

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION

SABRINA BOND,
Plaintiff,

UNITED STATES OF AMERICA,
Plaintiff-Intervenor,

v.

CITY OF BALTIMORE, DEPARTMENT
OF PUBLIC WORKS;
CITY OF BALTIMORE, et al.,
Defendants.

Civil Action No. 04-CV-0269

ORDER

The United States' Motion to Intervene is GRANTED. The clerk is directed to file the United States' Complaint in Intervention.

March 8, 2004

/s/
Andre M. Davis
U. S. District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

SABRINA BOND,
Plaintiff,

UNITED STATES OF AMERICA,
Plaintiff-Intervenor,

v.

CITY OF BALTIMORE, DEPARTMENT
OF PUBLIC WORKS;
CITY OF BALTIMORE, *et al.*,
Defendants.

Civil Action No. 04-CV-0269

COMPLAINT IN INTERVENTION

Plaintiff-Intervenor, United States of America ("United States"), alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII").
2. This Court has jurisdiction over the action under 42 U.S.C. § 2000e-5(f) and 28 U.S.C. § 1345.
3. Defendant City of Baltimore, Department of Public Works ("DPW") is a governmental agency of the City of Baltimore. Defendant City of Baltimore ("City") is a political subdivision of the State of Maryland, created pursuant to Maryland law.
4. Defendants are persons within the meaning of Section 701(a) of Title VII, 42 U.S.C. § 2000e(a), and employers and/or agents of employers within the meaning of Section 701(b) of Title VII, 42 U.S.C. § 2000e(b).

5. Defendants have discriminated against Sabrina Bond, a female formerly employed as a carpenter at DPW, because of her sex, female, in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a), among other ways, by:

- a. subjecting Ms. Bond to harassment based on her sex while she was employed at DPW, which created an intimidating, hostile or offensive work environment and which adversely affected the terms, conditions and privileges of Ms. Bond's employment; and
- b. failing or refusing to take appropriate action to remedy the effects of the discrimination against Ms. Bond even after she filed several written complaints and informed higher level management of the harassment.

6. Acts contributing to the hostile work environment included, but were not limited to, her supervisor:

- a. exposing his genitalia;
- b. displaying pornography in the workplace;
- c. simulating sexual acts and informing Ms. Bond that these acts would be performed on her; and
- d. commenting on her menstrual cycle.

7. Acts contributing to the hostile work environment included, but were not limited to, her coworkers:

- a. displaying pornographic magazines and sexual toys in the workplace; and
- b. making sexual and sexist comments to Ms. Bond.

8. The Equal Employment Opportunity Commission ("EEOC") received a timely charge of

discrimination filed by Ms. Bond (Charge No. 120-2003-02529) in which she alleged, inter alia, that the City of Baltimore, Department of Public Works discriminated against her in violation of Title VII by subjecting her to a hostile work environment based on her sex.

9. Pursuant to Section 706 of Title VII, 42 U.S.C. § 2000e-5, the EEOC investigated the charge, found reasonable cause to believe that Ms. Bond's allegations of sexual harassment were true, unsuccessfully attempted to achieve through conciliation a voluntary resolution of these matters, and subsequently referred the charge to the United States Department of Justice. Thereafter, the United States Department of Justice issued a notice of right-to-sue on Charge No. 120-2003-02529 to Sabrina Bond based on a request by her counsel. Having received such notice of right-to-sue, plaintiff alleges, inter alia, violations of Title VII in her complaint.

10. The Assistant Attorney General for the Civil Rights Division of the United States Department of Justice, by delegation from the Attorney General of the United States, has certified under Section 706(f)(1) of Title VII, 42 U.S.C. § 2000e-5(f)(1), that the above-captioned case is of general public importance. See attachment hereto.

11. All conditions precedent to the filing of this Complaint in Intervention have been performed or have occurred.

WHEREFORE, plaintiff-intervenor United States prays that this Court grant the following relief:

(a) Enjoin the City of Baltimore and its Department of Public Works from failing or refusing to:

- (i) provide sufficient remedial relief to make whole Sabrina Bond for the loss she has suffered as a result of the discrimination against her as alleged in

this complaint in intervention;

- (ii) modify the City's existing sexual harassment policy to include clear, meaningful and well-publicized provisions describing responsibilities of all supervisors to report and respond to complaints of sexual harassment, and to establish an effective mechanism for receiving and responding to complaints of sexual harassment;
 - (iii) provide adequate training to all DPW employees and officials responsible for making determinations regarding complaints of sexual harassment, with regard to workplace sexual harassment prohibited by Title VII;
 - (iv) take other appropriate nondiscriminatory measures to overcome the effects of discrimination.
- (b)** Award compensatory damages to Sabrina Bond for mental and/or physical injuries incurred as a result of the discrimination against her as alleged in this Complaint in Intervention, pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

The United States prays for such additional relief as justice may require, together with its costs and disbursements in this action.

JURY DEMAND

The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

R. ALEXANDER ACOSTA
Assistant Attorney General
Civil Rights Division

By:



DAVID J. PALMER
Chief
Employment Litigation Section
Civil Rights Division

William B. Fenton 1/15/99

Clare F. Geller



WILLIAM B. FENTON
CLARE F. GELLER
LESLIE M. GARDNER
Attorneys
U.S. Department of Justice
Civil Rights Division
Employment Litigation Section
Room 4902, PHB
950 Pennsylvania Ave., NW
Washington, DC 20530
(202) 514-3168 (phone)
(202) 514-1005 (facsimile)

THOMAS M. DIBIAGIO
United States Attorney