

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

UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

SECURITY FINANCE CORPORATION OF
LOUISIANA,

Defendant.

*
* CIVIL ACTION NO. 99-0317
*
*
* AMENDED COMPLAINT
* JURY TRIAL DEMANDED
*
* JUDGE JAMES
* MAGISTRATE JUDGE HAYES
*
*
*

NATURE OF COMPLAINT

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 race and to provide appropriate relief to Beatrice Jones and other similarly situated Blacks who were adversely affected by such practices. The Commission alleges that Beatrice Jones, a Black woman, and other similarly situated Blacks were racially discriminated against by the Defendant, Security Finance Corporation of Louisiana, at its Delhi, Louisiana office. As result of the racial discrimination, Beatrice Jones and other similarly situated Blacks were not interviewed or hired for available Assistant Manager positions and thereby denied equal employment opportunities.

5

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

2. The unlawful employment practices alleged below were committed within the jurisdiction of the United States District Court for the Western District of Louisiana.

PARTIES

3. Plaintiff, the United States Equal Employment Opportunity Commission (the "Commission"), is an 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 § 706 (f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant, Security Finance Corporation d/b/a as Security Finance of Louisiana, Delhi Office (the "Defendant" and/the "Employer") is and has been a Louisiana corporation and has continuously been doing business in the State of Louisiana and the City of Delhi, and has continuously had at least fifteen employees.

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

STATEMENT OF CLAIMS

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

7. Since at least on or about August 23, 1996, Defendant Employer has engaged in unlawful employment practices at its Delhi, Louisiana office in violation of Section 703(a)1)and(2) of Title VII, 42 U.S.C. §§ 2000e-2(a)1)and(2). Said unlawful employment practices were committed against Beatrice Jones and other Black applicants. The unlawful practices consisted of Defendant's manager, Darrel Rhyne's failure and refusal to interview and hire Beatrice Jones or other Black applicants for either of two available Assistant Manager positions. Darrel Rhyne hired three white individuals, two of which he hired to fill the available Assistant Manager positions. Darrel Rhyne applied a policy where Black applicants were not interviewed or hired for available positions. Darrel Rhyne's actions denied Beatrice Jones and other Blacks equal employment opportunities. Defendant engaged in discrimination based upon race.

8. The effect of the practices complained of above has been to deprive Beatrice Jones and other Blacks of equal employment opportunities and otherwise adversely affect them because of their race.

9. The effect of the practices complained of in paragraph 7 above has been to cause Beatrice Jones and other Blacks pecuniary and non-pecuniary losses, including emotional pain, suffering, inconvenience and mental anguish.

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

11. The unlawful employment practices complained of in paragraph 7 above were done with malice and reckless indifference to the federally protected rights of Beatrice Jones and other Blacks.

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 any employment practice which discriminates against job applicants and its employees on the basis of race;

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for Blacks, particularly in terms of its application, interviewing and hiring process which eradicate the effects of its past and present unlawful employment practices;

C. Order Defendant to make whole Beatrice Jones and other affected individuals by providing appropriate back pay with pre-judgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful practices, including but not limited to, rightful place reinstatement or front pay, as appropriate;

D. Order Defendant to make whole Beatrice Jones and other affected individuals by providing compensation for past and future pecuniary losses resulting from the unlawful

employment practices described in paragraph 7 and other benefit losses in amounts to be determined at trial.

E. Order Defendant to make whole Beatrice Jones, and other affected individuals by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional pain and suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial;

F. Order Defendant to pay Beatrice Jones and other affected individuals punitive damages for its malicious and reckless conduct, as 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; and

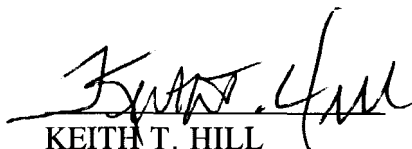
H. Award the Commission its costs in this action.

JURY TRIAL DEMAND

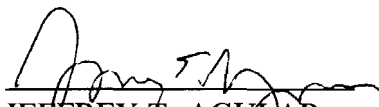
The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

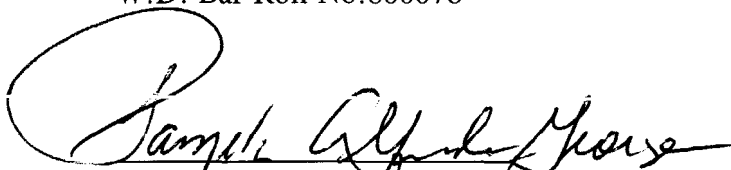
C. GREGORY STEWART
General Counsel
No Bar Roll No. Assigned



KEITH T. HILL
Regional Attorney
W.D. Bar Roll No. 8000072



JEFFREY T. AGULAR
Supervisory Trial Attorney
W.D. Bar Roll No. 800078



PAMELA ALFRED GEORGE (T.A.)
Senior Trial Attorney
La. Bar Roll No. 16784

UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
New Orleans District Office
701 Loyola Ave., Suite 600
New Orleans, LA 70113
Telephone: (504) 589-2011
589-6817

AGENT FOR SERVICE OF PROCESS:

**Through Its Agent For
Service Of Process:**
C.T. Corporation Systems
8550 United Plaza Boulevard
Baton Rouge, Louisiana 70809
(504) 922-4490

pag/19:security.complaint:11299.