UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

CIVIL ACTION NO.

v.

CA3-92-0169-T

INFORMATION SYSTEMS CONSULTING, A DIVISION OF DIVERSIFIED HUMAN RESOURCES GROUP,

Defendant

_ _ _ _ _

CONSENT DECREE

This action was initiated on January 27, 1992, by the plaintiff, the Equal Employment opportunity Commission (hereinafter the "Commission"), an agency of the United States Government, alleging that the defendant, Information Systems Consulting, A Division of Diversified Human Resources Group, had violated Title VII of the Civil Rights Act of 1964, as amended, by terminating Bruce Hanson because of his refusal to obtain a social security number after Mr. Hanson advised the defendant that obtaining or using a social security number was in conflict with his religious beliefs.

The Commission and Information Systems Consulting, A Division of Diversified Human Resources Group desire to settle this action, and therefore, do hereby stipulate and consent to the entry of his Consent Decree as final asd binding between the parties signatory hereto and their successors or assigns. This Decree resolves all matters related to Complaint CA3-92-0169-T filed in the United States District Court for the Northern District of Texas, Dallas Division. The parties have agreed that this Decree may be entered without Findings of Fact and Conclusions of Law having been made and entered by the Court.

In consideration of the mutual promises of each party to this Decree, the sufficiency of which is hereby acknowledged, the Commission and Information Systems Consulting, A Division of Diversified Human Resources Group agree as follows, the Court finds appropriate, and therefore it is ORDERED, ADJUDGED AND DECREED that:

- 1. This Decree reolves all issues raised in the EEOC charge No. 310-89-2438. This Decree further resolves all issues in the Complaint filed by the Commission in this case. The Commission waives further litigation on all issues raised in the above referenced charge and Complaint. The Commission does not waive processing or litigating charges other than the charge referred to above.
- 2. The parties agree and the Court finds that this Court has jurisdiction of the subject matter of this action and of the parties, that venue is proper, and that all administrative prerequisites to filing suit have been satisfied.
- 3. By entering into this Decree, the parties have not admitted any contentions regarding the allegations on the merits of this cause of action. No party shall contest the validity of this

enforce its Decree and its terms or the right of any party to bring an enforcement suit upon breach of any of the terms of this Decree by any other party. Jurisdiction over this action is retained by the Court for the purpose of enabling any of the parties to this Consent Decree to apply to the Court at any time for such further order and directions as may be necessary or appropriate for the construction or implementation of the Decree or any of its provisions, or for the enforcement or compliance therewith.

- 4. This Decree is being issued with the consent of the parties and does not constitute an adjudication or finding by this Court on the merits of the allegations of the complaint. By entering into this Decree, Information Systems Consulting, A Division of Diversified Human Resources Group, does not admit, nor has this Court made any determination with respect to, the claims that there have been any violations of Title VII or any other statute, regulations or ordinance promulgated by any federal, state or local agency dealing with discrimination, by Information Systems Consulting, A Division of Diversified Human Resources Group. Nothing contained in this Decree shall be construed as an admissions of liability on the part of the defendant.
- 5. The defendant, Information Systems Consulting, A Division of Diversified Human Resources Group, in settlement of this dispute, shall make an award of backpay in the amount of \$10,000.00 to Bruce Hanson. The award shall be paid as follows:
 - (a) a payment of \$3,500.00 shall be made upon entry of the Consent Decree;
 - (b) a payment of \$3,500.00 shall be made four months after the entry of the Consent Decree;
 - (c) a payment of \$3,000.00 shall be made eight (8) months after the entry of the Consent Decree.
- 6. The defendant shall make legal deductions for withholding of Federal income taxes and the employee portion of social security from the backpay checks. The defendant shall include with the check, an itemized statement indicating specific amounts paid and deductions made. All W-2 forms shall be provided as required by law.
- 7. The defendant shall make all employer contributions to social security as required by law on the back wages to be paid to Bruce Hanson pursuant to this Consent Decree.
- 8. The defendant, Information Systems Consulting, A Division of Diversified Human Resources Group, shall be permanently enjoined from terminating an employee or rufusing to hire an individual for failure to provide a social security number because of religious beliefs. If an employee or applicant for employment advises the defendant that he does not have a social security number because of his religious beliefs, the defendant shall request, pursuant to Section 6724 of the Internal Revenue Service Code, 26 U.S.C. § 6724, a waiver of any penalties that may be imposed for failing to include an employee social security number on forms and documents submitted to the IRS. In the event the waiver is granted the employee shall be treated the same as all other employees.
- 9. For a period of two (2) years from the entry of this Decree the defendant shall provide a report to the Equal Employment Commission of all applicants or employees who refuse to prowide a social security number because of religious beliefs. The Commission shall be notified within ten (10) days of the date the defendant is notified that the individual does not have a social security number because of religious beliefs. The defendant shall advise the Commission of the date the IRS waiver was requested and the outcome of the request. The reports shall be directed to:

- 10. Bruce Hanson hereby specifically and voluntarily waives any right to reinstatement.
- 11. Bruce Hanson hereby agrees to release the defendant from all claims, demands, damages and causes of action arising from the allegations in charge number 310 89 2438 and agrees that this Consent Decree resolves all issues arising out of the claims alleged in charge number 310 89 2438.
- 12. The defendant shall post the notice attached as Exhibit A in a conspicuous place for sixty (60) days from entry of this decree.
 - 13. The parties agree to pay their own costs.

SO ORDERED, ADJUDGED AND DECREED this $\underline{30}$ day of $\underline{\text{October}}$, 1992.

[signed]

[signed]

[City, State, Zip]

Bruce Hanson [Street Address]

UNITED STATES DISTRICT

JUDGE FOR

THE NORTHERN DISTRICT OF

TEXAS

AGREED TO IN FORM AND CONTENT

FOR THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION:

DONALD R. LIVINSTON General Counsel

PHILLIP B. SKLOVER
Associate General Counsel

[signed]

JEFFREY C. BANNON
Regional Attorney
Connecticut State Bar No. [######]

[signed]

KATHERINE E. BISSELL
Supervisory Trial Attorney
Texas State Bar No. [#######]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Dallas District Office 8303 Elmbrook Drive, 2nd Floor Dallas, Texas 75247 (214) 767-7948

[signed]

Mr. Dan Hartsfield Ms. T. Michele Baird Gardere & Wynne A Registered Limited Liability Partnership 3000 Thanksgiving Tower 1601 Elm Street Billie Tapp, President Information Systems Consulting

[Letterhead]

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Dallas District Office

NOTICE TO ALL EMPLOYEES POSTED PURSUANT TO A CONSENT DECREE APPROVED BY A UNITED STATES DISTRICT COURT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

This Notice is being posted as part of the remedy agreed to pursuant to a Consent Decree between Information Systems Consulting, A Division of Diversified Human Resources Group, and the U.S. Equal Employment Opportunity Commission (EEOC) in the case EEOC v. Information Systems Consulting, A Division of Diversified Human Resources Group, Civil Action No. CA3-92-0169-T.

Federal law requires that there be no discrimination against any employee or applicant for employment because of the individual's race, color, sex religion, or national origin, with respect to hiring, promotion, firing, compensation, or other terms, conditions and/or privileges or employment.

Information Systems Consulting, A Division of Diversified Human Resources Group, supports and will comply with such federal law in all respects and will not take any action against employees because they have exercised their rights under Title VII of the Civil Rights Act of 1964, as amended.

Specifically, Information Systems Consulting, A Division of Diversified Human Resources Group will not terminate an employee because of religious beliefs.

[signed] [signed]

JACQUELINE R. BRADLEY District Director, Commission

REPRESENTATIVE, INFORMATION SYSTEMS CONSULTING, A DIVISION OF Equal Employment Opportunity DIVERSIFIED HUMAN RESOURCES GROUP

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE REMOVED OR DEFACED BY ANYONE

This Notice must remain posted for a period of sixty (60) days and not be altered, defaced, or covered by any other materials. All question concerning this notice or compliance with its provisions may be directed to Jeffrey C. Bannon, Esq., Regional Attorney, Equal Employment Opportunity Commission, Dallas District Office, 8303 Elm brook Drive, 2nd Floor, Dallas, Texas 75247, (214) 767-7945

(all emphasis original)

I obtained a paper copy of this decree by contacting the District Court in Dallas at 214-767-0787, asking for the "Records" division, and referring to "CA3-92-0169-T". I then explained what part of this case I wanted, and was told to send a self addressed 55-cent stamped envelope to

Attn: Records U.S. District Court North District of Texas 1100 Commerce Street Room 14A20 Dallas, Texas 75242

referring to a couple of pieces of info they gave me over the phone, with a check to cover the cost of copying (50 cents/page). I had it less then a week later.

UPDATE: May 13, 1999 - One visitor claims to have attempted to obtain a copy of this case by following the above, but was told it couldn't be found. I have therefore scanned the first page of 108 that make up this case made it available <u>HERE</u>. (I scratched out the attorneys signature as I consider it personal property & shouldn't be posted on the net). Feel free to use it to assist in their search.