

News Release

Colonial Parking, Inc. settles charges of hiring, pay discrimination with US Labor Department after contractor compliance review agrees to pay nearly \$250K to African-American applicants, employees

ARLINGTON, Va. – The largest parking operator in the Washington, D.C., metropolitan area has entered into a **conciliation agreement** with the U.S. Department of Labor’s **Office of Federal Contract Compliance Programs** to resolve allegations of race-based hiring and pay discrimination.

Colonial Parking, Inc. entered into the agreement after an OFCCP compliance evaluation found that the company discriminated against African-American applicants for project manager positions at its District-area parking facilities. The agency also found the company paid African-American parking valet attendants less than their Hispanic coworkers; on average, the African-American valet attendants made \$2,100 less per year than Hispanic employees in the same position, regardless of the job assignment and location. OFCCP determined that these actions violated **Executive Order 11246**, which prohibits federal contractors from discriminating in employment based on race, color or national origin.

Colonial Parking has contracts with the U.S. Secret Service and the International Trade Commission’s Office of Procurement Operations valued at more than \$6.8 million.

“The law is very clear: federal contractors must provide a level playing field for workers through equal employment opportunities,” said **OFCCP Director Patricia Shiu**. “All workers deserve a fair shot at getting and keeping a job, and federal contractors who deny this opportunity through discriminatory employment practices will be held accountable.”

While not admitting liability, Colonial agreed to pay \$180,194.61 in back pay and interest to 20 African Americans who applied for the project manager positions. Colonial will also provide three project manager job opportunities to affected applicants. In addition, the company will make job grade and pay-rate adjustments, will pay \$67,768.21 in back wages and interest to 54 African-American employees working as valet attendants, and will review and revise a number of its hiring, training, compensation and other practices.

In addition to **Executive Order 11246**, OFCCP enforces **Section 503 of the Rehabilitation Act of 1973** and the **Vietnam Era Veterans’ Readjustment Assistance Act of 1974**. These laws, as amended, make it illegal for contractors and subcontractors doing business with the federal government to discriminate in employment because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. In addition, contractors and subcontractors are prohibited from discriminating against applicants or employees because they have inquired about, discussed or disclosed their compensation or that of others, subject to certain limitations. For more information, please call OFCCP’s toll-free helpline at 800-397-6251 or visit <http://www.dol.gov/ofccp/>.

If you are an African American who applied for work as a project manager at Colonial Parking, Inc. from Jan. 1, 2012 through Dec. 31, 2012, and you were not hired, or if you are an African American who worked as a valet attendant at Colonial during that period and no longer work there, please visit OFCCP’s recently launched **Class Member Locator** (www.dol.gov/ofccp/CML/index.htm), which identifies applicants and/or workers who have been impacted by OFCCP’s compliance evaluations and complaint investigations and who may be entitled to a portion of monetary relief and/or consideration for job placement. You can also find more information about OFCCP settlements by calling 844-438-0272.

OFCCP News Release:

08/01/2016

News Release

Division of Norfolk Southern settles charges of hiring discrimination at Roanoke facility in agreement with US Labor Department

Federal contractor to pay nearly \$500K to 2,086 African-American applicants

ROANOKE, Va. – A division of one of the nation’s leading transportation companies has entered into a conciliation agreement with the U.S. Department of Labor’s **Office of Federal Contract Compliance Programs** to resolve allegations of race-based hiring discrimination.

Norfolk Southern Corp. is a federal contractor that, in recent years, has had more than \$10 million in contracts with the Federal Highway Administration, U.S. Department of the Navy, U.S. Department of Air Force and U.S. Fish & Wildlife Services.

Maintenance of Way #34 – a business unit in Norfolk Southern’s engineering department – entered into the agreement after OFCCP determined the company failed to provide equal employment opportunities to 2,086 African Americans who applied for the track laborer and building and bridge laborer positions at the company’s Roanoke facility. During its scheduled compliance evaluation, OFCCP found that – from Jan. 1, 2010, through Dec. 31, 2011 – Maintenance of Way #34 engaged in hiring practices that discriminated against African-American applicants.

The company’s actions violated **Executive Order 11246**, which prohibits federal contractors from discriminating in employment based on race or color in their employment practices.

“Workers should never be denied a fair shot at employment because of factors that have absolutely nothing to do with their ability to effectively perform the job,” said **OFCCP Director Patricia A. Shiu**. “This case highlights our commitment to combatting discrimination that gets in the way of equal employment opportunities for qualified workers.”

