



U.S. Equal Employment Opportunity Commission

Español | Other Languages

Enter search terms...

Search

- [Home](#)
- [About EEOC](#)
- [Employees & Applicants](#)
- [Employers](#)
- [Federal Agencies](#)
- [Contact Us](#)

About EEOC

Overview

The Commission

Meetings of the Commission

Open Government

Newsroom

Laws, Regulations, Guidance & MOUs

Budget & Performance

Enforcement & Litigation

Initiatives

Interagency Programs

Publications

Statistics

Outreach & Education

Legislative Affairs

FOIA & Privacy Act

Doing Business with EEOC

Jobs & Internships

EEOC History

Office of Inspector General

[Home](#) > [About EEOC](#) > [Newsroom](#) > [Press Releases](#)



PRESS RELEASE

12-11-13

Bay State Milling Company to Pay \$80K to Settle EEOC Hiring Discrimination Case

Indiantown, Fla., Milling Company Refused to Hire Qualified Applicant Based on His Age, Federal Agency Charged

MIAMI - Bay State Milling Company, a major flour and grain producer, will pay \$80,185 and furnish other relief to settle an age discrimination suit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

The EEOC's suit charged that Bay State Milling Company discriminated against Gary Legore, a qualified applicant, when the hiring manager for the Indiantown, Fla., miller vacancy rejected him for the position because of his age. The hiring manager informed Legore of the company's desire to hire a younger individual for the job. The company ultimately hired a 22-year-old with less experience than Legore.

Such alleged conduct violates the Age Discrimination in Employment Act (ADEA), which prohibits discrimination based on an individual's age. Employees and applicants are covered by this statute. The EEOC filed suit (Case No. 2:12-cv-14439-DLG) in U.S. District Court for the Southern District of Florida, Fort Pierce Division, after first attempting to reach a pre-litigation settlement through its conciliation process.

The consent decree settling the lawsuit, approved by the court on December 10, includes mandatory training for the hiring manager, interviewing officials and the company's human resources department, with an emphasis on age-related discriminatory practices and age sensitivity. The decree also provides for a number of reporting requirements which subject the company to additional monitoring by the EEOC for a period of two years. The monetary award includes back pay and liquidated damages.

"Relying on prejudicial stereotypes based on an applicant's age is unlawful and emotionally harmful for the victim," said Regional Attorney Robert E. Weisberg of the EEOC's Miami District Office. "This agency is charged with the responsibility of protecting the rights of all citizens, and age discrimination will not be tolerated."

EEOC Miami District Director Malcolm Medley added, "When a company is seeking someone to fill a vacant position, it is important that it looks to an individual's qualifications and ability to do the job and not to his or her age, which should never be a factor in a company's decision to hire."

According to company information, Bay State Milling is one of the largest producers of flour and grain products in the United States, and employs between approximately 200 and 500 people nationwide at approximately nine facilities.

The EEOC is responsible for enforcing federal laws against employment discrimination. The Miami District Office's jurisdiction includes Florida, Puerto Rico and U.S. Virgin Islands. Further information is available at www.eeoc.gov.



[Privacy Policy](#) | [Disclaimer](#) | [USA.Gov](#)