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Equal Employment Opportunity Commission v. Missoula Mac, Inc., d/b/a McDonald's Restaurants, et al.

Judge Barbara B. Crabb

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Equal Employment Opportunity Commission v. Missoula Mac, Inc., d/b/a McDonald's Restaurants, et al.

Keywords

EEOC, Missoula Mac Inc., McDonald's Restaurants, Gorichs Corporation, 3:11-cv-267-bbc, Consent Decree, Disparate Treatment, Hostile Work Environment, Sexual Harassment, Constructive Discharge, Retaliation, Sex, Female, Service, Employment Law, Title VII

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,
Plaintiff,**

-and-

**LORI DUNSE, MYLINDA BROWN
and SAMANTHA GAY,
Intervenor Plaintiffs,**

Case No. 3:11-cv-267-bbc

vs.

**MISSOULA MAC, INC., d/b/a
McDONALD'S RESTAURANTS,**

CONSENT DECREE AND ORDER

-and-

**GORICHS CORPORATION, as
successor,**

Defendants.

INTRODUCTION

The U.S. Equal Employment Opportunity Commission ("EEOC") has filed a Complaint captioned *EEOC v. Missoula Mac, Inc. d/b/a McDonald's Restaurants*, Case No. 3:11-cv-00267-bbc, alleging that Missoula Mac, Inc. ("MMI") discriminated against Plaintiff-Intervenors MyLinda Brown, Lori Dunse, and Samantha Gay and a class of other women (collectively "Claimants") by subjecting them to unlawful employment practices on the basis of sex (female) including sexual harassment, constructive discharge, and retaliation in violation of Title VII of the Civil Rights Act of 1964, as

amended. The EEOC then filed a First Amended Complaint adding Gorichs Corporation as a defendant for injunctive relief purposes.

In agreeing to the terms of this Consent Decree, the EEOC, MMI, and Plaintiff-Intervenors, acting by and through their counsel, engaged in arms' length negotiations and a significant exchange of information. The parties have obtained enough information to assess reliably the relative merits of the claims and defenses. Throughout this process, counsel knowledgeable in this area of the law represented the EEOC and MMI, respectively.

THEREFORE, upon the parties' consent and its own review, the Court **APPROVES** these terms:

I. JURISDICTION, FINDINGS, AND DEFINITIONS

A. Jurisdiction

1. This Court has jurisdiction over the parties and subject matter of this action.
2. The Court shall retain jurisdiction over this action throughout the duration of this Decree for purposes of entering all orders, judgments, and decrees that may be necessary to implement the relief and enforcing compliance with the terms provided herein.

B. Findings

This Court finds, based on the pleadings, on the record as a whole, and upon the parties' agreement, that: (i) implementing this Decree will carry out the requirements of Title VII of the Civil Rights Act of 1964, (ii) the terms of this Decree constitute a fair and equitable settlement of all issues raised in the EEOC's Complaint (Docket No. 1) and

First Amended Complaint (Docket No. 65), and (iii) this Decree is intended to and does resolve the Title VII claims contained in the Complaint and First Amended Complaint.

C. Definitions

1. “MMI” means Defendant Missoula Mac, Inc., including its entire operations and facilities.
2. “EEOC” means the United States Equal Employment Opportunity Commission.
3. “Plaintiff-Intervenors” means these persons, who filed Charges of Discrimination with the EEOC:
 - a. MyLinda Brown, who filed Charge No. 443-2009-00666C;
 - b. Lori Dunse, who filed Charge No. 443-2008-02072C; and
 - c. Samantha Gay, who filed Charge No. 443-2008-02073C.
4. “Parties” means MMI, the EEOC, and Plaintiff-Intervenors jointly. Gorichs Corporation, named as a successor, is hereby dismissed.
5. For purposes of the monetary relief provided herein, the “Settlement Class” consists of ten (10) former employees of MMI’s McDonald’s restaurant in Reedsburg, WI.
6. “Employer” means an employer as defined and interpreted under Title VII of the Civil Rights Act of 1964.
7. “Effective Date” means the date on which the District Court approves this Decree.
8. “Action” means the suit the EEOC brought against MMI, titled *EEOC v. Missoula Mac, Inc., d/b/a McDonald’s Restaurant*, Case No. 3:11-cv-00267-bbc.

