

Jury awards \$2.4 million to African-American butcher who alleged 5 years of sexual, racial harassment at South Side grocer

Jonathan Bilyk (/author/jonathan-bilyk)

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An African-American man who said he was subjected to repeated and regular racial epithets and sexual harassment, including groping of his genitals, by Latino coworkers at a grocery store on Chicago's far South Side won a federal jury verdict against his former employers for more than \$2.4 million.

On Dec. 15, jurors in Chicago federal court handed down the verdict, ordering defendant Rosebud Farmstand to pay plaintiff Robert Smith more than \$800,000 in compensatory damages and an additional \$1.6 million in punitive damages for the racial and sexual harassment Smith alleged he endured for five years while he worked as a butcher in the meat department at the grocery store in the 500 block of E. 130th Street in Chicago's Golden Gate neighborhood.

Smith alleged his Latino coworkers would routinely grope his genitals and buttocks and regularly simulate homoerotic acts on him when he would bend over or at other times. At times, the alleged acts were committed with customers present, Smith alleged.

Additionally, Smith alleged the coworkers would regularly refer to him by racial epithets typically used against African-Americans, call him a "monkey" or "tell him to go back to Africa," said Smith's attorney Joseph Longo, of Longo & Associates, of Mt. Prospect.

In 2008, Smith filed a complaint against the store with the federal Equal Employment Opportunity Commission. After that, Longo said, Smith alleged the harassment turned nearly violent, as coworkers allegedly made threatening gestures towards Smith and allegedly damaged his car on several occasions in a purportedly guarded store-owned parking lot.

Smith brought his lawsuit in 2011, demanding unspecified damages in his complaint.

Rosebud Farmstand had denied Smith's allegations. The store was represented in the action by attorneys with the firm of Klein, Dub & Holleb, of Highland Park.

Longo said he was “glad that the jury corrected a wrong into a right” in Smith’s case, as he claimed other African-American employees at the store were also subjected to similar harassment, but opted not to file a complaint, either with the EEOC or in court.

“Unless people file a lawsuit or take action, harassers will continue to create a hostile working environment and harass,” Longo said in an emailed statement following the verdict. “We need more people like Mr. Smith to take a stand and fight for what is right. The jury agreed that what Rosebud did to Mr. Smith was wrong.”

U.S. District Judge Robert M. Dow Jr. presided over the case and trial.

Organizations in this story

Longo & Associates Ltd.

(/organizations/645066150-longo-associates-ltd/stories)

2100 West Haven Street

Mount Prospect, IL 60056

Klein, Dub & Holleb, Ltd.

(/organizations/644578462-klein-dub-holleb-ltd/stories)

660 LaSalle Place, Suite 100

Highland Park, IL 60035