

12.5: Case Study: Merrill Lynch To Pay \$1.55 Million For Job Bias Against Iranian Muslim Former Employee

EEOC Settles Suit for Discrimination Based on Religion and National Origin

NEW YORK – The U.S. Equal Employment Opportunity Commission (EEOC) today announced that Merrill Lynch, the international financial services firm, has agreed to pay \$1,550,000 to settle a discrimination lawsuit under Title VII of the Civil Rights Act on behalf of an Iranian Muslim former worker who was fired due to his religion and national origin.

The EEOC's lawsuit, in the U.S. District Court for the Southern District of New York (Case No. 07-CV-6017), alleged that Merrill Lynch refused to promote and terminated Majid Borumand from a position as a quantitative analyst in August 2005 because of his Iranian national origin and Muslim religion. Merrill Lynch instead retained and promoted a less qualified individual, the EEOC asserted in the lawsuit.

"Employers need to be vigilant in guarding against discrimination based on religion or national origin, especially as our nation's labor force becomes increasingly more diverse," said EEOC New York District Director Spencer H. Lewis. "All individuals deserve the freedom to compete on a fair and level playing field, which did not occur in this case."

According to the consent decree settling the litigation, in addition to the monetary relief for Borumand, Merrill Lynch will provide training to its employees regarding discrimination based on religion and national origin. In addition, the decree states that Merrill Lynch will not discriminate against employees because of their national origin or religion, and will not retaliate against employees who oppose discrimination. The decree also calls for monitoring by the EEOC to ensure compliance.

EEOC Senior Trial Attorney Michael J. O'Brien said, "We are pleased with the resolution of this case, not only in terms of the significant monetary benefits, but also for the injunctive relief which will help foster a discrimination-free workplace."

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

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