

AE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

|                              |   |                           |
|------------------------------|---|---------------------------|
| EQUAL EMPLOYMENT OPPORTUNITY | ) |                           |
| COMMISSION,                  | ) |                           |
|                              | ) |                           |
| Plaintiff,                   | ) |                           |
|                              | ) | No. 04 C 5301             |
| v.                           | ) |                           |
|                              | ) | <del>Judge Anderson</del> |
|                              | ) |                           |
| BOB WATSON CHEVROLET,        | ) | Magistrate Judge Cole     |
|                              | ) |                           |
| Defendant.                   | ) |                           |
|                              | ) |                           |

CONSENT DECREE

THE LITIGATION

1. Plaintiff Equal Employment Opportunity Commission (the "EEOC") filed this action alleging that Defendant Bob Watson Chevrolet, Inc. ("Watson Chevrolet") violated Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e, *et seq.*, by discriminating against Jane Donovan ("Donovan"), Daniette Price ("Price"), and a class of women by retaliating against them for participating in a proceeding under Title VII and by discriminating against Petrina Benford ("Benford") and a class of women because of their sex by subjecting them to sexual harassment.
2. In the interest of resolving this matter, and as a result of having engaged in comprehensive settlement negotiations, the parties have agreed that this action should be finally resolved by entry of this Consent Decree (hereafter "Decree"). Neither party admits to any of the claims or defenses raised or asserted by the other in this case and the parties are resolving this matter to avoid further litigation.

POSTING OF NOTICE

9 Within ten (10) business days after approval and entry of this Decree, Watson Chevrolet shall post copies of the Notice attached as Exhibit B to this Decree on the bulletin boards usually used by Watson Chevrolet for posting governmental notices directed to employees. The Notice shall remain posted for two (2) years from the date of entry of this Decree. Watson Chevrolet shall take all reasonable steps to ensure that the posting is not altered, defaced or covered by any other material. Watson Chevrolet shall certify to the EEOC in writing within ten (10) business days after entry of the Decree that the Notice has been properly posted. Watson Chevrolet shall permit a representative of the EEOC to enter Watson Chevrolet's premises for purposes of verifying compliance with this Paragraph at any time during normal business hours.

RECORD KEEPING

10. During the period in which this Decree is effective, Watson Chevrolet shall maintain and make available for inspection and copying by the EEOC records (including names, social security numbers, addresses, and telephone numbers) of each employee who complains of sex discrimination or retaliation.

11. Watson Chevrolet shall make all documents or records referred to in Paragraph 10 above, available for inspection and copying within ten (10) business days after the EEOC so requests. In addition, Watson Chevrolet shall require personnel within its employ whom the EEOC requests for purposes of verifying compliance with this Decree to cooperate with the EEOC and to be interviewed.

TRAINING

12. Within ninety (90) days following the approval and entry by this Decree, all of Watson Chevrolet's owners, supervisory, managerial, and human resources employees shall participate

in a training session regarding retaliation presented by Watson Chevrolet's counsel, Martin LaPointe, paid for by Watson Chevrolet and approved by the EEOC. A registry of attendance shall be maintained. Also within ninety (90) days, all Watson Chevrolet's owners, supervisory, managerial, and human resources employees shall participate in an internet based training program for managers proposed by Watson's counsel and approved by the EEOC. Any new owners, supervisory, managerial, and human resources employees beginning employment with Watson Chevrolet during the course of the decree must complete the internet based training within thirty (30) days of beginning employment. Within six months of the approval and entry of this Decree, Bob Watson will require all employees to receive anti-harassment training as set forth in the Settlement Order and Modification of Final Consent Decree in *Isom-McDaniel, et. al v. Bob Watson Chevrolet, Inc.*, 01 C 4542. A registry of training received shall be maintained.

13. With respect to anti-retaliation training, Watson Chevrolet shall obtain the EEOC's approval of its proposed trainer prior to the commencement of the training session. Watson Chevrolet shall submit the name, address, telephone number, resume and training proposal of the proposed trainer to the EEOC at least fifteen (15) business days prior to the proposed commencement date of the training. The EEOC shall have ten (10) business days from the date of receipt of the information described above to accept or reject the proposed trainer. In the event the EEOC does not approve Watson Chevrolet's designated trainer, Watson Chevrolet shall have ten (10) business days to identify an alternate trainer. The EEOC shall have ten (10) business days from the date of receipt of the information described above to accept or reject the alternate trainer. If the parties cannot through this process agree on a trainer, then they may seek the Court's assistance under Paragraph 17.

14. Watson Chevrolet shall certify to the EEOC in writing within five (5) business days after the ninetieth (90th) day following the entry of this Decree and again prior to the termination of this Decree that group training has taken place and that the required personnel have attended. Such certification(s) shall include: (i) the date, location and duration of the training; and (ii) a copy of the registry of attendance, which shall include the name and position of each person in attendance. Prior to each anniversary date following the entry of this Consent Decree, Watson Chevrolet shall certify in writing to the EEOC that training of all new supervisory, managerial, and human resources employees has taken place; the date, location, and duration of such training; and the name and position of each such person trained.

15. Upon the EEOC's request, Watson Chevrolet agrees to provide the EEOC with copies of any and all pamphlets, brochures, outlines or other written materials provided to the participants of the training sessions.

#### REPORTING

16. Watson Chevrolet shall furnish to the EEOC the following written reports semi-annually for a period of two (2) years following the approval and entry of this Consent Decree. The first report shall be due six (6) months after entry of the Consent Decree. The final report shall be due two (2) years after entry of the Decree. Each such report shall contain (as applicable):

- (a) A summary all complaints of sex discrimination and retaliation received for the six (6) month period preceding the report, including the date the complaint was made, who made it, what was alleged, and what actions Watson Chevrolet took to resolve the matter.
- (b) A certification by Watson Chevrolet that the Notice required to be posted in Paragraph 9, above, remained posted during the entire six (6) month period preceding the report.