



U.S. Equal Employment Opportunity Commission

Press Release

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Pero Family Farms Food Company, LLC. Sued by EEOC for Sexual Harassment

Farming and Produce Supplier Allowed Employee to Harass Coworker for Months Without Taking Action, Federal Agency Charges

DETROIT– Pero Family Farms Food Company, LLC, a Delray Beach, Florida-based farming and produce supplier, violated federal law at its Benton Harbor, Michigan location by subjecting a female employee to a hostile work environment because of her sex, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC’s lawsuit, a female employee was harassed by a male forklift driver with whom she had a prior romantic relationship. The forklift driver made numerous remarks to the female employee that were lewd and sexual, insulting, and threatening. The female employee complained to her supervisor about the harassment. The supervisor attempted to counsel the forklift driver and moved him to a different shift. The harassment continued, and the female employee continued to complain, to no avail. Months later, when she reported an incident to the company’s national human resources manager, she was told she would need a restraining order before the company could act. The next day, the employee obtained a personal protection order and submitted it to the company. Afterward, the forklift driver was fired. However, the company deemed the driver eligible for

rehire.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964 which prohibits creating a hostile work environment because of sex. The EEOC seeks to recover monetary compensation for the employee in the form of compensatory damages for emotional distress, as well as punitive damages. The EEOC filed suit (EEOC v. Pero Family Farms Food Co., LLC., Case No. 1:23-cv-00622) in U.S. District Court for the Western District of Michigan after first attempting to reach a pre-litigation settlement through its conciliation process.

“An employer cannot condone a work environment where a female employee is degraded and threatened because of her sex or wait until it is presented with a protection order before it decides to act,” said EEOC Senior Trial Attorney Dale Price. “It must step in to stop such behavior as soon as possible. The EEOC will vigorously pursue violations of Title VII and seek injunctive relief when employers fail to act promptly and appropriately.”

For more information on sexual harassment enforcement, visit:

<https://www.eeoc.gov/sexual-harassment> (**<https://www.eeoc.gov/sexual-harassment>**).

The Detroit Field Office is part of the Indianapolis District, which oversees Indiana, Michigan, Kentucky, and parts of Ohio.

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>**).