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U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

AUG 16 2001

ROBERT H. SHAWWELL, CLERK  
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DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

SOUTHWEST LOUISIANA PRIMARY  
HEALTH CARE CENTER, INC.  
Defendant.

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AUG 16 2001 )  
CV01-1573 L

ROBERT H. SHAWWELL, CLERK  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA

CIVIL ACTION NO. JUDGE HAI

COMPLAINT  
JURY TRIAL

MAGISTRATE JUDGE HAI

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 Donna S. Derousselle, the Charging Party, who was adversely affected by such practices. The Commission alleges that Ms. Derousselle was sexually harassed by a physician employed by Defendant, Southwest Louisiana Primary Health Care Center, Inc. (the "Employer" or "Defendant"). The Commission also alleges that Ms. Derousselle was retaliated against in the terms and conditions of her employment. As a result of the sexual harassment, the conditions of her employment were so intolerable that Ms. Derousselle was forced to resign her position. The Commission also alleges that at least two other women were subjected to a sexually hostile work environment by the same physician.

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

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Civil Rights Act of 1964, as amended, 42 U.S.C. See § 2000e-5(f)(1) and (3) ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

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

#### 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, Southwest Louisiana Primary Health Care Center, Inc. (the "Employer"), was doing business in the State of Louisiana and the City of Opelousas, and continuously had at least 15 employees.

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

#### STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Ms. Derousselle 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 May 1998, Defendant Employer has engaged in unlawful employment practices at its Opelousas, Louisiana location, in violation of Section 703(a)(1)and(2) AND 704(a) of Title VII, 42 U.S.C. § 2000e-2(a)(1)and(2) and 2000e-3(a). Said unlawful employment practices

were committed against Ms. Derousselle, and other similarly situated individuals. The unlawful practices consisted of Defendant Employer permitting one of its physicians to sexually harass Ms. Derousselle, and other similarly situated individuals and by doing so, creating a sexually offensive work environment. The unlawful employment practices also consisted of retaliatory conduct and constructive discharge of Ms. Derousselle.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Derousselle, and other similarly situated individuals, of equal employment opportunities and otherwise adversely affect their status as employees, because of their sex.

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

10. The unlawful employment practices complained of in paragraph 7 above were done with malice or with reckless indifference to the federally protected rights of Ms. Derousselle, and other similarly situated individuals.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

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

B. Order Defendant Employer to institute and carry out policies, practices, and programs which provide equal employment opportunities for women, and which eradicate the effects of its past unlawful employment practices.

C. Order Defendant Employer to make whole Ms. Derousselle and other similarly situated individuals 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, including but not limited to front pay to Ms. Derousselle; and, front pay and/or backpay, as appropriate, to the other similarly situated individuals who were also sexually harassed.

E. Order Defendant Employer to post and keep posted notices in accordance with the provisions of Section 711(a) of Title VII, 42 U.S.C. § 2000e-10(a).

G. Order Defendant Employer to make whole Ms. Derousselle, and other similarly situated individuals, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including job search expenses and medical expenses not covered by the Employer's employee benefit plan.

H. Order Defendant Employer to make whole Ms. Derousselle, and other similarly situated individuals, by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, loss of income, and humiliation, in amounts to be determined at trial.

I. Order Defendant Employer to pay Ms. Donna Derousselle and other similarly situated individuals, punitive damages for its malicious and reckless conduct described in paragraph above, in amounts to be determined at trial.

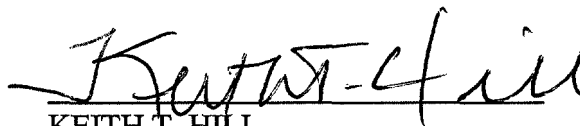
J. Grant such further relief as the Court deems necessary and proper in the public interest.

K. Award the Commission its costs of this action.

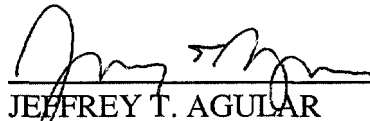
JURY TRIAL DEMAND

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

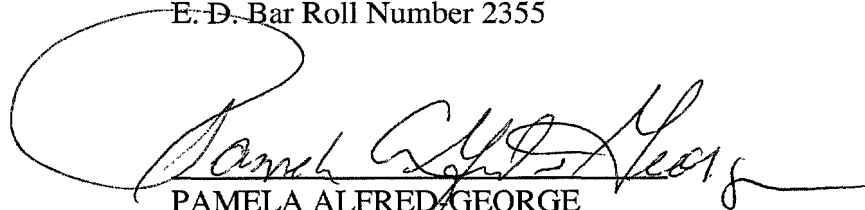
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