

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

SCHOOL CITY OF EAST CHICAGO,
INDIANA,
Defendant.

CIVIL ACTION NO.

COMPLAINT

Plaintiff, United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, as amended.
2. The Court has jurisdiction of this action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.
3. Defendant, the School City of East Chicago, Indiana, is an Indiana Community School Corporation, a body corporate and politic, established pursuant to the laws of the State of Indiana.
4. Defendant is a person within the meaning of 42 U.S.C. § 2000e(a) and an employer within the meaning of 42 U.S.C. § 2000e(b).
5. The Equal Employment Opportunity Commission ("EEOC") received timely charges of discrimination filed by Joyce Carpenter (Charge Number 240-94-2003), Ana C. Culver (Charge Number 240-94-2004), Beatrice Goshay (Charge Number 240-94-2005), Ruby Moss (Charge Number 240-94-2006), and Mary B. Rodriguez (Charge Number 240-94-2007) who alleged that the Defendant School City of East Chicago discriminated against them in employment by failing or refusing to allow them to work eight hour shifts on the basis of their sex, female. In accordance with Section 706 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5, the EEOC investigated the charges, found reasonable cause to believe the allegations of discrimination on the basis under Title VII sex were true, attempted unsuccessfully to conciliate the matter, and thereafter referred the charges to the Department of Justice.
7. During the period from at least 1988 until January 1, 1994, the five charging parties, Joyce Carpenter, Ana C. Culver, Beatrice Goshay, Ruby Moss, and Mary B. Rodriguez, were employed first as substitute and later as permanent janitors by the Defendant and were assigned to and allowed to work only seven hour shifts by the Defendant. Almost all males employed as substitute and permanent janitors by the Defendant during the period from at least 1988 until January 1, 1994 were assigned to and allowed to work eight hour shifts by the Defendant.
8. Defendant has discriminated against the charging parties and similarly situated females employed by the Defendant as janitors, both substitute and permanent, on the basis of their gender in violation of

Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2(a), by:

- a. Failing or refusing to assign these female janitors to eight hour shifts;
- b. Failing or refusing to permit these female janitors to work eight hour shifts;
- c. Failing or refusing to take appropriate action to correct the effects of these discriminatory policies and practices.

10. All conditions precedent to filing suit have been performed or have occurred.

WHEREFORE, Plaintiff prays for an order enjoining Defendant, the School City of East Chicago its directors, officers, agents, employees, successors and all persons in active concert or participation with Defendant from engaging in discriminatory employment practices based upon sex, and specifically from failing or refusing to provide sufficient remedial relief to make whole Joyce Carpenter, Ana C. Culver, Beatrice Goshay, Ruby Moss, and Mary B. Rodriguez and all other similarly situated females who are presently employed, or who have been employed, by the Defendant as janitors, both substitute and permanent, and who have suffered loss as a result of the discriminatory policies and practices alleged in this complaint.

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Plaintiff prays for such additional relief as justice may require and its costs and disbursements in this action.

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