

NYU Gets Schooled by EEOC in National Origin Harassment and Retaliation Lawsuit

By: Beth Lincow

<http://www.humanresourceattorney.com/>

New York University, the largest private university in the United States and one of New York City's ten biggest employers, will pay \$210,000 to settle [a race and national origin harassment and retaliation lawsuit](#) filed by the U.S. Equal Employment Opportunity Commission (EEOC).

The EEOC had alleged that NYU violated federal law by subjecting an African-born employee to a hostile work environment that included degrading verbal harassment.

According to the [EEOC](#), the supervisor of the mailroom in NYU's Elmer Holmes Bobst Library regularly addressed the employee, a native of Ghana, with slurs such as "monkey" and "gorilla" and insults such as "go back to your cage" and "do you want a banana?" The supervisor also derided the employee's accented English as "gibberish," and expressed hostility toward immigrants, particularly Africans.

Although NYU took months to investigate the employee's many complaints, it took virtually no corrective action, even after being alerted that the supervisor had retaliated against the employee by fabricating grounds for discipline.

The EEOC filed its lawsuit in U.S. District Court for the Southern District of New York (10-CV-7399) (LTS) (JCF) in September 2010 after first attempting to reach a pre-litigation settlement through its conciliation process.

Under the settlement, NYU will pay the employee \$210,000 in lost wages and compensation for the emotional distress he experienced as a result of the unlawful conduct.

In addition, NYU will take several actions to prevent and address discrimination, harassment, and retaliation, including:

- Implementing university-wide enhanced policies and complaint procedures;
- Designating an equal employment opportunity (EEO) coordinator to monitor NYU's compliance with federal anti-discrimination laws;
- Conducting in-person, comprehensive EEO training sessions for employees, supervisors, and HR staff; and
- Maintaining records, to be reviewed by the EEOC, of its responses to future employee complaints of discrimination, harassment, and retaliation.

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About Beth Lincow Cole

The Law Office of Beth Lincow Cole is committed to helping employers comply with federal and state employment law and avoid potential business-wrecking lawsuits.

If your company needs employee or management training or assistance in drafting, reviewing, or revising its EEOC/discrimination policies, [contact](#) employment law attorney [Beth Lincow Cole](#).