

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

FILED  
CHARLOTTE, N.C.  
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U.S. DIST. OF N.C.

EQUAL EMPLOYMENT )  
OPPORTUNITY COMMISSION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
QUALITY SPRINKLER CO., INC., )  
 )  
Defendant. )  
\_\_\_\_\_ )

CIVIL ACTION NO. 3:01cv553-Mc

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 race (Black), and to provide appropriate relief to Corey D. Hedrick who was adversely affected by such practices. As discussed more fully below, the Equal Employment Opportunity Commission contends that the Defendant, Quality Sprinkler Co., Inc., subjected Corey D. Hedrick to racial harassment.

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 Sections 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 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 North Carolina.

## 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 Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §§ 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant, Quality Sprinkler Co., Inc. ("Defendant"), has continuously been a North Carolina corporation doing business in the state of North Carolina and the city of Charlotte, and has continuously had at least 15 employees.

5. At all relevant times, Defendant 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).

## STATEMENT OF CLAIMS

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

7. Since at least June 1999, Defendant has engaged in unlawful employment practices in violation of Section 703 (a) (1) of Title VII, 42 U.S.C. § 2000e-2 (a)(1). Specifically, Defendant subjected Corey D. Hedrick to racial harassment by maintaining a hostile work environment, created by his supervisor, based on his race (Black). The racial harassment included racially derogatory comments, name-calling and physical abuse.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Corey D. Hedrick of equal employment opportunities and otherwise adversely affect his status as an employee, because of his race.

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 Corey D. Hedrick.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Quality Sprinkler Co., Inc., its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in racial harassment of Black employees, and any other employment practice which discriminates on the basis of race.

B. Order Defendant Quality Sprinkler Co., Inc. to institute and carry out policies, practices, and programs which provide equal employment opportunities for Black employees, and which eradicate the effects of its past unlawful employment practices.

C. Order Defendant Quality Sprinkler Co., Inc., to make whole Corey D. Hedrick, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including medical expenses, in amounts to be determined at trial.

D. Order Defendant Quality Sprinkler Co., Inc., to make whole Corey D. Hedrick by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, humiliation and loss of self-esteem, in amounts to be determined at trial.

E. Order Defendant Quality Sprinkler Co., Inc. to pay Corey D. Hedrick punitive damages for its malicious and reckless conduct described in paragraph 7 above, in amounts to be

determined at trial.

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

G. Award the Commission its costs of this action.

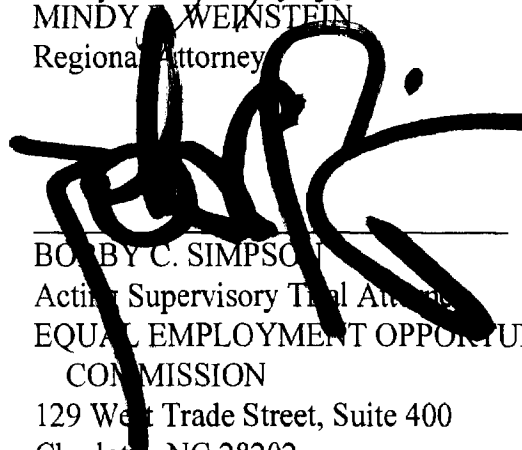
JURY TRIAL DEMAND

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

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