



U.S. Equal Employment Opportunity Commission

Press Release

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Elevation Labs Sued by EEOC for Retaliation

Employee, Vocal About Race Discrimination, Was Denied Promotion, Threatened With Termination and Forced to Resign, Federal Agency Charges

IDAHO FALLS, Idaho — Elevation Labs, LLC, formerly known as Northwest Cosmetics Labs, violated federal law by retaliating against an employee for raising allegations of race discrimination, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed in federal court today.

According to the EEOC's lawsuit, when Rachel Robertson Johnson started working as a cosmetic chemist at Elevation Labs' Idaho Falls location in 2014, she was one of the company's few Black employees. When she reported racially insensitive remarks and unfair treatment from certain coworkers to HR in 2016, she was told she "needed to be the bigger person." After she raised additional claims about discriminatory treatment to HR in February 2019, the company stated that her relationship with her coworkers and management had deteriorated to a point that prevented her from being promoted.

In July 2019, Elevation Labs' CEO warned they would "part ways" if Robertson Johnson made any further discrimination allegations, after learning that she discussed the organization's lack of diversity and inclusiveness at a company-sponsored diversity presentation with a guest speaker who happened to be the CEO's brother. Other managers also reiterated that she was not being promoted

because of her relationships with coworkers, her past complaints about unfair treatment due to race, and her comments to the guest speaker about discrimination. The EEOC found that the company’s denial of a promotion, the CEO’s explicit threat of retaliation and an unjustified written warning issued in August 2019 forced Robertson Johnson to quit her job in September 2019.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which forbids employers from retaliating against employees who attempt to assert their right to report what they reasonably believe to be discriminatory treatment. The EEOC filed its lawsuit (EEOC v. Elevation Labs, LLC, Case No. 4:23-cv-00318-BLW) in U.S. District Court for the District of Idaho after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC seeks lost wages, monetary damages including compensation for emotional distress, punitive damages, and injunctive relief including anti-retaliation training in the workplace.

“The laws we enforce make it very clear that employers must not punish workers who assert their right to oppose discrimination, and yet retaliation charges have become the most frequently filed allegation with the EEOC, showing up in more than half of all charges we receive,” said Elizabeth Cannon, Seattle field director for the EEOC. “Employers who wish to avoid the pitfalls of retaliation may benefit from looking at the EEOC’s joint initiative with the Department of Labor and National Labor Relations Board to **[address and prevent retaliation \(https://blog.dol.gov/2023/04/28/best-practices-for-employers-to-prevent-and-address-retaliation\)](https://blog.dol.gov/2023/04/28/best-practices-for-employers-to-prevent-and-address-retaliation)**.”

EEOC Trial Attorney Clive Pontusson added, “Employees with a reasonable belief that they face discrimination have the right to speak up without fear of losing a promotion opportunity or their livelihood. The EEOC will vigorously defend that right and hold employers accountable when they take retaliatory actions.”

For more information on retaliation, please visit **<https://www.eeoc.gov/retaliation>** (**<https://www.eeoc.gov/retaliation>**). For more information on race and color discrimination, please visit **<https://www.eeoc.gov/racecolor-discrimination>** (**<https://www.eeoc.gov/racecolor-discrimination>**).

The EEOC’s Seattle Field Office has jurisdiction over Idaho, Montana, Alaska, Washington, and Oregon.

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>).