

1 WILLIAM R. TAMAYO - #084965 (CA)
2 JONATHAN T. PECK - #12303 (VA)
3 PAMELA G. RUBIN - #412479 (CT)
4 EQUAL EMPLOYMENT OPPORTUNITY
5 COMMISSION
6 San Francisco District Office
7 901 Market Street, Suite 500
8 San Francisco, California 94103
9 Telephone: (415) 356-5068

FILED
Clerk
District Court

SEP 25 1998

For The Northern Mariana Islands

By _____
(Deputy Clerk)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NORTHERN MARIANA ISLANDS

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
Plaintiff,)
v.)
EJ INTERNATIONAL, INC. dba)
MOODS & MUSIC dba THE)
COLONEL'S PLACE)
Defendant.)

CIVIL ACTION NO.

CV 98-0055

COMPLAINT

Civil Rights -
Employment Discrimination

JURY TRIAL DEMAND

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 and to provide appropriate relief to affected class members. As alleged below, defendant subjected a class of its female employees to sexual harassment, creating an offensive, hostile, abusive and discriminating work environment. Plaintiff also alleges that the affected class members were constructively discharged.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to U.S.C. §§ 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and (3)

COMPLAINT

1 of Title VII of the Civil Rights Act of 1964, as amended, 42
2 U.S.C. §§ 2000e-5(f)(1) and (3)(Title VII), and section 102 of
3 the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

4 PARTIES

5 2. Plaintiff, the Equal Employment Opportunity Commission
6 (the Commission), is the agency of the United States of America
7 charged with the administration, interpretation, and enforcement
8 of Title VII and is expressly authorized to bring this action by
9 sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §§ 2000e-
10 5(f)(1) and (3).

11 3. At all relevant times, Defendant EJ International, Inc.
12 dba Moods & Music dba The Colonel's Place(defendant employer) has
13 continuously been doing business in the Northern Mariana Islands
14 and the island of Saipan and has continuously had at least
15 fifteen employees.

16 4. At all relevant times, Defendant Employer has
17 continuously been an employer engaged in an industry affecting
18 commerce within the meaning of section 701(b), (g), and (h) of
19 Title VII, 42 U.S.C. § 2000e-(b), (g), and (h).

20 STATEMENT OF CLAIMS

21 5. More than thirty days prior to the institution of this
22 lawsuit, Jennifer Parinas and Omniejainab Hapa filed charges with
23 the Commission alleging violations of Title VII by Defendant
24 Employer. All conditions precedent to the institution of this
25 lawsuit have been fulfilled.

26 6. Since at least March 1997, Defendant Employer has
27 engaged in unlawful practices at its Saipan facility, in
28 violation of section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-

1 2(a)(1). These practices included subjecting a class of female
2 employees to sexual harassment, which included, *inter alia*, a
3 hostile work environment and the conditioning of employment on
4 performance of sexual favors (quid pro quo sexual harassment),
5 and constructive discharge.

6 7. The effect of the practices complained of above has
7 been to deprive the affected individuals of equal employment
8 opportunities and otherwise adversely affect their employment
9 status because of their sex and because they were constructively
10 discharged.

11 8. The unlawful employment practices complained of above
12 were and are intentional.

13 9. The unlawful employment practices complained of above
14 were done with malice or reckless indifference to the federally
15 protected rights of affected individuals.

16 PRAYER FOR RELIEF

17 WHEREFORE, the Commission respectfully requests that this
18 Court:

19 A. Grant a permanent injunction enjoining Defendant
20 Employer, its officers, successors, assigns, and all persons in
21 active concert or participation with it, from engaging in sexual
22 harassment, constructive discharge, and any other employment
23 practice which discriminates on the basis of sex.

24 B. Order Defendant Employer to institute and carry out
25 policies, practices, and programs which provide equal employment
26 opportunities for women and which eradicate the effects of its
27 past and present unlawful employment practices.

28 C. Order Defendant Employer to make whole Ms. Parinas, Ms.

1 Hapa, and the other class members by providing appropriate back
2 pay with prejudgment interest, in amounts to be determined at
3 trial, and other affirmative relief necessary to eradicate the
4 effects of its unlawful employment practices, including but not
5 limited to appropriate front pay.

6 D. Order Defendant Employer to make whole Ms. Parinas, Ms.
7 Hapa, and the other class members by providing compensation for
8 past and future pecuniary losses resulting from the unlawful
9 employment practices described above, including but not limited
10 to relocation expenses, with interest, in amounts to be
11 determined at trial.

12 E. Order Defendant Employer to make whole Ms. Parinas, Ms.
13 Hapa, and the other class members by providing compensation for
14 past and future non-pecuniary losses caused by the above unlawful
15 conduct, including but not limited to pain and suffering,
16 emotional distress, inconvenience, loss of enjoyment of life, and
17 humiliation, in amounts to be determined at trial.

18 F. Order Defendant Employer to pay Ms. Parinas, Ms. Hapa,
19 and the other class members punitive damages for its malicious
20 and reckless conduct described above, in amounts to be determined
21 at trial.

22 G. Grant such further relief as the Court deems proper.

23 H. Award the Commission its costs in this action.

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JURY TRIAL DEMAND


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

Respectfully submitted,

C. GREGORY STEWART
General Counsel

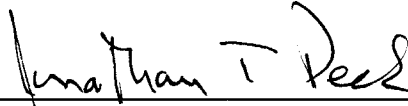
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
1801 L Street, N.W.
Washington, DC 20507

Dated: 9/18/98



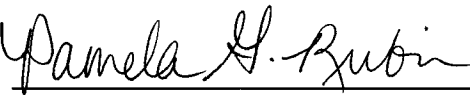
WILLIAM R. TAMAYO
Regional Attorney

Dated: 9/18/98



JONATHAN T. PECK
Supervisory Trial Attorney

Dated: 9/18/98



PAMELA G. RUBIN
Trial Attorney

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
San Francisco District Office
901 Market Street, Suite 500
San Francisco, CA 94103-1735
Telephone: (415) 356-5068