



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New Orleans Field Office

500 Poydras St., Room 809

New Orleans, LA 70130

Intake Information Group: (800) 669-4000

Intake Information Group TTY: (800) 669-6820

New Orleans Direct Dial: (504) 635-2531

FAX (504) 595-2884

Website: www.eeoc.gov

Charge Number

Charging party

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulation, I issue on behalf of the Commission the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, (Title VII) as amended.

Respondent is an employer, within the meaning of Title VII, as amended, and timeliness and all other requirements for coverage have been met.

On August 18, 2022, Charging Party, [REDACTED], filed a charge of discrimination alleging he was subjected to severe and pervasive harassment based on his race. Charging Party protested the conduct and Respondent failed to take prompt remedial action. Within days of his report, Charging Party was discharged.

Respondent contends Charging Party was not subjected to any race discrimination, racial harassment, or retaliation, and states that Charging Party was discharged for insubordination.

Charging Party submitted text documentation that he was harassed based on his race by his direct supervisor. Respondent discharged Charging Party within days of making his complaints to his harasser and the company. Respondent offers no evidence to support a claim of insubordination. No evidence was found through the investigation that Respondent investigated Charging Party's complaints.

The evidence supports reasonable cause to find that Respondent discriminated against Charging Party on the basis of his race by subjecting him to a racially hostile work environment in violation of Title VII. Additionally, the evidence supports reasonable cause to find that Respondent retaliated against Charging Party because he engaged in protected activity by discharging him within days of his complaint of the hostile work environment in violation of Title VII.

This determination does not conclude the processing of this charge. Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites

the parties to join with it in reaching a just resolution of this matter. The confidentiality provisions of Sections 706 and 709 of Title VII and Commission Regulations apply to information obtained during conciliation. If you wish to participate in conciliation, please email Senior Investigator, [REDACTED], within 10 calendar days from the date of this Letter of Determination. If Respondent does not advise the Commission within 10 calendar days of this Determination that it wishes to participate in conciliation, the EEOC will infer that Respondent is uninterested in doing so.

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission.

On Behalf of the Commission:

[REDACTED]

[REDACTED]

Date:

cc:
Norris Guillot
P.O. Box 670802
Dallas, TX 75367

[REDACTED]