



U.S. Equal Employment Opportunity Commission

Press Release

12-20-2023

EEOC Sues South Austin Nissan and NICPA Central Auto Group for Sexual Harassment

Car Sales Managers Sexually Harassed Female Sales Staff, and Retaliated Against Employees Who Reported the Conduct, Federal Agency Charges

AUSTIN, Texas –South Austin Nissan, a car dealership in Austin, Texas, operated by NICPA Central Auto Group, LLC, subjected female employees to sexual harassment and retaliated against employees when they reported the harassment the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit announced today.

According to the EEOC’s lawsuit, three managers at South Austin Nissan engaged in egregious and persistent sexual harassment towards female employees. These managers regularly touched or attempted to touch female employees. They also made sexual comments about female employees, critiquing their physical appearance and referring to the employees’ personal relationships.

Managers encouraged female salespeople to “show more, sell more,” suggesting the women wear revealing clothing at work to succeed in sales opportunities. The sales managers created a culture in which discussing vulgar sexual encounters and

watching sexual videos was fairly commonplace. Several female employees who suffered harassment were forced to leave their jobs because of the managers' conduct.

Several employees, including a male manager, reported the harassers' behavior to both the NICPA Central Auto Group's director of human resources and chief operating officer. However, no appropriate investigation, effective corrective action, or remedial action was taken in response to the complaints. Instead, the reporting employees were transferred to other dealerships managed by NICPA Central Auto Group. One reporting manager was transferred, received a reduction in pay, and was subsequently terminated for standing up against harassment.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits sexual harassment in the workplace. EEOC filed suit, Civil Action No. 1:23-cv-01541, in U.S. District Court for the Western District of Texas, Austin Division, after first attempting to reach a pre-litigation settlement through its conciliation process. In this case, EEOC seeks back pay damages, compensatory and punitive damages, and injunctive remedies, including implementation of stronger oversight over investigations into sexual harassment and discrimination.

"It is unacceptable for a manager to suggest to women that their bodies are their best contribution in the workplace," said Shannon Black, trial attorney in the EEOC's Dallas District Office. "When an employer fails to remedy sexual harassment and retaliates against workers who report, it perpetuates the harms suffered by the employees who simply seek a healthy work environment."

Dallas EEOC Regional Attorney Robert Canino said, "Whether male or female, a co-worker or supervisor who attempts to elevate concerns about sexual harassment should not have to fear reprisal. Corrective measures can maintain or restore employee morale and confidence. Surely, dealership owners and managers want to see their vehicles driven off the lot, not their employees."

For more information on retaliation, please visit [**https://www.eeoc.gov/retaliation**](https://www.eeoc.gov/retaliation) ([**https://www.eeoc.gov/retaliation**](https://www.eeoc.gov/retaliation)). For more information on sexual harassment, please visit [**https://www.eeoc.gov/sexual-harassment**](https://www.eeoc.gov/sexual-harassment) ([**https://www.eeoc.gov/sexual-harassment**](https://www.eeoc.gov/sexual-harassment)).

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>).

Recent Press Releases from the Dallas District Office

Prosper Chili's Grill and Bar to Settle EEOC Sexual Harassment Lawsuit
(<https://www.eeoc.gov/newsroom/prosper-chilis-grill-and-bar-settle-eeoc-sexual-harassment-lawsuit>)

EEOC Sues Paramount Healthcare Consultants for Sex Discrimination and Retaliation
(<https://www.eeoc.gov/newsroom/eeoc-sues-paramount-healthcare-consultants-sex-discrimination-and-retaliation>)

EEOC Sues Cavco Industries and Palm Harbor Homes for Race Discrimination
(<https://www.eeoc.gov/newsroom/eeoc-sues-cavco-industries-and-palm-harbor-homes-race-discrimination>)

Recent Press Releases on the Subject of Sexual Harassment

Prosper Chili's Grill and Bar to Settle EEOC Sexual Harassment Lawsuit
(<https://www.eeoc.gov/newsroom/prosper-chilis-grill-and-bar-settle-eeoc-sexual-harassment-lawsuit>)

EEOC and Tapco Agree to Conciliate Discrimination Charge
(<https://www.eeoc.gov/newsroom/eeoc-and-tapco-agree-conciliate-discrimination-charge>)

EEOC Sues Weis Markets for Sexual Harassment and Unlawful Use of Employee Assistance Program
(<https://www.eeoc.gov/newsroom/eeoc-sues-weis-markets-sexual-harassment-and-unlawful-use-employee-assistance-program>)