Under the terms of the agreement, the company, which has not admitted liability, will pay \$492,000 in back pay and interest to the African-American applicants. Norfolk Southern also agreed to make job offers to seven of the non-selected applicants. Additionally, the company has agreed to discontinue use of the selection procedures in question for the track laborer and building and bridge laborer positions, and to review and modify its employment practices including recruitment, screening, interviewing, selection, rejection and hiring in order to comply with Executive Order 11246. The agreement resolves all violations found by OFCCP.

Norfolk Southern is one of the nation’s oldest transportation companies, and operates approximately 20,000 route miles in 22 states and the District of Columbia. It is a major transporter of coal, automotive, and industrial products. Its Maintenance of Way #34 business unit is responsible for maintenance of the Virginia rail tracks throughout the state, including highways, roads, streets, and other management and consulting services.

In addition to **Executive Order 11246**, OFCCP enforces **Section 503 of the Rehabilitation Act of 1973** and the **Vietnam Era Veterans’ Readjustment Assistance Act of 1974**. These laws, as amended, make it illegal for contractors and subcontractors doing business with the federal government to discriminate in employment because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. In addition, contractors and subcontractors are prohibited from discriminating against applicants or employees because they have inquired about, discussed or disclosed their compensation or that of others, subject to certain limitations. For more information, please call OFCCP’s toll-free helpline at 800-397-6251 or visit <http://www.dol.gov/ofccp/>.

OFCCP recently launched the Class Member Locator. The purpose of the CML is to identify applicants and/or workers who have been impacted by OFCCP’s compliance evaluations and complaint investigations and who may be entitled to a portion of monetary relief and/or consideration for job placement. If you are an African American who applied for work as a track laborer or building and bridge laborer with Norfolk Southern’s Maintenance of Way #34 business unit in Roanoke from Jan. 1, 2010, to Dec. 31, 2011, and were not hired, please visit our website at <http://www.dol.gov/ofccp/CML/index.htm>, where you can also find information about this and other recent OFCCP settlements, or call 844-438-0272.

OFCCP News Release:

07/05/2016

News Release

Subsidiary of Ashland Inc., leading chemical company, settles charges of hiring discrimination with US Labor Department

Federal contractor, Aqualon Company, to pay 660 African-American applicants

RICHMOND, Va. – A subsidiary of one of the world’s leading specialty chemical companies has entered into a conciliation agreement with the U.S. Department of Labor’s **Office of Federal Contract Compliance Programs** to resolve allegations of race-based hiring discrimination.

The Aqualon Company, a subsidiary of global leader Ashland Inc., entered into the agreement after OFCCP determined that – from Oct. 1, 2011, through Sept. 30, 2012 – Aqualon failed to provide equal employment opportunities to 660 African Americans in the Richmond metropolitan area who applied for entry-level transition operator positions at the company’s facility in Hopewell.

OFCCP found that the company’s action violated **Executive Order 11246**, which prohibits federal contractors from discriminating based on race or color in their employment practices. Ashland has multiple federal contracts worth more than \$37 million with the U.S. Department of Navy, the U.S. Department of Army and other federal agencies.

“OFCCP is committed to ensuring that federal contractors and subcontractors conduct hiring, promotions, terminations and compensation fairly, without respect to race, color, religion, sex, sexual orientation, gender identity, national origin, disability or protected veteran status,” said OFCCP Director Patricia Shiu. “We strongly encourage employers to take proactive steps to come into compliance with the law to prevent workplace discrimination.”

In its scheduled compliance evaluation, OFCCP found Aqualon used a discriminatory test as part of its selection process that adversely affected African-American applicants. The test was not job-related and did not meet the requirements of the **Uniform Guidelines on Employee Selection Procedures**.

Under the terms of the agreement, the company, which has not admitted liability, will pay \$175,000 in back pay and interest to the African-American applicants. Aqualon also agreed to hire four of the African-American applicants. Additionally, it has agreed to discontinue use of the test in question for its entry-level positions, and to revise its hiring and recordkeeping practices to comply with Executive Order 11246 and equal employment regulations applicable to federal contractors. The agreement resolves all violations.

Aqualon’s parent company is based in Covington, Kentucky. Ashland is a global leader in production of cellulose ethers and synthetic polymers. It has more than 11,000 employees worldwide that serve customers in more than 100 countries with 36 manufacturing sites in North America and additional locations in Asia, Europe and South America.

In addition to Executive Order 11246, OFCCP enforces **Section 503 of the Rehabilitation Act of 1973** and the **Vietnam Era Veterans’ Readjustment Assistance Act of 1974**. Collectively, these laws make it illegal for contractors and subcontractors doing business with the federal government to discriminate in employment because of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. In addition, contractors and subcontractors are prohibited from discharging or discriminating against applicants or employees because they inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations. For more information, visit <http://www.dol.gov/ofccp/>.

