

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

SEP 29 2000

U. S. DISTRICT COURT
W. DIST. OF N. C.

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

NATIONWIDE ELECTRICAL CONTRACTING,)
INC., and DOUGLAS ELECTRICAL)
CONTRACTING, INC.,)

Defendants.)

CIVIL ACTION NO. 5:00CV156-H

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, female, and to provide appropriate relief to Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females who were adversely affected by such practices. Specifically, Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females, were subjected to sexual harassment while working for Defendant Douglas Electrical Contracting, Inc., and its successor, Nationwide Electrical Contracting, Inc., and were forced to resign because of the harassment.

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 ("Title VII"), as amended, 42 U.S.C. § 2000e-5(f)(1) and (3), and pursuant to 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 Western District of North Carolina, Statesville Division.

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, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant Douglas Electrical Contracting, Inc., (hereafter "Defendant Douglas"), has continuously been a North Carolina corporation doing business in the State of North Carolina and the City of Statesville, and has continuously had at least fifteen (15) employees.

5. At all relevant times, Defendant Nationwide Electrical Contracting, Inc., (hereafter "Defendant Nationwide"), has continuously been a North Carolina corporation doing business in the State of North Carolina and the City of Statesville, and has

continuously had at least fifteen (15) employees. On information and belief, Defendant Nationwide Electrical Contracting, Inc., is the successor corporation to Defendant Douglas Electrical Contracting, Inc.

6. At all relevant times, Defendant Douglas has continuously been an employer engaged in an industry affecting commerce under Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

7. At all relevant times, Defendant Nationwide has continuously been an employer engaged in an industry affecting commerce under Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

8. More than thirty days prior to the institution of this lawsuit, Chrystal Moose Bradshaw and Janie L. Young filed separate charges with the Commission alleging violations of Title VII by Defendants. All conditions precedent to the institution of this lawsuit have been fulfilled.

9. From around September 1996 through around April 1998, Defendants engaged in unlawful employment practices at their Statesville, North Carolina facility, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-2(a)(1). The unlawful practices included:

- a) subjecting Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females to a sexually hostile

work environment, including unwelcome touching, sexual advances, and sexual comments. Such conduct included, but is not limited to, Defendants' male owner making repeated sexual advances to Chrystal Moose Bradshaw and Janie L. Young. The conduct also included repeated sexual advances made to Janie L. Young by one of Defendant's male supervisors;

- b) constructively discharging Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females.

10. The effect of the practices complained of in paragraph 9 above have been to deprive Chrystal Moose Bradshaw, Janie L. Young, and other similarly-situated females of equal employment opportunities and otherwise adversely affect their status as employees, because of their sex.

11. The unlawful employment practices complained of in paragraph 9 above were intentional.

12. The unlawful employment practices complained of in paragraph 9 above were done with malice or with reckless indifference to the federally protected rights of Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females.

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 subjecting individuals to sexual harassment and engaging in any other

employment practice which discriminates on the basis of sex.

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

C. Order Defendant Employer to make whole Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females, by providing appropriate affirmative relief necessary to eradicate the effects of its unlawful employment practices, including appropriate backpay with prejudgement interest, in amounts to be determined at trial.

D. Order Defendant Employer to make whole Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 9 above, including but not limited to medical expenses, in amounts to be determined at trial.

E. Order Defendant Employer to make whole Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraph 9 above, including but not limited to emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation and deprivation of civil rights, in amounts to be determined at

trial.

F. Order Defendant Employer to pay Chrystal Moose Bradshaw, Janie L. Young and other similarly-situated females punitive damages for its malicious and reckless conduct, as described in paragraph 9 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.

JURY TRIAL DEMAND

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

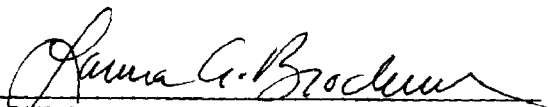
Dated this 29th day of September, 2000.

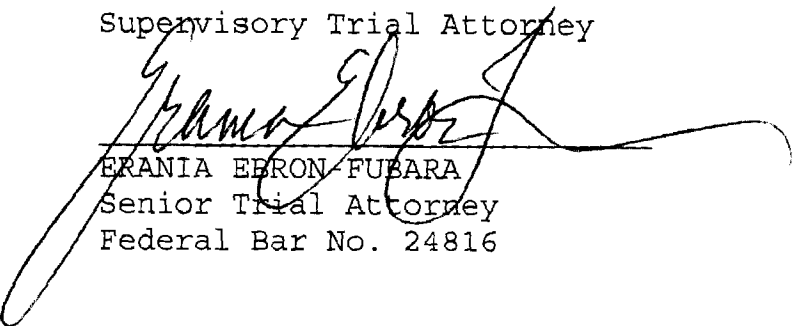
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