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New York District Office • 33 Whitehall Street, 5th Fl., New York, NY 10004-2112 • Tel. (212) 336-3667

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CONTACT:
Larry Pincus
Public Affairs
(917) 647-6779
Robert D. Rose
Trial Attorney
(212) 336-3708
(716) 551-4441
Lisa Sirkin
Supervisory Attorney
(212) 336-3697
TTY: (716) 551-5923

EEOC FILES CLASS ACTION DISCRIMINATION SUIT AGAINST SPS TEMPORARIES AND 2 OTHER COMPANIES

Suit Says SPS and Clients Denied Work To Many Based on Their Race, Sex, National Origin, Disability, Age, Then Took Action Against An Employee Who Opposed the Discrimination

BUFFALO – The U.S. Equal Employment Opportunity Commission (EEOC) announced today that it has filed an employment discrimination lawsuit against SPS Temporaries, Inc. and two of its clients, Jamestown Container Companies and Whiting Door Manufacturing Corporation. The EEOC's suit charged that a class of temporary workers was denied work assignments based on their race, sex, national origin, disability status and/or age in violation of various federal laws. Further, the EEOC said, SPS fired a full-time employee due to her pregnancy and dismissed another for opposing the company's discriminatory practices.

The EEOC's lawsuit, filed in the U.S. District Court for the Western District of New York, *EEOC v. SPS Temporaries, Inc., Professional Personnel Management Corp., Jamestown Container Companies and Whiting Door Manufacturing Corp.* (Civil Action No.04-CV-0052), follows an

extensive investigation by the EEOC's Buffalo Office into numerous discriminatory practices engaged in by SPS.

The EEOC's lawsuit charges that SPS regularly complied with discriminatory requests for temporary workers based on race and sex, including requests from Jamestown Container for white, male employees and from Whiting Door for male employees. The EEOC alleges that SPS also denied work assignments based on the age and national origin of workers, and used a screening questionnaire to deny work assignments to persons with possible disabilities. The lawsuit further charges that SPS destroyed documentary evidence of its discriminatory acts during the EEOC investigation.

The EEOC seeks to force SPS, Jamestown and Whiting Door to end their discriminatory practices and to obtain compensation on behalf of all persons affected by the discrimination. The EEOC filed suit after exhausting its conciliation efforts to reach a voluntary pre-litigation settlement.

"As one of the largest temporary agencies in the Buffalo area, SPS's discriminatory practices have affected hundreds, if not thousands, of temporary workers," said Katherine Bissell, the EEOC's Regional Attorney in New York. "The EEOC will act forcefully to put a stop to these practices and to obtain compensation for people who were denied employment for discriminatory reasons."

Spencer H. Lewis, the EEOC's New York District Director, added, "Discriminatory practices such as these wrongfully deny individuals the freedom to compete in the workplace, and the EEOC will take action to ensure that every individual can realize that freedom."

Elizabeth Cadle, the Commission's Buffalo Local Office Director, said, "This important lawsuit establishes that EEOC's Buffalo Office will continue to take strong action to protect the rights of workers, especially low wage earners, in upstate New York."

In addition to enforcing Title VII of the Civil Rights Act of 1964, which prevents workplace harassment and discrimination against employees on the basis of race, national origin, religion, or gender, the EEOC also enforces Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; the Age Discrimination in Employment Act, which protects individuals 40 years of age or older; Title VII of the Civil Rights Act of 1964, which prevents workplace harassment and discrimination against employees on the basis of race, national origin, religion, or gender; the Equal Pay Act of 1963; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Further information about EEOC is available on the agency's website at www.eeoc.gov.

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