

- **EEOC v. Western Casework Corp.**

No. CV-S-04-0907-I-DG-PAL (D. Nev. July 20, 2005)

The Los Angeles District Office alleged that defendant, which supplies cabinetry to businesses and commercial construction sites in the Las Vegas, Nevada area, subjected six charging parties and several others (installers and helpers) to a hostile work environment based on their national origin (Hispanic) in violation of Title VII. Supervisors as well as coworkers committed the harassing conduct, which included humiliating physical and verbal assaults, insults, and ethnic epithets.

Under the 3-year consent decree resolving this case, defendants will pay up to \$600,000 in monetary relief, consisting of \$400,000 in damages for emotional distress to be apportioned among the charging parties and \$200,000 to be held in escrow as a class fund for distribution as compensatory damages to eligible installers and helpers who submit timely claims. Within 12 months of entry, the EEOC will identify eligible claimants and determine the amount each will receive from the class fund, not to exceed \$50,000 per person. The decree requires defendant to post a notice in at least three locations at each facility informing employees of the resolution of the lawsuit and defendant's obligations thereunder, and of their right to file a charge with the EEOC. Defendant must also hire an EEO consultant approved by EEOC to develop and implement discrimination and harassment policies and procedures, including internal EEO complaint procedures. Defendant will provide mandatory EEO training to managerial and human resources staff (2.5 hours) and to hourly staff (1.5 hours) once a year. Defendant will offer separate training sessions for staff in English and in Spanish and each employee may elect to take the training in whichever language he or she understands best.