

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

v.

**WORLDWIDE PRINTING AND
DISTRIBUTION, INC. d/b/a
RESOURCEONE,**

Defendant.

Case No. 23-cv-419-SEH-MTS

CONSENT DECREE

1. Plaintiff Equal Employment Opportunity Commission (“EEOC”) instituted this action against Defendant Worldwide Printing and Distribution, Inc. d/b/a ResourceOne (“Defendant”) to enforce provisions of Title II of the Genetic Information Non-Discrimination Act of 2008 (“GINA”), Title VII of the Civil Rights Act of 1964 (“Title VII”), and Title I of the Civil Rights Act of 1991. The EEOC alleges Defendant violated the GINA and Title VII by subjecting Angela Navarro-Alcorn to a hostile work environment based on her race, national origin, and genetic information. The EEOC also alleges Defendant constructively discharged Navarro-Alcorn.
2. The parties agree this action should be resolved by entry of this Decree. This Decree fully and finally resolves all claims alleged in the EEOC’s Complaint.

3. The parties agree and stipulate that this Decree springs from and serves to resolve a dispute within the Court's subject matter jurisdiction.
4. The parties agree and stipulate that this Decree comes within the general scope of the case made up by the pleadings.
5. The parties agree and stipulate that this Decree furthers the objectives of the law upon which the Complaint was based.
6. The parties agree and stipulate that the terms of this Decree are fair, reasonable and adequate.
7. The parties agree and stipulate that the terms of this Decree were negotiated and are a compromise between the parties' opposing positions.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

8. Defendant shall not harass any individual on the basis of that individual's national origin, race or genetic information.
9. Defendant shall not retaliate against any individual because such individual has opposed harassment based on race, national origin or genetic information.

CHARGING PARTY RELIEF

10. Within ten (10) business days of entry of this Decree or receipt of updated Forms W-9 and W-4, whichever is later, Defendant will pay the gross sum of \$47,500 to Angela Navarro-Alcorn by check(s) sent via certified mail return receipt requested to an address provided by the EEOC, with \$2,175

of the total amount designated as backpay and \$45,325 designated as compensatory damages, and with an itemized statement setting forth the amounts paid and any withholdings.

11. Defendant will deduct only the employee's share of FUTA, FICA, and applicable federal, state and local tax withholdings from the amount designated as backpay and shall make no deductions from the amount designated as compensatory damages.
12. No later than January 31, 2025, Defendant will issue to Navarro-Alcorn an IRS form W-2 for the designated backpay amount and an IRS form 1099 for the designated compensatory damages amount.
13. In the event of non-payment, it is acknowledged that the monetary relief provided for herein is a debt owed to and collectible by the United States or its proxy, notwithstanding that Navarro-Alcorn is the ultimate beneficiary of such monetary relief.
14. Within ten (10) days of entry of this Decree, Defendant will provide Navarro-Alcorn a letter of reference in the form attached as Exhibit 2 to this Decree. Defendant will provide such letter of reference by delivery to Navarro-Alcorn at the same address provided by the EEOC pursuant to paragraph 10 of this Decree.
15. Defendant shall not condition receipt of relief under this Decree upon Navarro-Alcorn's agreement to: (a) maintain as confidential the terms of

this Decree or the facts and/or allegations of this case; (b) waive her statutory right to file a charge or complaint with any governmental agency; (c) refrain from applying for employment with Defendant; (d) enter a non-disparagement agreement; (e) execute a general release of claims; or (f) any other terms or conditions not explicitly stated in this Decree.

EQUITABLE RELIEF

16. Within thirty (30) days of entry of this Decree, Defendant will adopt or maintain written policies and procedures to ensure compliance with Title VII and the GINA that include, at a minimum:
- a. A clear statement that Defendant will not tolerate discrimination or harassment based on race, national origin or genetic information and that it will not tolerate retaliation against individuals who oppose or report such conduct;
 - b. A clear statement encouraging all employees to report any conduct that could violate Defendant's policy prohibiting discrimination, harassment, and retaliation, and that requires all supervisory and management employees to promptly report any such conduct;
 - c. A clear description, with multiple examples, of the types of conduct that would violate Defendant's policy prohibiting discrimination and harassment based on race, national origin, or genetic information

and Defendant's policy prohibiting retaliation against individuals who oppose or report such conduct;

