

Chef sues Baltimore-based restaurant chain for discrimination.
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Byline: Caryn Tamber

A former executive chef at DuClaw Brewing Co. is suing the local chain, alleging that he was harassed and fired because he stood up for another employee who was a victim of discrimination. Chef Reginald Purdie alleges in his federal lawsuit that after he backed Tara Gardner, who is black and gay, other employees at DuClaw Brewing's Bel Air location sabotaged him. One man changed his recipes and substituted inferior ingredients in an effort to spur complaints about the food so Purdie would be fired, Purdie alleges. Purdie filed the discrimination and retaliation suit, which seeks at least \$300,000, in U.S. District Court in Baltimore Monday. The U.S. Equal Employment Opportunity Commission determined that he was illegally fired in retaliation for complaining about the kitchen manager's treatment, but he and DuClaw failed to settle at that point, said Purdie's lawyer, Andrew M. Dansicker. He wants to make sure it doesn't happen to anyone else, said Dansicker, a Hunt Valley solo practitioner. Francis R. Laws, who represents DuClaw, said Purdie's allegations in the complaint are quite different from the allegations he made to the EEOC. I can only tell you that the allegations that are in the lawsuit are news to us, and we handled the EEOC [complaint], said Laws, of Thomas & Libowitz P.A. The allegations of racial discrimination and retaliation overlap, but the more prurient allegations are absolute news to us, he said. It's the first time we've heard it, the first time the employer's ever heard it. Laws said he has not yet investigated the new allegations but that, based on the investigation conducted to defend the EEOC complaint, they are likely false. DuClaw denies the discrimination and retaliation claims as well, he said. According to DuClaw's Web site, it has four restaurants, all in Maryland. The complaint says that Purdie was hired in January 2006. Though he worked primarily from the Bel Air location, he was responsible for recipe development for the chain. Everything went well until summer 2006, when executive kitchen manager Gardner approached Purdie, who is also black, to complain that another employee used a racial slur toward her and made references to her sexual orientation, the complaint states. Purdie overheard another employee, director of operations David Horne, make comments about Gardner's sexual orientation. The complaint says Purdie also found out that Horne had approached David Benfield, DuClaw's president and owner, about firing Purdie. Purdie then complained that he thought Gardner was being harassed and discriminated against. According to the suit, over the next few weeks, Purdie discovered that Horne was referring to him by a crude nickname. He was also secretly altering and manipulating his recipes without his approval or knowledge and then using subsequent complaints about the food items in an effort to disparage Mr. Purdie and cause the termination of his employment, the suit alleges. In fact, Mr. Purdie was actually shown a handwritten recipe for blackened catfish which had been changed

by Mr. Horne from the original recipe created by Mr. Purdie, the complaint reads. Purdie alleges that he complained to Benfield but that Horne continued to harass him. Gardner was fired in November 2006 and Purdie in December 2006. Purdie had been given bonuses and asked to cater private events for Benfield's family, but he was told upon his termination that he was untrustworthy, that his work was inconsistent and that he was not liked at DuClaw. DuClaw was also sued in 2003 by the EEOC on behalf of a former bartender and shift manager who alleged the restaurant discriminated against and fired her because she was pregnant. The case was settled by consent decree, under the terms of which DuClaw paid the former employee \$20,000 and agreed not to discriminate against pregnant staffers.