

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.
2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for South Carolina, Anderson Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity 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, Randstad Staffing Services, Inc., a Georgia corporation, has continuously been doing business in the State of South Carolina and the City of Anderson, and has continuously had at least 15 employees.
5. At all relevant times, Defendant 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).
6. At all relevant times, Defendant, Randstad Staffing Services, Inc., doing business as Randstad North America, has procured for employees opportunities to work for an employer and has been an employment agency within the meaning of Section 701(c) of Title VII, 42 U.S.C. § 2000e(c).

STATEMENT OF CLAIMS

7. More than thirty days prior to the institution of this lawsuit, Kellie N. Acker filed a charge with the EEOC alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.
8. Since at least late January 2000, Defendant has engaged in unlawful employment practices at its Anderson, South Carolina, facility, in violation of Title VII as follows:
 - A. By taking adverse employment actions against Kellie N. Acker, including discharging her, because she opposed a client's request not to refer female employees based on their gender, female, in violation of Section 704(a), 42 U.S.C. § 2000e-3(a); and
 - B. By failing and refusing to refer for employment qualified women because of their gender, female, in violation of Section 703(b), 42 U.S.C. § 2000e-2(b).
9. The effect of the practices complained of in paragraph 8(A) above has been to deprive Kellie N. Acker of equal employment opportunities and otherwise adversely affect her status as an employee because of her opposition to a practice made an unlawful employment practice by Title VII.
10. The effect of the practices complained of in paragraph 8(B) above has been to deprive Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female, of equal employment opportunities and otherwise adversely affect their status as employees because of their gender, female.
11. The unlawful employment practices complained of in paragraph 8 above were intentional.

12. The unlawful employment practices complained of in paragraph 8 above were done with malice or with reckless indifference to the federally protected rights of Kellie N. Acker, Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female.

PRAYER FOR RELIEF

Wherefore, the EEOC respectfully requests that this Court:

- A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from retaliating against employees who engage in protected activity, discriminating against women because of their gender, female, and engaging in any other employment practice which discriminates against individuals who engage in protected activity or on the basis of gender.
- B. Order Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for individuals who engage in protected activity and for women and which eradicate the effects of its past and present unlawful employment practices.
- C. Order Defendant to make whole Kellie N. Acker, Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female, 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 the reinstatement of Ms. Acker, and new referrals of work for Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female.

D. Order Defendant to make whole Kellie N. Acker, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 8(A) above, including relocation expenses, job search expenses, and medical expenses not covered by the Employer's employee benefit plan, in amounts to be determined at trial.

E. Order Defendant to make whole Kellie N. Acker by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 8(A) above, including emotional pain, suffering, loss of enjoyment of life, humiliation, embarrassment, inconvenience, and loss of civil rights, in amounts to be determined at trial.

F. Order Defendant to make whole Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female, by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 8(B) above, including inconvenience and loss of civil rights in amounts to be determined at trial.

G. Order Defendant to pay Kellie N. Acker, Brenda Dorn, Linda Geer, Consolla Stowers, and a class of similarly situated women who were not referred for work by Defendant because of their gender, female, punitive damages for its malicious and reckless conduct described in paragraph 8 above, in amounts to be determined at trial.

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

I. Award the EEOC its costs of this action.

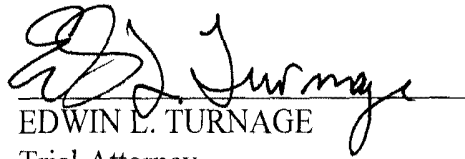
JURY TRIAL DEMAND

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

Dated this 24th day of April, 2003.

GWENDOLYN YOUNG REAMS
Associate General Counsel

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Regional Attorney



EDWIN L. TURNAGE

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of EEOC's Summons, Complaint & Rule 26.01 Responses were served upon the Defendant by and through his/ her registered agent of record via First Class, US Mail, postage prepaid, this 24th day of April, 2003 addressed as follows:

Certified, restricted delivery # 7001 0320 0003 23480694

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