II. SCOPE AND DURATION OF THE CONSENT DECREE

- A. The provisions contained herein are effective immediately on the Effective Date. This Decree shall remain in effect for four (4) years from the Effective Date, and can only be extended for good cause shown.
- B. The Plaintiff-Intervenors and the Claimants shall recover monetary awards pursuant to this Decree that will be allocated in the EEOC's sole discretion.
- C. This Decree shall be binding on and enforceable against MMI. MMI shall hold its officers, directors and agents accountable for implementing the provisions of this Decree.
- D. Nothing in this Decree shall be construed to limit or reduce MMI's obligation to comply fully with Title VII or any other federal employment statute.
- E. Nothing in this Decree shall be construed to preclude the EEOC from bringing suit to enforce this Decree in the event that any party hereto fails to perform the promises and representations contained herein.
- F. This Decree in no way affects the EEOC's right to bring, process, investigate or litigate other charges that may currently be pending before it or may later arise against MMI.

III. DECREE ENFORCEMENT

- A. If the EEOC has reason to believe that MMI has breached this Decree, it may bring a motion to enforce the Decree.
- B. Before so moving, the EEOC will notify MMI and its attorney of record, in writing, of the nature of the dispute and identify the provision(s) it believes MMI breached. Absent a

showing by any party that the delay will cause irreparable harm, MMI shall have ten (10) business days from the date of notice (“Dispute Resolution Period”) to try to resolve or cure the breach. The Parties agree to cooperate with each other and use their best efforts to resolve any dispute referenced in the EEOC’s notice.

- C. After the Dispute Resolution Period expires, the EEOC may initiate an enforcement action in this Court, seeking all available relief or remedies.
- D. The EEOC may petition this Court for compliance with this Decree at any time during which the Court maintains jurisdiction over this action. Should the Court determine that MMI has not complied with the Decree, in whole or in part, it may impose any appropriate relief permitted by law, including an extension of the Decree’s duration, and other relief the Court deems appropriate.

IV. MONETARY RELIEF

- A. MMI agrees to pay a total of **\$1,000,000** in full resolution of this Action to be distributed amongst the Plaintiff-Intervenors and seven (7) women that the EEOC has identified as Claimants in this Action. The EEOC shall provide MMI with a list of the names and addresses to which the monetary relief to the Plaintiff-Intervenors and Claimants should be delivered (“Distribution List”). Where indicated on the Distribution List, MMI’s payments to the Plaintiff-Intervenors shall be directed to the Plaintiff-Intervenors’ attorneys.
- B. Within five (5) business days of the Effective Date, the EEOC shall forward to MMI’s counsel a copy of the Distribution List.

- C. Within thirty (30) days of receiving the Distribution List, MMI shall forward, via certified mail, a check to each individual in the amount identified on the Distribution List. The monies to be paid to the Plaintiff-Intervenors and Claimants constitute non-wage compensation under Title VII and no tax withholdings shall be made. MMI shall make appropriate reports to the Internal Revenue Service and any other applicable tax authorities. MMI shall be solely responsible for any costs associated with the issuance and distribution of the settlement checks and all appropriate tax reporting forms to each of the Plaintiff-Intervenors and Claimants. Nothing in this Decree constitutes tax advice nor purports to replace the Plaintiff-Intervenors' and Claimants' responsibility to consult a tax expert with any relevant tax questions.
- D. Within 3 business days of the issuance of each settlement check, MMI shall submit a copy of each check, related tax form(s) and related correspondence to the EEOC.

V. GENERAL INJUNCTIVE RELIEF

- A. MMI, through its officers, agents, management (including any and all employees with supervisory authority), and all those under MMI's control in active concert or participation with them, or any of them, shall not facilitate, create, participate in the creation, or permit the existence of a sexually hostile working environment.
- B. MMI, through its officers, agents, management (including any and all employees with supervisory authority), and all those under MMI's control in active concert or participation with them, or any of them, shall not engage in, implement or permit

any action, policy or practice with the purpose or effect of retaliating against any current or former employee or applicant of MMI because he or she has in the past, or during the term of this decree: (a) opposed any practice made unlawful under Title VII; (b) filed a charge of discrimination alleging such practice with a federal or state law enforcement agency; (c) testified or participated in any manner in any investigation (including without limitation, any internal investigation undertaken by MMI) or proceeding in connection with this case and/or relating to any claim of a Title VII violation; (d) was identified as a possible witness, claimant or potential victim of sexual harassment and/or retaliation in this action or the preceding administrative investigation; (e) asserted any rights under this Decree; or (f) sought and/or received any relief in accordance with this Decree.

VI. SPECIFIC INJUNCTIVE RELIEF REMEDIES

Reinstatement has been offered to all Plaintiff-Intervenors and Claimants; all of them declined.

