



U.S. Equal Employment Opportunity Commission

Press Release

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Houchens Food Group to Pay \$50,000 to Settle EEOC Sexual Harassment Lawsuit

Grocery Store Chain Settles Federal Charge It Allowed Customer to Abuse Female Employees

BIRMINGHAM, Ala. – Houchens Food Group, Inc., owner and operator of Pic-N-Sav grocery stores in several states and headquartered in Bowling Green, Kentucky, has agreed to pay \$50,000 and provide other relief to settle a sexual harassment lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, Houchens Food Group subjected female employees at the Pic-N-Sav grocery store in Evergreen, Alabama to frequent, unwelcome sexual touching by a regular customer of the store for several years. Although female employees repeatedly complained to store supervisors, the company failed to take prompt corrective action to prevent or stop the harassment. After repeated complaints went unheeded, on June 5, 2020, one female employee called the police, who came to the store and issued the customer a trespass notice signed by the store manager. Nevertheless, the customer was still allowed to enter the store until at least September 2020, according to the suit.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits

a hostile environment based on sexual harassment in the workplace. The EEOC filed suit (EEOC v. Houchens Food Group, Inc., Case No. 1:21-cv-00408) in U.S. District Court for the Southern District of Alabama after it completed an investigation and was unable to reach a pre-litigation settlement through its voluntary conciliation process.

The four-year consent decree resolving the lawsuit requires Houchens Food Group to pay \$50,000 to one victim of the harassment. Houchens Food Group will develop or revise policies and procedures to prevent and correct sexual harassment. The company is also required to conduct annual training for employees and managers in its Evergreen store and 15 other stores in Alabama to ensure compliance with these policies and the law. The EEOC will monitor the company's compliance for the duration of the decree.

“An employer has a duty to protect its employees from a hostile environment of frequent or serious sexual harassment when it knows of the ongoing harassment,” said Bradley Anderson, district director of EEOC's Birmingham office. “It is an unacceptable and unlawful practice to ignore complaints and continue to allow such misconduct, even from a customer.”

Marsha Rucker, regional attorney for the EEOC's Birmingham District, said, “Tolerating sexual harassment by a customer violates federal anti-discrimination laws. This consent decree sends a message to employers that they cannot ignore complaints of sexual harassment of its employees by a customer or other third parties. Federal law requires prompt, remedial action.”

The EEOC's Birmingham District consists of Alabama, Mississippi (except 17 northern counties), and the Florida Panhandle.

More information about sexual harassment is available at **[Sexual Harassment | U.S. Equal Employment Opportunity Commission \(eeoc.gov\)](https://www.eeoc.gov/sexual-harassment)** (<https://www.eeoc.gov/sexual-harassment>).

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>).