OFCCP recently launched the Class Member Locator. The purpose of the CML is to identify applicants and/or workers who have been impacted by OFCCP’s compliance evaluations and complaint investigations and who may be entitled to a portion of monetary relief and/or consideration for job placement. If you are an African American who applied for work as a transition operator at Ashland, Inc.’s Aqualon Company facility in Hopewell, Virginia, between Oct. 1, 2011, and Sept. 30, 2012, but you were not hired, please visit our website at: <http://www.dol.gov/ofccp/CML/index.htm>, where you can also find information about other recent OFCCP settlements, or call 877-716-9783.

OFCCP News Release:
06/07/2016

News Release

US Labor Department recovers more than \$1.8 million for employees and job applicants at G&K Services

Systemic hiring, pay discrimination found at laundry facilities across the country

SAN FRANCISCO — The U.S. Department of Labor has reached a settlement with nine facilities of G&K Services, Inc., to remedy systemic hiring and pay discrimination violations identified in compliance evaluations initiated between 2011 and 2015. G&K Services has several federal contracts, which requires the company to adhere to nondiscrimination and affirmative action provisions under Executive Order 11246.

A compliance review by the department's Office of Federal Contract Compliance Programs found that G&K discriminated against 444 female employees in laborer positions by disproportionately assigning them to lower paying job duties while filling the higher paying job duties predominantly with men, even though female employees were qualified for and able to perform the higher paying jobs.

"When you accept taxpayer dollars, you are held to the highest employment standards," said U.S. Secretary of Labor Thomas E. Perez. "Workers should be judged on their skills and qualifications, not on their gender or any other arbitrary measure. We will not tolerate employment discrimination by companies that do business with the federal government."

OFCCP determined that this practice of steering women into the lower paying "light duty" jobs led to unlawful sex-based pay discrimination at G&K facilities in Denver; Sacramento, California; Graham and Charlotte, North Carolina; Pleasant Hill, Iowa; Justice, Illinois; St. Paul, Minnesota; and Houston and Coppel, Texas. This practice also resulted in a lower hiring rate for 2,327 male applicants who were equally or more qualified for general laborer positions at the Sacramento, Pleasant Hill, Justice, St. Paul and Coppel locations.

OFCCP also found that G&K failed to provide equal opportunity to 456 African American and 111 Caucasian applicants at its Houston and Charlotte locations when hiring for general laborer positions.

"This settlement demonstrates how the U.S. Labor Department can uncover patterns of workplace discrimination by federal contractors that transcend a single location, which may affect a large number of workers," said Patricia Shiu, Director of OFCCP. "G&K has agreed to fully cooperate to remedy past violations and ensure its selection and placement practices at these facilities are in full compliance with the law going forward. Together, we can achieve the common goal of equal employment opportunities and nondiscrimination in pay for all employees and applicants."

Under the terms of the agreement, G&K, while denying liability, has agreed to pay a total of \$1,813,555 to members of the affected classes in the conciliation agreement. The contractor has also agreed to extend 78 job opportunities to the male, black and white applicants who were not hired, and 58 opportunities for the female employees to move into higher paying positions.

The agreement also requires G&K to undertake a detailed assessment of its hiring, placement and compensation practices, and its job postings and other documents to ensure they provide equal opportunity and do not discriminate on the basis of sex or race. G&K will be required to conduct regular adverse impact and compensation analyses at the locations where OFCCP found violations, and will report regularly to the agency during the monitoring period on its fulfillment of these obligations.

G&K Services, Inc. provides branded uniform and facility services products including traction control products, towel products, microfiber, wet mops, fender covers, linen items and restroom hygiene products.

In addition to [Executive Order 11246](#), OFCCP enforces [Section 503 of the Rehabilitation Act of 1973](#) and the [Vietnam Era Veterans' Readjustment Assistance Act of 1974](#). As amended, these three laws make it illegal for contractors and subcontractors doing business with the federal government to discriminate in employment on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, disability or status as a protected veteran. For more information, please call OFCCP's toll-free helpline at 800-397-6251 or visit <http://www.dol.gov/ofccp/>.

OFCCP recently launched the Class Member Locator (CML). The purpose of the CML is to identify applicants and/or workers who have been impacted by OFCCP's compliance evaluations and complaint investigations and who may be entitled to a portion of monetary relief and/or consideration for job placement. If you think you may be one of the workers eligible for back pay or job opportunities from this settlement, or may know someone who is, please visit the OFCCP Class Member Locator at <http://www.dol.gov/ofccp/cml>, where you can also find information about other OFCCP settlements.

OFCCP News Release: [11/19/2015]