

## 5.1.11: Case Study: Washington Group International To Pay \$1.5 Million To Black Workers Who Were Racially Harassed

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### EEOC Settles Suit Against Global Employer in the Construction Industry

BOSTON - The U.S. Equal Employment Opportunity Commission (EEOC) today announced a litigation settlement with Washington Group International, Inc. (WGI) for \$1.5 million dollars, as well as significant injunctive relief, on behalf of African American workers who were racially harassed and then retaliated against for complaining about it.

WGI is a provider of planning, engineering, design, construction, technical, management, and operations and maintenance services to public and private sector clients worldwide.

The EEOC charged in its lawsuit that WGI created a racially hostile work environment for black employees and failed to take appropriate action to remedy the discriminatory conduct at the Sitch Mystic Power Plant construction project in Everett, Mass. — which the company managed as general contractor from approximately December 2001 through June 2003. WGI not only subjected black employees to racial graffiti and other forms of harassment, the EEOC said, but retaliated against them for complaining.

Employers must remain vigilant in protecting all employees from racial harassment, especially in today's increasingly diverse labor force, said EEOC's New York District Director Spencer H. Lewis, Jr. In this case, rather than swiftly taking corrective action to remedy the racially hostile workplace, WGI targeted the victims for retaliatory measures, including termination.

The EEOC filed suit against WGI in 2004 under Title VII of the Civil Rights Act of 1964 (Case No. 04-12097-GAO in the U.S. District Court of Massachusetts). The consent decree resolving the case was submitted to U.S. District Court Magistrate Judge Marianne B. Bowler for approval.

Under the decree, WGI will pay \$1.3 million to be shared among six African American former employees, and \$200,000 will be apportioned among eleven similarly situated individuals identified during the litigation. Injunctive relief includes requiring WGI to conduct anti-discrimination training and implement an anti-graffiti policy; revise its equal employment opportunity policies and procedures; post a notice about the settlement for all Power Unit construction sites for the next two years; and monitoring by the EEOC for a period of two years.

R. Liliana Palacios-Baldwin, senior trial attorney in the EEOC's Boston Area Office, said: Even though a construction site may be viewed by some as a rough and tumble workplace, discrimination is unlawful regardless of the job site, it doesn't matter whether employees work behind a computer or behind a forklift.

On Feb. 28, 2007, EEOC Chair Naomi C. Earp launched the Commission's E-RACE Initiative (Eradicating Racism and Colorism from Employment), a national outreach, education, and enforcement campaign focusing on new and emerging race and color issues in the 21st-century workplace. Further information about the E-RACE Initiative is available on the EEOC's website at <http://www.eeoc.gov/initiatives/e-race/index.html>.

Washington Group International, Inc. is a provider of planning, engineering, design, construction, technical, management, and operations and maintenance services to public and private sector clients worldwide. Further information about Washington Group International, Inc. can be found on the company's website: <http://www.wgint.com>.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the agency is available on its website at [www.eeoc.gov](http://www.eeoc.gov).

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