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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

FEB 20 2001

ROBERT H. SHEMWELL, CLERK
BY: [Signature] DEPUTY

CV 01-0313 M

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

JONESBORO MANUFACTURING, INC.

Defendant.

CIVIL ACTION NO.

JUDGE JAMES

COMPLAINT

MAGISTRATE JUDGE KIRK

JURY TRIAL DEMAND

**COMPLAINT SEEKING MONETARY AND
INJUNCTIVE RELIEF WITH JURY DEMAND**

NOW INTO COURT, through undersigned counsel, comes Plaintiff, the United States Equal Employment Opportunity Commission, and files its Complaint Seeking Monetary and Injunctive Relief with Jury Demand. Plaintiff respectfully avers as follows;

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 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 Connie Reed ("Reed"), and other similarly situated female employees, who were adversely affected by being harassed and/or constructively discharged, or otherwise adversely treated, because of sex (female).



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. Sections 2003-5(f)(1) and (3) and 6. ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

2. The employment practices alleged to be unlawful were and are now being committed within the jurisdiction of the United States District Court for Western District of Louisiana, Monroe 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), 2 and (3) of Title VII, 42 U.S.C. Section 2000e-5(f)(1), (2) and (3).

4. At all relevant times, Defendant, Jonesboro Manufacturing, Inc., (the "Employer"), has continuously been a Louisiana corporation doing business in the State of Louisiana and the City of Jonesboro, and has continuously had at least 15 employees.

5. At all relevant times, Defendant Employer 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. Sections 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

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

7. Since at least March 20, 1996, Defendant Employer has engaged in unlawful employment practices at its Jonesboro, Louisiana facility, in violation of Section 703 and 704 of Title VII, 42 U.S.C. 2000e-2 and 2000e-3.

8. Specifically, Ms. Connie L. Reed began her employment with the Defendant on or about March 20, 1996, as a machine operator. At the onset of her employment at the Defendant's Jonesboro facility, a mechanic at the facility began to make advances toward Ms. Reed these advances continued for over a year. Said advances included the following unwanted advances:

During the summer of 1997, the harasser gave her a cassette of love songs;

On September 12, 1997, the harasser told a co-worker that he was going to have sex with Ms. Reed;

On September 12, 1997, the harasser told Ms. Reed that he wants to get between Ms. Reed's legs with his tongue;

In late September, 1997, the harasser told Ms. Reed that he loved her;

9. On October 2, 1997, Ms. Reed could no longer tolerate the Defendant's indifference to her sexual harassment complaints and felt forced to resign. Specifically, on this date, the Superintendent came to the facility and took no remedial action against the person who was harassing Ms. Reed. Believing no action would ever be taken, since the harassment has gone on for more than a year, Ms. Reed believed she had no other recourse but to resign her position.

10. Ms. Reed reported the conduct of her harasser to her immediate plant supervisor. The mechanic was given a verbal warning. A second management official was notified and also gave the harasser a verbal warning. After a brief lull in the harassment, the harasser again began making the sexually offensive actions toward Ms. Reed and other females at the plant. Ms. Reed again complained to the Defendant's management officials. Again, nothing was done beyond the harasser being given another verbal warning.

11. Other females stated that the mechanic had made the sexually offensive remarks to them, yet, no corrective action was taken.

12. The Defendant has an anti-harassment policy which is maintained in the main plant in Monroe, LA. However, all of the sexually offensive actions described herein occurred in the Jonesboro facility. There is no policy distributed or posted in the Jonesboro facility.

13. Defendant officials with managerial and/or supervisory authority, who were "agents" of Defendant within the meaning of Title VII, were aware, or should have been aware, of the sexual harassment to which Reed and other similarly situated female employees were being subjected, but failed to take prompt, effective, appropriate remedial measures in response.

14. The Defendant did not take appropriate reasonable steps to prevent Reed from being subjected to illegal harassment

15. The unlawful practices of Defendant complained of herein have deprived Reed and other female employees in like or related situations, of equal employment opportunities and have otherwise adversely affected the conditions of their employment, and their status as employees, because of their sex (female).

16. The unlawful employment practices complained of herein were intentional.

17. Defendant engaged in the unlawful employment practices complained of herein with malice and/or with reckless indifference to Reed's federally protected rights and those of persons in like or related circumstances.

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 harassment against employees because of their sex and from engaging in any other employment practice which discriminates on the basis of sex or which effectuates retaliation against any person for having engaged in activity protected by Title VII;
- B. Order Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for female persons, and which eradicate the effects of its past and present unlawful employment practices, including but not limited to an effective anti-harassment policy;
- C. Order Defendant to make whole Reed, and any individuals in like or related situations, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above, including but not limited to lost wages, in amounts to be determined in the course of the proceedings;
- D. Order Defendant to make whole Reed, and any individuals in like or related situations, by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of herein, including but not limited to emotional pain, suffering, inconvenience, loss resulting from unlawful practices complained of herein, including but not limited to emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined in the course of the proceedings;
- E. Order Defendant to pay punitive damages for its malicious and reckless conduct described above, in amounts to be determined at trial;
- F. Award the Commission its costs of this action; and,
- G. Grant any and all other relief, legal or equitable, which the Court deems necessary and proper in the public interest.

JURY TRIAL DEMAND

In accordance with Rules 38 and 39 of the Federal Rules of Civil Procedure, the Commission hereby requests a jury on all issues raised in the instant Complaint which may be tried by jury.

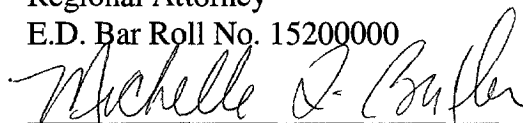
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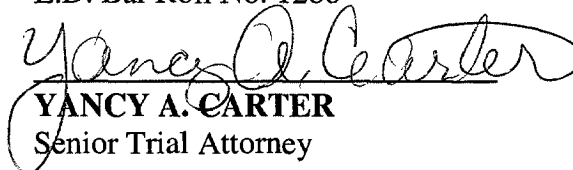
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**REGISTERED AGENT FOR SERVICE OF PROCESS FOR:
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