

Open Letter: Anz Bank Must Take Responsibility For Its Culture Of Racial And Sexual Harassment

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Wigdor LLP client Enilolobo Malika Oyo is tired of being attacked by ANZ Bank.

Ms. Oyo, an African-American woman, initially [filed a lawsuit](#) in July 2016 alleging that she was terminated after she complained to ANZ's senior management about the pervasive racial and sexual harassment she experienced while working as a Salesperson in Corporate Foreign Exchange Sales. As alleged, high-ranking male employees at ANZ frequently and openly made sexually derogatory remarks about Ms. Oyo and other women in the workplace, and Ms. Oyo's skills were often compared to those of a "monkey" by her direct supervisor — a term that has historically been used as a racial epithet.

Since then, ANZ has continued to harass and intimidate Ms. Oyo throughout the litigation process. As first reported by [The Sydney Morning Herald](#), last year the Bank's lawyers forced Ms. Oyo to recount details of a sexual assault that she experienced nearly two decades ago while she was a freshman in college. ANZ also demanded access to all of Ms. Oyo's medical records — including her gynecological records — for a period of five years. [The Huffington Post](#) published a substantial piece on the use of such litigation tactics by employers facing claims of racial and sexual harassment.

On Monday, August 6, 2018, Ms. Oyo penned an [Open Letter](#) to ANZ's Board of Directors addressing the Bank's continued attempts to embarrass and demean her:

"Unfortunately, ANZ continues to refuse to take responsibility for its actions, and has instead decided to take every opportunity to attack and attempt to intimidate me in response to my decision to file a lawsuit. Rather than focus on the merits of my claims, ANZ has gone out of its way to try and dig up every potential embarrassing or sensitive matter in my life [...] Tactics like this that are employed against women and people of color who stand up against discrimination is one of the many reasons that women and people of color often remain silent. Such conduct perpetuates and facilitates racial and sexual harassment and prevents our society from making progress towards equality and respect for all."

According to [The Huffington Post](#), ANZ's CEO, Shayne Elliott, issued an apology via Twitter, stating that

the lawyers' defense was "wrong & not acceptable," adding that, "We were not aware of our external NY lawyers' strategy & should have been. We have instructed them that this is not to be used during trial & I will apologise to the complainant personally." However, according to the Open Letter, Mr. Elliott only stated that ANZ was taking responsibility for its conduct after it became a PR problem, and his assertion that ANZ was unaware of its lawyers' deposition strategy prior to news reports was absurd, given that three senior ANZ employees were present during the deposition.

Ms. Oyo has requested that the Bank's Board sit down with her before her scheduled trial in September to discuss the steps that ANZ will take to encourage equal treatment of women and people of color.

"It's all backward" – [@WigdorLaw](#) suit headed to trial vs. ANZ Bank exposes a common strategy by companies to silence victims of sexual harassment: shame, blame & discredit the victim by using irrelevant sexual history to shift focus away from the accused. <https://t.co/C1KDYf0Y41>
– Wigdor LLP (@WigdorLaw) [July 25, 2018](#)

Ms. Oyo is represented by Wigdor LLP Partners [Douglas H. Wigdor](#) and [Michael J. Willemin](#), and Senior Associate [Renan F. Varghese](#).

[Read the full Open Letter here](#)

The Sydney Morning Herald

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Huffington Post

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The Sydney Morning Herald

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The Guardian

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ABC News Australia

"ANZ chief apologises over 'unacceptable' grilling of former employee in harassment case"

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