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Cascade Foods Sued For Firing Woman with Restraining Order Against Co-Worker

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Female Worker Fired After Reporting Sexual Harassment by Co-Worker, Federal Agency Charges.

(ALBANY, Ore.) – Albany's hazelnut processing factory Cascade Foods, Inc., violated federal law when it fired a female employee after she obtained a restraining order against her co-worker, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed Tuesday. The EEOC's suit charges that the female employee, a Latina in her mid-30s, was fired from her job of over four years after she had placed a restraining order against her co-worker, a former boyfriend against whom she had filed a police report for physically and verbally threatening her safety.

According to the federal agency's investigation, although she told the company the reason she obtained the order was because he had hit her, Cascade asked her to have the restraining order changed so that her abuser could continue to work for the company. When she refused, she was terminated. EEOC San Francisco District Director Michael Baldonado said, "With nearly one-third of American women reporting being physically or sexually abused by a husband or boyfriend at some point in their lives, it is important that employers learn how to respond to domestic violence as it impacts the workplace. You cannot ask an employee who is in fear of a co-worker to have her court-granted restraining order altered so that the harasser can continue to work with her." Firing employees for opposing sexual harassment is considered retaliation and violates Title VII of the Civil Rights Act of

1964. The EEOC filed suit (Case No.CV-09-1157-AC) in U.S. District Court for the District of Oregon after first attempting to reach a voluntary settlement out of court. The EEOC seeks monetary damages on behalf of the worker, training on anti-discrimination laws, posting of notices at the work site, and other injunctive relief. EEOC Regional Attorney William R. Tamayo noted, "Don't make the mistake that just because an incident occurred offsite, that it doesn't impact the workplace. A study of domestic violence survivors found that 74 percent of employed battered women were harassed by their partner while they were at work. Employers must respond quickly and reasonably to employees who report harassment, and cannot take adverse actions against those who report abuse." The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at eeoc.gov.

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