

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 Section 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"). This action is also authorized and instituted pursuant to Section 102 of Title I 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 Western District of Pennsylvania.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), 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 Title VII, 42 U.S.C. § 706(f)(1) and (3).

4. At all relevant times, Defendant, PJAX, Inc. (the "Employer"), has continuously been a Pennsylvania corporation doing business in the State of Pennsylvania and the City of Gibsonia, and has continuously had at least 15 employees.

5. At all relevant times, Defendant Employer 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 thirty days prior to the institution of this lawsuit, Mary Brining filed a charge with the Commission alleging violations of Title VII by Defendant PJAX, Inc. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least May 31, 1999, Defendant PJAX, Inc. has engaged in unlawful employment practices at its headquarters and other western Pennsylvania locations, in violation of Section 703 of Title VII, 42 U.S.C. § 2000e-2000e-2, including:

(a) Female employees were subjected to unwanted and offensive vulgarity on an ongoing basis by owners and/or management officials;

(b) Female employees were subjected to being screamed at on an ongoing basis by owners and/or management officials;

(c) Female employees were specifically demeaned by statements made by male owners and/or management officials;

(d) Female employees were demeaned by being expected to perform personal chores for male owners and/or management officials;

(e) Female employees were treated differently on the basis of their personal attractiveness and/or age by male owners and/or management officials;

(f) Female employees were treated with less respect and dignity than were male employees in that the female employees were not considered for or promoted to supervisory or management positions.

8. The effect of the practice(s) complained of in paragraphs 7(a) through (f) above has been to deprive Ms. Brining and other current and former female employees of equal employment opportunities and otherwise to affect adversely their status as employees, because of their sex/female.

9. The unlawful employment practices complained of in paragraphs 7(a) through (f) above were intentional.

10. The unlawful employment practices complained of in paragraphs 7 (a) through (f) above were done with malice or with reckless indifference to the federally protected rights of the Charging Party, Mary Francis Brining, and other similarly situated female employees including but not limited to Patricia Knapp, Denise M. Kelly, Patricia Lindsay, Joann Bowlin, and Tammy Mahon.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors, assigns, and all persons in active concert or participation with it, from subjecting its female employees to a sexually hostile work environment and any other employment practice which discriminates on the basis of sex.

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

C. Order Defendant Employer to make whole Mary Brining and other similarly situated female employees, by providing appropriate compensatory and punitive damages, 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 a work environment that is not sexually discriminatory or hostile.

G. Order Defendant Employer to make whole Ms. Brining and other similarly situated female employees by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 7(a) through (f) above, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

H. Order Defendant Employer to pay Ms. Brining and other similarly situated female employees punitive damages for its malicious and reckless conduct described in paragraphs 7(a) through (f) above, in amounts to be determined at trial.

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

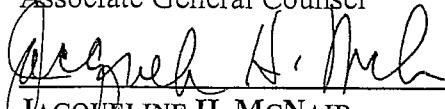
J. Award the Commission its costs of this action.

JURY TRIAL DEMAND

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

GWENDOLYN YOUNG REAMS

Associate General Counsel



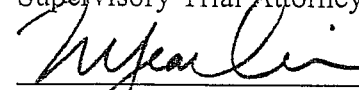
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