A. Plaintiff-Intervenor And Claimant-Specific Relief

1. Within ten (10) business days of the Effective Date, MMI shall:
 - i. To the extent MMI must keep records of the charges of discrimination or the Plaintiff-Intervenors' or Claimants' involvement in this Action to effectuate this Decree, it shall maintain any such records separately from their personnel files;

- ii. Refrain from providing negative references and limit employment reference inquiries to verifying whether the identified Plaintiff-Intervenor or Claimant was employed by MMI and the time period(s) of such employment;
- iii. Change any and all personnel records reflecting a termination of any Plaintiff-Intervenor or Claimant to a voluntary resignation.

B. Posting And Publication

1. Within ten (10) business days of the Effective Date, MMI shall post **Exhibit A** (attached hereto), and, for the term of this Decree, cause it to remain posted, at all MMI restaurants in a clearly visible place where employee notices are typically posted.
2. Within twenty-one (21) business days of the Effective Date, President John Orr will publish a statement (to be distributed with paychecks) to all of MMI's employees that MMI will not tolerate sexual harassment and retaliation in the workplace.

C. Creation Of Ombudsperson Position

1. MMI will create an Ombudsperson position responsible for monitoring, soliciting, and resolving complaints relating to the working conditions at MMI's restaurants, specifically complaints of sexual harassment, retaliation, or other discrimination. The Ombudsperson will be responsible for conveying all complaints or concerns to MMI's Vice President Mike Mangin and President John Orr on a monthly basis for

the term of this Decree. MMI may, in its discretion, assign additional duties to the Ombudsperson.

2. The Ombudsperson must have training in applicable federal and state antidiscrimination laws, with preference given to candidates who have experience investigating sexual harassment claims in the restaurant industry. MMI will provide a copy of this Consent Decree to the Ombudsperson immediately upon hire. The Ombudsperson, or a delegate of the Ombudsperson, must be able to speak English and Spanish. The Ombudsperson hired pursuant to this Section will initially be Kim Bredeson, MMI's Human Resources Director.
3. The Ombudsperson, or a delegate of the Ombudsperson, will visit each of MMI's restaurants on a regular basis at least twice per year during the term of this Decree to monitor working conditions and solicit employee concerns and complaints. Employees shall be provided notice at least fifteen (15) business days in advance of the Ombudsperson visits and, if the visits coincide with a scheduled work shift, shall be allowed paid time to meet with the Ombudsperson. Employees not scheduled to work during the Ombudsperson's visit shall be permitted to come to the restaurant to meet with the Ombudsperson. Meetings between the Ombudsperson and employees shall be treated as confidential to the extent possible to protect the privacy of the employee and to the extent possible shall be held in a private office. Meetings between the Ombudsperson and employees shall not be supervised or monitored by any member of management.

4. The Ombudsperson's restaurant visits required under this section of the Decree are intended to establish a minimum number of visits. Nothing in this Decree is intended to prevent MMI from requiring the Ombudsperson to visit its restaurants more often.

D. Dedicated Harassment And Retaliation Hotline/E-Mail

1. Within forty (40) business days of the Effective Date, MMI shall establish a sexual harassment/retaliation Hotline telephone number and e-mail address ("the Hotline"). The Hotline shall be dedicated and publicized to MMI's employees solely as a means of reporting sexual harassment or retaliation and shall be maintained in addition to any hotlines existing as of the Effective Date. The Hotline's telephone component shall be toll-free and operational twenty-four (24) hours a day, seven (7) days a week, and its e-mail component shall be maintained on a server accessible to MMI's Human Resources personnel and all e-mails transmitted via this component shall be preserved in such a format as to enable their immediate, complete and native format production for the duration of this Decree. A record of all telephone calls, their subject matter and any relevant information shall be maintained by MMI Human Resources personnel. MMI shall keep the EEOC informed of the identity of the designated member of its Human Resources personnel responsible for such record keeping at all times throughout the duration of this Decree.
2. Every MMI restaurant shall publish the Hotline number and e-mail address on every employee's pay stub, in the employee handbook, in its sexual harassment

and retaliation policies, and in a clearly visible place where employee notices are typically posted. Any notice listing the Hotline number and e-mail address shall be immediately preceded by the phrase: "REPORT SEXUAL HARASSMENT OR RETALIATION."

3. MMI shall further notify all management and hourly employees that any reports to the Hotline will be treated confidentially and complaints may be made anonymously and that they will not be subject to retaliation for using the Hotline.

