

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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## **Beverage Manufacturer and Distributor to Pay \$80,000 to Settle DFEH Gender Discrimination Suit**

*Employer allegedly denied access to bathrooms to former employee truck driver working the night shift*

**Los Angeles** – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a sex discrimination case with Coca-Cola Refreshments USA, Inc. (CCR) involving a former employee who alleged CCR denied her access to a women's restroom during her work hours on the night shift.

In her February 2016 complaint filed with DFEH, complainant, a transport driver, alleged she could not access women's restrooms at certain CCR facilities during the night shift despite the fact CCR provided men's restrooms to its male night shift workers. She also alleged on at least one occasion a male coworker walked into a women's restroom while she changed her clothes.

After DFEH found cause to believe a violation of the Fair Employment and Housing Act (FEHA) had occurred, it filed a lawsuit in September 2017 against CCR on behalf of the transport driver. The parties reached a settlement in which CCR, which sold its California-based operations and ceased doing business in California in October 2017, will pay \$80,000 in emotional distress damages and DFEH attorney fees.

"The Fair Employment and Housing Act requires employers to provide equal access to comparable, safe, and adequate facilities, including restroom facilities, to all employees without regard to their sex," said DFEH Director Kevin Kish. "FEHA's regulations specifically address restroom facilities, requiring equal and private facilities for use by all employees."

In addition to a monetary settlement, CCR agreed to promulgate and enforce non-discrimination policies that comply with the FEHA and post anti-discrimination posters at its facilities should it return to doing business in California.

Gregory J. Mann, Senior Staff Counsel, and Francisco Balderrama, Staff Counsel, represented DFEH in this proceeding.

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*The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).*

