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CONTACT:
Devika Seth
Senior Trial Attorney
(214) 253-2764
Toby W. Costas
Supervisory Trial Attorney
(214) 253-2760
TTY: (214) 253-2710

EEOC SUES LEADING NORTH TEXAS AIR CONDITIONING CONTRACTOR FOR SEXUAL HARASSMENT

***Only Female Employee in Hobson's Kennedale Facility Sexually Harassed by Top Manager,
Federal Agency Charged***

DALLAS -- The U.S. Equal Employment Opportunity Commission (EEOC) has filed a lawsuit against Hobson Air Conditioning, Inc., one of the largest air conditioning contractors in North Texas, charging that an employee was subjected to a barrage of sexual remarks, touches, and lewd sexual exposure by her manager during her employment.

According to the EEOC, Misty Kratky was hired by Hobson AC in December 2007 and was then transferred to the company's Kennedale, Texas facility, making her the only woman working in this facility at the time. Kratky's manager, Michael Wade Turner, who was the install manager at this facility, soon began to subject her to unwelcome and sexually vulgar comments and touches, including, but not limited to, repeatedly asking Kratky to show him her breasts, making crude sexual demands on her and exposing himself to her on multiple occasions.

Kratky reported the harassment to management but nothing was done to stop the harassing conduct or to impose any disciplinary action on Turner. The EEOC charges that as a result of the company's failure to conduct an investigation of Turner's behavior and the continuation of the unwanted conduct, Kratky had no choice but to resign her employment.

"It is unacceptable and illegal for a company to subject its employees to continuous and unwelcome sex-based comments and conduct and, when complaints are made, to fail to act against the perpetrator," said EEOC Senior Trial Attorney Devika Seth. "A company this size should have the knowledge and resources to effectively handle complaints of sexual harassment. In this case, the company failed in its duty to comply with the law."

(more)

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The suit, filed in U.S. District Court for the Northern District of Texas, Dallas Division, was brought pursuant to Title VII of the Civil Rights Act of 1964, which prohibits sexual harassment in the workplace and requires an employer to prevent and promptly correct sexual harassment by supervisors. The EEOC seeks back pay and compensatory and punitive damages as well as injunctive relief. The agency filed suit after investigating the case, finding reasonable cause to believe that the alleged discrimination took place, and first attempting to reach a pre-litigation settlement.

“Our experiences tell us that when women are outnumbered in particular work settings, especially in construction or trade industries, they may be viewed as more vulnerable and thus subjected to offensive conduct,” said EEOC Regional Attorney Robert A. Canino. “It is a way of telling the woman, ‘you don’t really belong here.’ That attitude unfortunately does little to encourage other women to enter traditionally male-dominated lines of work and can limit opportunities for which women may be well qualified.”

The EEOC is responsible for enforcing federal laws against employment discrimination. Further information is available at www.eeoc.gov.

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