

The U.S. Equal Employment Opportunity Commission

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EEOC SUES UNIVERSAL STUDIOS FOR RACE DISCRIMINATION

Major Hollywood Studio Accused of Firing Black Assistant Director Because of Race

LOS ANGELES - In a rare case against a major Hollywood studio, the U.S. Equal Employment Opportunity Commission (EEOC) today filed suit in Federal District Court located in Los Angeles (Case No. LACV 03-7023 GAF (JTLx) against Vivendi Universal S.A. ("Universal Studios") for race discrimination. The suit alleges that on October 9, 2002, Universal fired Frank Davis because of his race, African American. David had been the "first assistant director" on the recent hit film "2 Fast 2 Furious."

EEOC claims that, despite the fact that Davis was fully qualified and personally selected by the film's Director, John Singleton, Universal terminated Davis in violation of Title VII of the Civil Rights Act of 1964. After firing Davis, Universal replaced him with a white Assistant Director. Although Universal claimed it fired Davis for performance issues, it never produced any evidence of the alleged problems, and witnesses interviewed during EEOC's investigation stated that Davis' performance was never at issue. At the time of his termination, Davis had been directing for 23 years.

Davis' other credits include major films such as "Terminator II: Judgement Day," "Seven," "Rising Sun" and "Courage Under Fire." The EEOC filed suit after exhausting its conciliation efforts to reach a voluntary pre-litigation settlement.

"Despite our efforts in the entertainment industry, it is rare that employees are courageous enough to file charges against a major Hollywood studio. Davis should be commended for coming forward," stated Olophius Perry, the EEOC's Los Angeles District Director. "It simply is unacceptable that an employee can be fired because of his race in any industry. Universal's actions against Davis were reprehensible and unjustified. If Title VII has any meaning at all, it is to protect employees like Davis from racial discrimination."

Noelle Brennan, EEOC's Los Angeles Acting Regional Attorney, added, "Our investigation determined that Davis was fired over the objection of the film's director. Almost every witness interviewed, including the director, stated that Davis' performance was never an issue. What's more, the witnesses stated that it was extremely rare for an assistant director to be fired by a studio and replaced while a film is on schedule and on budget. Were it not for Davis' race, we believe he would not have been fired."

Frank Davis stated, "I am extremely pleased that the EEOC has chosen to act upon my complaint. What happened to me was wrong. Hopefully, this lawsuit will encourage other victims of discrimination in Hollywood to come forward."

In addition to enforcing Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex (including sexual harassment or pregnancy) or national origin and protects employees who complain about such offenses from retaliation; the EEOC also enforces the Age Discrimination in Employment Act of 1967, (ADEA) which protects workers age 40 and older from discrimination based on age; the Equal Pay Act of 1963, which prohibits gender-based wage discrimination; the Rehabilitation Act of 1973, which prohibits employment discrimination against people with disabilities in the federal sector; Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; and sections of the Civil Rights Act of 1991. Further information about the Commission is available on the agency's web site at www.eeoc.gov.

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