



U.S. Equal Employment Opportunity Commission

Press Release

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TA Dedicated to Pay \$460,000 in EEOC Sexual Orientation and Retaliation Suit

Trucking Companies Settle Federal Charges They Allowed Harassment and Termination of Gay Mechanics Because of Sexual Orientation

CLEVELAND – TA Dedicated (formerly known as Transport America) and Transportation Enterprise Services, trucking companies that operate under the parent TFI International, Inc., will pay \$460,000 and furnish significant equitable relief to settle a sexual orientation and retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today. The EEOC said the companies violated federal law by subjecting two gay mechanics to harassment and termination because of their sexual orientation and retaliated against them for complaining about the harassment.

According to the EEOC's lawsuit, beginning in late 2018, workers and supervisors at the TA Dedicated facility in North Jackson, Ohio harassed two mechanics because they are gay. The harassment included frequent use of gay slurs and other derogatory comments, physical violence and other inappropriate contact, defacement of uniforms, and other hostile behavior. Although human resources and management officials were aware of the harassment, they failed to take effective

action to stop it. Instead, after reporting the harassment, the mechanics suffered further harassment and retaliation, including being fired or forced to quit.

Such alleged conduct violated Title VII of the Civil Rights Act of 1964, which prohibits discrimination because of sex, including sexual orientation and gender identity, and retaliation for opposing discrimination. The EEOC filed suit (EEOC v. TA Dedicated, Inc. d/b/a Transport America and TForce TL Holdings USA, Inc. d/b/a Transportation Enterprise Services, Case No. 1:23-cv-01802) in U.S. District Court for the Northern District of Ohio, after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

The multi-year consent decree resolving the lawsuit requires the trucking companies to provide back pay and more than \$300,000 in compensatory and other statutory damages to two discrimination victims. The decree also enjoins the companies from discriminating against employees on the basis of sex in the future, including sexual orientation and gender identity, and from retaliation.

The court-ordered injunctive relief applies nationwide, including at TA Dedicated locations in Minnesota, Georgia and Pennsylvania, and the consent decree provides significant measures to protect all employees from harassment and retaliation no matter where they work. According to the decree, the companies must create and maintain a third-party, toll-free hotline for employees to report sex discrimination or retaliation, with an option for anonymous reporting, and TA Dedicated must promptly investigate all complaints. The decree terms also address the need for better quality investigations of such complaints and also provides for EEOC monitoring and review of periodic company reports.

“We are pleased this settlement provides meaningful compensation to the mechanics who suffered harassment because of their sexual orientation and retaliation for speaking up,” said Debra Lawrence, regional attorney of the EEOC’s Philadelphia District Office. “And the reporting hotline, training, tracking, posting, and EEOC monitoring required by the consent decree should help ensure that other LGBTQI+ persons don’t have to endure similar abuse.”

EEOC Cleveland Field Office Director Dilip Gokhale added, “Employers have a responsibility to protect their employees from harassment because of sex, including sexual orientation and gender identity. That includes enforcing effective anti-harassment policies, conducting proper investigations of complaints, and taking appropriate corrective action. The EEOC remains committed to holding employers

accountable in that regard.”

For more information on sexual orientation discrimination, visit: <https://www.eeoc.gov/sexual-orientation-and-gender-identity-sogi-discrimination> (<https://www.eeoc.gov/sexual-orientation-and-gender-identity-sogi-discrimination>). For more information about retaliation, visit: <https://www.eeoc.gov/retaliation> (<https://www.eeoc.gov/retaliation>).

The EEOC’s Philadelphia District Office has jurisdiction over Pennsylvania, Maryland, Delaware, West Virginia and parts of New Jersey and Ohio. The legal staff of EEOC also prosecutes discrimination cases in Washington, D.C. and parts of Virginia.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at www.eeoc.gov (<http://www.eeoc.gov>). Stay connected with the latest EEOC news by subscribing to our [email updates](https://public.govdelivery.com/accounts/USEEOC/subscriber/new) (<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>).

Recent Press Releases from the Cleveland Field Office

[Ohio Amusement Park to Pay \\$50,000 in EEOC Age Discrimination Suit](https://www.eeoc.gov/newsroom/ohio-amusement-park-pay-50000-eeoc-age-discrimination-suit) (<https://www.eeoc.gov/newsroom/ohio-amusement-park-pay-50000-eeoc-age-discrimination-suit>)

[ADT Pizza to Pay \\$15,000 to Settle EEOC Disability Discrimination and Harassment Charge](https://www.eeoc.gov/newsroom/adt-pizza-pay-15000-settle-eeoc-disability-discrimination-and-harassment-charge) (<https://www.eeoc.gov/newsroom/adt-pizza-pay-15000-settle-eeoc-disability-discrimination-and-harassment-charge>)

[La EEOC Demanda a Wheeler Trucking por Discriminación Racial y Religiosa y Represalias](https://www.eeoc.gov/es/newsroom/la-eeoc-demanda-wheeler-trucking-por-discriminacion-racial-y-religiosa-y-represalias) (<https://www.eeoc.gov/es/newsroom/la-eeoc-demanda-wheeler-trucking-por-discriminacion-racial-y-religiosa-y-represalias>)

Recent Press Releases on the Subject of Sexual Harassment

[Chipotle to Pay \\$50,000 in EEOC Sexual Harassment Case \(https://www.eeoc.gov/newsroom/chipotle-pay-50000-eeoc-sexual-harassment-case\)](https://www.eeoc.gov/newsroom/chipotle-pay-50000-eeoc-sexual-harassment-case)

[Erie Construction to Pay \\$99,000 to Settle EEOC Sex Discrimination and Retaliation Suit \(https://www.eeoc.gov/newsroom/erie-construction-pay-99000-settle-eeoc-sex-discrimination-and-retaliation-suit\)](https://www.eeoc.gov/newsroom/erie-construction-pay-99000-settle-eeoc-sex-discrimination-and-retaliation-suit)

[Amerigo Italian Restaurant Owner Companies Pay \\$60,000 in EEOC Discrimination Suit \(https://www.eeoc.gov/newsroom/amerigo-italian-restaurant-owner-companies-pay-60000-eeoc-discrimination-suit\)](https://www.eeoc.gov/newsroom/amerigo-italian-restaurant-owner-companies-pay-60000-eeoc-discrimination-suit)