

For Dockets See 1:03CV02360

United States District Court, N.D. Illinois.  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff,  
v.  
NORWEGIAN AMERICAN HOSPITAL, Defendant.  
No. 03C 2360.  
April 7, 2003.

Jury Demand

Complaint

Judge Zagel.  
Magistrate Judge Keys.

*NATURE OF THE ACTION*

This is an action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.* ("Title VII"), and Title I of the Civil Rights Act of 1991, 42 U. S.C. § 1981a, to correct unlawful employment practices based on religion and to provide appropriate relief to Rashidah Abdullah ("Charging Party") who was adversely affected by such practices. Defendant Norwegian American Hospital. ("Norwegian" or "Defendant") discriminated against Rashidah Abdullah because of her religion, Islam, by maintaining a religiously hostile and offensive work environment, and subjecting her to different terms and conditions of employment. Defendant also retaliated against her for reporting the discrimination on the basis of her religion.

*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) and Section of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).
2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Northern District of Illinois, Eastern Division.

*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 Section 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).
4. At all relevant times, Defendant has been continuously doing business in the City of Chicago, State of Illinois, and has continuously had at least fifteen (15) em-

ployees.

5. At all relevant times, Defendant has 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 (30) days prior to the institution of this lawsuit, Charging Party filed a charge with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit against the Defendant have been fulfilled.

7. Since at least 2001, Defendant engaged in unlawful employment practices at its Chicago, Illinois facility, in violation of Sections 703(a) and 704(a) of Title VII, 42 U.S.C. §§ 2000e-2(a)(1) and 2000e-3(a). Such unlawful employment practices include, but are not limited to:

- A. Discriminating against Rashidah Abdullah because of her religion by subjecting her to harassment of a religious nature and creating and maintaining an abusive and hostile work environment.
- B. Subjecting Rashidah Abdullah to different terms and conditions of employment because of her religion.
- C. Retaliating against Rashidah Abdullah for reporting the discrimination on the basis of her religion.

8. The effect of the aforementioned practices of Defendant has been to deprive Rashidah Abdullah of equal employment opportunities and otherwise adversely affect her status as employee because of her religion.

9. The unlawful employment practices complained of in Paragraph seven (7) above were and are intentional.

10. The unlawful employment practices complained of in Paragraph seven (7) above were and are done with malice or with reckless indifference to the federally protected rights of Rashidah Abdullah.

*PRAYER FOR RELIEF*

WHEREFORE, the Commission respectfully requests that this Court:

- A. grant a permanent injunction enjoining Norwegian American Hospital, its officers, successors, assigns, and all persons in active concert or participation with them, from engaging in any employment practice which discriminates on the basis of religion or which constitutes religious harassment;
- B. grant a permanent injunction enjoining Norwegian American Hospital, its officers, successors, assigns, and all persons in active concert or participation with them, from retaliating against any employee who opposes discrimination or participates in any inquiry into a complaint of discrimination;

C. order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities regardless of religion and which eradicate the effects of its unlawful employment practices, including without limitation, retaliation;

D. order Defendant to make whole Rashidah Abdullah by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in Paragraph seven (7) above, in amounts to be determined at trial;

E. order Defendant to make whole Rashidah Abdullah by providing appropriate back pay with pre-judgment interest, in an amount to be determined at trial;

F. order Defendant to make whole Rashidah Abdullah by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in Paragraph seven (7) above, including emotional pain, suffering, and humiliation, in an amount to be determined at trial;

G. order Defendant to pay to Rashidah Abdullah punitive damages for its malicious and reckless conduct, as described in Paragraph seven (7) above, in an amount to be determined at trial;

H. order Defendant and its successors to provide training to its officers, managers and employees regarding religious harassment and retaliation in the workplace;

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

J. 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.

Appendix not available.

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff, v. NORWEGIAN AMERICAN HOSPITAL, Defendant.

2003 WL 23667815 (N.D.Ill.)

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