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CHARLOTTE, N.C.

DEC 11 2000

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

Clerk, U. S. Dist. Court
W. Dist of N. C.

1:00cv88-T (consolidated with 1:99cv86-C)

FILED
ASHEVILLE, N. C.
DEC 11 2000
U.S. DISTRICT COURT
W. DIST. OF N. C.

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
Plaintiff,)
)
vs.)
)
SARA LEE CORPORATION,)
)
Defendant.)
_____)

CONSENT DECREE

The Equal Employment Opportunity Commission (the "Commission") instituted this action pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

The Commission and the Defendant, Sara Lee Corporation (the "Defendant"), hereby stipulate to jurisdiction of the Court over the parties and agree that the subject matter of this action is properly before the Court.

The parties have advised this Court that they desire to resolve the allegations in the Complaint without the burden, expense, and delay of further litigation.

It is therefore the finding of this Court, made 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 the Consent Decree; and (3) this Decree resolves all matters in controversy between the parties as provided in

paragraphs 1 through 13 below.

It is therefore ORDERED, ADJUDGED AND DECREED as follows:

1. Defendant shall not discriminate against or harass individuals on the basis of race or any other protected category within the meaning of Title VII of the Civil Rights Act of 1964.

2. Defendant shall not discriminate or retaliate against any person because of opposition to any practice made unlawful under Title VII of the Civil Rights Act of 1964 or because of the filing of a charge, the giving of testimony or assistance, or the participation in any investigation, proceeding or hearing that statute.

3. Defendant agrees to pay Jeffery Hemphill a monetary amount which is set forth in a separate agreement.

4. Defendant agrees to eliminate from the employment records of Jeffery Hemphill any and all documents, entries, or references of any kind relating to the facts and circumstances which led to the filing of the complaint in this action (Case No. 1:00cv88-T) and the related events that occurred thereafter.

5. Defendant's harassment policy which is attached hereto as Appendix A shall be posted conspicuously at Defendant's Hanes Printables distribution facility in Rural Hall, North Carolina in a place where it is visible to the employees, and shall be distributed to each employee on an annual basis during the term of this Decree.

6. During the term of this Decree, Defendant shall provide an annual training program to all of its management and supervisory employees at its Hanes Printables' distribution facility in Rural Hall, North Carolina. At least fifteen (15) days prior to each program, Defendant shall provide the Commission with an agenda for the training program. Each training program

shall include an explanation of the requirements of Title VII of the Civil Rights Act of 1964 and its prohibition against race discrimination in the workplace, including racial harassment and retaliation. Each training program shall also cover Defendant's anti-discrimination policy and an explanation of the rights and responsibilities of employees and managers under the policy. The first training program shall be completed within ninety (90) days after entry of this Decree by the Court. Each subsequent training program shall be conducted at approximately one-year intervals. Within ten (10) days after completion of each training program, Defendant shall certify to the Commission the specific training which was undertaken and shall provide the Commission with a roster of all employees in attendance.

7. During the term of this Decree, Defendant agrees that it shall provide an annual training program to all of its non-management and non-supervisory employees at its Hanes Printables' distribution facility in Rural Hall, North Carolina. At least fifteen (15) days prior to each program, Defendant shall provide the Commission with an agenda for the training program. Each training program shall include an explanation of the requirements of Title VII of the Civil Rights Act of 1964 and its prohibition against race discrimination in the workplace, including racial harassment and retaliation. Each training program shall also cover Defendant's anti-discrimination policy and an explanation of the rights and responsibilities of employees and managers under the policy. The first training program shall be completed within ninety (90) days after entry of this Decree by the Court. Each subsequent training program shall be conducted at approximately one-year intervals. Within ten (10) days after completion of each training program, Defendant shall certify to the Commission the specific training which was undertaken and shall provide the Commission with a roster of all employees in attendance.

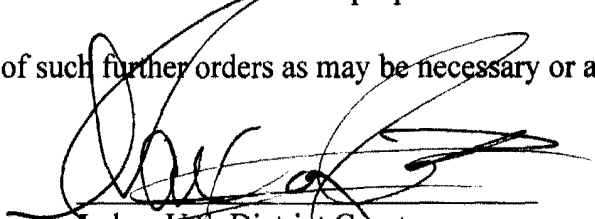
8. During the term of this Decree, Defendant shall conspicuously post the attached Employee Notice, marked Appendix B, hereby made a part of this Decree, in a place where it is visible to the employees at its Hanes Printables' distribution facility in Rural Hall, North Carolina. If the Notice becomes defaced or unreadable, Defendant shall replace it by posting another copy of the Notice.

9. Defendant agrees to provide the Commission with semi-annual reports during the term of this Decree. The reports shall include the following information: the identities of all individuals who have reported allegations of racial harassment to Human Resources or supervisory or management personnel at Defendant's Hanes Printables distribution facility in Rural Hall, North Carolina including by way of identification each person's name, race, and a statement of the individual's complaint and what action was taken in response to the individual's complaint. Defendant shall submit the reports to the Commission four months after the date of entry of this Consent Decree and every six months thereafter during the term of this Decree.

