

JL Schwieters Construction to pay \$125,000 to settle EEOC race harassment lawsuit

Published on September 22, 2017

MINNEAPOLIS – A Hugo, Minn., construction company will pay \$125,000 to settle a racial harassment lawsuit filed by the U.S. Equal Employment



Opportunity Commission (EEOC), the federal agency announced Sept. 8. The EEOC's lawsuit charged that JL Schwieters Construction, Inc. violated federal law when it subjected two black employees to a hostile work environment, including physical threats, based on their race.

According to the EEOC's lawsuit, Willie Staple and Dion Pye worked for JL Schwieters Construction, Inc. from September 2012 to December 2013 as carpenters. Staple and Pye were both subjected to racial harassment during their employment by a white supervisor, which included racially derogatory comments including calling them "n--r." The supervisor also made a noose out of electrical wire and threatened to hang Staple and Pye, the EEOC charged.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which protects employees from discrimination and harassment based on race. The EEOC filed suit in U.S. District Court for the District of Minnesota (Equal Employment Opportunity Commission v. JL Schwieters Construction, Inc.; Civil Action No. 16-cv-03823 WMW/FLN) after first attempting to reach a pre-litigation settlement through its conciliation process.

U.S. District Judge Wilhelmina M. Wright signed the Order

entering the Consent Decree on Sept. 6. The decree provides \$125,000 in monetary relief to Staple and Pye. It also requires Schwieters to revise its policies in its employee handbook to outline a complaint procedure for complaining of racial harassment. The decree also requires the company to train its management personnel on Title VII including its prohibitions against race discrimination and racial harassment.

Further, the decree requires Schwieters to train its non-management employees on their rights under Title VII, including their right to file discrimination charges with the EEOC. Finally, the company must report complaints of race discrimination and racial harassment to the EEOC during the decree's two-year term.

"Employees have a right to work in an environment free of racial harassment, particularly the kind of severe and outrageous abuse the EEOC uncovered in its investigation of this case," said Julianne Bowman, district director of the EEOC's Chicago District.

Gregory Gochanour, regional attorney for the EEOC's Chicago District, said, "Nooses and threats are absolutely unacceptable in 21st-century America. When such terrible treatment is meted out to workers simply because of their race, the EEOC will fulfill its mandate and take action to stop it."

The EEOC was represented in the case by Trial Attorney Tina Burnside in the EEOC's Minneapolis Area Office.

The EEOC's Chicago District Office is responsible for processing charges of discrimination, administrative enforcement and litigation in Minnesota, North Dakota, South Dakota, Wisconsin, Illinois and Iowa, with Area Offices in Milwaukee and Minneapolis.

The EEOC advances opportunity in the workplace by enforcing

federal laws prohibiting employment discrimination.

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

Disclaimer: This website post is intended for informational purposes only and does not constitute legal advice. Readers should not rely upon this information as a substitute for personal legal advice. If you have a legal concern, you should seek legal advice from an attorney.