

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MARYLAND  
NORTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )  
10 S. Howard Street )  
Third Floor )  
Baltimore, Maryland 21201 )  
)  
Plaintiff, ) Civil Action No.  
)  
v. ) COMPLAINT  
)  
\_\_\_\_\_  
PROLEASE HR, INC. )  
d/b/a Prolease )  
7361 Calhoun Place ) JURY TRIAL DEMAND  
Suite 510 )  
Rockville, Maryland 20855 )  
)  
INTRAFORCE )  
3620 Commerce Drive )  
Suite 715 )  
Baltimore, Maryland 21227 )  
)  
VALLEYWOOD INDUSTRIES, INC. )  
d/b/a Pallet Masters )  
6517 Landay Avenue )  
Baltimore, Maryland 21237 )  
)  
Defendants. )  
\_\_\_\_\_)

NATURE OF 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 make whole Lisa Rager, who was subjected to a sexually hostile work environment while she was employed by Defendants, and who was constructively discharged by Defendants because of her sex.

JURISDICTION AND VENUE

\_\_\_\_1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Sections 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 Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981A.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the District of Maryland, Northern Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission ("the Commission"), is an 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. Section 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant Prolease HR, Inc., has continuously been and is now a Delaware corporation doing business in Baltimore.

5. At all relevant times, Defendant Prolease HR, Inc., has had at least fifteen employees.

6. At all relevant times, Defendant Prolease HR, Inc., has continuously been an employer engaged in an industry affecting

commerce under Section 701(b), (g), and (h) of Title VII, 42 U.S.C. Section 2000e-(b), (g), and (h).

7. 4. At all relevant times, Defendant Intraforce has continuously been and is now a Delaware corporation doing business in Baltimore.

8. At all relevant times, Defendant Intraforce has had at least fifteen employees.

9. At all relevant times, Defendant Intraforce has continuously been an employer engaged in an industry affecting commerce under Section 701(b), (g), and (h) of Title VII, 42 U.S.C. Section 2000e-(b), (g), and (h).

10. At all relevant times, Defendant Valleywood Industries, Inc., has continuously been and is now a Maryland corporation doing business in Baltimore.

11. At all relevant times, Defendant Valleywood Industries, Inc., has had at least fifteen employees.

12. At all relevant times, Defendant Valleywood Industries, Inc., has continuously been an employer engaged in an industry affecting commerce under Section 701(b), (g), and (h) of Title VII, 42 U.S.C. Section 2000e-(b), (g), and (h).

STATEMENT OF CLAIMS

13. All conditions precedent to the institution of this lawsuit have been fulfilled.

14. Since at least March, 2002, Defendant Employers have

engaged in unlawful employment practices at the Baltimore Pallet Masters facility, in violation of Sections 703(a) of Title VII, 42 U.S.C. Section 2000e-2. The practices include the following:

a. Subjecting Lisa Rager to a hostile and offensive work environment by condoning the sexually harassing and discriminating behavior of Ms. Rager's supervisor, William Seibert. Incidents of harassment committed by Seibert and condoned by Defendants include, but are not limited to, grabbing Ms. Rager from behind while she was operating an electric saw; touching Ms. Rager inappropriately when he spoke with her, such as by putting his arm around her, pulling her close to him, and brushing up against her; slapping her on the behind; asking her to go to a strip bar with him during their lunch hour; insisting that she give him a key to the bathroom she used exclusively; banging on the door and jiggling the knob while she was using the bathroom; calling her demeaning names, such as "baby" and "honey"; and making inappropriate comments, such as telling her that she was his "girl," asking her, "Are you going to be my baby?", "Do you want to be my honey?" and "When are we going to go out?"

b. Deliberately creating intolerable working conditions for Lisa Rager by subjecting her to verbal and physical harassment, degradation, humiliation, and unsafe working conditions, and by ignoring her complaints about her supervisor's

harassing conduct, all on the basis of her gender, and all of which resulted in her constructive discharge.

15. The unlawful employment practices complained of above were intentional.

16. The unlawful employment practices complained of above were done with malice or with reckless indifference to the federally protected rights of Lisa Rager.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendants, their officers, successors, assigns and all persons in active concert or participation with them, from engaging in gender discrimination, including sexual harassment;

B. Order Defendants to institute and carry out policies, practices, and programs which provide equal employment opportunities for females, and which eradicate the effects of past and present unlawful employment practices; and

C. Grant such further injunctive relief as the Court deems proper.

With regard to Defendants Prolease HR, Inc., and Intraforce the Commission respectfully requests that this Court:<sup>1</sup>

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<sup>1</sup>Defendant Valleywood Industries, Inc., is currently a reorganized debtor in a Chapter 11 case, *In re Valleywood Industries, Inc.*, No. 01-64665-ESD filed in the U.S. Bankruptcy

A. Order Defendants to make whole Lisa Rager by providing appropriate back pay with prejudgment interest and front pay in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of their unlawful employment practices;

B. Order Defendants to make whole Lisa Rager by providing compensation for pecuniary and nonpecuniary losses, including emotional pain, suffering, anxiety, depression, embarrassment, degradation, and humiliation;

C. Order Defendants to pay to Lisa Rager punitive damages for their callous indifference to her federally protected right to be free from gender discrimination;

D. Grant such further monetary relief as the Court deems proper; and

E. Award the Commission its costs in this action.

JURY TRIAL DEMAND

\_\_\_\_\_The Commission requests a jury trial on all questions of fact raised by the Complaint.

\_\_\_\_\_  
Court for the District of Maryland. Concurrent with the filing of this lawsuit, the EEOC is filing a Motion of Determination of Nondischargeability, or In the Alternative, for Leave to File an Administrative Claim with the bankruptcy court. If the bankruptcy court grants its motion, the EEOC will amend its complaint (or, if necessary, seek leave to amend) to seek backpay and punitive and compensatory damages against Valleywood Industries, Inc.

Respectfully submitted,

GWENDOLYN YOUNG REAMS  
Associate General Counsel

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GERALD S. KIEL  
Regional Attorney

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DEBRA M. LAWRENCE  
Supervisory Trial Attorney

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