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COURT OF COMMON PLEAS  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	)
COMMISSION,	)
	)
Plaintiff,	)
	)
v.	)
	)
BETZ JOB SERVICE, INC.,	)
	)
Defendant,	)
	)
and	)
	)
QUAKER MFG. CORP.,	)
	)
Defendant.	)

4:030V1533  
JUDGE GAUGHAN

MAG. JUDGE BAUGHMAN

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 sex, and to provide appropriate relief to Ms. Marland Billiter and similarly situated women who were adversely affected by such practices. The Commission alleges that the Defendants failed to hire Ms. Marland Billiter and similarly situated women because of their 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 of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981(a).

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Northern District of Ohio, Eastern 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) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant, Quaker Mfg. Corp.(the "Employer"), has continuously been an Ohio Corporation doing business in the State of Ohio and the City of Salem, 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. §§ 2000e(b), (g) and (h).

6. At all relevant times, Defendant, Betz Job Service, Inc. (the "Employment Agency"), has procured employees for an employer and has been an employment agency within the meaning of Section 701(c) of Title VII, 42 U.S.C. § 2000e(c).

#### STATEMENT OF CLAIMS

7. More than thirty days prior to the institution of this lawsuit, Ms. Marland Billiter 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.

8. More than thirty days prior to the institution of this lawsuit, Ms. Marland Billiter filed a charge with the Commission alleging violations of Title VII by Defendant Employment Agency. All conditions precedent to the institution of this lawsuit have been fulfilled.

9. Since at least August 26, 2000, Defendant Employer has engaged in unlawful employment practices at its Salem, Ohio facilities, in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). The nature of the violation is that Defendants maintained a business relationship whereby Defendant Employer and Defendant Employment Agency failed and refused to hire female applicants for factory jobs at Defendant Employer.

10. Since at least August 26, 2000, Defendant Employment Agency has engaged in unlawful employment practices at its Salem, Ohio facilities, in violation of Section 703(b) of Title VII, 42 U.S.C. § 2000e-2(b). The nature of the violation is that Defendants maintained a business relationship whereby Defendant Employer and Defendant Employment Agency failed and refused to hire female applicants for factory jobs at Defendant Employer.

11. The effect of the practice(s) complained of in paragraphs 9 and 10 above has been to deprive Ms. Marland Billiter and similarly situated women of equal employment opportunities and otherwise adversely affect their status as applicants for employment because of their sex.

12. The unlawful employment practices complained of in paragraphs 9, 10 and 11 above were intentional.

13. The unlawful employment practices complained of in paragraphs 9, 10 and 11 above were done with malice or with reckless indifference to the federally protected rights of Ms. Marland Billiter and similarly situated women.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns, and all persons in active concert or participation with it, from failing and refusing to hire women into factory jobs, either as a result of a business relationship with an employment agency or otherwise, and any other employment practice which discriminates on the basis of sex.

B. Grant a permanent injunction enjoining Defendant Employment Agency, its officers, successors, assigns, and all persons in active concert or participation with it, from failing and refusing to hire women into factory jobs, either as a result of a business relationship with an employer or otherwise, and any other employment practice which discriminates on the basis of sex.

C. 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 and present unlawful employment practices.

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

E. Order Defendant Employer to make whole Ms. Marland Billiter and similarly situated women 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 rightful-place hiring of Ms. Marland Billiter and similarly situated women.

F. Order Defendant Employment Agency to make whole Ms. Marland Billiter and similarly situated women 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 rightful-place hiring of Ms. Marland Billiter and similarly situated women.

G. Order Defendant Employer to make whole Ms. Marland Billiter and similarly situated women by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 9, 10 and 11 above, including future out-of-pocket losses suffered by the aggrieved individuals and not recoverable as equitable relief under Title VII, in amounts to be determined at trial.

H. Order Defendant Employment Agency to make whole Ms. Marland Billiter and similarly situated women by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 9, 10 and 11, above, including future out-of-pocket losses suffered by the aggrieved individuals and not recoverable as equitable relief under Title VII, in amounts to be determined at trial.

I. Order Defendant Employer to make whole Ms. Marland Billiter and similarly situated women by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 9, 10 and 11, above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

J. Order Defendant Employment Agency to make whole Ms. Marland Billiter and similarly situated women by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 9, 10 and 11, above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

K. Order Defendant Employer to pay Ms. Marland Billiter and similarly situated women punitive damages for its malicious and reckless conduct described in paragraphs 9, 10 and 11, above, in amounts to be determined at trial.

L. Order Defendant Employment Agency to pay Ms. Marland Billiter and similarly situated women punitive damages for its malicious and reckless conduct described in paragraphs 9, 10 and 11, above, in amounts to be determined at trial.

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

N. Award the Commission its costs of this action.

JURY TRIAL DEMAND

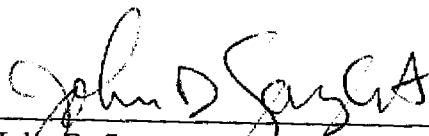
The Commission requests a jury trial on all questions of fact raised by its complaint.

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