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BUSINESS - US INDIAN BUSINESS

Discount Chain to Pay \$250K to Settle EEOC Bias Suit

By RICHARD SPRINGER
 indiawest.com

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National Wholesale Liquidators Inc., a Hempstead, N.Y.-based chain of retail discount stores, has agreed to pay \$255,000 and to undergo injunctive relief to settle a race, national origin, religion and sexual-harassment lawsuit filed by the U.S. Equal Employment Opportunity Commission.

In the lawsuit, the EEOC asserted that a National Wholesale Liquidators store manager in Long Island, N.Y., subjected South Asian workers to taunts about their national origin and religion.

The EEOC also charged that the store manager sexually harassed a female employee.

The woman, a Sikh, was told by the manager to remove her turban because she "would appear sexier without it," the EEOC said.

EEOC trial attorney Margaret A. Malloy told India-West that the nine victims will divide the \$255,000 payment, based on the details of their claims for damages and their attorneys' fees.

Injunctive relief for National Wholesale Liquidators includes anti-discrimination training and monitoring.

The lawsuit was filed in U.S. District Court for the Eastern District of New York June 21, 2007, after the agency found that discrimination had occurred and at first tried to reach a voluntary settlement with the company.

"The EEOC hopes this settlement encourages employers to take steps to educate their managers and employees: harassing employees based on national origin, sex or religion is unacceptable and will not be tolerated," Malloy said in a press release.

According to a 2007 EEOC press release, South Asian workers at the store were subjected to taunts such as "All Indians are nasty," "Sikhs are thieves" and "I'm tired of seeing old Indian faces all the time."

The Sikh woman, after she refused to remove her turban and rejected a manager's sexual advances, was told she could not use the bathrooms and would have to wear a diaper to work.

The EEOC said the company failed to take appropriate action to address and correct the harassment after several employees complained.

According to a 2006 press release from the Sikh Coalition, the Sikh woman, Sukhvir Kaur, was fired in October 2004 by the manager after working for over two years in the clothing department. She was also asked to clean the bathrooms after refusing the sexual advances of the manager.

Attorney Ravinder S. Bhalla, who represented Kaur in the case, said in a posting on the South Asian Journalists Association Web site Oct. 21 that the Sikh woman who sued is an "Amritdhari Sikh and is required to wear a turban pursuant to her religious beliefs and practices."

Bhalla pointed out that while many Sikh women do not wear turbans, others do wear them in accordance with their religious beliefs.

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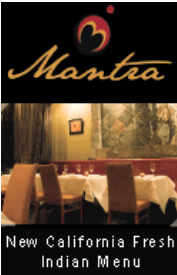
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