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Women and Minority Employees Charge Best Buy with Employment Discrimination in Federal Court

Class Action Lawsuit Filed against National Electronics Retailer that Tells Women Employees, “Girls Can’t Sell”

SAN FRANCISCO: In the midst of its heaviest sales season of the year, Best Buy, a multi-billion dollar national electronics chain, is being charged with violating federal and state laws against race and sex discrimination in employment.

Claiming that women and minorities, specifically African Americans and Latinos, are paid less than white males, denied promotions, and assigned to less desirable positions, current and former employees of Best Buy today (December 8, 2005) filed a federal class action civil rights lawsuit, *Holloway et al. v. Best Buy Co, Inc.*, this morning in U. S. District Court in San Francisco. Plaintiffs are represented by attorneys from Lief Cabraser Heimann & Bernstein, LLP and Schneider & Wallace.

“Best Buy is touting its modern, high-tech products for customers this holiday season. The company’s views of women and minority employees, however, remain outdated and obsolete,” said attorney Bill Lann Lee of Lief Cabraser. Lee is the former Assistant Attorney General for Civil Rights in the U.S. Department of Justice.

“This company operates through a corporate culture of racial and gender stereotypes,” stated Todd Schneider of Schneider & Wallace. “Best Buy enforces a nationwide policy that results in the preference of white male employees in hiring and for desirable job assignments. The low number of women and minorities employed by Best Buy sets it apart from other large retailers.”

As an example of the corporate culture of stereotyping, the lawsuit describes how Best Buy's policy of "segmentation" requires managers and salespeople to target one of four composite customer types, all white, and only one female. These are: "Barry," a male with a six-figure income who purchases what he wants regardless of cost; "Ray," a male who likes electronic gadgets but may not always be able to afford what he wants; or "Buzz," a young male interested in gaming and playstations who makes small purchases. The only female customer to whom Best Buy markets confirms gender stereotypes: "Jill" is "Barry's" wife--a stay-at-home soccer mom.

Vallejo resident Jasmen Holloway, 22, worked at the Marin City Best Buy from January 2001 until August 2005. "After I had worked there for more than four years, I was interviewed for a promotion and requested a pay increase. The promotion was given to a white man with less experience than me. I was refused the raise because they said that I had reached the maximum salary cap for my position – but I later learned that less experienced, white male employees with fewer qualifications were paid more than I was."

"I was angry at the way that I and other minorities in the store were treated," added Holloway, who is African American. "When I complained to the human resources department, they did nothing – so I filed a complaint with the Equal Employment Opportunity Commission."

Cheryl Chappel, 40, currently an Administrative Senior at the Mira Mesa Best Buy, was passed over for promotion in favor of a part-time male employee, despite Chappel's excellent performance reviews and more extensive experience. Best Buy managers told her she was not promoted to operations supervisor because it was "a man thing," and that there were few women on the sales floor because "girls can't sell."

Chappel, who has also worked at the Best Buy in Chico, was consistently paid less than male employees in comparable positions at both sites. When she realized this was a pattern for women employees, she filed a charge against Best Buy with the Equal Employment Opportunity Commission (EEOC).

Additional plaintiffs include another woman from the Chico store and three African American male employees from the Marin City store who were paid less, denied promotions, assigned fewer scheduled hours and received unequal job assignments and unequal training opportunities than white males. The men were refused sales jobs, even though they had prior experience in cell phone and electronics sales. One African American employee was awarded store MVP, yet nevertheless received lower pay than white employees in comparable jobs.

The lawsuit charges that Best Buy recruits, hires and maintains a disproportionately white and male sales force from which it then promotes a disproportionately white male management force. Nationwide, more than 80% of store managers, the top job in a store, are white men, less than 10% are women, and less than 10% are African-American or Latino. "Qualified women and minority applicants are turned away," charged Lee, "and

even when the company does hire them, it generally does not permit them to work on the sales floor – the pathway to promotion. Rather they are segregated to the stock room, cashier stations, and minor sales positions.”

“Our plaintiffs’ experiences are not isolated examples of employment practices or individual decisions,” added attorney Schneider. “On the contrary, they are representative of Best Buy’s systematic discrimination against women, African Americans and Latinos.”

The lawsuit charges that Best Buy is violating federal and state civil rights laws prohibiting employment discrimination based on race or gender. The suit is seeking an injunction against Best Buy’s discriminatory practices and the institution of company programs to ensure equal employment opportunities for women and people of color. In addition, the suit is seeking back pay for all plaintiffs.

Best Buy Company, Inc., a Minnesota-based corporation specializing in consumer electronics, operates 679 retail stores throughout the United States and has approximately 107,000 employees. Over 10% of its stores are in California. Its revenue in 2005 totaled \$27.4 billion.

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People interested in joining the lawsuit should visit www.bbdiscrimination.com where they can submit information, or call 1-800-362-0481 to leave a message for plaintiffs’ counsel. Members of the media can also obtain a copy of the complaint and this press release by contacting Stephen Cassidy or Monica Barsetti at Lief Cabraser: 415-956-1000.