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10 ATTORNEYS FOR PLAINTIFF

11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

14 EQUAL EMPLOYMENT OPPORTUNITY
15 COMMISSION

16 Plaintiff,

17 v.

18 GLOBAL IMAGING SYSTEMS, INC.
19 d/b/a/ QUALITY BUSINESS SYSTEMS,

20 Defendant.

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMAND

21 NATURE OF THE ACTION

22 This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil
23 Rights Act of 1991 to correct unlawful employment practices on the basis of sex, and retaliation,
24 and to provide appropriate relief to Anna Chambers (“Ms. Chambers”) who was adversely
25 affected by such practices. The Equal Employment Opportunity Commission alleges that Global

COMPLAINT- Page 1 of 5

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
Seattle District Office
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Seattle, Washington 98104-1061
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1 Imaging Systems, Inc. d/b/a Quality Business Systems subjected Ms. Chambers to sexual
2 harassment and retaliated against her when she complained about the sexual harassment,
3 constructively discharged her, and then engaged in post-employment retaliation against her.
4 Plaintiff seeks monetary relief, including pecuniary and nonpecuniary compensatory and
5 punitive damages and injunctive relief, on behalf of Ms. Chambers.

6 JURISDICTION AND VENUE

7
8 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331, 1337,
9 1343 and 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and (3) of
10 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-5(f)(1) and (3)
11 ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

12 2. The employment practices alleged to be unlawful were committed within the
13 jurisdiction of the United States District Court for the Western District of Washington at Seattle.

14 PARTIES

15
16 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is
17 the agency of the United States of America charged with the administration, interpretation and
18 enforcement of Title VII, and is expressly authorized to bring this action by Section 706(f)(1) of
19 Title VII, 42 U.S.C. §2000e-5(f)(1).

20 4. At all relevant times, defendant Global Imaging Systems, Inc. d/b/a Quality
21 Business Systems ("GIS") has been a corporation continuously doing business in the State of
22 Washington and has continuously had at least 15 employees.

5. At all relevant times, defendant GIS 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, Ms. Chambers filed a charge with the Commission alleging violations of Title VII by defendant GIS. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. From at least December 1, 2003, defendant GIS engaged in unlawful employment practices at its Woodinville, Washington facility and elsewhere in violation of §§ 703(a) and 704(a) of Title VII, 42 U.S.C. §§ 2000e-2(a) and -3(a). Defendant engaged in these unlawful practices through the following actions: (1) by subjecting Ms. Chambers to sexual harassment; (2) by retaliating against Ms. Chambers for her complaints to company officials about sexual harassment; (3) by discriminating and retaliating against Ms. Chambers by constructively terminating her in January 2004; and (4) by discriminating and retaliating against Ms. Chambers after her constructive termination in January 2004.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Ms. Chambers of equal employment opportunities.

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 Ms. Chambers's federally protected rights.

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 basis of sex or retaliate against any individual for engaging in protected EEO activity.

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. Chambers by providing affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order defendant to make whole Ms. Chambers by providing appropriate back pay with prejudgment interest, resulting from the unlawful practices described in paragraph 7 above.

E. Order defendant to make whole Ms. Chambers 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.

F. Order defendant to make whole Ms. Chambers 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.

1 G. Order defendant to pay Ms. Chambers punitive damages for its malicious and
2 reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

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

5 I. Award the Commission its costs of this action.

6 JURY TRIAL DEMAND

7 The Commission requests a jury trial on all questions of fact raised by its complaint.
8

9 DATED this 28th day of September, 2005.

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16 BY: /s/ A. Luis Lucero, Jr.

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