

U.S. Equal Employment Opportunity Commission  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION.**

**Plaintiff,**

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**AMERICAN INTERNATIONAL GROUP, 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 that discriminate on the basis of race and to provide appropriate relief to Carolyn Dozier ("Ms. Dozier"), an African American female, and a class of similarly situated African American female employees who were adversely affected by such practices while employed by Defendant, American International Group, Inc. ("AIG"). As articulated with greater particularity in paragraphs 7 and 8 below, the Commission alleges that, Ms. Dozier and a class of similarly situated females applied for, interviewed for and were ultimately denied job promotions to available Quality Assurance Supervisor and Quality Specialist II positions. Instead, AIG awarded the job promotions to less qualified and/or less experienced white females.

The Commission also alleges that after Ms. Dozier complained about the discrimination, AIG retaliated against her. As a result of AIG's failure to promote Ms. Dozier and the class of

similarly situated females, as well as the retaliation suffered by Ms. Dozier, Ms. Dozier and the class suffered severe emotional distress and wage loss 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 § 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 and are now being committed within the jurisdiction of the United States for the Eastern District of Pennsylvania.

#### 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, as amended 42 U.S.C. § 2000(e)-5(f)(1) and (3).

4. At all relevant times, Defendant, American International Group, Inc. ("AIG"), has been and is now doing business in the Commonwealth of Pennsylvania and the City of Chadds Ford 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 Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000(e)(b), (g) and (h).

#### STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Carolyn Dozier 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.

7. Since at least March of 2004, Defendant Employer has engaged in unlawful employment practices at its Chadds Ford, Pennsylvania location in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000(e)-2(a)(1), by failing to promote Ms. Dozier and a class of similarly situated females which includes Rhonda Smith and Terry Moore because of their race (African American), based upon incidents which include, but are not limited to, the following:

(a) Carolyn Dozier has been employed with AIG since February 26, 1996 and at all relevant times, held the position of Senior Quality Specialist. Rhonda Smith has been employed with AIG since June 8, 1998 and at all relevant times, held the position of Quality Assurance Specialist. Terry Moore has been employed with AIG since September of 1998 and at all relevant times, held the position of Staffing/Traffic Coordinator within AIG's National Call Management Center. Ms. Dozier, Ms. Smith and Ms. Moore are African American females.

(b) On or about January 8, 2004, two Quality Assurance Supervisor positions became vacant. Both Ms. Dozier and Ms. Smith applied for and were interviewed for the available Quality Assurance Supervisor positions in February of 2004.

(c) The knowledge and/or skills required for the Quality Assurance Supervisor positions included, but was not limited to: (1) two years experience in a call center operations environment including two years supervisory experience; and (2) working knowledge of the policies, procedures and practices of the call center sales and service function for auto and homeowners and general business operations of AIGM plus P&C licence.

(d) Both Ms. Dozier and Ms. Smith were qualified for the available Quality Assurance

Supervisor positions and had the required knowledge and/or skills required which include, but are not limited to the following: (1) Ms. Dozier has served in Defendant's Quality Assurance Department as a Quality Assurance Specialist since October of 1997 and as a Senior Quality Assurance Specialist since April of 2002. She has been responsible for managing employees and projects in her role as a Senior Quality Assurance Specialist for AIG and in her previous employment; (2) Ms. Smith has served in Defendant's Quality Assurance Department as a Quality Assurance Specialist since July of 2000. She also has experience managing employees and projects while employed with AIG and has prior supervisory experience in her previous employment; and (3) Both Ms. Dozier and Ms. Smith are proficient with Excel.

(e) In and around March of 2004, the two Quality Assurance Supervisor positions were awarded to less qualified and/or less experienced white females.

(f) On or about April of 2004, two Quality Specialist II positions became vacant. Ms. Moore applied for and was interviewed for an available Quality Specialist II position.