- d. The identity of multiple specific individuals, by job title, to whom employees can report concerns about possible discrimination, harassment, or retaliation;
- e. A routinely-monitored employee hotline phone number and email address that employees can use to report concerns about possible discrimination, harassment, or retaliation;
- f. A clear explanation of how employees may report discrimination, harassment, or retaliation, including multiple avenues for reporting and options for both verbal and written reporting;
- g. Assurance that all reports of possible discrimination, harassment, and retaliation will be taken seriously and that Defendant will promptly investigate all such allegations;
- h. Assurance that Defendant will take appropriate remedial action to address all such allegations of discrimination, harassment, and retaliation;
- i. A description of the consequences, up to and including termination, that Defendant will impose on employees who violate Defendant's anti-discrimination, anti-harassment, and anti-retaliation policies;

- j. Assurance of maximum feasible confidentiality for individuals who report possible discrimination, harassment, or retaliation;
- k. Assurance that individuals who report possible discrimination, harassment, or retaliation, and individuals who provide information relating to such conduct, will be protected from retaliation; and
- l. Clear procedures, including delineation of roles and multiple levels of review, for investigating alleged or suspected discrimination, harassment, or retaliation.

17. Within thirty (30) days after adoption of the policies required under paragraph 16(a)-(k) above, a copy of those policies will be posted in all locations where similar employee information is posted, and will be uploaded to Defendant's employee portal with a prominently-placed, easy to see link on the site landing page.

18. No later than December 31, 2024, Defendant will distribute physical copies of the policies required under paragraph 16(a)-(k) to all employees.

19. Beginning within thirty (30) days after adoption of the policies required under paragraph 16 (a)-(k), Defendant will provide a copy of those policies to new employees within five days of hire. Defendant will redistribute those policies to all employees annually.

TRAINING

20. No later than December 31, 2024, and annually thereafter, Defendant will provide a minimum of two training sessions of one (1) hour each, for all supervisory and Human Resources employees. At least one session will be presented in-person, and both sessions will be interactive and presented by an individual with experience in providing workplace anti-discrimination training. Each session will cover the following topics:

- a. Defendant's policies and procedures adopted in compliance with paragraph 16 above;
- b. descriptions and multiple examples of the types of conduct that would violate Defendant's policy prohibiting discrimination based on race, national origin, and genetic information;
- c. descriptions and multiple examples of the types of conduct that would violate Defendant's policy prohibiting retaliation;
- d. instruction regarding appropriate methods of receiving, communicating, and investigating alleged or suspected discrimination, harassment, and retaliation;
- e. instruction regarding prohibited conduct and appropriate consequences for individuals who engage in prohibited conduct;
- f. the importance of supervisory, management, and Human Resources employees (1) being particularly vigilant regarding discrimination,

harassment and retaliation; (2) being sensitive to how their actions or words might be perceived by subordinate employees; and (3) avoiding the temptation to retaliate against an employee because a complaint is made, or might be made against them.

21. Defendant will record each in-person training session provided in compliance with paragraph 20 and will require all employees who are newly hired or promoted into supervisory, managerial, or Human Resources positions more than sixty days prior to the next session to watch the recording within ten (10) days of their hire or promotion.
22. No later than December 31, 2024, and annually thereafter, Defendant will provide a minimum of one (1) hour of live, interactive, in-person training for all employees provided by an individual with experience in providing workplace anti-discrimination training, regarding the following topics:
 - a. Defendant's policies and procedures adopted in compliance with paragraph 16 above;
 - b. descriptions and multiple examples of the types of conduct that would violate Defendant's policy prohibiting discrimination based on race, national origin, and genetic information;
 - c. descriptions and multiple examples of the types of conduct that would violate Defendant's policy prohibiting retaliation;

- d. the right of all employees to work in an environment free from harassment and discrimination based on race, national origin, or genetic information;
- e. instruction regarding all available avenues for employees to report alleged or suspected violations of Defendant's policies and an explanation of Defendant's procedures for responding to all such reports, including protections for individuals who make reports and the range of consequences for individuals found to have violated Defendant's policies.

