



## **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 the ADEA, and is expressly authorized to bring this action by Section 7(b) of the ADEA, 29 U.S.C. §626(b), as amended by Section 2 of Reorganization Plan No. 1 of 1978, 92 Stat. 3781, and by Public Law 98-532 (1984), 98 Stat. 2705.

4. At all relevant times, Defendant, Enterprise Rent-A-Car Company of Texas ("Rent-A-Car"), has continuously been a Texas corporation doing business in the State of Texas and the City of Austin, and has continuously had at least 20 employees.

5. At all relevant times, Defendant Rent-A-Car has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 11(b), (g) and (h) of the ADEA, 29 U.S.C. §§630(b), (g) and (h).

## **CONCILIATION**

6. Prior to institution of this lawsuit, the Commission's representative attempted to eliminate the unlawful employment practices alleged below and to effect voluntary compliance with the ADEA through informal methods of conciliation, conference, and persuasion within the meaning of Section 7(b) of the ADEA, 29 U.S.C. § 626(b).

## **STATEMENT OF CLAIMS**

7. Since at least January of 1997 and continuing thereafter, Defendant Rent-A-Car has engaged in unlawful employment practices at its Austin, Texas area locations in violation of §623(a) of the ADEA, 29 U.S.C. § 623(a). Such practices include Defendant Rent-A-Car's failure to employ protected age group members as Management Trainees at its Austin area rental facilities.

8. The effect of the practices complained of in paragraph seven above has been to

deprive individuals falling within the protected age group of equal employment opportunities and to otherwise adversely affect their status as employees because of their age.

9. The unlawful employment practices complained of in paragraph seven above were and are willful within the meaning of Section 7(b) of the ADEA, 29 U.S.C. § 626(b).

**PRAYER FOR RELIEF**

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Rent-A-Car, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in discriminatory hiring practices, from compelling its employees to participate in those practices, and from any other employment practice which discriminates on the basis of age against individuals 40 years and older;

B. Order Defendant Rent-A-Car to institute and carry out policies, practices, and programs which provide equal employment opportunities for individuals 40 years of age and older, and which eradicate the effects of its past and present unlawful employment practices;

C. Order Defendant Rent-A-Car to make whole all protected age group individuals who were adversely affected by the unlawful practices described above, by providing appropriate back pay, and equal sums as liquidated damages to those protected age group individuals adversely affected by the unlawful practices described above. If the trier of fact should find that the unlawful employment practices complained of were not willful within the meaning of the ADEA, then the Commission respectfully requests that the Court grant awards of prejudgment interest on the back pay awards;

D. Order Defendant Rent-A-Car to make whole all protected age group individuals who were adversely affected by the unlawful practices described above, by providing the affirmative

relief necessary to eradicate the effects of its unlawful practices, including but not limited to rightful-  
place reinstatement or front pay in lieu thereof;

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


F. Award the Commission its costs of this action.

**JURY TRIAL DEMAND**

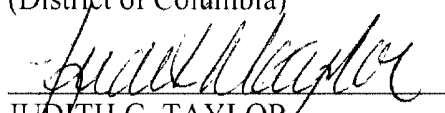
The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

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