(g) The knowledge and/or skills required for the Quality Specialist II positions included, but was not limited to: (1) One year experience with AIG as an insurance consultant, customer service representative or other operational area; and (2) working knowledge of the policies, procedures and practices of the call center sales and service function for auto and homeowners and general business operations of AIGM along with strong verbal and written communication skills.

(h) Ms. Moore was qualified for the available Quality Specialist II position and had the required knowledge and/or skills required which include, but are not limited to, the following: (1) Ms. Moore had over four years of direct experience in Defendant's Call Management Center; and (2) she had seven years experience in the insurance industry.

(i) In and around May of 2004, the two Quality Specialist II positions were awarded to less qualified and/or less experienced white females.

8. Since at least March of 2004, Defendant Employer has engaged in unlawful employment practices at its Chadds Ford, Pennsylvania location in violation of Section 704(a)(1) of Title VII, 42 U.S.C. § 2000(e)-2(a)(1), by retaliating against Ms. Dozier as follows:

(a) Following her non-selection for the Quality Assurance Supervisor position, Ms. Dozier notified Defendant's Human Resources representative of her belief that she was denied the promotion to the Supervisory position based upon her race, and alleged discrimination in and around March of 2004. Thereafter, Ms. Dozier was given the lowest annual evaluation she had ever received since becoming employed with Defendant.

9. The effect of the practices complained of in paragraphs 7 and 8, and their respective sub-parts, above has been to deprive Carolyn Dozier and a class of similarly situated African American females of equal employment opportunities, including promotion/advancement in the workplace, and otherwise adversely affect their status as employees because of their race.

9. The acts complained of in paragraphs 7 and 8, and their respective sub-parts, above were intentional.

10. The unlawful employment practices complained of in paragraphs 7 and 8, and their respective sub-parts, above were done with reckless indifference to the federally protected rights of Carolyn Dozier and a class of similarly situated African American females as employees.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Employer, its officers, successors,

assigns, and all persons in active concert or participation with it, from engaging in any other employment practice which discriminates on the bases of race and/or retaliation.

B. Order Defendant Employer to institute and carry out policies, practices, and programs which provide equal employment opportunities for African American employees, which provide for an opportunity to be promoted/advance in the workplace, and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant Employer to institute and carry out anti-discrimination and anti-retaliation policies and complaint procedures.

D. Order Defendant Employer to institute and carry out complaint procedures which encourage employees to come forward with complaints regarding violations of its policies against discrimination and retaliation.

E. Order Defendant Employer to institute and carry out a training program which shall promote supervisor accountability imposing on all managers and supervisory personnel a duty to actively monitor their work areas to ensure compliance with policies on non-discrimination and anti-retaliation; and requiring all managers and supervisors to report any incidents and/or complaints of discrimination and/or retaliation of which they become aware to the department charged with handling such complaints.

F. Order Defendant Employer to make whole Carolyn Dozier and a class of similarly situated females 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.

G. Order Defendant Employer to make whole Carolyn Dozier and a class of similarly situated females by providing compensation for past and future pecuniary losses resulting from the

unlawful employment practices described in paragraphs 7 and 8, and their respective sub-parts, above, including, but not limited to out-of-pocket losses, in amounts to be determined at trial.

H. Order Defendant Employer to make whole Carolyn Dozier and a class of similarly situated females by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraphs 7 and 8, and their respective sub-parts, above, including pain and suffering, humiliation, embarrassment, loss of life's enjoyment and pleasures, depression, anxiety and inconvenience, in amounts to be determined at trial.

I. Order Defendant Employer to pay Carolyn Dozier and a class of similarly situated females punitive damages for its malicious and reckless conduct described in paragraphs 7 and 8, and their respective sub-parts, above, in amounts to be determined at trial.

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

K. Award the Commission its costs of this action.

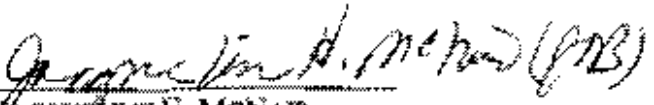
JURY TRIAL DEMAND

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

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