E. Training

1. *Supervisors, General Managers, Assistant Managers, and any employee with Management Authority*
 - i. Within sixty (60) business days of the Effective Date, all MMI managerial and/or supervisory employees shall attend a live, in-person training program which shall last at least two (2) hours and shall be conducted by an outside organization or person to be approved by the EEOC. Thereafter, for the remaining term of the Decree, this same training shall be conducted, live and in person, annually. MMI shall retain an outside trainer for subsequent training sessions. MMI shall offer this training to all managers working in the McDonald's restaurant located in Reedsburg, Wisconsin, owned by Gorichs Corporation.
 - ii. The training shall cover: (1) equal employment opportunity rights and responsibilities, (2) harassment, (3) retaliation, (4) MMI's policies and procedures for reporting and handling complaints of harassment and

retaliation, (5) how to identify harassment and retaliation, (6) trainees' responsibilities under Title VII of the Civil Rights Act of 1964 and state law, (7) how to handle complaints of harassment and/or retaliation properly, and (8) trainees' obligations to prevent harassment and retaliation and to take corrective measures.

- iii. For the remaining term of this Decree, all new MMI managerial employees and all employees recently promoted from an hourly to a managerial position who have not received the training shall receive this training within ten (10) business days of hire or promotion. MMI can provide training for newly hired or recently promoted managers online or by video, with the understanding that he/she will attend a live training the next time it is offered.
- iv. All supervisors, general managers, assistant managers or employees with management authority required to attend training shall verify in writing their annual attendance.
- v. No later than forty (40) business days before the date of each training program given under this Decree, MMI shall submit to the EEOC the program's date, time and location, the identity of the trainers, and copies of the agenda and all documents to be used in the training. An EEOC representative may attend any such program.

2. *Human Resources Personnel*

- i. MMI's Human Resources personnel and all persons substantially involved in conducting the investigation of sexual harassment and/or retaliation complaints at MMI's restaurants shall receive the training outlined in Section VI.E.1 plus an additional two (2) hours of training on how to investigate harassment and retaliation complaints effectively ("Investigation Training"). In addition to the general subject matter of investigating harassment and retaliation complaints, Investigation Training shall include: (1) investigating anonymous complaints, (2) identifying sexual harassment and retaliation situations unique to restaurant working environments, and (3) implementing effective corrective measures after an investigation. The Investigation Training shall be delivered by a trainer from an outside organization, approved by the EEOC, who has never been an MMI agent or employee, and who must have specialized training on how to conduct sexual harassment investigations in compliance with Title VII of the Civil Rights Act of 1964.
- ii. All MMI Human Resources employees shall complete this training at least once within twenty (20) business days of the Effective Date. All new Human Resources employees and all employees recently promoted to a position with MMI's Human Resources department shall receive this two-hour training within twenty (20) business days of hire or promotion. The two-hour Investigation Training shall be conducted at least once per year

during the term of this Decree. No individual who has not received the Investigation Training under this section shall be allowed to play a substantial role in the investigation of sexual harassment and/or retaliation complaints under this Decree. MMI may require additional employees outside of its Human Resources department to participate in the Investigation Training.

3. *Hourly Employees*

- i. MMI's hourly employees (e.g. crew, cooks, maintenance, etc.) shall be provided the training described below within one-hundred and fifty (150) days of the Effective Date and on an annual basis thereafter for the duration of this Decree. The training shall be conducted by showing of a video presentation conducted by an outside trainer, approved by the EEOC. Such video shall be shown at a regularly scheduled meeting required to be attended by all hourly employees (while MMI brings in staff from a different store to operate the applicable restaurant). The area supervisor shall be present during the video presentation to assure that proper attention is given by hourly employees. New hourly employees hired after the Effective Date shall be trained by viewing the video at the time of hire and thereafter on an annual basis as described in this section with other hourly employees. The training for new hires can be provided online or by video, with the understanding that he/she will attend a live training the next time it is

offered. All hourly employees shall be paid their regular hourly wage for attending any training required under this Decree.

- ii. All of MMI's hourly employees shall be trained on the subjects of equal employment opportunity rights and responsibilities, with an emphasis on sexual harassment, retaliation, and MMI's policies and procedures for reporting and handling complaints of harassment, discrimination, or retaliation. The training should focus aiding employees in: (1) identifying harassment and retaliation; (2) what to do if a manager or other supervisory employee is subjecting them to harassment or retaliation; (3) explaining MMI's expectations of holding managers accountable for maintaining a safe and harassment-free working environment; and (4) identifying external means, like the EEOC or state and local fair employment practices agencies, where they can complain about harassment, retaliation, or other discrimination.

