

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
 FOR THE DIVISION
 2002 NO -7 PM 4:42
 WESTERN DISTRICT OF TEXAS
 U.S. CLERK'S OFFICE

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

vs.

REGIS CORPORATION,

Defendant.

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BY: _____

DEPU

CIVIL ACTION NO.: A:01-CV-551-JRN

CONSENT DECREE

The parties to this Consent Decree are the Plaintiff, United States Equal Employment Opportunity Commission ("EEOC"), and Defendant, Regis Corporation ("Regis"). This Consent Decree resolves the above-referenced Civil Action No. A-01-CA-551 JRN. The EEOC initiated this lawsuit under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, *et. seq.* ("Title VII"), and Title I of the Civil Rights Act of 1991, 42 U.S.C. §1981a. The Complaint was filed to correct alleged unlawful employment practices on the basis of sex (male), and retaliation, and to provide appropriate relief to individuals who were adversely affected by such practices at the Regis salon located in Austin, Texas. The EEOC alleges that these individuals were subjected to a sexually hostile work environment on the basis of their sex (male) in violation of Section 703(a) of Title VII. The EEOC further alleges that these individuals were subjected to disparate treatment and then discharged in violation of Section 704(a) of Title VII in retaliation for complaining

about the sexual harassment. Defendant denies any violations under Title VII as alleged by the EEOC.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has jurisdiction of the subject matter of the action and the parties, venue is proper, and all administrative prerequisites to the filing of this action have been met. The Complaint states claims, which if proved, would authorize this Court to grant relief against Regis pursuant to Title VII.

2. This Decree resolves all issues raised in the EEOC's complaint in this case. The EEOC waives further litigation of all issues raised in the above-referenced complaint. The EEOC expressly reserves its right, however, to process and litigate any other charges which may now be pending or may in the future be filed against Regis.

SCOPE OF THE DECREE

3. The duration of this Decree shall be two (2) years from the date of its filing with the Court. This Court shall retain jurisdiction of this action for the duration of this Decree and may enter such other and further relief as it deems appropriate to ensure implementation and enforcement of its provisions. Any violation of the Decree by Regis, its agents or assigns, in Austin, Texas shall toll the running of this two-year period from the date of the violation. If the Court subsequently determines that this Decree was violated, the two-year period shall recommence and continue from the date of entry of an Order setting out such violation or until such time as ordered by the Court. Should the Court find this

Decree was not violated, the two-year period shall recommence, retroactive to the date of the filing of the pleading alleging that a violation had occurred.

INJUNCTIVE PROVISIONS

4. Regis, its employees, officers, agents, managers, supervisors, successors, and assigns, involved with the operations in Austin, Texas are hereby enjoined from:

(a) Discriminating against any past, present or future employee on the basis of sex in violation of Title VII;

(b) Engaging in or being a party to any action, policy or practice that has the effect of harassing or intimidating any employee on the basis of sex; and

(c) Creating, facilitating or permitting the existence of a work environment that is hostile to any employee on the basis of sex through acts such as unwanted touching and sexually offensive comments of which Regis is or should be aware.

(d) Retaliation against any past, present or future employee in violation of Title VII.

ANTI-DISCRIMINATION POLICY

5. Regis shall continue to implement its written anti-discrimination policy which explicitly prohibits discrimination or harassment in violation of Title VII. The Regis policy contains specific provisions for reporting conduct which is inconsistent with its policy and forbids retaliation against any person for reporting

harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation.

TRAINING

6. Regis shall continue to provide training on the anti-discrimination laws under Title VII. This training will consist of the following:

(a) Two hours of annual training on the anti-discrimination laws under Title VII for area supervisors, regional managers and salon managers in Austin, Texas. Such training will be conducted by Holland & Knight LLP.

(b) Training for all managers and employees on the Regis Non-Discrimination and Workplace Harassment Policy. This training requires that all Austin, Texas employees receive a copy of the policy at the time of hire, that all employees sign an acknowledgment of receipt and understanding of the policy, and that all employees view the video which further explains the Regis Policy.

POSTING NOTICE

7. Regis, its agents, officers, employees, servants, successors, and assigns, shall post a notice within ten (10) days of the entry of this Decree regarding its practices, policies, and intent not to discriminate against any employee in violation of Title VII. Such notice shall be as set forth in Exhibit A, which is attached to this Decree. A copy of Exhibit A shall be posted at Regis' Austin, Texas, salons and on all employee bulletin boards or other areas where employees are likely to congregate. This notice shall remain posted for the duration of this Decree. Regis

shall certify to the EEOC in writing within ten (10) business days after the posting of the Notice that the Notice has been properly posted.

