

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

PLAINTIFF

v.

TF, Inc.  
f/k/a Taylor Forge International,  
Inc.

DEFENDANT.

Civil Action No.  
97-2788 DV

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CONSENT DECREE

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This action was instituted by the Equal Employment Opportunity Commission (hereinafter the "Commission") against Defendant, TF, Inc., f/k/a Taylor Forge International, Inc., pursuant to Section 107(a) of the Americans With Disabilities Act of 1990 ("ADA"), 42 U.S.C. §12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§2000a-5(f)(1) and (3), and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981(A). The Complaint alleged Defendant failed to hire Roger Armstrong for a press helper position because of his disability, epilepsy.

This Consent Decree does not constitute an admission by the Defendant of the allegations of the Complaint. The Defendant maintains that the actions of its officials were proper and lawful in all regards. However, all parties to this action desire to avoid the additional expense and delay in this litigation of this

In the event this proposed Consent Decree is not approved or does not become final, it shall not be admissible in evidence in any subsequent proceeding in this action.

The Court has reviewed the terms of the proposed Consent Decree in light of the applicable laws and regulations, the statements and representations of counsel for all parties, and hereby approves the Consent Decree.

It is hereby ORDERED, ADJUDGED AND DECREED:

I. JURISDICTION

The United States District Court for the Western District of Tennessee, Western Division, has jurisdiction over the parties and subject matter of this litigation.

II. SCOPE AND DURATION OF DECREE

A. This Consent Decree resolves all issues and claims arising out of the Commission's Complaint in this cause, alleging unlawful employment policies and practices maintained by the Defendant and arising out of Charge No. 250-96-0009 filed by the Charging Party, Roger Armstrong with the Commission. Notwithstanding any provisions contained in this Decree, this agreement shall not be considered in any manner to be dispositive of any charge now pending before any office of the Commission other than Charge No. 250-96-0009.

B. The provisions of this Consent Decree shall continue to

### III. INJUNCTION PROVISIONS

A. The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant are hereby enjoined from discriminating against a qualified individual with a disability because of the disability of such individual in regard to hiring and other terms, conditions, and privileges of employment.

B. The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant shall not engage in any employment practice which has the purpose or effect of discriminating against any individual on the basis of a disability under the Americans With Disabilities Act.

### IV. NON-RETALIATION PROVISION

The Defendant, its officers, agents, employees, and all persons acting in concert with the Defendant shall not discriminate against any individual because such individual has opposed any act or practice made unlawful by the Americans With Disabilities Act or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Americans With Disabilities.



The Defendant shall continue to conspicuously post at its Millington, Tennessee office, the notice (poster) required to be posted pursuant to the Americans With Disabilities Act of 1990.

VI. INDIVIDUAL RELIEF

The Defendant shall pay Roger Armstrong \$17,000.00 in compensatory damages. Within ten days after entry of the Decree, Defendant shall deliver to Roger Armstrong a cashier's check made payable to "Roger Armstrong" in the amount of \$17,000.00 at the following address: 4757 Saratoga, Millington, TN 38053.

VI. COSTS

Each of the parties shall bear their own costs, including attorneys' fees.

IT IS SO ORDERED THIS 13<sup>th</sup> DAY OF January, 1998.

Bernice B. Donald  
BERNICE B. DONALD  
UNITED STATES DISTRICT JUDGE

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