

Four women seek release from forced arbitration to sue Infosys for widespread gender discrimination

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Thomas Claburn in San Francisco

Four female former employees of IT consultancy Infosys on Wednesday filed a claim with the US Employment Opportunity Commission (EEOC) alleging that they were subject to pervasive discrimination at the company.

The women – Shannon Doyle, Carrie Subacs, Sylvie Thompson, and an anonymous plaintiff going as Jane Doe – have also written [an open letter](#) to the company board asking to be released from the arbitration agreements they signed as a condition of employment to pursue their discrimination claim together in court.

"We believe that forced arbitration is inherently wrong, the letter states.

"It denies employees access to our country's public court system, where victims of unlawful conduct can seek justice (indeed, Infosys often uses the court system when it feels wronged). Moreover, forced arbitration denies employees fair access to records and witnesses necessary to prove their claims, both of which are typically in the control of the powerful corporate employer."

Forced arbitration, they contend, replaces US judicial norms of transparency and community participation with secret proceedings run by an arbitrator paid by the defendant company.

According to the Economic Policy Institute, a non-profit policy think tank supported in part by labor unions, [more than half](#) of non-union private sector workers are subject to mandatory arbitration agreements. That's about twice the percentage seen two decades ago.

The letter goes on to note that New York has recently banned forced arbitration and that the practice could further be limited by the passage of the Forced Arbitration Injustice Repeal (FAIR) Act, currently awaiting a vote in the Senate. It also points out that companies like Airbnb, Facebook, Google, Lyft, Slack, Uber, and Wells Fargo have disavowed arbitration requirements.

Asked to comment, Infosys said, "We have not received a complete copy of the charge of discrimination that was filed with the EEOC, so we cannot comment. However, we take any allegation of discrimination seriously, and will respond to this matter as appropriate. As an employer, Infosys is committed to diversity, equity, and inclusion and ensuring equal opportunities for all our employees across the organization."

The EEOC complaint [[PDF](#)], filed in New York, challenges the IT consultancy's assertion that it strives "to provide a work environment free of discrimination and harassment."

"Infosys has repeatedly discriminated in favor of male and Indian employees, especially at senior levels," the complaint says. "In the United States, women make up only 14 per cent of leadership roles, and only about 21 per cent of Infosys's entire domestic workforce."

The company, which generated some \$12bn in revenue last year, has more than 240,000 employees worldwide and almost 24,000 in the US.

As an example of the alleged pattern of discrimination, the EEOC filing cites past discrimination complaints against Infosys from 2020, 2018, 2017, 2014, 2013, 2012, and 2010. And legal filing details alleged discriminatory action taken against the four women during their time at the company.

Among numerous examples cited, the filing recounts an April 2019 presentation in which Sylvie Thompson was critiquing work on a presentation for a major client and "a male consultant subordinate to Ms. Thompson jumped out of his seat and charged at Ms. Thompson while yelling abusively at her."

Thompson, it's claimed, "informed the male consultant that she would not tolerate his bullying behavior and that the project would be executed the way she wanted it because she was the one in charge," and told him the outburst was inappropriate.

Thereafter she reported the incident to a higher-up and was directed, after acknowledgement that the consultant's behavior "was abhorrent," to file a complaint with HR. But rather than disciplining the male consultant, Infosys allegedly "chastised Ms. Thompson for purportedly failing to 'diffuse the conflict.'"

In a statement emailed to *The Register*, attorney Valdi Licul, a partner at Wigdor LLP, said, "How many more employees need to come forward before Infosys starts to take workplace discrimination seriously? Enough is enough. We look forward to holding Infosys accountable for allegedly turning a blind eye to discrimination and systemically undermining the careers of our four clients on the basis of their gender and race." ®