



any time or in any manner violated Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. (Title VII), and the Civil Rights Act of 1991, 42 U.S.C. §1981a.

The Court has reviewed the terms of the proposed Consent Decree in light of the applicable laws and regulations and the statements of counsel for all parties and hereby approves the Consent Decree.

**NOW, THEREFORE**, the Court being fully advised in the premises, it is hereby **ORDERED, ADJUDGED AND DECREED:**

### **I. JURISDICTION**

The United States District Court for the Eastern District of Arkansas, Western Division, has jurisdiction over the parties and subject matter of this litigation.

### **II. SCOPE AND DURATION OF DECREE**

A. This Consent Decree resolves all issues and claims arising out of the Commission's Complaint in this cause alleging unlawful employment policies and practices maintained by the Defendant and arising out of Charge No. 251-2005-02638 filed by Erika Murphy with the Commission. Notwithstanding any provisions contained in this Decree, this Agreement shall not be considered in any manner to be dispositive of any charges now pending before any office of the Commission other than Charge No. 251-2005-02638.

B. The provisions of this Consent Decree shall continue to be effective and binding upon the parties to this action for a period of one year from the date of the entry of this Decree.

### **III. INJUNCTIVE RELIEF**

A. Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant are hereby enjoined from engaging in any employment practice which has the purpose or effect of discriminating against any employee because of the employee's sex,

because of pregnancy or any pregnancy related condition.

B. Defendant, its officers, agents, employees, and all persons acting in concert with Defendant are hereby enjoined from taking any retaliatory measure against Erika Murphy or any employee for opposing practices made unlawful under Title VII of the Civil Rights Act of 1964, as amended, or for making a charge or complaint to the EEOC, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing under Title VII of the Civil Rights Act of 1964, as amended.

#### **IV. TRAINING**

A. Defendant agrees to train its supervisors and managers in the requirements of Title VII of the Civil Rights Act of 1964, as amended, regarding the prevention of pregnancy discrimination. This training session will be conducted within sixty (60) days of the entry of this Decree. A list of the employees that attend the training session, a copy of the syllabus, and a copy of the training materials will be provided to the Commission within thirty (30) days of the training session.

B. Defendant will provide a copy of its equal employment opportunity policy to all of its employees within thirty (30) days of the entry of this Decree.

#### **V. EMPLOYMENT POLICY**

Defendant has created an employee handbook which contains, among other things, Defendant's policy regarding pregnancy. This handbook will be distributed to all current employees within sixty (60) days of the entry of the Decree. Any person hired after the entry of the Decree will be required to sign a statement that he or she has been provided with the handbook at hire.

## **VI. NOTICE**

Defendant shall conspicuously post the notice (poster) required to be posted by Title VII of the Civil Rights Act of 1964, as amended. Furthermore, Defendant shall conspicuously post the notice at Appendix A of this Decree for a one year period commencing within ten (10) days after entry of this Decree by the Court.

## **VII. INDIVIDUAL RELIEF**

A. Defendant agrees to expunge the personnel records of Erika Murphy of any potentially unfavorable or adverse personnel comments regarding any aspect of her application for employment with Defendant. Defendant shall expunge from these employment records any reference to the charge of discrimination or the litigation of the matter.

B. Defendant shall mail a cashier's check or business check payable to "Erika Murphy" in the amount of \$9,921.84, less legal deductions, in back pay and \$10,078.16 in damages to the following address:

Erika Murphy  
P.O. Box 878  
Clinton, Arkansas 72031


The check will be mailed following the signing of a separate agreement between Ms. Murphy and Defendant and within twenty (20) days following the entry of the Consent Decree by the Court, whichever occurs later.

C. Defendant shall forward a copy of the check to Pamela B. Dixon, Senior Trial Attorney, at the Commission's office in Little Rock, Arkansas.

**VIII. COSTS**

Plaintiff and Defendant shall bear their own costs, including attorneys' fees.

SO ORDERED THIS 10<sup>th</sup> DAY OF April, 2007.

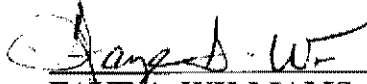
  
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**J. LEON HOLMES**  
**U. S. DISTRICT JUDGE**

**COUNSEL FOR PLAINTIFF**

**RONALD S. COOPER**  
General Counsel

**JAMES LEE**  
Deputy General Counsel


**GWENDOLYN YOUNG REAMS**  
Associate General Counsel

  
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**FAYE A. WILLIAMS**  
Regional Attorney

  
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**TERRY BECK**  
Supervisory Trial Attorney

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

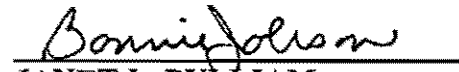
Memphis District Office  
1407 Union Avenue, Suite 621  
Memphis, TN 38104  
(901) 544-0138

  
\_\_\_\_\_  
**PAMELA B. DIXON**  
Senior Trial Attorney

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

Little Rock Area Office  
820 Louisiana, Suite 200  
Little Rock, Arkansas 72201  
Telephone: (501) 324-5065

**COUNSEL FOR DEFENDANT**

  
\_\_\_\_\_  
**JANET L. PULLIAM**  
**BONNIE JOHNSON**  
Williams & Anderson PLC  
2200 Stephens Building  
111 Center Street  
Little Rock, Arkansas 72201  
Telephone: (501) 372-0800

**APPENDIX A**  
**NOTICE**

**NOTICE**

1. Huddle House of Clinton has agreed to post this notice for one year to reinforce the company's policies concerning Title VII.
2. Federal law prohibits an employer from discriminating against employees based on their sex, pregnancy, or any pregnancy related condition. Discrimination based on sex, pregnancy, or pregnancy related conditions violates Title VII of the Civil Rights Act of 1964, as amended.
3. Huddle House of Clinton supports and will comply with such Federal law in all respects and will work to prevent sex and pregnancy discrimination in the workplace.
4. Huddle House of Clinton will not take any action against employees who exercise their rights by filing charges with the Equal Employment Opportunity Commission and/or testified, assisted or participated in any manner in any investigation, proceeding, hearing, or litigation under Title VII of the Civil Rights Act of 1964, as amended.

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John Hargis

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**DATE**