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U.S. DIST. COURT
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

SIGN RM
RICHARD T. MARTIN
CLERK

*
EQUAL EMPLOYMENT OPPORTUNITY *
COMMISSION, *
*
Plaintiff *
*
v. *
*
LOUISIANA GUEST HOUSE, *
*
Defendant *

CIVIL ACTION NO. 98-964-A-M3

COMPLAINT

JURY TRIAL DEMANDED

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964, as amended, to correct unlawful employment practices on the basis of the defendant's failure to provide a religious accommodation to, and its constructive discharge of Mark Morehouse because of his Islamic religious prayer observance, and to make whole Mark Morehouse. During his employment with defendant Louisiana Guest House the defendant discriminated against him by failing to provide a reasonable accommodation to Mr. Morehouse's regular weekly Islamic prayer service, instead, only allowing him on an ad hoc basis to attend his prayer service if he had completed his work duties. Defendant also discriminated against Mr. Morehouse by discharging him when his prayer service conflicted with a work assignment on January 16, 1998.

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 Sections 706 (f) (1)



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and (3) of Title VII of the civil Rights Act of 1964, as amended, 42 U.S.C. section 2000 e, et. seq. ("Title VII").

2. The unlawful employment practices alleged below were committed within the State of Louisiana and the jurisdiction of the United States District Court for the Middle District of Louisiana.

PARTIES

3. Plaintiff Equal Employment Opportunity Commission ("EEOC") 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), of Title VII, 42 U.S.C. Section 2000e (f) (1).

4. At all relevant times, defendant Louisiana Guest House ("defendant") has continuously been a Louisiana corporation doing business in the State of Louisiana and the City of Baton Rouge, Louisiana, and has continuously had and does now have at least fifteen employees.

5. At all relevant times, defendant has continuously been and is now 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. Section 2000e (b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Mark Morehouse filed a charge with the EEOC alleging violations of Title VII by defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least November 1997 defendant engaged in unlawful employment

practices at its Baton Rouge, Louisiana facility in violation of Title VII, 42 U.S.C. Section 2000e-2 (a). The unlawful employment practices consist of discriminating against Mark Morehouse based on his religion by not providing a reasonable accommodation for Mr. Morehouse to attend his regular weekly Islamic religious prayer service, instead allowing Mr. Morehouse on an ad hoc basis to attend his prayer service only if his work duties were completed. Defendant also discriminated against Mr. Morehouse by constructively discharging him on January 16, 1998 when his prayer service conflicted with a work assignment.

8. The effect of the practices complained of above has been to deprive Mark Morehouse of equal employment opportunities and otherwise to adversely affect his status as an employee by discriminating against him on the basis of his religion.

9. The practices complained of above caused Mark Morehouse to suffer pecuniary losses, including lost wages and the costs of seeking new employment.

10. The practices complained of above caused Mark Morehouse to suffer non-pecuniary losses, including emotional pain, suffering, inconvenience and mental anguish.

11. The employment practices complained of above were committed with malice or reckless indifference to the federally protected rights of Mark Morehouse.

PRAYER FOR RELIEF

WHEREFORE, the EEOC respectfully requests that this Court:

A. Grant a permanent injunction enjoining the defendant, its officers, directors, managers, successors, assigns and all persons in active concert or participation with it from engaging in any employment practice which discriminates against its employees on the basis of religion in violation of Title VII;

B. Order defendant to institute and carry out policies, practices and programs which equal employment opportunities for all persons and which eradicate the effects of its unlawful employment practices;

C. Order defendant to make whole Mark Morehouse by awarding appropriate back pay with prejudgment interest, in amounts to be proved at trial, and other affirmative relief necessary to eradicate the effects of its unlawful practices, including but not limited to, awarding rightful place reinstatement or, alternatively, front pay;

D. Order defendant to make whole Mark Morehouse by providing him compensation for other pecuniary losses, including, but not limited to costs for seeking new employment, in amounts to be determined at trial;

E. Order defendant to make whole Mark Morehouse by providing him compensation for non-pecuniary losses, including emotional pain, suffering, inconvenience and mental anguish;

F. Order defendant to pay punitive damages in amounts to be proven at trial;

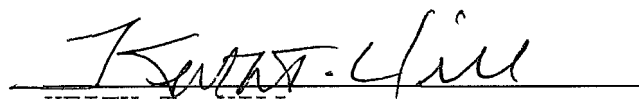
G. Grant such further relief as the Court deems necessary and proper; and

H. Award the EEOC its costs in this action.

JURY TRIAL DEMAND

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

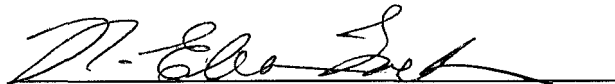
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