23. Defendant will record each in-person training session provided in compliance with paragraph 22 and will require all new employees hired more than sixty days prior to the next session to watch the recording within ten (10) days of their hire.

24. No later than December 31, 2024, and annually thereafter, Defendant will provide a minimum of thirty minutes of additional live, interactive, in-person training to all employees responsible for responding to or investigating reports of alleged or suspected harassment, discrimination, or retaliation, provided by an individual with experience in workplace investigations, regarding accepted professional standards for receiving and investigating reports of employment discrimination, including witness interview techniques, other evidence-gathering techniques, maintaining

investigative notes and records, appropriate analysis of the evidence, and methods for eliminating violations of anti-discrimination policies and laws.

25. For all training required by this Decree, Defendant will maintain attendance logs identifying all trainees by name and job title and including the date of the training session attended.

NOTICE POSTING

26. Within fourteen (14) days of entry of this Decree and for the term of this Decree, Defendant will post the notice attached as Exhibit 1 to this Decree in all employee breakrooms. Exhibit 1 may be updated by Defendant if the contact person listed on Exhibit 1 changes at any time during the term of this Decree.

ADDITIONAL EQUITABLE REMEDIES

27. Defendant shall not rehire Mor Lee at any of its facilities or operations in the United States, and will, within ten (10) days of entry of this Decree, place a document or notation in her personnel record indicating that she is ineligible for rehire.
28. Within thirty (30) days of entry of this Decree and for the duration of the Decree, Defendant will include in its EEO policies a statement that any supervisor or manager who violates the laws prohibiting discrimination,

harassment and retaliation will be subject to discipline up to and including termination.

REPORTING REQUIREMENTS

29. Starting December 31, 2024, and every six (6) months thereafter for the term of this Decree, Defendant will report to the EEOC each complaint or report of harassment or discrimination received on or after the entry of this Decree based on national origin, race, or genetic information, or retaliation based on reporting or opposing such conduct, including:

- a. the name, home address, personal email address, and personal telephone number of the person who made the report;
- b. the name and job title of the person(s) who received the report;
- c. a description of the reported incident(s);
- d. the name, home address, personal email address, and personal telephone number of each potential witness identified by the person who made the complaint or report;
- e. the date of the report; and
- f. a description of Defendant's actions taken in response to the complaint.

30. For the duration of this Decree, Defendant will retain all documents reasonably related to reports or complaints of discrimination, harassment, and/or retaliation.
31. At any time during the term of this Decree, the EEOC may request, and Defendant will provide within twenty (20) days, any documents, reports, or other information the Defendant is expressly required to collect or maintain by this Decree.
32. Within twenty (20) days of completing the actions required by Paragraphs 10 through 28 above, Defendant will submit to the EEOC certification that those actions were completed along with copies of all related documents, including but not limited to EEO-related policies, procedures, training materials, and training attendance logs.
33. Defendant will submit all certifications, notices, reports, and other materials required by this Decree to the EEOC by e-mail to the following email address:

EEOC-SLDO-Decree-monitoring@eoc.gov.

MISCELLANEOUS PROVISIONS

34. By entering into this Consent Decree, the parties intend to resolve only the charge of discrimination that created the procedural foundation for

this suit. No other pending or future charges of discrimination, if any, are affected by this Decree.

35. This Decree will be in effect until March 31, 2027. This Court shall retain jurisdiction over this matter for purposes of compliance.

36. The provisions of this Decree will only apply to Defendant's Tulsa, Oklahoma, facility.

37. Defendant will provide a copy of this Decree to any organization or person who proposes to acquire or merge with Defendant prior to any such acquisition or merger.

38. If the EEOC believes Defendant has not complied with any term of this Decree, the EEOC shall provide written notification to Defendant by electronic mail to Jeff Tooley (legal@wearemoore.com), with a copy to Chris Vaught (chris.vaught@crowedunlevy.com). Defendant shall provide a written response to the EEOC within thirty (30) days. The parties shall then meet and confer in an attempt to resolve any disputes arising under this Decree before seeking relief from the Court.

