



**U.S. Equal Employment Opportunity Commission**

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**Press Release**

10-02-2023

# **Mexico Restaurant Settles EEOC Sexual and Racial Harassment Lawsuit**

Federal Agency Charged That Female Servers Were Subjected to Sexual Harassment And Forced to Quit to Escape the Abuse

HONOLULU – Mexico Restaurant, a Honolulu-based restaurant specializing in Mexican cuisine, has agreed to pay \$227,500 and provide other relief to settle a sexual and racial harassment and retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC’s lawsuit, female servers were subjected to repeated sexual touching and comments by a co-worker. After complaining to management about the sexual conduct and comments, at least one female server experienced retaliatory harassment and was constructively discharged. Despite complaints of sexual and racial harassment, the employer failed to take corrective and preventative action, allowing the harassment to continue unabated.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex and race, and retaliation for reporting a claim of such discrimination. The EEOC filed suit in U.S. District Court for the District of Hawaii (Case No.: 1:22-cv-00430-JAO-RT) after first attempting to reach a pre-

litigation settlement through its conciliation process.

In addition to providing monetary relief, Mexico Restaurant has agreed to put in place effective measures that will address and prevent discrimination in the workplace. These measures include the designation of an external equal opportunity monitor to ensure compliance with Title VII and the provisions of the consent decree; reviewing, revising, implementing and distributing companywide policies addressing discrimination and harassment which include a clear explanation of prohibited conduct; putting in place mechanisms to take prompt corrective action; outlining an internal complaint process and complaint hotline; and providing anti-discrimination training. The decree will remain under the court's jurisdiction for three years.

“We continue to see employers failing to either recognize the warning signs of harassment or retaliation or failing to respond altogether to reports of the same,” said Anna Park, regional attorney for the EEOC's Los Angeles District, which includes Hawaii in its jurisdiction. “We cannot stress enough that employers in the restaurant and hospitality industries must ensure that they comply with federal anti-discrimination laws.”

The EEOC's Honolulu Local Office director, Raymond Griffin, Jr., said, “Allegations of retaliation are the most frequently filed charges with the EEOC. It is imperative that employers put in place measures, such as Mexico Restaurant has done here, to establish reporting procedures and an environment free from retaliation.”

For more information about sexual harassment and race discrimination, visit the EEOC's website at <https://www.eeoc.gov/sexual-harassment> and

**<https://www.eeoc.gov/racecolor-discrimination> (<https://www.eeoc.gov/racecolor-discrimination>)**. More information about retaliation can be found at **<https://www.eeoc.gov/retaliation> (<https://www.eeoc.gov/retaliation>)**.

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>)**.