

EMPLOYMENT

FACT SHEET

Gender Discrimination in Employment Class Actions

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The cases listed below are significant gender discrimination in employment class actions that illustrate the importance of class relief for women workers across all sectors. The court granted class certification in each of these cases, and each case resulted in a settlement or consent decree awarding monetary and other injunctive relief.

Velez v. Novartis (S.D.N.Y., filed 2004)

- Women sales representatives and managers at the pharmaceutical company alleged discrimination in pay, promotions, personnel evaluations and pregnancy discrimination.
- In 2010, the employees won a jury trial on liability and the jury awarded punitive and compensatory damages.
- After trial, the parties came to an agreement on injunctive relief; Novartis agreed to pay monetary relief to employees and make changes to its equal employment opportunity practices, including revisions to processes for internal investigations of employment discrimination claims, and changes to the performance evaluation system.

EEOC v. Outback Steakhouse (D. Colo., filed 2006)

- The EEOC alleged that Outback Steakhouses restaurants discriminated against women in promotions to management positions.
- In 2009, the court approved a consent decree including monetary relief for employees and implementing changes in the processes for applying and interviewing for management positions.

Amochaev v. Citigroup Global Markets, Inc. (N.D.Cal., filed 2005)

- Women financial consultants at Smith Barney (part of Citigroup, the nation's largest financial institution)

alleged discrimination in distribution of accounts, compensation, and other terms and conditions of employment. Policies on assignment of accounts resulted in women receiving less lucrative accounts and perpetuated a pattern of discrimination.

- In 2008, the court approved a four-year, \$33 million settlement including monetary relief and other injunctive relief designed to reform Smith Barney's account distribution policies and other employment practices.

Carlson v. CH Robinson (D. Minn., filed 2002)

- Women employees of the freight company alleged discrimination in pay and promotions to management positions.
- In 2006, the court approved a settlement agreement awarding monetary relief and putting into place changes to compensation, job postings, performance evaluations, recordkeeping, and other employment practices.

EEOC v. Morgan Stanley (S.D.N.Y., filed 2001)

- The EEOC alleged that the Wall Street brokerage firm discriminated against Allison Schieffelin, a former convertible bond sales representative (and as many as 100 other women in the same division) in compensation and promotions.
- In 2004, the parties entered a three-year consent decree including monetary relief and other injunctive relief to implement changes in employment practices at the company.

Beck v. The Boeing Co. (W.D. Wa., filed 2001)

- Women working in Boeing's Puget Sound facilities alleged discrimination in compensation and promotion. Boeing's internal studies showed significant differences in compensation of salaried female workers. In addition, hourly women workers received less overtime than their male peers.
- In 2004, the Court approved a settlement for \$72.5 million on behalf of nearly 29,000 workers, which also included injunctive relief which changed the way Boeing determined starting salaries, modified its performance evaluation systems, and required monitoring salaries to reduce the risk of gender wage discrimination reappearing.

Hnot v. Willis Group Holdings (S.D.N.Y., filed 2001)

- Women in officer-level positions at Willis insurance brokerages complained of sex discrimination in compensation and promotion.
- In 2008, the Court approved a consent decree, bringing injunctive relief to improve Willis' pay practices, and a settlement fund of \$8.5 million shared by approximately 180 women.

Beckmann v. CBS (D. Minn., filed 1996)

- Women technicians at television stations alleged discrimination in job assignments and promotions, including concentration of women in per diem jobs rather than staff positions.
- In 2001, the court approved an \$8.1 million settlement agreement awarding monetary relief to employees and providing for training for female technicians, changes in overtime assignments, and other changes to employment practices.

Neal v. D.C. Department of Corrections (D.D.C., filed 1994)

- Women working at the D.C. Department of Corrections alleged pervasive sexual harassment. Despite a history of successful individual sexual harassment cases against the Department, which included allegations against people at the highest levels, harassment, and retaliation against those who opposed it persisted.

- Judge Royce Lamberth certified a class of women working at the Department, and plaintiffs obtained a jury verdict in their favor in 1995.
- In 1999, following an appeal, the Court approved a consent decree which included injunctive relief requiring changes in how the Department handled sexual harassment complaints going forward and installing a Monitor. The settlement also included payment of \$10 million, and awards were made to approximately 200 women.

Stender v. Lucky Stores (N.D. Cal., filed 1988)

- Women employees alleged that the retail food chain discriminated in job placement and promotions—almost all cashiers were women and almost all managers were men. The district court certified a class and ruled for the employees after a trial.
- The court found disparate treatment because "sex discrimination was the standard operating procedure at Lucky with respect to placement, promotion, movement to full-time positions, and the allocation of additional hours" and disparate impact due to "defendant's subjective decision making policies and defendant's failure to follow bid procedures."

Holden v. Burlington Northern, Inc. (D. Minn., filed 1981)

- Women employees—ranging from low wage workers to the company's highest ranking female executive, Margaret Holden—alleged discrimination by the railroad company.
- In 1987, after several months of trial, the court approved the parties' settlement awarding monetary damages to a class of 13,700 female employees and implementing reforms to Burlington Northern's employment policies.

Rajender v. University of Minnesota (D. Minn., filed 1973)

- Women professors in the sciences and engineering departments alleged discrimination in hiring to tenure track positions and grant of tenure at the University of Minnesota.
- The court approved a consent decree in 1980 awarding monetary remedies and making changes to the University's hiring and tenure practices.