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## **PRESS RELEASE**

2-24-10

# **Western Slope Sand & Gravel Company Pays Nearly Half Million to Settle EEOC Sex Discrimination and Retaliation Lawsuit**

## ***Woman and Two Supportive Men Fired After Sex Discrimination Complaint, Federal Agency Charged***

DENVER □ Oldcastle SW Group, Inc., doing business as United Companies of Mesa County, has agreed to pay \$498,000 and furnish other relief to settle a sex discrimination and retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

According to the EEOC's lawsuit, the woman who complained was hired in 1998 by Delta Sand and Gravel of Grand Junction and Montrose, Colo. (now part of Old Castle SW Group, doing business as United Companies of Mesa County). She drove a truck, batched concrete, dispatched trucks and acted as plant manager before she was assigned to work as a quality control technician, where she remained until she was fired.

The EEOC charges in its suit that through much of her employment, the woman who eventually complained (and who has asked not to be publicly identified) was in what was widely considered to be a □man's job. □ After she started working in quality control, the sex-based bias against her became overt, culminating in sex-related name-calling and active interference with her ability to perform her job. Managers and co-workers alike were overheard making crude gender-based insults, and expressing in clear terms that women should not be working in the plant.

The EEOC also said that several male co-workers saw and overheard the harassment and degrading treatment and offered to support the woman if she wanted to complain. She then did complain to management, and identified the men who offered to support her. The men confirmed her allegations, the EEOC said. After a plant-wide meeting was held to discuss the complaints, these men also expressed fear to the managers that they would be retaliated against because they supported their female co-worker.

According to the EEOC's complaint (*EEOC v. Old Castle SW Group, doing business as United Companies of Mesa County*, Civ. No. 08-cv-01385-RPM, U.S. District Court for the District of Colorado), the employees' concern about retaliation was well-founded. The department manager called the men □crybaby motherf---s□ and □troublemakers,□ and told them they had better □shut the f..k up.□ Over the next seven months, the company terminated the woman and two of the men who supported her.

Sex discrimination and retaliation for complaining about it violate Title VII of the Civil Rights Act of 1964. The EEOC filed suit after first attempting to reach a pre-litigation settlement.

In addition to the monetary relief to the employees, the three-year decree settling the suit enjoins United Companies of Mesa County from engaging in harassment on the basis of sex and from retaliating against employees who complain about it. The employer agreed to train its current and future managers and employees on anti-discrimination laws and to post notices stating its commitment to maintaining an environment free of sexual harassment and retaliation.