COMPLIANCE

8. During the duration of this Decree, the EEOC shall have the right to ensure compliance with the terms of this Decree.

MISCELLANEOUS PROVISIONS

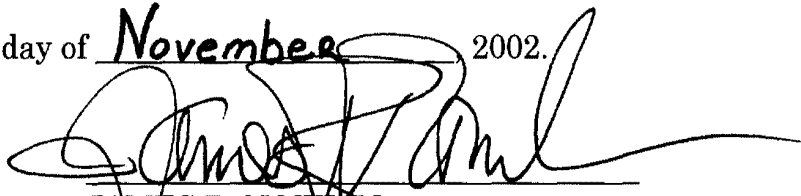
9. The terms of this Decree shall be binding upon Regis, and its present and future representatives, agents, officers, employees, servants, successors, and assigns, as to the issues resolved herein.

10. The parties of this Decree shall bear their own costs and attorney's fees incurred in this action. The parties further agree that pursuant to Section 706(k) of Title VII, 42 U.S.C. § 2000e-5(k), there is no "prevailing party" in this action or proceeding.

The Clerk shall furnish a copy hereof to each attorney of record.

SO ORDERED.

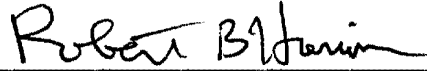
Signed this ^{7th}~~5th~~ day of November 2002.



JAMES R. NOWLIN
Chief, United States District Court Judge

Respectfully submitted,

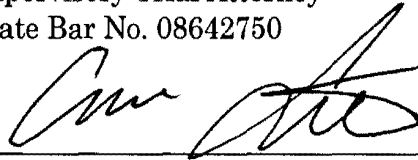
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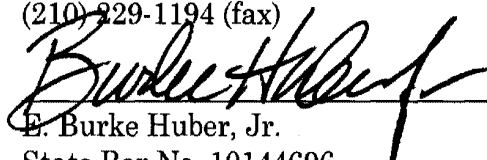
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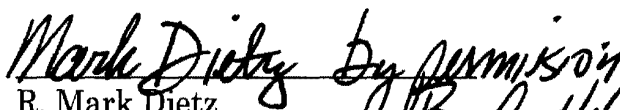
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NOTICE TO ALL EMPLOYEES

REGIS CORPORATION IS FIRMLY COMMITTED TO TREATING EMPLOYEES AND APPLICANTS FOR EMPLOYMENT ACCORDING TO MERIT WITHOUT REGARD TO THEIR RACE, RELIGION, COLOR, NATIONAL ORIGIN, AGE, SEX, OR HAVING ENGAGED IN ACTIVITY PROTECTED BY TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED. THIS POLICY APPLIES TO ALL EMPLOYMENT DECISIONS, INCLUDING RECRUITMENT, RETENTION, PROMOTION, TRANSFER, LAYOFF AND/OR TERMINATION, DEROGATORY COMMENTS AND ALL OTHER TERMS AND CONDITIONS OF EMPLOYMENT. SPECIFICALLY, REGIS WILL NOT TOLERATE SEXUAL HARASSMENT, UNWANTED TOUCHING, SEXUALLY OFFENSIVE COMMENTS AND RETALIATION FOR HAVING COMPLAINED OF THE HARASSMENT.

IF YOU BELIEVE YOU ARE BEING DISCRIMINATED AGAINST IN ANY TERM OR CONDITION OF YOUR EMPLOYMENT BECAUSE OF YOUR RACE, RELIGION, COLOR, NATIONAL ORIGIN, SEX, AGE, OR DISABILITY, SUBJECTED TO HARASSMENT BECAUSE OF YOUR SEX, OR FOR HAVING OPPOSED OR COMPLAINED OF THE DISCRIMINATION, YOU ARE ENCOURAGED TO SEEK ASSISTANCE FROM SUPERVISORY PERSONNEL, OR FROM THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, 5410 FREDERICKSBURG ROAD, SUITE 200, SAN ANTONIO, TEXAS 78229-3550, (210) 281-7600 or 1-800-669-4000.

NO RETALIATORY ACTION MAY BE TAKEN AGAINST YOU FOR SEEKING ASSISTANCE, FILING A COMPLAINT/CHARGE, OR COMMUNICATING WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

EEOC ENFORCES TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, WHICH PROHIBITS EMPLOYMENT DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN; THE AGE DISCRIMINATION IN EMPLOYMENT ACT; THE EQUAL PAY ACT; PROHIBITIONS AGAINST DISCRIMINATION AFFECTING INDIVIDUALS WITH DISABILITIES; SECTIONS OF THE CIVIL RIGHTS ACT OF 1991, AND TITLE I OF THE AMERICANS WITH DISABILITIES ACT, WHICH PROHIBITS DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES IN THE PRIVATE SECTOR, AND STATE AND LOCAL GOVERNMENTS.

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