



**U.S. Equal Employment Opportunity Commission**

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**Press Release**

09-26-2023

# **EEOC Sues Asphalt Paving Systems for Racial Harassment**

**Black Employees Were Subjected to a Hostile Work Environment that Included Racial Slurs, Threatening Conduct and Humiliating Working Conditions, Federal Agency Charges**

TAMPA, Fla. -- Asphalt Paving Systems, Inc. (APS), an asphalt paving company with offices in Florida, New Jersey, Pennsylvania, Georgia and Tennessee, violated federal law by subjecting 12 Black employees who had filed charges with the EEOC, and a class of other Black employees, to race-based discrimination and harassment, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC's lawsuit, African American employees were subjected to a hostile work environment through the open use of racial slurs and racist comments, including use of the "n-word" by employees and managers. Black employees were also subjected to demeaning working conditions, such as being required to work without breaks while white employees watched, and being forced to relieve themselves outdoors while white employees were taken to indoor bathrooms.

The complaint further alleges that APS prevented members of an African American paving crew from finding alternative employment by contacting a future employer

and requesting that they not hire them.

This alleged conduct violates Title VII of the Civil Rights Act of 1964 which prohibits discrimination based on race. The EEOC filed suit (EEOC v. Asphalt Paving Systems, Inc, Case No. 8:23-cv-02169) in U.S. District Court for the Middle District of Florida after first attempting to reach a pre-litigation settlement through its conciliation process.

“The allegations in this case are deeply disturbing and illustrate the unfortunate reality that, 60 years after Title VII was enacted, toxic racial discrimination still plagues many workplaces in Florida,” said EEOC Regional Attorney Robert E. Weisberg. “The EEOC will continue to vigorously fight for the rights of Black employees and applicants to be free from workplace discrimination.”

Tampa Field Office Director Tamra S. Schweiberger said, “The EEOC’s investigation indicated that APS facilitated a hostile work environment filled with racist comments and demeaning treatment towards its African American employees. This type of treatment cannot be tolerated, and the EEOC will vigorously prosecute Title VII violations to protect the rights of Black workers.”

The EEOC’s Miami District Office is comprised of the Miami, Tampa and San Juan EEOC offices, and has jurisdiction over Florida, Puerto Rico and the U.S. Virgin Islands.

For more information on race and color discrimination, please visit

**<https://www.eeoc.gov/racecolor-discrimination>**

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harassment, please visit **<https://www.eeoc.gov/harassment>**

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The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at

**[www.eeoc.gov](http://www.eeoc.gov)** (**<http://www.eeoc.gov>**).

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