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2005 SEP 29 A 11:44

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

vs.)

REGIS CORPORATION, DBA SMART)
STYLE FAMILY HAIR SALON,)

Defendant.)

Case No. **C2-06-824**

Judge **JUDGE WATSON**

Magistrate Judge **MAGISTRATE JUDGE ABEL**

COMPLAINT AND 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 retaliation for protected opposition activity and to provide appropriate relief to Michelle Wilson and Tamara Rogers, who were adversely affected by such practices.

Defendant discharged Wilson and Rogers in retaliation for their opposition to racially segregated work assignments and they suffered resulting damages.

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") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a ("CRA of 1991").

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Southern District of Ohio, 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 of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000(e)-5(f)(1) and (3).

4. At all relevant times, Defendant Regis Corporation, dba Smart Style Family Hair Salon (the "Employer"), has continuously been a Minnesota corporation for profit doing business in the State of Ohio and the City of Westerville, Ohio 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 Section 701(b), (g) and (h) of Title VII, 42 U.S.C. § 2000e-(b), (g) and (h).

STATEMENT OF CLAIMS

Conditions Precedent

6. More than thirty days prior to the institution of this lawsuit, Michelle Wilson and Tamara Rogers each filed a Charge with the Commission alleging violations of Title VII by Defendant Employer. All conditions precedent to the institution of this lawsuit have been fulfilled.

Title VII Individual Claims

7. On or about September 14, 2005, Defendant Employer engaged in unlawful employment practices at its Westerville, Ohio facility in violation of Section 704(a) of Title VII, 42 U.S. C. §2000e-3(a). Such practices include Defendant's discharging Wilson and Rogers in retaliation for their opposition to racially segregated work assignments and they suffered resulting damages.

8. The effect of the practices complained of in paragraph 7 above, has been to deprive Michelle Wilson and Tamara Rogers of equal employment opportunities, because of because of their protected opposition activity.

9. The unlawful employment practices complained of in paragraph 7 above, were intentional.

10. The unlawful employment practices complained of in paragraph 7 above, were done with malice or with reckless indifference to the federally protected rights of Michelle Wilson and Tamara Rogers.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors and assigns, and all other persons in active concert or participation with it, from retaliating against Michelle Wilson, Tamara Rogers and all other employees similarly situated, for their protected opposition activity, including without limitation, by discharging Wilson and Rogers, in retaliation for protesting racial discrimination in employment and from engaging in any other employment practice which discriminates on the basis of retaliation.

B. Order Defendant Employer to institute and carry out policies, practices and programs which provide equal employment opportunities, terms, conditions and privileges of employment for employees who have opposed unlawful employment practices and which eradicate the effects of its past unlawful employment practices.

C. Order Defendant Employer to make whole Michelle Wilson and Tamara Rogers, by providing appropriate backpay with prejudgment interest, 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 offers to Michelle Wilson and Tamara Rogers of rightful place reinstatement or frontpay in lieu of reinstatement.

D. Order Defendant Employer to make whole Michelle Wilson and Tamara Rogers by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 7-10 above, in amounts to be determined at trial.

E. Order Defendant Employer to make whole Michelle Wilson and Tamara Rogers by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 7-10 above, including emotional upset and pain, suffering, inconvenience, loss of enjoyment of life and humiliation, in amounts to be determined at trial.

F. Order Defendant Employer to make whole Michelle Wilson and Tamara Rogers by providing punitive damages for its malicious or recklessly indifferent conduct described in paragraphs 7-10 above, in amounts to be determined at trial.

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

H. 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.


Respectfully submitted,

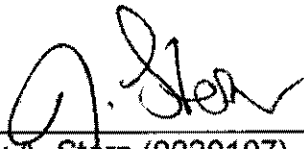
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