



**Press Release**

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# **EEOC Sues Hooters of America for Race and Color Discrimination**

Federal Agency Charges Restaurant Failed to Recall Employees Based on Race and/or Color

GREENSBORO, N.C. – Hooters of America, LLC, a Georgia Corporation, violated federal law when it failed to recall employees after a COVID-motivated layoff because they were Black and/or had dark skin tones, the U.S. Equal Employment Opportunity Commission (EEOC) alleged in a lawsuit it filed today.

In March of 2020, the Greensboro Hooters restaurant laid off approximately 43 employees in response to the COVID-19 pandemic. The EEOC’s lawsuit alleges that a class of employees who were Black and/or had dark skin tones and worked as “Hooters Girls” at the Greensboro restaurant were among those laid off. When the restaurant began recalling employees to return to work in May of 2020, the restaurant recalled mostly employees who were White or had light skin tones, the EEOC says.

Of the 13 Hooters Girls recalled to the Greensboro location in May 2020, 12 were white and/or had light skin tones, reflecting a marked shift in the racial composition of the restaurant’s Hooters Girls workforce. Prior to the layoffs, 51% of the Hooters Girls were Black and/or had dark skin tones. After the May 2020 recall, only 8% of

the Hooters Girls were Black and/or had dark skin tones. According to the complaint, Hooters Girls with dark skin tones experienced racial hostility and observed preferential treatment of White employees while employed at the restaurant.

Such conduct violates the Title VII of the Civil Rights Act of 1964, which protects individuals from workplace discrimination and harassment. The EEOC filed suit in U.S. District Court for the Middle District of North Carolina (Equal Employment Opportunity Commission v. Hooters of America, LLC, Civil Action No.: 1:23-cv-00722) after first attempting to reach a pre-litigation settlement through its voluntary conciliation process.

The EEOC seeks monetary relief for the employees, including back pay, and compensatory and punitive damages. The EEOC also seeks injunctive relief against the company to end any ongoing discrimination and to prevent such unlawful conduct in the future.

“When recalling employees from a layoff, it is critical that employers examine their selection criteria to ensure they are objectively verifiable and free from racial bias,” said Melinda C. Dugas, regional attorney for the EEOC's Charlotte District. “Federal law protects employees from race-based decision making in the terms of employment, including in layoff, recall and hiring decisions.”

Charlotte District Director Betsy Rader noted, “Title VII of the Civil Rights Act of 1964 also prohibits employment decisions based on color, including discrimination based on the lightness or darkness of a person’s skin shade or tone.”

The EEOC’s Charlotte District is charged with enforcing federal employment anti-discrimination laws in North Carolina, South Carolina, and Virginia.

For more information on race and color discrimination, please visit

**<https://www.eeoc.gov/racecolor-discrimination>** (**<https://www.eeoc.gov/racecolor-discrimination>**).

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)** (**<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>**).

