



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues LeachGarner for Sex Discrimination

Metallurgical Company Relegated Female Workers Into Lower-Paying Departments And Paid Them Less Than Male Employees, Federal Agency Charges

BOSTON – LeachGarner, Inc., a metallurgical manufacturer and supplier, violated federal law when it discriminated against a class of female employees by segregating its manufacturing workforce by sex and paying them less than male production workers at its Attleboro, Massachusetts facility, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

The EEOC alleges that, since at least January of 2017, LeachGarner routinely assigned female manufacturing employees to lower-paying jobs. The manufacturing positions held nearly exclusively by males paid significantly more than those held by females, even though the male-dominated positions required no prior experience and their occupants performed similar work.

In communications with staffing agencies, LeachGarner routinely expressed a preference for male workers — using direct or coded language — to fill its higher-paying manufacturing positions, the EEOC said. For example, a LeachGarner Human Resources manager wrote that “a man would be better” for one vacancy, that it would prefer to “try a man” for another, and that an applicant “needs to be strong.” In contrast, job vacancies in female-dominated positions were described as requiring employees with “good finger dexterity,” even though employees of either

sex could perform the jobs. The few women who were allowed to work alongside men were paid less, regardless of their tenure, the EEOC said.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964 and the Equal Pay Act (EPA), both of which prohibit discrimination based on sex. The EEOC filed suit in U.S. District Court for the Massachusetts (*Equal Employment Opportunity Commission v. LeachGarner d/b/a LeachGarner, a Berkshire Hathaway Company*, No. 23-cv-11014) after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC seeks back pay and compensatory, liquidated and punitive damages for the affected employees, and injunctive relief to remedy and prevent future sex-based discrimination in the workplace.

“The Equal Pay Act was the first federal anti-discrimination law enacted to end gender-based pay disparity,” said Jeffrey Burstein, regional attorney for the EEOC’s New York District Office. “In the 60 years since its enactment, the EEOC remains committed to closing the gender wage gap by enforcing laws that require equal pay for men and women who perform the same jobs.”

EEOC New York Acting District Director Timothy Riera added, “In short, Title VII and the Equal Pay Act require equal pay for equal work. In traditionally male-dominated fields, such as manufacturing, it is critical that employers understand the equal pay laws and value the contributions of women workers by paying people of both sexes performing similar jobs the same pay, as required by law.”

For more information on equal pay and compensation discrimination, please visit [**https://www.eeoc.gov/equal-paycompensation-discrimination**](https://www.eeoc.gov/equal-paycompensation-discrimination) ([**https://www.eeoc.gov/equal-paycompensation-discrimination**](https://www.eeoc.gov/equal-paycompensation-discrimination)). For more information on sex-based discrimination, please visit [**https://www.eeoc.gov/sex-based-discrimination**](https://www.eeoc.gov/sex-based-discrimination) ([**https://www.eeoc.gov/sex-based-discrimination**](https://www.eeoc.gov/sex-based-discrimination)).

The EEOC’s New York District Office is responsible for processing discrimination charges, administrative enforcement, and the conduct of agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island, and Vermont. The agency’s Massachusetts Local Office conducted the investigation resulting in this lawsuit. Regional Attorney Jeffrey Burstein, Trial Attorney Sebastian Riccardi, and Trial Attorney Annette Lalic will litigate the case.

The EEOC advances opportunity in the workplace by enforcing federal laws

prohibiting employment discrimination. More information is available at www.eeoc.gov (<http://www.eeoc.gov>). Stay connected with the latest EEOC news by subscribing to our [email updates](https://public.govdelivery.com/accounts/USEEOC/subscriber/new) (<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>).