

- **EEOC v. Carmike Cinemas, Inc.**

No. 5:04-CV-673-BO(1) (E.D.N.C. Sept. 26, 2005)

The Charlotte District Office alleged that Carmike Cinemas, operator of a chain of movie theaters in 36 states, created a sexually hostile work environment for teenaged male employees (including seven charging parties) who worked at defendant's Raleigh, North Carolina theater, in violation of Title VII. The Concessions Manager of the Raleigh theater was a 29-year-old man who had served more than 2 years in prison after being convicted of two counts of taking indecent liberties with a minor. During the 9 months he worked for defendant in 2003, the Concessions Manager subjected the boys he supervised to offensive verbal and physical sexual conduct. Several of the boys complained either to the Office Manager or to the General Manager of the theater, but defendant failed to take corrective action. Defendant finally terminated the Concessions Manager for violating the company's "no call/no show" rule when he failed to come in to work after the police arrested him for failing to register as a sex offender.

Under the 3-year consent decree resolving this case, the 14 claimants (including the charging parties) will share \$765,000 in monetary relief. Defendant will also pay all fees and expenses of the mediator that are associated with 2 days of mediation of the suit. The decree provides that defendant will not discriminate against any person based on sex or any other category protected under Title VII and will not retaliate. Defendant will take the following actions at its District 4 Theaters (six theaters located in North Carolina and seven located in southwestern Virginia): revise its sexual harassment policy, provide a copy to all new employees, and post an 11- by 17- inch poster summarizing the policy in a place visible to District 4 employees; provide training to all new employees at the time of hire and to all current managers, supervisors, and employees annually on Title VII's prohibitions against sexual harassment and retaliation and defendant's sexual harassment policy; and report semiannually to the Charlotte District Office on complaints of sexual harassment by employees, including the identity of the complainant and the alleged harasser, and the action taken by defendant.