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Former Kia Employees File Lawsuits

by SARAH FAY CAMPBELL

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Two lawsuits have been filed against Kia Motors Manufacturing Georgia alleging discrimination against women, Americans, and blacks, as well as retaliatory firings of two employees who filed complaints with the Equal Opportunity Employment Commission over the discrimination.

Andrea Gogel, a former senior manager of team relations at the KMMG plant in West Point, filed her suit June 19 in Fulton County Superior Court.

Robert Tyler, a former head of human resources and Gogel's supervisor, filed his suit on July 7.

The plant is in neighboring Troup County, located about 45 miles south of Newnan.

The case was filed in Fulton County because that's where KMMG's registered agent is located, according to Meredith Carter, attorney for Gogel.

According to Carter, Gogel was told that, for the department of general affairs "they wanted to hire young, pretty women."

Gogel was also told not to speak in meetings, Carter said, though it was okay for her male subordinates to speak in meetings.

When she first began working at KMMG, Gogel was told she needed to understand the Korean culture and adhere to its beliefs, it is claimed in the suit. One of those beliefs was that younger employees were preferred and she should help the Koreans figure out which job candidates were younger so the older candidates could be weeded out.

According to the filing, "Ms. Gogel soon learned that the Korean culture and beliefs, as exemplified by Defendant's Korean management, were contrary to American workplace laws and often violated American laws. In addition, the Korean culture, as exemplified by Defendant's Korean managements, held negative stereotypes against women in the workplace and expected American employees to show up to work, do as told, and to not complain about anything they were told to do by a Korean manager, even if it were unlawful."

Part of Gogel's job was assisting employees with understanding policies and procedures and investigating internal American employee complaints.

According to the lawsuit, some of the complaints Gogel heard included female security guards being hidden when Korean VIPs visited, a female security officer being terminated because she was not pretty, and a female server being dismissed from a company function because she was pregnant.

There was a general negative attitude toward working mothers from the Korean officials in the company, Carter said. One American female was told by Richard Park, a Korean and senior manager of the legal department, that mothers should be home with their children and that working mothers are “bad moms.”

A primary part of Gogel’s complaint, however, is about her being passed over as head of the Team Relations Department. When Gogel began working at Kia, Team Relations was part of the Human Resources Department. When it became its own department, Tyler was made head of both Human Resources and Team Resources.

In Tyler’s complaint, he says that when he was hired, he was told that he “had to make sure” that he “controlled the number of African Americans who were hired,” according to a story published in the “Atlanta Daily Report.” Tyler was ordered to report the percentage of white versus black employees at least once per quarter.

Tyler’s supervisor told him that Kia didn’t want to “get in the same situation” as the Hyundai Plant in Montgomery, Ala., where about 60 percent of hourly and maintenance employees were African American, according to the news report.

In 2009, Tyler was told that the Korean executive did not want to hire any production candidates who were 50 years or older, according to the filing.

Tyler was also “forced to adhere to mandates ... which denied recommendations for employment for female salaried professionals based only on their gender,” according to the “Atlanta Daily Report” article.

Tyler’s attorney, Regina Molden, did not respond to requests for comment.

In September 2010, Gogel and Tyler put together a 14-page “report of concerns” to their supervisors. It addressed several of these issues and was directed to Korean management and upper management, Carter said.

Shortly after, “when they realized the report of concerns wasn’t really being investigated or looked into and when the concerns weren’t being addressed,” Gogel and Tyler went to the Equal Employment Opportunity Commission.

Gogel was then put on administrative leave, Carter said. Gogel was told that she couldn't come back to work until she signed a document saying she wouldn't discuss her EEOC filing with any team members. That was on Dec. 6, Carter said.

Gogel signed the document but was terminated in mid-January of 2011.

Carter said she doesn't know the outcome of the EEOC complaints.

Kia has 60 days from the date of the filings to respond. A spokesperson said the company does not comment on pending litigation.