4. *Message to Employees*

Before each training event, MMI shall play a video message from President John Orr, approved by the EEOC, emphasizing MMI's zero tolerance for sexual harassment and retaliation and stating that it is unacceptable to retaliate against any employee for complaining about sexual harassment, for assisting in the investigation of a complaint, or for otherwise assisting in the use of MMI's complaint procedures.

F. Performance Evaluations

1. MMI shall develop, implement, or revise its performance evaluation criteria for managers, assistant managers, supervisors, and human resources personnel to include measures for performance compliance with EEO laws and with MMI's anti-discrimination, anti-harassment, and anti-retaliation policies and procedures. This shall specifically include holding managers and supervisors accountable for failing to report and/or take appropriate action with respect to sexual harassment, retaliation, or other discrimination as required under MMI's policies and procedures, applicable state laws, or Title VII of the Civil Rights Act of 1964.

G. Recordkeeping

1. MMI shall establish a recordkeeping procedure that provides for the centralized tracking of all complaints (including those made via the Hotline) of unwelcome or offensive sexual conduct, sexual harassment, retaliation and any other type of discrimination made by any MMI employee. Such a tracking system shall include, at a minimum, the following information: (a) the complaining employee's identity, (b) the complaining employee's position, (c) the nature of the allegations, (d) the location(s) of the incident, (e) the date of the complaint, (f) the employer's response time, (g) whether an investigation was conducted, (h) a written record of all steps taken during the investigation, (i) the position and name of the alleged perpetrator(s), (j) the results of the investigation including a description of any determination made and witnesses interviewed, (k) the corrective or disciplinary action taken as a result of the investigation, (l) whether the alleged perpetrator had

been previously accused of wrongdoing and/or disciplined for similar conduct, (m) a statement regarding communication back to the complaining party, (n) any disciplinary action taken against any managers, supervisors, or other supervisory employees, and (o) the identity of the person(s) who investigated or resolved each complaint. MMI may choose to keep track of other types of employee complaints or grievances in addition to the complaints tracked by this system.

2. The records identified in the preceding Section shall be compiled into a Monthly Report.¹ A copy of the Monthly Report shall be provided to MMI's President John Orr and Vice President Mike Mangin within ten (10) business days of the end of each calendar month for the term of this Decree. Within ten (10) business days of receiving each and every Monthly Report, President John Orr or Vice President Mike Mangin shall confirm in writing that he received and reviewed the Report by signing a copy of it. Signed copies of each Monthly Report shall be kept for the term of this Decree.
3. MMI shall also maintain the following records for the term of the Decree:
 - i. All documents generated in connection with any complaint, investigation, or resolution of a complaint of unwelcome or offensive sexual conduct, sexual harassment, retaliation and any other type of discrimination;

¹ If no result or determination has been reached for a given complaint or investigation at the time the Monthly Report is due, the result shall be included in the next Monthly Report.

- ii. All forms acknowledging employees' receipt of information about MMI's Sexual Harassment and Retaliation Hotline, internal complaint procedures, and anti-discrimination and anti-retaliation policies;
 - iii. All documents verifying the occurrence of all training sessions, including the names and positions of all attendees for each session, as required under this Decree;
 - iv. All documents generated in connection with the counseling, discipline or termination of employees suspected of or determined to have engaged in behavior that violates MMI's policies against harassment and retaliation; and
 - v. All documents generated in connection with the establishment or review of performance evaluation measures detailed in Section VI.F of this Decree.
4. MMI shall make the aforementioned records available to a representative of the EEOC within fifteen (15) business days following a written request by the EEOC at any time during the term of this Decree. Such written request shall be directed to Human Resources Director Kim Bredeson and to Jeffrey W. Younger, counsel for MMI. Upon such notice, MMI shall allow representatives of the EEOC to review MMI's compliance with this Decree by inspecting and photocopying relevant documents and records, interviewing employees and management officials on its premises, and inspecting its premises.

