

5.2.9: Case Study: Champion Fiberglass Sued by EEOC for Systemic Race and National Origin Discrimination

Federal Agency Charges Local Company Engaged in Practices That Unlawfully Discriminated Against Non-Hispanic Applicants

HOUSTON - Champion Fiberglass, Inc., a Houston-area manufacturing company, violated federal anti-discrimination laws by engaging in systemic discrimination against non-Hispanic applicants, according to a lawsuit filed by the Equal Employment Opportunity Commission (EEOC) today. The lawsuit charges that a class of non-Hispanic applicants for employment were not hired or even considered for employment by Champion because of their race and/or national origin.

According to the lawsuit, Champion engaged in a pattern or practice of intentionally failing to hire non-Hispanic applicants and job seekers for laborer positions. The EEOC also maintains that Champion maintained a preference that its laborers speak Spanish, which violated Title VII because it had a disparate impact on non-Hispanic applicants.

The EEOC also alleges that Champion's word-of-mouth recruiting had an adverse impact on non-Hispanic applicants and job seekers. The EEOC maintains that Champion's illegal policies and practices resulted in an almost exclusively Hispanic laborer workforce within the company.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964. The EEOC filed suit (Civil Action No. 4:17-cv-02226) in U.S. District Court for the Southern District of Texas, Houston Division, after first attempting to reach a voluntary pre-litigation settlement through its conciliation process. The EEOC seeks an injunction prohibiting such actions in the future, as well as back pay with pre-judgment interest, and compensatory and punitive damages in amounts to be determined at trial.

"Refusing to hire or even consider an applicant or job seeker for a laborer position because of his or her race or national origin unlawfully and unconscionably deprives people of equal opportunities within the workplace," said Rayford O. Irvin, district director of the EEOC's Houston District Office.

Rudy L. Sustaita, the EEOC's regional attorney in Houston, explained, "Title VII prohibits an employer from relying on non-job related criteria that it knows will exclude persons because of their race or national origin. The EEOC will defend victims of this sort of discrimination."

The EEOC's senior trial attorney in charge of the case, Connie Gatlin, added, "By refusing to permit job seekers who do not speak Spanish to even apply for a position, without a valid, justifiable reason for doing so, an employer engages in discriminatory practices that violate Title VII."

Champion Fiberglass manufactures fiberglass conduit, struts, and hangers for the industrial, electrical, and mechanical markets.

The EEOC's Houston District Office is located on the sixth floor of the Leland Federal Building at 1919 Smith St. in Houston.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov.

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