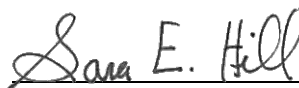
39. Within seven (7) days of entry of this Decree, Defendant will provide the EEOC with its Tax ID number and the name and physical mailing address of the individual who should receive an IRS Form 1098-F if the EEOC is required to issue the form.

40. The EEOC has made no representations regarding whether any amounts paid pursuant to, or to comply with, the terms of this Decree qualify for a deduction under the Internal Revenue Code, nor has Defendant relied on any such representations by the EEOC.

41. The parties acknowledge that the provision of a Form 1098-F by the EEOC does not mean that the requirements to claim a deduction under the Internal Revenue Code have been met and that any decision regarding whether payments made pursuant to this Decree qualify for a deduction under the Internal Revenue Code will be made solely by the Internal Revenue Service with no input from the EEOC.

42. The parties shall bear its own costs and attorneys' fees.

IT IS SO ORDERED this 13th day of August, 2024.



Sara E. Hill

UNITED STATES DISTRICT JUDGE

APPROVED:

**FOR PLAINTIFF EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION:**

KARLA GILBRIDE
General Counsel

CHRISTOPHER LAGE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

/s/ Andrea G. Baran

ANDREA G. BARAN, MO Bar 46520

Regional Attorney

JENNIFER ARENDES, MO Bar 46638

Trial Attorney

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

St. Louis District Office

1222 Spruce St., Rm. 8.100

St. Louis, MO 63103

(314) 798-1929 (Office)

(314) 539-7895 (Fax)

Email: andrea.baran@eeoc.gov

jennifer.arendes@eeoc.gov

JOSHUA M. PIERSON, MO Bar 65105

Supervisory Trial Attorney

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Kansas City Area Office

400 State Avenue, Suite 905

Kansas City, KS 66101

(913) 359-1807 (Office)

(314) 539-7895 (Fax)

Email: joshua.pierson@eeoc.gov

PATRICK J. HOLMAN
Trial Attorney
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
Oklahoma Area Office
215 Dean A. McGee Avenue, Suite 524
Oklahoma City, OK 73102
(405) 666-0374
Email: patrick.holman@eeoc.gov

ATTORNEYS FOR PLAINTIFF

FOR DEFENDANT:



Jeffrey T. Pelcher
President
WORLDWIDE PRINTING AND DISTRIBUTION, INC.
d/b/a RESOURCEONE
2900 E. Apache St.
Tulsa, OK 74119
(918) 295-0112

/s/ Charles C. Vaught
Randall J. Snapp, OBA #11169
Charles C. Vaught, OBA #19962
Logan C. Hibbs, OBA #35635

Crowe & Dunlevy, P.C.
222 N. Detroit Ave., Ste. 600
Tulsa, OK 74120
randall.snapp@crowedunlevy.com
918.592.9855
chris.vaught@crowedunlevy.com
918.592.9871
logan.hibbs@crowedunlevy.com
918.592.9830

ATTORNEYS FOR DEFENDANT

Exhibit 1

NOTICE

Federal law prohibits discrimination and harassment of employees based on race, national origin, or genetic information.

Federal law also prohibits retaliation against employees who report unlawful discrimination and harassment to their employer or to the EEOC or a state agency.

Employees and job applicants are encouraged to report possible discrimination, harassment, or retaliation to Worldwide Printing and Distribution, Inc. at:

Christy White (Phone: (918) 409-3683; Email: cwhite@wearemoore.com)

Employees and applicants may also report discrimination, harassment, and retaliation to:

**Patrick J. Holman, Attorney
Equal Employment Opportunity Commission
Tel. No.: (405) 666-0374; Email: patrick.holman@eeoc.gov**

For more information about unlawful employment discrimination, go to:
www.eeoc.gov.

Date

Jeffrey T. Pelcher
President
Worldwide Printing and
Distribution, Inc.

Exhibit 2



LETTER OF REFERENCE

To Whom It May Concern:

This letter confirms that Angela Navarro-Alcorn was employed by Worldwide Printing and Distribution, Inc. from May 19, 2022 through August 16, 2022 as a Trainee.

Sincerely,

Jeffrey T. Pelcher

President

Worldwide Printing and Distribution,

Inc.