H. Reporting

To demonstrate its compliance with this Decree, MMI shall submit to the EEOC periodic reports as outlined herein:

1. Within one hundred and twenty (120) business days of the Effective Date, MMI shall submit to the EEOC an Initial Report which contains:
 - i. A statement confirming that all required notices pursuant to the terms of this Decree have been posted in MMI's facilities and distributed to MMI's employees;
 - ii. MMI's current anti-discrimination and anti-retaliation policies;
 - iii. Confirmation of the establishment and implementation of the Sexual Harassment and Retaliation Hotline;
 - iv. A statement confirming that all employees received the sexual harassment and retaliation policy and notice of the Sexual Harassment and Retaliation Hotline;
 - v. Confirmation of the establishment and implementation of the centralized complaint tracking system identified in Section VI.G.1 of this Decree, and a detailed description of the same;
 - vi. Signed copies of all Monthly Reports provided in Section VI.G.2 of this Decree that have been completed by the time of the Initial Report under this Section;
 - vii. A copy of the training materials used in all training sessions required under this Decree that occurred prior to the initial reporting period; and

- viii. A copy of all performance evaluation forms or criteria as modified pursuant to Section VI.F of this Decree.
- 2. After the Initial Report, MMI shall provide the EEOC with quarterly reports confirming its continued compliance with the terms of this Decree, including:
 - i. Confirmation that all posting and notices required by this Decree have been or continue to be posted;
 - ii. Confirmation that any injunctive relief implemented since the time of the Initial Report has in fact been complete during the preceding reporting period;
 - iii. Signed copies of all Monthly Reports created pursuant to Section VI.H.2 during the preceding reporting period;
 - iv. Confirmation and identification of all training sessions administered pursuant to this Decree that occurred during the reporting period; and
 - v. Identification of the person(s) and/or organization(s) conducting all training programs during the reporting period.

VII. COSTS OF ADMINISTRATION AND IMPLEMENTATION OF CONSENT DECREE

MMI shall bear all costs associated with its administration and implementation of its obligations under this Consent Decree.

VIII. COSTS AND ATTORNEYS FEES

Each party shall bear that party's own costs.

IX. MISCELLANEOUS PROVISIONS

Unless otherwise stated, all notices, reports and correspondence required under this Decree shall be delivered to the attention of César J. del Peral, Trial Attorney, U.S. Equal Employment Opportunity Commission, Milwaukee Area Office, 310 West Wisconsin Avenue, Suite 800, Milwaukee, WI 53203.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

P. David López, General Counsel
James Lee, Deputy General Counsel
Gwendolyn Young Reams, Associate General Counsel

Equal Employment Opportunity Commission
131 M Street NE - 5th Floor
Washington, DC 20507

July 6, 2012

Date

s/ John C. Hendrickson

John C. Hendrickson
Regional Attorney

s/ Jean P. Kamp

Jean P. Kamp
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ATTORNEYS FOR PLAINTIFF

LEE, KILKELLY, PAULSON & YOUNGER, S.C.

July 5, 2012

Date

s/ Paul W. Schwarzenbart

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ATTORNEYS FOR DEFENDANT

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July 5, 2012

Date

s/ Randall B. Gold

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ATTORNEYS FOR PLAINTIFF-INTERVENORS

IT IS SO ORDERED.

July 10, 2012
Date

Barbara B. Crabb
Barbara B. Crabb, District Judge
United States District Court

EXHIBIT A
NOTICE TO EMPLOYEES

This Notice is posted pursuant to a Consent Decree resolving a lawsuit brought by the **U.S. Equal Employment Opportunity Commission**, (www.eeoc.gov), against Missoula Mac, Inc., the owner and operator of this McDonald's restaurant.

The EEOC is the agency of the United States Government that is responsible for investigating and eliminating employment discrimination, including sexual harassment and retaliation

The EEOC's lawsuit alleged that the company discriminated against certain female employees at Missoula Mac, Inc.'s Reedsburg, Wisconsin restaurant by failing to protect them from sexual harassment committed by coworkers and retaliation committed by a former General Manager.

The four-year Consent Decree resolving this lawsuit provides a combination of monetary relief and the following non-monetary provisions:

- Missoula Mac shall provide training to all employees on the Title VII of the Civil Rights Act of 1964 and its prohibitions against sexual harassment and retaliation including the requirement that employers promptly investigate complaints of sexual harassment and take measures to prevent and correct sexual harassment.
- Missoula Mac will establish a dedicated **Sexual Harassment and Retaliation Hotline** for employees like you to report any sexually hostile or unwelcome behavior. These reports may be made anonymously.
- Missoula Mac will comply with Federal law prohibiting sexual harassment, and will not retaliate against any individual for complaining about sexual harassment, retaliation, unwelcome sexual conduct or any other unlawful discriminatory employment practices.



Barbara B. Crabb
U.S. District Court Judge