

# Amazon Liable For Nooses Found At Job Site, Suit Says

By **Brian Steele**

Law360 (September 22, 2023, 5:26 PM EDT) -- Amazon and two of its construction contractors allowed Black and Puerto Rican workers to endure a racially hostile work environment before and after they found nooses at their Connecticut job site in 2021, and victims of the hateful threats were treated like perpetrators during an FBI investigation, a federal lawsuit has claimed.

A group of five electricians sued Amazon.com Inc., Wayne J. Griffin Electric Inc. and RC Andersen LLC in the District of Connecticut on Thursday, alleging that after plaintiff Elvin Gonzalez found a noose during work on Amazon's Windsor distribution center, the defendants blamed or failed to protect them. Each defendant was "on notice" of potential nooses in the workplace because of a prior incident in 2017, when plaintiff Dornnel Locke said he found one at an Amazon job site in Bloomfield, the complaint said.

"The appearance of a noose, even one noose, in a workplace sends a clear message of hostility towards the men of color working there: 'You are not welcome here, and you better watch your back,'" the **complaint** said. "Upon information and belief, defendants made no efforts after the events in Bloomfield to ensure that this was the last noose on a job site staffed by Griffin electricians, managed by RC Andersen, and owned/controlled by Amazon."

Griffin is based in Massachusetts and employed each plaintiff directly, while RC Andersen is a construction manager in New Jersey. All three defendants controlled the work environment and had a responsibility to prevent the hanging of nooses, but between April and May of 2021, eight were discovered in total, the complaint said.

Griffin's workforce on the project was "primarily Black and Brown," and ironworkers from Texas were displaying Confederate flags onsite, according to the complaint. In one incident, five nooses were found at once, "scattered about on different floors in the building where only the ironworkers had been working," the plaintiffs said.

Four of the five plaintiffs accuse Griffin of violating federal and state laws against hostile work environments and retaliation, while all plaintiffs allege that each defendant violated Section 1981 of the Civil Rights Act of 1866 because their acts and omissions "allowed plaintiffs to endure a hostile work environment on the basis of their race, and said environment interfered with one or more contracts."

The plaintiffs are seeking economic, compensatory and punitive damages. In January, the state's Commission on Human Rights and Opportunities released its jurisdiction over the claims brought by four plaintiffs, which included accusations that white Griffin employees were assigned to more lucrative jobs. Plaintiff Dienus Lesporis is only a party to the federal Section 1981 claims.

"Following their complaints about the racial hostility at their workplace, plaintiffs endured retaliation. Law enforcement officials accused them of hanging the nooses after those officials met with defendants' managers," the complaint said. "Plaintiffs became the subject of insulting, derogatory, and accusatory comments from Wayne J. Griffin Electric Inc.'s managers. And after plaintiffs complained about Wayne J. Griffin Electric, Inc.'s inadequate response to the nooses, their work assignments deteriorated."

According to the complaint, an FBI special agent who interviewed Locke about the Windsor incidents

"suggested" that Griffin employees of color had planted the nooses in an effort to get reassigned to higher-paying jobs. The FBI interviews alerted the plaintiffs that Griffin and RC Andersen had identified them as potential culprits; the agent then conducted polygraph tests and searched Lesporis' phone, but a Superior Court judge denied his application for a warrant to search plaintiff Jamal Webber's phone, the complaint said.

"Plaintiffs were terrified to be in the crosshairs of an FBI investigation," the complaint said. "As men of color from poor and working-class backgrounds, they all had tenuous relationships with law enforcement. Here, they had vocally complained as witnesses to hateful criminal conduct in their workplace and yet they were now being treated as perpetrators."

The plaintiffs claim that on May 20, 2021, a day after one noose was found, Griffin electricians were instructed to install security cameras, but the cameras were never turned on. After the final discovery on May 26, Amazon shut down the job site for a day because it was a crime scene, the complaint said.

But the hateful activity did not stop, the plaintiffs allege. The complaint said a noose was found at an Amazon construction site in Uxbridge, Massachusetts, in March 2022.

An attorney for the plaintiffs, Stephen J. Fitzgerald, told Law360 that the defendants did not implement new security measures that would have prevented the display of "the ugliest racial symbol that's known" and that the FBI has found no evidence to tie the plaintiffs to the incidents.

Fitzgerald said none of the five plaintiffs had ever received mental health treatment, but now they are in therapy with diagnoses of post-traumatic stress disorder, anxiety and depression. Four out of the five still work for Griffin, and all are approved for intermittent leave under the Family Medical Leave Act, he said.

Representatives of the defendants did not immediately respond to requests for comment on Friday.

The plaintiffs are represented by Stephen J. Fitzgerald, Joshua R. Goodbaum and Betsy A. Ingraham of Garrison Levin-Epstein Fitzgerald & Pirrotti PC.

Counsel information for the defendants was not immediately available.

The case is Locke et al. v. Wayne J. Griffin Electric Inc. et al., case number 3:23-cv-01237, in the U.S. District Court for the District of Connecticut.

--Editing by Rich Mills.