

# EEOC sues Maritime Autowash for race and national origin discrimination, retaliation

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BALTIMORE – Maritime Autowash, Inc. violated federal law when it subjected a class of workers to a hostile work environment and disparate treatment based on their race and national origin (Hispanic) at its Edgewater, Md., facilities, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it announced Aug. 28.



According to the EEOC's lawsuit, Maritime segregated a class of Hispanic workers into lower-paying jobs as laborers or detailers because of their race and national origin, and did not offer them promotion or advancement opportunities to key employee or cashier positions, despite their tenure and outstanding job performance. Maritime paid many class members only the minimum wage despite years of service, but paid non-Hispanic workers higher wages or promoted them to key employee positions.

The EEOC also charged that Maritime discriminated against the Hispanic class members in their terms and conditions of employment. These discriminatory practices included forcing them to perform other duties without additional compensation and denying them proper safety equipment or clothing. Maritime also required Hispanic workers to perform personal tasks for the owner and managers, such as routinely assigning the female Hispanic class members to clean the houses of the owner or manager and assigning the male Hispanics to perform duties at

their homes, such as landscaping, cleaning the pool, picking up dog excrement, painting or helping with moves.

In addition, the EEOC charged that Maritime further violated the law by firing class members for complaining about the harassment and discriminatory working conditions. In the course of the EEOC's investigation of this matter, the U.S. Circuit Court of Appeals for the Fourth Circuit enforced the agency's authority to subpoena evidence, in a published opinion available at:

<http://www.ca4.uscourts.gov/Opinions/Published/151947.P.pdf>.

All this alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination and harassment based on race and national origin. The EEOC filed suit (EEOC v. Phase II Investments, Inc., formerly known as Maritime Autowash, Inc. and Maritime Autowash, II, et. al, Civil Action No. 1:17-cv-02463) in U.S. District Court for the District of Maryland, Northern Division, after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC is seeking compensatory and punitive damages on behalf of the class members, as well as broad injunctive relief to prevent discrimination in the future.

"Sadly, more than 50 years after the passage of the Civil Rights Act, this employer thought it could get away with subjecting Hispanic workers to separate and unequal pay, job opportunities and working conditions," said EEOC Regional Attorney Debra M. Lawrence. "The EEOC is dedicated to protecting vulnerable workers from such discrimination and harassment and ensuring that all employees receive equal pay for equal work."

Spencer H. Lewis, Jr., district director of the EEOC's Philadelphia District Office, added, "Exploiting workers based on national origin and race is despicable and unlawful. The class members courageously opposed the harassment and

discrimination. Unfortunately, Maritime again failed to do the right thing and made a bad situation worse by firing the discrimination victims. Now the EEOC will take vigorous action to rectify this situation.”

The EEOC’s Baltimore Field Office is one of four offices in the Philadelphia District Office, which has jurisdiction over Pennsylvania, Maryland, Delaware, West Virginia and parts of New Jersey and Ohio. Attorneys in the Philadelphia District Office also prosecute discrimination cases in Washington, D.C. and parts of Virginia.

Eliminating discriminatory practices affecting vulnerable workers who may be unaware of their rights under equal employment laws or reluctant or unable to exercise them, is one of six national priorities identified by the Commission’s Strategic Enforcement Plan (SEP). These practices can include disparate pay, job segregation, harassment and human trafficking. Enforcing equal pay laws, including addressing discriminatory compensation systems and practices, is another SEP priority.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination.

For more information on the EEOC, [click here](#).

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