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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant.

C04-866P

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 Jill Harp, who was adversely affected by such practices. The Equal Employment Opportunity Commission (the "Commission") alleges that defendant, Union Pacific Railroad Company, subjected Ms. Harp to a sexually hostile work environment. The Commission seeks monetary and injunctive relief, including pecuniary and nonpecuniary compensatory damages and punitive damages, on behalf of Ms. Harp.

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04-CV-00866-CMP

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COMPLAINT - PAGE 2

1 and sexual graffiti because of her sex.

2 8. The effect of the practices complained of in paragraph 7 above has been to deprive
3 Jill Harp of equal employment opportunities and otherwise adversely affect her status as an
4 employee.

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

7 10. The unlawful employment practices complained of in paragraph 7 above were done
8 with malice or with reckless indifference to the federally protected rights of Jill Harp.

9 PRAYER FOR RELIEF

10 Wherefore, the Commission respectfully requests that this Court:

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

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

17 C. Order defendant to make whole Jill Harp by providing appropriate back pay with
18 prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to
19 eradicate the effects of its unlawful employment practices.

20 D. Order defendant to make whole Jill Harp by providing compensation for past and
21 future pecuniary losses resulting from the unlawful employment practices described in paragraph 7
22 above, including past and future out-of-pocket expenses, in amounts to be determined at trial.

23 E. Order defendant to make whole Jill Harp by providing compensation for past and
24 future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 7
25 above, including without limitation emotional pain, suffering, and loss of enjoyment of life, in
26 amounts to be determined at trial.

27 F. Order defendant to pay Jill Harp punitive damages for its malicious and reckless

1 conduct described in paragraph 7 above, in amounts to be determined at trial.

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

4 H. Award the Commission its costs of this action.

5 JURY TRIAL DEMAND

6 The Commission requests a jury trial on all questions of fact raised by its complaint.
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9 DATED this 15th day of April, 2004.

10
11 A. LUIS LUCERO, JR.
Regional Attorney

12 JOHN STANLEY
13 Acting Supervisory Trial Attorney

14 LISA COX
Trial Attorney

15 BY: A. Luis Lucero Jr.
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