

Lawsuit Accuses Earl's Organic Produce of Racially Discriminating Against African American Employees

Work environment created by Earl's routinely resulted in race harassment and the work segregation of African American employees

SAN FRANCISCO, UNITED STATES, May 10, 2017 /EINPresswire.com/ -- A civil lawsuit (San Francisco County Superior Court, Case #CGC-17-558742) filed by [The Armstrong Law Firm](#) against Earl's Organic Produce alleges numerous [employment law](#) violations as a result of a racially charged work environment, regularly pitting Latino warehouse workers against African Americans and using threats, fear, and intimidation against African Americans.

According to their website, Earl's partners with more than 300 growers to provide organic fruits and vegetables to retailers such as Safeway, Whole Foods, and Mollie Stone's Markets, making it the leading regional distributor of premium organic produce.

The lawsuit alleges the African American warehouse workers were subjected to an illegal work policy reminiscent of racial segregation, "separate but equal." According to the complaint, when complaints regarding the treatment of African American employees were brought to his attention, Earl Herrick, the owner of Earl's, responded by stating: "Well, maybe I am a racist ... I think I'm helping them by giving them jobs and all they try to do is screw me over."

The complaint claims that Earl's segregated the workforce and applied different standards to African American warehouse workers, such as being told to not speak to non-African American workers.

The lawsuit further claims that Earl's does not have any African American supervisors or managers and that it has a policy and practice of not permitting African American men to be supervisors or managers, including being denied training and promotional opportunities.

Earl's work environment, which excluded African Americans from supervisorial or lead duties, led to a racially hostile work environment, according to the complaint. African American workers were subjected to racial slurs along with racially derogatory and harassing language, including the terms "monkey," "chimp," and "gorilla." Earl's did not provide adequate race discrimination, harassment, and retaliation training to its employees and managers nor did it take all reasonable steps to prevent race discrimination, harassment, and retaliation.

When it came to wages, the lawsuit claims that African American warehouse workers were paid less than non-African Americans, received a lower starting pay, and often had their 90-day probationary periods extended. When they complained to Herrick and Earl's Director of Operations, Patrick



Attorney Kelly Armstrong

Stewart, Stewart claimed African Americans were paid less because they did not work as hard and were less efficient. Further complaints were met with employment retaliation as complaining workers were sent home early, terminated, or disciplined. Management did not change its policies and failed to adequately investigate the complaints.

The five African-American workers bringing forth the lawsuit and seeking punitive damages include Eric Hill, Naeem Farley, Bradley Wells, Marcus O'Guinn, and Domingo Howard.

About The Armstrong Law Firm

Founded by attorney [Kelly Armstrong](#), The Armstrong Law Firm enjoys a record of success that includes generating millions of dollars in revenue for our clients. At The Armstrong Law Firm, we seek justice and fair compensation for victims of sexual harassment, discrimination, intimidation or unfair employment practices in the workplace. We are one of the most knowledgeable and experienced employee-only law firms in the Silicon Valley and San Francisco Bay Area.

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