



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

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**Press Release**

09-28-2023

# **UFP Ranson, LLC to Pay \$215,000 to Settle EEOC Race and Religious Harassment Suit**

Settles Federal Charges Lumber Manufacturer Subjected Black Muslim Worker and Six Other Black Workers to Harassment and Fired One as Retaliation for Complaining

Martinsburg, W.V. – UFP Ranson, LLC, a subsidiary of UFP Industries, Inc. that manufactures lumber and building materials in Ranson, West Virginia, will pay \$215,000 to settle a race and religious harassment lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, beginning shortly after his transfer to the lumber-treating department in July 2019 and continuing until his discharge in June 2020, UFP Ranson employees subjected a Black Muslim worker to a hostile work environment because of his race and religion.

The EEOC charged that employees repeatedly called the worker various offensive, race- and religion-based epithets; told him that members of the Ku Klux Klan worked at the facility; threw objects at him while he was engaging in daily prayers;

sought to block and intimidate him when he sought to access the time clock and shoulder-checked him when he attempted to pass; and required him to perform tasks by means that were unnecessarily onerous. The EEOC charged that one employee menaced the worker by making overt and implied threats of violence. The EEOC also alleged that the supervisor of the lumber-treating department offered a subordinate a pay raise if he agreed to harass the worker until he voluntarily resigned.

The Black Muslim worker and a second employee, the EEOC alleged, reported the harassment multiple times to their departmental supervisor and the facility manager, among others, but UFP Ranson failed to investigate their reports and took no action to stop the ongoing harassment. Finally, the EEOC said, 12 days after the Black Muslim worker told his departmental supervisor that he intended to contact the EEOC, UFP Ranson fired him.

According to the EEOC's lawsuit, UFP Ranson employees also subjected six other African American workers to a hostile work environment because of their race. The EEOC charged, among other things, that employees repeatedly used offensive, race-based epithets in the workers' presence, refused to help them complete work-related tasks that they helped other coworkers complete, and ordered them not to touch work equipment. The EEOC said that supervisors who personally witnessed or were later notified of the racial harassment took no action to stop it.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits harassment and discrimination because of race and religion. Title VII also prohibits employers from retaliating against employees because they opposed harassment or discrimination, or because they participated in any investigation, proceeding, or hearing under Title VII. The EEOC filed suit (U.S. EEOC v. UFP Ranson, LLC, Civil Action No. 3:21-CV-00149-GMG) in U.S. District Court for the Northern District of West Virginia in Martinsburg after first attempting to reach a pre-litigation settlement through its conciliation process.

On Aug. 17, the federal court denied UFP Ranson's motion for summary judgment, ruling that the EEOC had presented sufficient evidence of racial harassment to warrant a jury trial, including evidence of frequent use of the epithet "n\*\*\*\*r" in the workplace. The EEOC and UFP Ranson subsequently agreed to settle the case before trial and any findings concerning EEOC's claims, and on Sept. 28, the federal court approved the agreed two-year consent decree resolving the litigation.

In addition to paying \$215,000 to the class of seven claimants, UFP Ranson is prohibited from engaging in race or religious discrimination or retaliation in the future. The company must designate a management-level official to serve as an onsite local equal employment opportunity administrator. UFP Ranson must create and disseminate a revised anti-discrimination policy and distribute procedures to appeal the company's handling or resolution of religious harassment and discrimination or retaliation complaints. The company must also provide training on Title VII to the local EEO administrator and other employees with authority to investigate or take corrective action in response to employee complaints of harassment or discrimination.

“Fostering workplaces free of unlawful harassment requires, among other things, that employers establish clear, accessible avenues for employees to report suspected harassment or discrimination, and that onsite supervisors and managers are trained to handle those reports,” said EEOC Regional Attorney Debra Lawrence. “Employers need policies that clearly tell employees how to report such abuses. The law requires employers to exercise reasonable care to prevent and correct harassment.”

EEOC District Director Jamie Williamson said, “Too often, employers write anti-discrimination policies that look good on paper, but that are not implemented in any serious way. When employees report alleged harassment and discrimination in the ways that those policies tell them to, employers have a duty to deal with it promptly.”

For more information on race and color discrimination, please visit [\*\*https://www.eeoc.gov/racecolor-discrimination\*\*](https://www.eeoc.gov/racecolor-discrimination) ([\*\*https://www.eeoc.gov/racecolor-discrimination\*\*](https://www.eeoc.gov/racecolor-discrimination)). For more information on religious discrimination, please visit [\*\*https://www.eeoc.gov/religious-discrimination\*\*](https://www.eeoc.gov/religious-discrimination) ([\*\*https://www.eeoc.gov/religious-discrimination\*\*](https://www.eeoc.gov/religious-discrimination)). 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)).

The EEOC's Pittsburgh Area Office is a component of the Philadelphia District Office, which has jurisdiction over West Virginia, Pennsylvania, Maryland, Delaware, and parts of New Jersey and Ohio. Attorneys in the EEOC Philadelphia District Office also prosecute discrimination cases in Washington, D.C., and parts of Virginia.

The EEOC advances opportunity in the workplace by enforcing federal laws

prohibiting employment discrimination. More information is available at [www.eeoc.gov \(https://www.eeoc.gov/\)](https://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).

The EEOC attorneys who conducted the litigation received invaluable assistance from U.S. Department of Justice attorneys on the staff of William J. Ihlenfeld, II, the U.S. Attorney for the Northern District of West Virginia. The U.S. Attorney's Office in the Northern District of West Virginia has initiated a Civil Rights Program to enforce federal laws protecting the civil rights of individuals in a broad range of areas. Information concerning the U.S. Attorney's Office's Civil Rights Program can be found at <https://www.justice.gov/usao-ndwv/civil-rights-program> (<https://www.justice.gov/usao-ndwv/civil-rights-program>).