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WESTERN DISTRICT OF WASHINGTON
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8 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

9 EQUAL EMPLOYMENT OPPORTUNITY
10 COMMISSION,

11 Plaintiff,

12 v.

13 MARITIME EMPLOYMENT SERVICES, INC ,

14 Defendant.

CV02-2042c
CIVIL NO.

JURY TRIAL DEMAND

15 NATURE OF THE ACTION

16 This is an action under Title VII of the Civil Rights Act of 1964 ("Title VII") and Title I of
17 the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to
18 provide appropriate relief to Cleo Reed and a class of similarly situated females who were adversely
19 affected by such practices. As alleged with greater particularity in paragraphs 9-13 below, Defendant
20 Maritime Employment Services, Inc (the "Employment Agency") failed to refer Ms. Reed and a
21 class of similarly situated females for employment as licensed mates or masters aboard commercial
22 shipping and fishing vessels because of their sex, female

23 JURISDICTION AND VENUE

24 1 Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343
25 and 1345 This action is authorized and instituted pursuant to Sections 706(f)(1) and (3) of Title VII,
26



27 CV 02-2042 #1
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PLAINTIFF'S

EMPLOYMENT OPPORTUNITY COMMISSION
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1 as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3). This action is also authorized and instituted
2 pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a

3 2 The employment practices alleged to be unlawful were and are committed within the
4 jurisdiction of the United States District Court for the Western District of Washington

5 PARTIES

6 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is
7 the agency of the United States of America charged with the administration, interpretation and
8 enforcement of Title VII and is expressly authorized to bring this action by Sections 706(f)(1) and
9 (3) of Title VII, as amended, 42 U.S.C. §§ 2000e-5(f)(1) and (3).

10 4. At all relevant times, Defendant Employment Agency has procured employees for an
11 employer and/or has procured for employees opportunities to work for an employer and has been an
12 employment agency within the meaning of Section 701(c) of Title VII, 42 U.S.C. § 2000e(c).

13 CONCILIATION

14 8 Prior to institution of this lawsuit, the Commission's representatives attempted to
15 eliminate the unlawful employment practices alleged below and to effect voluntary compliance with
16 Title VII through informal methods of conciliation, conference and persuasion within the meaning
17 of Section 706(b) of Title VII, 42 U.S.C. § 2000e-5(b).

18 STATEMENT OF CLAIMS

19 9. More than thirty days prior to the institution of this lawsuit, Cleo Reed filed a charge
20 of discrimination with the Commission alleging violations of the Title VII by Defendant
21 Employment Agency. All conditions precedent to the institution of this lawsuit have been fulfilled.

22 10. Since at least January 1, 2001, Defendant Employment Agency has engaged in
23 unlawful employment practices at its facility in Seattle in violation of Section 703(b) of Title VII,
24 42 U.S.C. § 2000e-2(b). These practices included failing to refer Ms. Reed and a class of similarly
25 situated females for employment as licensed mates or masters aboard commercial shipping and
26 fishing vessels because of their sex, female.

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28 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
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1 11. The effect of the practice(s) complained of in paragraph 10 above has been to deprive
2 Ms. Reed and a class of similarly situated females of equal employment opportunities and otherwise
3 adversely affect their status as applicants for employment because of their sex.

4 12. The unlawful employment practices complained of in paragraph 10 above were and
5 are intentional

6 13 The unlawful employment practices complained of in paragraph 10 above were and
7 are done with malice or with reckless indifference to the federally protected rights of Ms. Reed and
8 and a class of similarly situated females who were unlawfully denied referral for employment

9 PRAYER FOR RELIEF

10 Wherefore, the Commission respectfully requests that this Court:

11 A. Grant a permanent injunction enjoining Defendant Employment Agency and its
12 officers, agents, successors, assigns, and all persons in active concert or participation with it, from
13 engaging in referral practices that discriminate on the basis of sex and in any other employment
14 practice which discriminates on the basis of sex.

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

18 C. Order Defendant Employment Agency to make whole Cleo Reed and a class of
19 similarly situated females by providing appropriate backpay with prejudgment interest, in amounts
20 to be proved at trial, and other affirmative relief necessary to eradicate the effects of its unlawful
21 employment practices.

22 D. Order Defendant Employment Agency to make whole Ms. Reed and a class of
23 similarly situated females by providing compensation for past and future pecuniary losses resulting
24 from the unlawful employment practices described in paragraphs 10-13 above, including without
25 limitation past and future out-of-pocket expenses, in amounts to be determined at trial

26 E. Order Defendant Employment Agency to make whole Ms Reed and a class of
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1 similarly situated females by providing compensation for past and future non-pecuniary losses
2 resulting from the unlawful practices complained of in paragraphs 10-13 above, including without
3 limitation emotional pain, suffering, loss of enjoyment of life and humiliation in amounts to
4 determined at trial.

5 F. Order Defendant Employment Agency to pay Ms Reed and a class of similarly
6 situated females punitive damages for its malicious and/or reckless conduct described in paragraphs
7 10-13 above in an amount to be determined at trial.

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

10 H Award the Commission its costs of this action.

11 JURY TRIAL DEMAND

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

13 DATED this 27th day of September, 2002.

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