

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
City Crescent Building 3rd Floor)
10 South Howard Street)
Baltimore, MD 21201)

Plaintiff,)

v.)

GLOBAL PEST MANAGEMENT, INC.,)
10005 Old Columbia Road)
Columbia, MD 21046)

and)

GLOBAL SERVICES GROUP, INC.,)
10005 Old Columbia Road)
Columbia, MD 21046)

Defendants.)

CIVIL ACTION NO.

COMPLAINT
JURY TRIAL DEMAND

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 religion and retaliation, and to provide appropriate relief to Scott Romero who was adversely affected by such practices. The Commission alleges that Defendants, Global Pest Management and Global Services Group, Inc., discriminated against Mr. Romero, a devout Christian minister, by failing to accommodate his religious beliefs and practices, which included attending meetings and services on Saturday and preparation for Sunday worship. Defendants, however, insisted that he work Saturdays, and instead

of accommodating his religious beliefs and practices, Defendants discharged him because of his religion and in retaliation for engaging in conduct protected by Title VII.

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. Section 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 District of Maryland, Northern Division.

PARTIES

3. Plaintiff, the 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 Section 706(f)(1) and (3) of Title VII, 42 U.S.C. Section 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant, Global Pest Management (the "Employer Global Pest"), has continuously been a Maryland corporation doing business in the State of Maryland, including the Cities of Laurel and Columbia, and has continuously had at least 15 employees.

5. At all relevant times, Defendant, Global Services Group, Inc. (the "Employer Global Services"), has been a Maryland corporation doing business in the State of Maryland,

including the City of Columbia, and has continuously had at least 15 employees.

6. At all relevant times, Defendant Employer Global Pest 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. §§ 2000e(b), (g) and (h).

7. At all relevant times, Defendant Employer Global Services 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. §§ 2000e(b), (g) and (h).

8. On or about October 26, 2004, Defendant Employer Global Pest and Defendant Employer Global Services effected a merger, whereas Defendant Employers have operated in conjunction with one another as a joint or single “employer” within the meaning of Title VII.

STATEMENT OF CLAIMS

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

10. Since on or about October 2003, Defendant Employers has engaged in unlawful employment practices at its Maryland facilities, in violation of Section 703(a) and 704(a) of Title VII, 42 U.S.C. Sections 2000e-2 and 2000e-3. These practices include failing to accommodate and discharging Scott Romero on the basis of his religion. A devout Christian minister, Mr. Romero’s religious beliefs and practices include attending Saturday church meetings and preparing for participation in Sunday school and worship services. Defendant Employers refused to reasonably

accommodate the conflict between Mr. Romero's religious beliefs and practices and Defendants' employment requirements, resulting in his discharge.

11. The effect of the practices complained of in paragraph 10 above has been to deprive Scott Romero of equal employment opportunities and otherwise adversely affect his status as an employee because of his religion and in retaliation for his opposition to discrimination.

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

13. The unlawful employment practices complained of in paragraph 10 above were done with malice or with reckless indifference to the federally protected rights of Scott Romero.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employers, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in employment practices which discriminate on the basis of religion by not providing reasonable accommodations and/or terminating individuals because of their religious practices in violation of Section 703 (a) of Title VII, 42 U.S.C. Section 2000e-2(a).

B. Order Defendant Employers to institute and carry out policies, practices, and programs which provide equal employment opportunities for persons who oppose practices made unlawful under Title VII or who participate in investigations and proceedings under this Title, and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant Employers to make whole Scott Romero 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 reinstatement of Scott Romero or front pay in lieu thereof.

D. Order Defendant to make whole Scott Romero by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 10 above, in amounts to be determined at trial.

E. Order Defendant Employers to pay Scott Romero punitive damages for its malicious and reckless conduct described in paragraph 10 above, in amounts to be determined at trial.

F. Order Defendant Employers to make whole Scott Romero by providing compensation for non-pecuniary losses, including emotional pain, suffering, mental anguish, embarrassment, and loss of enjoyment of life, in amounts to be proven at trial.

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

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,

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

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