



U.S. Equal Employment Opportunity Commission

Press Release

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Taos Hotel Formerly Known as Whitten Inn and its Successor Settle EEOC Race and National Origin Harassment Suit

Former Owner of Whitten Hotel Accused of Racist Behavior, Federal Agency Charges

ALBUQUERQUE, N.M. – Roark-Whitten Hospitality 2, LP, doing business as the Whitten Inn, and its successor purchaser of the hotel SGI, LLC, will pay \$87,000 to settle a long-fought lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC) charging color, race, and national origin harassment, the federal agency announced. The money will be paid as compensatory damages to the aggrieved individuals harmed by the discrimination.

The EEOC sued Whitten Inn alleging that former owner Larry Whitten for subjected Hispanic employees to discrimination and a hostile work environment, including disparate treatment and racial slurs and comments at the hotel in Taos, New Mexico. The EEOC charged that the Whitten Inn enforced a discriminatory no-Spanish policy and a name-changing policy that made employees with ethnic-sounding names use an anglicized name instead.

The EEOC further claimed that within two weeks of Larry Whitten taking over ownership of the hotel, several of the employees were fired or forced to quit in retaliation for complaining about the discrimination or refusing to anglicize their names or to stop speaking in Spanish to customers who spoke in Spanish.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964. The EEOC filed the lawsuit, EEOC v. Roark-Whitten Hospitality 2, LP., d.b.a. Whitten Inn, et.al., Civil Action No. 1:14-cv-00884-PJK-LF, in U.S. District Court of New Mexico after first attempting to reach a pre-litigation settlement through its conciliation process.

After several years of contentious litigation and one appeal to the Tenth Circuit (see Equal Emp. Opportunity Comm'n v. Roark-Whitten Hosp. 2, LP, 28 F.4th 136, 162 [10th Cir. 2022]), the EEOC reached a settlement with the previous owner and one of the successors. The two settlement agreements filed with and approved by the court require Whitten Inn to pay \$65,000 and SGI to pay \$22,000 in compensatory damages to the aggrieved individuals who were harmed by the discrimination in this case.

“Former owner Larry Whitten used offensive slurs such as “wetbacks” and “n****rs” and he derogatorily addressed Hispanic employees he did not know as ‘Paco’ or ‘Sancho,’” said Mary Jo O’Neill, regional attorney for the EEOC’s Phoenix District Office, whose jurisdiction includes EEOC’s Albuquerque Office. “These comments are never appropriate in the workplace and squarely fall within the very definition of a hostile work environment.”

EEOC Assistant Regional Attorney Christina Vigil Frazier, who originally filed the case, added, “Attempts to anglicize the work environment by not allowing Hispanic workers to use their given names or speak in their native tongue with Spanish-speaking customers alienated the Hispanic workforce and created a hostile work environment.”

The EEOC’s Phoenix District Office has jurisdiction for Arizona, Colorado, Utah, Wyoming and part of New Mexico (including Albuquerque).

The director for the EEOC’s Albuquerque Office, April Klug, said, “Employees should be free to oppose discriminatory practices without fear of retaliation. Retaliation charges make up about 58% of the EEOC’s charges, which shows how big a problem it is. Such retaliation is a violation of civil rights law every bit as much as the national origin discrimination in this case.”

For more information on national origin discrimination, please visit <https://www.eeoc.gov/national-origin-discrimination> (<https://www.eeoc.gov/national-origin-discrimination>). For more information on race and color discrimination, please visit <https://www.eeoc.gov/racecolor-discrimination> (<https://www.eeoc.gov/racecolor-discrimination>). For more information on retaliation, please visit <https://www.eeoc.gov/retaliation> (<https://www.eeoc.gov/retaliation>).

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