

**FILED**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS SEP 25 2006  
EASTERN DIVISION**

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,**  
  
**Plaintiff,**  
  
v.  
  
**COMPACT INDUSTRIES, INC.,**  
  
**Defendant.**

)  
)  
)  
) 06CV5172  
) JUDGE GUZMAN  
) MAG. JUDGE DENLOW  
)  
)  
)

**COMPLAINT  
JURY TRIAL DEMAND**

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000c et seq., and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Maria Garcia, Norma Gallardo, Nilsa Perez, Leonor Vargas, Maria S. Montano, Leticia Fernandez (collectively, "Charging Parties") and a class of similarly situated employees who were adversely affected by such practices. Plaintiff Equal Employment Opportunity Commission alleges that Charging Parties and a class of similarly situated employees were sexually harassed by managers and co-workers at Defendant Compact Industries, Inc. ("Defendant") and that certain members of the class of similarly situated employees were constructively discharged as a result of the sexual harassment.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3), and

Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a ("Title VII").

2. The employment practices alleged to be unlawful were and are now being committed within the jurisdiction of the United States District Court for Northern District of Illinois, Eastern Division.

#### PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) and(3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant Compact Industries, Inc. has continuously been a corporation doing business in the State of Illinois and the City of St. Charles and has continuously had at least 15 employees.

5. At all relevant times, Defendant Compact Industries, Inc. has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000c(b), (g) and (h).

#### STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Charging Parties filed a charge with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least 2001, Defendant has engaged in unlawful employment practices at its facility in St. Charles, Illinois, in continuing violation of Section 703(a)(1) of Title VII, 42 U.S.C. §§2000e-2(a)(1). These unlawful employment practices include, but are not limited to,

sexually harassing Charging Parties and a class of similarly situated employees, and constructively discharging certain members of the class of similarly situated employees as a result of the sexual harassment.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Charging Parties of equal employment opportunities and otherwise adversely affect their status as employees, because of their sex.

9. The effect of the practices complained of in paragraph 7 above has been to deprive a class of similarly situated employees of equal employment opportunities and otherwise adversely affect their status as employees, because of their sex.

10. The unlawful employment practices complained of in paragraph 7 above were and are intentional.

11. The unlawful employment practices complained of in paragraph 7 above were and are done with malice or with reckless indifference to the federally protected rights of Charging Parties and a class of similarly situated employees.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in sexual harassment and any other employment practice which discriminates on the basis of sex.

B. Order Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees regardless of their sex and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole certain members of the class of similarly situated employees by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendant to make whole Charging Parties and a class of similarly situated employees by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, in amounts to be determined at trial.

E. Order Defendant to make whole Charging Parties and a class of similarly situated employees by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

F. Order Defendant to pay Charging Parties and a class of similarly situated employees punitive damages for its malicious and reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

II. Award the Commission its costs in this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

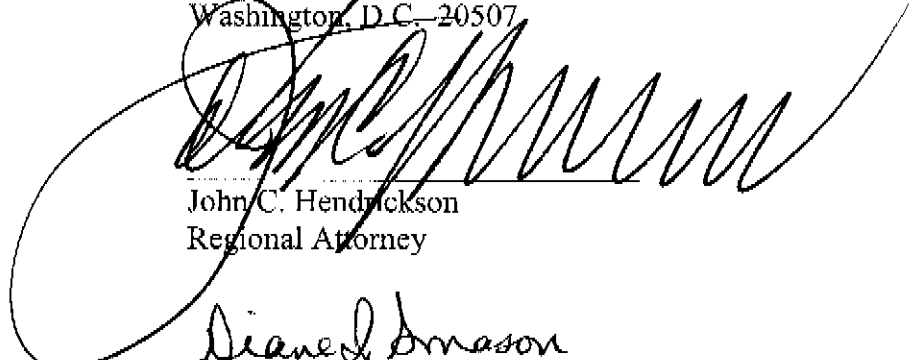
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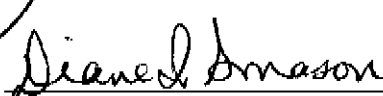
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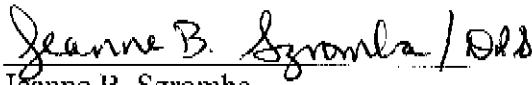
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