

# Goodyear's defense falls flat, inflates employee's wallet

A five-week trial in Cumberland County has ended in a win for a former manager at Goodyear Tire & Rubber Co.'s Fayetteville plant.

Lashanda Shaw was the only black manager in her section of the factory. She alleged she had been harassed based on her gender and race by night manager Doug Swain. Ultimately, Shaw filed a complaint with the EEOC. Shortly after, Goodyear fired her.

Shaw sued for discrimination, retaliation and emotional distress.

The jury awarded Shaw \$450,000 in compensatory damages for retaliation and her emotional distress.

However, it stopped short of finding she had been discriminated against for either her race or gender. Had the jury found that Goodyear willfully discriminated against Shaw, it could have ordered punitive damages.

**Note:** Take every harassment and discrimination complaint seriously. Conduct a quick, fair investigation. It's far better to remedy a complaint in-house instead of letting the matter get to court.

When a manager recommends firing someone, always check the employee's HR file and rigorously review any decision involving someone who has complained about bias or harassment. A recommendation to terminate someone who has filed an EEOC complaint should raise some very big red flags.

You should consult your attorney before proceeding. If such a case goes to trial, expect a tough and expensive court case—and the potential for a large judgment against you. It's better to pay a few thousand dollars for good legal advice than risk a six-figure damages award.