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ORIGINAL

ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

EQUAL EMPLOYMENT OPPORTUNITY)	CIVO 3 - 065 - S - MHW
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	
)	
AMERIPRIDE SERVICES, INC.)	
)	
Defendant.)	
_____)	

CIVIL ACTION NO.
COMPLAINT
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 Sandra Robison and similarly situated female applicants. The Equal Employment Opportunity Commission alleges that defendant Amcripride Services, Inc.

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discriminated against Ms. Robison, and similarly situated female applicants, when it failed to hire these women for employment because of their gender. Plaintiff seeks injunctive and monetary relief, including pecuniary and nonpecuniary compensatory damages and punitive damages, on behalf of Ms. Robison and similarly situated female applicants.

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 sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 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 the District of Idaho.

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) of Title VII, 42 U.S.C. §2000e-5(f)(1).

4. At all relevant times, defendant, Ameripride Services, Inc. ("Ameripride" or "defendant") has been a corporation continuously doing business in the State of Idaho and has continuously had at least 15 employees.

5. At all relevant times, defendant Ameripride has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of

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Title VII, 42 U.S.C. §§2000c-(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Sandra Robison filed a charge with the Commission alleging violations of Title VII by defendant Ameripride. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Beginning on or before November 5, 2001, defendant Ameripride engaged in unlawful employment practices at its Twin Falls, Idaho facility in violation of §§ 703(a) of Title VII, 42 U.S.C. §§ 2000e-2(a). The practices include the failure to hire Ms. Robison, and other similarly situated female applicants, for employment because of their gender.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Robison, and similarly situated female applicants, of equal employment opportunities by discriminating against them because of their gender.

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 Ms. Robison and similarly situated female applicants.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining defendant, its officers, successors, agents, assigns, and all persons in active concert or participation with it, from engaging in any employment practices which discriminate on the bases of sex.

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

C. Order defendant to make whole Ms. Robison and similarly situated female applicants by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order defendant to make whole Ms. Robison and similarly situated female applicants by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.

E. Order defendant to make whole Ms. Robison and similarly situated female applicants by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in amounts to be determined at trial.

F. Order defendant to pay Ms. Robison and similarly situated female applicants punitive damages for its malicious and reckless conduct described in paragraph 7 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.

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JURY TRIAL DEMAND

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

DATED this 19~~th~~ day of February, 2003.

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