

7.5: Case Study: Charlotte Security Provider to Pay \$155k to Settle EEOC Same-Sex Sexual Harassment / Retaliation Suit

Male Supervisor Subjected Male Employees to Sexual Touching and Comments, Federal Agency Charged

CHARLOTTE, N.C. - Metro Special Police & Security Services, Inc., a Charlotte-based provider of private security and public safety services, will pay \$155,000 and provide other relief to settle a sexual harassment and retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

According to the EEOC's suit, Officers James Pedersen, Eric Steele, Daniel Griffis, and a class of similarly situated male employees were subjected to sexual harassment by a male captain and a male lieutenant employed by the company. The EEOC said that the male employees were subjected to a variety of misconduct, including: the captain making offensive sexual comments to his male subordinate employees; soliciting nude pictures from them; asking a male employee to undress in front of him; and soliciting male employees for sex. The captain and lieutenant also allegedly forced male employees to accompany them to a gay strip club while on duty. The complaint further alleged that the captain touched the chests and genitals of some of the male employees and offered promotions to certain male employees in exchange for sex.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964. The EEOC filed suit (*Equal Employment Opportunity Commission v. Metro Special Police & Security Services, Inc.*, Civ. No. 3:13-CV-00039-RJC-DCK) in U.S. District Court for the Western District of North Carolina, Charlotte Division after first attempting to reach a pre-litigation settlement through its conciliation process.

In addition to monetary damages, the five-year consent decree resolving the lawsuit includes injunctive relief prohibiting the company from further discriminating on the basis of sex, and from retaliating against employees who resist unlawful discrimination or complain about it. The decree also requires the company to revise its sexual harassment policy and distribute the revised policy to all employees and to conduct annual training on sexual harassment and retaliation. Finally, the company must report complaints of sexual harassment to the EEOC throughout the decree's five-year term.

"All workers have the right to work in an environment free from sexual harassment," said Lynette A. Barnes, regional attorney for the EEOC's Charlotte District. "No one should have to put up with sexual comments or touching while they are just trying to make a living. Employers need to halt or prevent it - and the best prevention is training supervisors and managers on how to put a stop to such misconduct as soon as it appears."

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on the agency's website at www.eeoc.gov.

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