

- **EEOC v. Grief Brothers Corp.**

No. 02 - CV-0468-S(SF) (W.D.N.Y. April 13, 2006)

The New York District Office filed this Title VII case alleging that defendant, an international manufacturer and distributor of industrial containers based in Ohio, subjected charging party, a riveter at its Tonawanda, New York facility, to sexual harassment and constructively discharged him based on his sex (male). Shortly after CP started working for defendant in November 1998, his male coworkers noticed that he wore an earring in his left ear. Also, CP was unwilling to participate in the coworkers' daily banter about male and female sexual anatomy and about sexual acts with female employees. CP's coworkers taunted him daily, using homosexual epithets ("fag," "homo," "fudge packer," and "queer"), asking if his male roommate was his boyfriend, and singing crude songs coupling the CP's first name and oral sex. CP complained to management about the harassment, but management's response (telling the men to stop kidding around) only exacerbated the situation. CP's coworkers began calling him a "cry baby" and a "kiss ass." They also made work more difficult for him by ceasing communication, withholding work-related information, and manipulating resources and materials. CP resigned in April 1999 because he was suffering from multiple stress-related problems (such as loss of sleep and appetite) and no one in management would take his harassment complaints seriously.

Under the 3-year consent decree resolving this case, CP will receive \$100,000 in monetary relief, consisting of \$48,109.18 for backpay and lost overtime earnings, \$26,849 for lost medical benefits, and \$25,041.82 for nonpecuniary compensatory damages. The decree enjoins defendant from subjecting employees to sex discrimination (including different terms and conditions of employment because of sex), sex-based harassment, or retaliation under Title VII. Defendant is required to report to the EEOC monthly regarding any disciplinary action taken nationwide against an employee for bringing false claims or misleading allegations in reporting harassment or during the investigation of such claims.