10. Defendant agrees that the Commission may review compliance with this Decree. If anytime during the term of this Decree, the Commission believes that Defendant is in violation of the Decree, the Commission shall give notice of the alleged violation to Defendant. Defendant shall have thirty (30) days in which to investigate and respond to the allegations. Thereafter, the parties shall then have a period of thirty (30) days or such additional period as may be agreed upon by them, in which to engage in negotiation and conciliation regarding such allegations before the Commission exercises any remedy provided by law. Prior to such negotiation and conciliation, the Commission may inspect the premises, interview employees and examine and copy documents.

11. The term of this Decree shall be for two (2) years from its entry by the Court.
12. Each party shall bear its own costs and attorney's fees.
13. This Court shall retain jurisdiction of this cause for purposes of monitoring compliance with this Decree and entry of such further orders as may be necessary or appropriate.

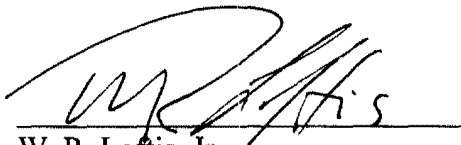
12-11-00
Date



Judge, U.S. District Court
Western District of North Carolina

The parties jointly request that the Court approve and enter the Consent Decree:

SARA LEE CORPORATION

By: 


W. R. Loftis, Jr.
Constangy, Brooks & Smith, LLC
101 South Stratford Road, Suite 300
Winston Salem, N.C. 27104-4224

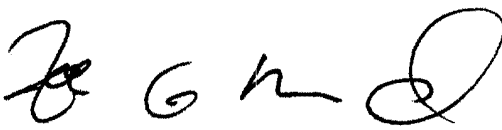
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

C. GREGORY STEWART
General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1801 "L" Street, N.W.
Washington, D.C. 20507

By: 
Mindy E. Weinstein
Regional Attorney
129 West Trade Street, Suite 400
Charlotte, N.C. 28202

By: 
Zoë G. Mahood
Trial Attorney
1309 Annapolis Drive
Raleigh, N.C. 27608

Hanes Printables**Affirmative Action Plan**

**EQUAL EMPLOYMENT OPPORTUNITY PROGRAM POLICY
STATEMENT ON DISCRIMINATORY AND SEXUAL
HARASSMENT**

Hanes Printables believes that employees should be provided with a working environment free from harassment based on race, color, religion, sex, national origin, age, handicap or veteran status.

In addition, physical, written, or spoken conduct of a sexual nature by employees to influence employment decisions constitutes sexual harassment.

Sexual harassment also includes repeated and unwelcomed physical, written, or spoken conduct by either a supervisor or any fellow employee that substantially interferes with an individual's work performance or creates what a reasonable person would consider to be an intimidating, hostile, or offensive working environment.

If an employee believes he or she is being subjected to any of these forms of harassment or believes he or she is being discriminated against because other individuals are receiving favored treatment in exchange for sexual favors, he or she must bring this to the attention of management. The very nature of harassment makes it impossible to detect unless the person being harassed registers his or her discontent with the Human Resources Department or his or her manager.

Complaints and situations reported by employees to management will be investigated to the extent appropriate in light of the circumstances of the allegations. In cases in which the employee requests that his or her identity not be disclosed to the person about whom the complaint or report has been, the request for anonymity will be honored, if possible. If after investigation, the Company finds that corrective action or termination is justified, such action will be imposed.

Al Orphan

Facility Manager

3/4/98

Date

NOTICE TO EMPLOYEES

1. This Notice is posted pursuant to an agreement between Sara Lee Corporation and the U.S. Equal Employment Opportunity Commission in a case alleging discrimination based on race in a facility other than Northridge.
2. Federal law requires that employers may not discriminate against any employee because of the employee's race, color, religion, sex, national origin, age (40 or older) or disability. Sara Lee Corporation supports and will comply with such federal law in all respects. Specifically, Sara Lee Corporation agrees that it will not discriminate any applicants or employees based on race.
3. Sara Lee Corporation will not take any actions against employees because of the filing of a charge, the giving of testimony or assistance, or the 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 at the following address and telephone number for the purpose of filing a charge of employment discrimination.

Equal Employment Opportunity Commission
Raleigh Area Office
1309 Annapolis Drive
Raleigh, North Carolina 27608
Tel: (919) 856-4064

APPENDIX B

United States District Court
for the
Western District of North Carolina
December 11, 2000

* * MAILING CERTIFICATE OF CLERK * *

Re: 1:00-cv-00088

True and correct copies of the attached were mailed by the clerk to the following:

Stanley H. Pitts, Esq.
Equal Employment Opportunity Commission
1801 L. Street, N.W.
Washington, DC 20507

Nancy A. Weeks, Esq.
Equal Employment Opportunity Commission
1801 L. Street, N.W.
Washington, DC 20507

Zoe G. Mahood, Esq.
Equal Employment Opportunity Commission
129 W. Trade St.
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Virginia A. Piekarski, Esq.
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First Stratford Building
101 S. Stratford Rd.
Suite 300
Winston-Salem, NC 27104-4213

cc:
Judge ()
Magistrate Judge (✓)
U.S. Marshal ()
Probation ()
U.S. Attorney ()
Atty. for Deft. ()
Defendant ()
Warden ()
Bureau of Prisons ()
Court Reporter ()
Courtroom Deputy ()
Orig-Security ()
Bankruptcy Clerk's Ofc. ()
Other _____ ()

Date: 12/11/00

Frank G. Johns, Clerk

By: E. Barton
Deputy Clerk