

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
 )  
Plaintiff, ) Civil Action No. \_\_\_\_\_  
v. )  
 )  
SPECIALTY CARE SERVICES, LLC, d/b/a )  
WEST PARK PLACE ) **COMPLAINT**  
 ) (Jury Trial Demand)  
Defendant. )  
\_\_\_\_\_ )

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 (pregnancy) and to provide appropriate relief to Jacqueline Floyd-Hyke who was adversely affected by such practices. As stated with greater particularity in Paragraph 7 below, the plaintiff Equal Employment Opportunity Commission alleges that the defendant, Specialty Care Services, LLC, d/b/a West Park Place, discriminated against Floyd-Hyke based on her sex and pregnancy by terminating her employment as an administrator when she returned to work after a maternity leave.

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 Eastern District of Wisconsin.

## PARTIES

3. The plaintiff, the Equal Employment Opportunity Commission (“EEOC”), 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, the defendant, Specialty Care Services, LLC, d/b/a West Park Place (“West Park Place”) has continuously been a corporation doing business in the State of Wisconsin and the City of West Allis, and has continuously had at least 15 employees.

5. At all relevant times, West Park Place 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 30 days prior to the institution of this lawsuit, Jacqueline Floyd-Hyke filed a charge with the EEOC alleging violations of Title VII by West Park Place. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least October 2003 to the present, West Park Place has engaged in unlawful employment practices at its facility located in West Allis, Wisconsin, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. §§ 2000e-2(a)(1) by terminating Floyd-Hyke from her position of Community Base Residential Administrator after she returned from maternity leave and that she could “spend more time with her new baby while collecting unemployment.”

8. The effect of the practices complained of in Paragraphs 7 has been to deprive Floyd-Hyke of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex and pregnancy.

9. The unlawful employment practices complained of in Paragraphs 7 above were, and are, intentional.

10. The unlawful employment practices complained of in Paragraphs 7 above were done by West Park Place with malice or with reckless indifference to the federally protected rights of Floyd-Hyke.

PRAYER FOR RELIEF

Wherefore, the EEOC respectfully requests that this Court:

A. Grant a permanent injunction enjoining West Park Place and its officers, successors, and assigns, and all persons in active concert or participation with them, from engaging in discrimination based on sex (pregnancy).

B. Order West Park Place to implement practices, and programs which provide equal employment opportunities for pregnant women and those who are returning from maternity leave and which eradicate the effects of its past and present unlawful employment practices.

C. Order West Park Place to make whole Floyd-Hyke by providing appropriate back pay with pre-judgment 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 reinstatement.

D. Order West Park Place to make whole Floyd-Hyke by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in Paragraph 7 above, in amounts to be determined at trial.

E. Order West Park Place to make whole Floyd-Hyke by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in Paragraph 7 above, including emotional pain, suffering, loss of enjoyment of life, and humiliation caused by West

Park Place's discriminatory treatment of her, in amounts to be determined at trial.

F. Order West Park Place to pay Floyd-Hyke punitive damages for its malicious and reckless conduct described in Paragraph 7 above, in amounts to be determined at trial.

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

H. Award the EEOC its costs of this action.

JURY TRIAL DEMAND

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

Eric S. Dreiband  
General Counsel

James L. Lee  
Deputy General Counsel

Gwendolyn Young Reams  
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
1801 "L" Street, N.W.  
Washington, D.C. 20507

Dated: \_\_\_\_\_, 2004

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Jean P. Kamp  
Regional Attorney

Dated: \_\_\_\_\_, 2004

\_\_\_\_\_  
Rosemary J. Fox  
Supervisory Trial Attorney

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Milwaukee District Office  
310 West Wisconsin Avenue - Suite 800  
Milwaukee, WI 53203-2292  
(414) 297-4131