

JEANINE JOHNSON and the DIRECTOR
OF THE NEW JERSEY DIVISION ON
CIVIL RIGHTS,

Complainants,

v.

WELLS FARGO BANK,

Respondent.

STATE OF NEW JERSEY
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION ON CIVIL RIGHTS

Administrative Action

DCR Docket No. PP17WB-62304

CONSENT ORDER AND DECREE

WHEREAS, Jeanine Johnson (“Complainant”) filed a verified complaint with the New Jersey Division on Civil Rights (“Division”) with Docket No. PP17WB-62304 alleging that Respondent Wells Fargo Bank (“Respondent”) has committed unlawful discrimination; and

WHEREAS, Respondent operates public accommodations in the State of New Jersey; and

WHEREAS, the matter has been the subject of an investigation and the Director of the Division on Civil Rights (the “Director”) has found probable cause to credit the allegations of unlawful discrimination; and

WHEREAS, in the public interest, the Director was added as a Complainant in the matter; and

WHEREAS, Respondent denies the allegations of the verified complaint; and

WHEREAS, the Complainant and Respondent have entered into a separate settlement agreement resolving Complainant's individual claims and the Division is not a party to that separate agreement; and

WHEREAS, as a result of her settlement with Respondent, Complainant has withdrawn her verified complaint with the Division; and

WHEREAS, the Respondent and Division desire to conciliate and settle the matter without the necessity of a public hearing.

NOW THEREFORE, it is on this day 22ND of OCTOBER 2013,
ORDERED and AGREED as follows:

1. Respondent agrees that it shall operate its facilities that are places of public accommodation in accordance with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

2. Respondent agrees to pay the Division the total Sum of Two Thousand Five Hundred Dollars (\$2,500) for administrative costs incurred in processing this matter. This payment shall be made within thirty (30) days from the execution of this agreement. This amount shall be made by check or money order, made payable to the State of New Jersey, Department of Law & Public Safety, Division of Law and shall be delivered to Carlos Bellido, Chief of Staff, New Jersey Division on Civil Rights, P.O. Box 46001, 31 Clinton Street, 3rd Floor, Newark, New Jersey 07102.

3. Respondent agrees not to engage in any retaliatory conduct against Jeanine Johnson or against any participant in these proceedings, or allow any of its employees to engage in any such conduct.

4. By no later than October 15, 2013, Respondent agrees to review its anti-discrimination and anti-harassment policies that apply to customers to ensure that its policies are consistent with applicable federal and state anti-discrimination laws. Respondent will revise its policies to ensure that its policies contain effective procedures addressing a complaint by a customer or potential customer alleging that an employee of Respondent violated Respondent's policy against discrimination and harassment when transacting business on behalf of Respondent. Respondent shall revise "The Wells Fargo Team Member Handbook" to reflect these changes and the revised handbook shall be distributed to employees no later than January 31, 2014. Respondent shall forward a copy of these policies and handbook to Ana Limo-Magras at the Division on Civil Rights, P.O. Box 46001, Newark, New Jersey 07102.

5. By no later than October 15, 2013, Respondent agrees to disseminate a statement reinforcing its commitment to ensuring its facilities and services are free from harassment and discrimination with a copy of or link to Respondent's anti-discrimination and anti-harassment policies to its employees located in retail facilities within the State of New Jersey.

6. By no later than October 15, 2013, Respondent agrees to provide instruction to human resources employees who investigate complaints by New Jersey customers alleging that an employee of Respondent violated Respondent's anti-discrimination and anti-harassment policies. Respondent will instruct them to apply current applicable procedures which: a) provide a prompt, thorough, and impartial investigation of a complaint; b) provide a complainant an opportunity to provide information during the investigation; and c) protect the confidentiality of individuals who make complaints of harassment or discrimination or individuals who provide information related to such complaints, to the extent consistent with a thorough investigation.

By 2014, such instruction shall be incorporated into formal training of human resources employees who conduct investigations of complaints by customers.

7. By no later than October 15, 2013, Respondent agrees to arrange for training of all current employees working in Respondent's facility located in Madison, New Jersey. Such training shall address anti-discrimination laws and Respondent's policies against harassment and discrimination. Said training shall include but not be limited to addressing sexual harassment of customers and potential customers. All such training shall be completed within six months of the effective date of this Agreement.

8. All of Respondent's employees hired to work in any of Respondent's retail facilities located within the State of New Jersey after the effective date of this Agreement shall receive training concerning Respondent's policies against harassment and discrimination.

9. Each employee who participates in training or instruction on Respondent's policies against harassment and discrimination will acknowledge that he or she has participated in, understands, and has completed the training.

10. Respondent will ensure that it is in compliance with N.J.A.C. 13:8-1.2 and 13:8-1.4.

11. This Consent Order and Decree shall have the same force and effect as a cease and desist order issued by the Director pursuant to N.J.S.A. 10:5-19 and shall operate as a complete and final disposition of the aforesaid verified complaint, subject only to the fulfillment of all the foregoing provisions.

12. In the event that Respondent fails to timely comply with the payment provisions set-forth in paragraph 2, Respondent hereby consents to the entry of this Consent Order and

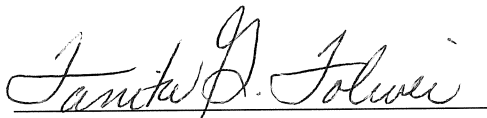
Decree in the Chancery Division of the Superior Court of New Jersey, thereby making this Consent Order and Decree an order of the Court for purposes of enforcement therein.


CRAIG SASHIHARA, DIRECTOR
OF THE NEW JERSEY DIVISION
ON CIVIL RIGHTS

10-22-13
DATE

RESPONDENT CONSENTS TO THE FORM, CONTENT AND ENTRY OF THIS CONSENT ORDER:

FOR RESPONDENT:


WELLS FARGO
Name: Tanita G. Toliver
Title: Senior Vice President

10-15-13
DATE