

EEOC and Pei Wei Fresh Kitchen Settle Sexual Harassment Lawsuit for \$300,000

Article By:

U.S. Equal Employment Opportunity Commission

Restaurant Tolerated a Sexually Hostile Work Environment, Federal Agency Charged

LITTLE ROCK, Ark. - Pei Wei Asian Diner, LLC, doing business as Pei Wei Fresh Kitchen in Little Rock, will pay \$300,000 to former employees as part of a settlement of a sexual harassment and constructive discharge lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, the company failed to take action in response to severe and pervasive sexual harassment by the restaurant's general manager after teens and other young female employees complained about the abuse.

Sexual harassment violates Title VII of the Civil Rights Act of 1964. The EEOC filed suit in U.S. District Court for the Eastern District of Arkansas, Western Division (now referred to as the Eastern District of Arkansas, Central Division), Civil Action No. 4:19-cv-718, after first attempting to reach a pre-litigation settlement through its conciliation process.

Under the three-year consent decree settling the suit, in addition to the monetary payment, Pei Wei will revise its written policy prohibiting sexual harassment. The company must revise its procedures to ensure that all complaints receive prompt attention by upper management and are thoroughly investigated. Pei Wei must disseminate a copy of its policies and procedures to all employees and will conduct training at its Little Rock location.

"Young women are especially vulnerable to sexual harassment by an older manager," said Faye A. Williams, regional attorney of the EEOC's Memphis District Office, which has jurisdiction over Arkansas, Tennessee, and portions of Mississippi. "Title VII ensures that employees can work in an environment free of sexual harassment. The EEOC continues to take sexual harassment complaints very seriously."

Pamela Dixon, lead attorney on the case, added, "The EEOC appreciates the fact that Pei Wei moved quickly to resolve this matter without protracted litigation and agreed to put measures in place to ensure similar conduct would not be repeated."

Delner Franklin-Thomas, district director of the Memphis District Office, encouraged employers to "regularly monitor their workplaces to ensure that employees are not subjected to sexual harassment and that all employees are aware of the avenues by which to complain."

The original complainant in this lawsuit was also represented by Chad Green of Green & Gillespie in North Little Rock.

Learn more about this lawsuit on the [U.S. Equal Employment Opportunity Commission website](#). The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov.

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