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FARM LABOR CONTRACTOR TO PAY \$750,000 TO RESOLVE DFEH SEXUAL HARASSMENT LAWSUIT***Case against Dynapac Harvesting, Inc. resolves allegations that company failed to protect a farm laborer from sexual harassment, including rape***

Sacramento – Dynapac Harvesting, Inc., a farm labor contractor associated with Pacific International Vegetable Marketing, Inc., in Salinas, California, will pay \$750,000 and furnish other affirmative relief to settle a civil rights lawsuit involving an employee who alleged she was sexually harassed and assaulted by a foreperson.

The employee, known in the litigation as Jane Doe, filed a complaint with the DFEH alleging that in 2016 and 2017, Miguel Guzman Salazar sexually harassed and assaulted her. The DFEH investigated the complaint, found cause to believe violations of the Fair Employment and Housing Act and Civil Code section 51.7 had occurred, and filed suit in Monterey County Superior Court after pre-litigation mediation efforts failed.

In addition to seeking relief on behalf of Jane Doe, the DFEH civil rights complaint alleged that Dynapac Harvesting had a pervasive culture of allowing harassment, discrimination, and retaliation to occur. As alleged in the Third Amended Complaint, the company's sexual harassment training included offensive memes, mocked the importance of anti-harassment measures, and generally failed to convey the importance of protecting employees from sexual harassment.

“Farm laborers are particularly vulnerable to discrimination, harassment, and retaliation,” said DFEH Director Kevin Kish. “DFEH is committed to eradicating such conduct.”

The judicially supervised settlement agreement requires Dynapac Harvesting to hire a third-party monitor for three years to review Dynapac Harvesting's policies and procedures, make regular visits to the worksite, review complaints of harassment filed by employees, and submit compliance reports to DFEH. Dynapac Harvesting will pay \$750,000, which includes payment to Jane Doe for emotional distress damages, and attorney fees to the DFEH.

The case is captioned *Department of Fair Employment and Housing v. Dynapac Harvesting, Inc., et al.*, Case No. 19-cv-000901 (Monterey County).

The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.