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**UNITED STATES FILES CIVIL RIGHTS LAWSUIT
AGAINST THE NYC TRANSPORTATION DEPARTMENT**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, and WAN J. KIM, Assistant Attorney General for the United States Department of Justice, Civil Rights Division, announced that the United States filed a civil rights lawsuit in Manhattan federal court today against the City of New York and its Department of Transportation ("DOT") alleging that the City engaged in unlawful discrimination on the basis of sex in hiring DOT Bridge Painters. According to the Complaint filed by the Government in Manhattan federal court:

The New York City DOT's Division of Bridges is responsible for maintaining the approximately 770 elevated bridge structures operated by the City. The City employs approximately 100 individuals as Bridge Painters.

The DOT has never hired, extended an offer to hire, or employed a single woman as a Bridge Painter, although several qualified women have applied. Furthermore, the City has not administered a civil service examination for the position of Bridge Painter since 1992. New York City's civil service process requires, among other things, that employees for competitive titles such as Bridge Painter be hired from civil service lists following an open and competitive examination. The DOT has failed to comply with the requirements of the civil service process for more than a decade, and instead has hired Bridge Painters on a provisional basis, though there are no objective, formalized guidelines or procedures for making provisional hires. Each time the City has hired a Bridge Painter on a provisional basis, it has hired a man,

though qualified women have applied.

The Government's lawsuit alleges that, by evading the civil service requirements and failing or refusing to hire women for the position of Bridge Painter on the same basis as men, the City has engaged in a pattern or practice of unlawful discrimination on the basis of sex in violation of Title VII of the Civil Rights Act of 1964. The Government's lawsuit seeks, among other things, an injunction prohibiting the City and DOT from engaging in discriminatory employment policies and practices and requiring that the City and DOT follow a fair, open, and competitive selection process for the position of Bridge Painter. The lawsuit also seeks job offers with retroactive seniority and back pay with interest for the individual women injured by the defendants.

Assistant United States Attorneys Jeannette A. Vargas and Allison D. Penn are in charge of the case.

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