therefore, the finding of this Court, based on the pleadings and the record as a whole, that: (1) the Court has jurisdiction over the parties and the subject matter of this action; (2) the purpose and provisions of Title VII will be promoted and effectuated by the entry of this Decree; and (3) this Decree resolves all the matters in controversy between the parties as provided in paragraphs 1 through 14 below.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. This Consent Decree, being entered by the agreement of both parties for the purpose of settling this dispute wherein the Commission claims that Defendant violated Title VII and Defendant denies any and all liability, shall not be construed as an admission by Defendant of any violation of Title VII or any other law, rule or regulation.
2. Metro agrees that it will not discriminate against employees on the basis of sex, including sexual harassment.
3. Metro agrees that there will be no discrimination or retaliation of any kind against any person because of opposition to any practice made unlawful under Title VII, or because of the filing of a charge, the giving of testimony, assistance, or participation in any manner in an investigation, proceeding or hearing under Title VII.
4. Metro agrees to pay Jennifer Boudrie or her heirs and assigns in the event of her death, \$56,000.
5. Metro agrees to reinstate Jennifer Boudrie to an equivalent position with full seniority, calculated as though her employment did not terminate on January 28, 2004. The seniority will apply to both wage rates and all available employment benefits. This provision will not prevent Metro from terminating Boudrie's employment for reasons that are not unlawful.
6. Boudrie will not work on the same shift with Leo Costello, nor will he supervise her in any way.
7. Metro agrees to post the Notice of Non-Discrimination Policy attached as Appendix B to this Decree in a conspicuous place on its premises. Said notice shall remain posted throughout the term of this Decree.
8. Metro agrees that it shall make no reference to Jennifer Boudrie's Charge of Discrimination or of her participation in this litigation in the event Metro is contacted for references.

9. The Commission shall have the right to comment upon and amend the sexual harassment policy currently in place at Metro Specialties.

10. Metro agrees that its managers and supervisors shall attend a training seminar regarding sexual harassment. Said managers and supervisors must attend a seminar within six (6) months from the date of entry of this Decree. Thirty (30) days prior to the date of the seminar, the Defendant shall provide notice to the Commission regarding the date, time and place of the seminar, and shall send to the Commission a copy of the agenda, subject matter to be covered and an outline of the written materials to be used. The Commission may at its option send its own representative to attend the training to observe or to speak at the training. Upon completion of the training program, Metro shall certify to the Commission the specific training given and shall provide the Commission with a roster of all employees in attendance.

In addition, Metro will also hire an industrial psychologist to meet with Boudrie and Metro personnel as part of the reinstatement process.

11. Metro agrees to submit reports to EEOC detailing its compliance with this decree. Metro agrees to submit two (2) annual reports during the term of this decree. The first report shall be due on December 31, 2006 and the subsequent reports shall be mailed to the Commission no later than December 31st of each year covered by the decree. The report shall include the following information for the twelve (12) month period preceding the report: the identities of all employees who, during the reporting period, complained of sexual harassment, including by way of identification each person's name, address, telephone number, nature of the complaint made and the resolution of the complaint. All reports shall be directed to Laurie Young (or her successor), Regional Attorney, Equal Employment Opportunity Commission, 101 West Ohio St., Suite 1900, Indianapolis, Indiana 46204.

12. Jennifer Boudrie may report any complaints of harassment or retaliation to either her attorney, the Commission, or the owners of Metro Specialties.

13. Metro agrees that the EEOC may review compliance with this Decree. As part of such review, the EEOC may inspect the premises, interview employees, and examine and copy documents, during normal operating hours and upon reasonable advance notice.

14. In the event that the EEOC alleges that a violation of this Decree has occurred, prior to exercising any remedy provided by law, EEOC will give notice in writing thereof, specifically identifying the alleged violation to Metro. Metro will have thirty (30) days in which to investigate and respond to the allegation. Thereafter, the parties will have a period of thirty (30) days, or such additional period as may be agreed upon by them, in which to negotiate and confer regarding such allegation, before Plaintiff exercises any remedy provided by law.

15. Each party shall be responsible for their own costs associated with this action.

16. The term of this Decree shall be for two (2) years following the date of the entry of this decree. The Court shall maintain jurisdiction over the parties and the subject matter throughout the term of this Decree.

____ January 23, 2007 _____ s/Bernard A. Friedman _____
Date Chief Judge, United States District Court

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

METRO SPECIALTIES, INC.

____/s/ Dale Price _____
Laurie Young Neil
Regional Attorney Counsel

____/s/ Neil Strefling (by DP w/ Consent)____
Strefling (P28453)

Deborah Barno (44525)
Acting Supervisory Trial Attorney

Dale Price (P55578)
Trial Attorney
Attorneys for Plaintiff

Detroit Field Office
Patrick V. McNamara Federal Building
477 Michigan Ave., Room 865
Detroit, MI 48226

Copies to:

Dale Price, Trial Attorney
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
477 Michigan Avenue, Room 865
Detroit, MI 48226

Neil Strefling (P28453)
NEIL STREFLING, P.C.
26153 John R
Madison Heights, MI 48071

Michelle Vocht (P32924)
ROY, SHECTER & VOCHT, P.C.
36700 Woodward Ave., Ste. 205
Bloomfield Hills, MI 48304

APPENDIX A

EMPLOYEE NOTICE

**Posted Pursuant to a CONSENT DECREE entered in
E.E.O.C. v. Metro Specialties, Inc., Case No. 05-CV-72516 with the
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Detroit Field Office**

NOTICE OF NON-DISCRIMINATION POLICY

Federal law requires that there be no discrimination against any employee or applicant for employment because of the employee's race, color, religion, sex, national origin, age (over 40) or disability.

Federal law also prohibits employers from discriminating on the basis of sex in aspects of employment, including, but not limited to, hiring, promotion, discharge, pay, job training and fringe benefits. This includes prohibition of sexual harassment in the workplace.

Metro Specialties, Inc. supports and will comply with such Federal law in all respects and will not take any actions against employees because they have exercised their rights, reported an alleged violation under the law or have given testimony, assistance or participation in any investigation, proceeding or hearing conducted by the U. S. Equal Employment Opportunity Commission.

An employee has the right, and is encouraged to exercise that right, to report allegations of employment discrimination in the workplace. An employee may contact the U. S. Equal Employment Opportunity Commission for the purpose of filing a charge of employment discrimination.

Questions concerning this notice may be addressed to:

**Equal Employment Opportunity Commission
477 Michigan Avenue, Room 865
Detroit, Michigan 48226
Telephone: (313) 226-4600
EEOC 800 # 1-800-669-4000
TDD (313) 226-7599**