

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2002 OCT 30 P 2:43

Division

U.S. OFFICE  
BALTIMORE  
BY \_\_\_\_\_ DEPUTY

_____	)
UNITED STATES OF AMERICA,	)
	)
Plaintiff, -	)
	)
v.	)
	)
PRINCE GEORGE'S COUNTY, MARYLAND,	)
	)
Defendant.	)
_____	)

Civil Action No.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. ("Title VII").
2. This Court has jurisdiction over the action under 42 U.S.C. Section 2000e-5(f) and 28 U.S.C. Section 1345.
3. Defendant Prince George's County, Maryland is a political subdivision of the State of Maryland created pursuant to Maryland law. Defendant Prince George's County, Maryland is a person within the meaning of 42 U.S.C. Section 2000e(a), and an employer within the meaning of 42 U.S.C. Section 2000e(b).
4. Defendant Prince George's County has discriminated against Sharon Flory, a female formerly employed as a Fire Technician in the

County's Fire Department, because of her sex, in violation of Section 703(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-2(a), among other ways, by:

- a. subjecting Ms. Flory to harassment based on her sex while she was employed in the Fire Department, which created an intimidating, hostile or offensive work environment and which adversely affected the terms, conditions and privileges of Ms. Flory's employment;
- b. failing or refusing to take appropriate action to remedy the effects of the discrimination against Ms. Flory.

5. Defendant Prince George's County also has retaliated against Sharon Flory because she complained to officials in the County's Fire Department about what she believed to be discrimination in employment on the basis of sex, in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-3(a), among other ways, by:

- a. imposing an operational suspension on Ms. Flory;
- b. transferring Ms. Flory to a less desirable assignment that resulted in a loss of pay;
- c. issuing a "Step II" disciplinary "Letter of Unsatisfactory Performance" to Ms. Flory; and

- d. failing or refusing to take appropriate action to remedy the effects of the discrimination against Ms. Flory.

6. The Equal Employment Opportunity Commission ("EEOC") received a timely charge filed by Ms. Flory (Charge No. 120-98-1146) in which she alleged that the Prince George's County Fire Department discriminated against her in violation of Title VII by subjecting her to a hostile work environment and harassment based on her sex and retaliating against her based on her complaints about the hostile environment.

7. Pursuant to Section 706 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e-5, the EEOC investigated the charge, found reasonable cause to believe that Ms. Flory's allegations of sex discrimination and retaliation were true, unsuccessfully attempted to achieve through conciliation a voluntary resolution of these matters, and subsequently referred the charge to the Department of Justice.

8. All conditions precedent to the filing of suit have been performed or have occurred.

WHEREFORE, plaintiff United States prays that this Court grant the following relief:

(a) Enjoin defendant Prince George's County from failing or refusing to:

- (i) provide sufficient remedial relief to make whole Sharon Flory for the loss she has suffered as a result of the discrimination against her as alleged in this complaint;
- (ii) adopt a clear, meaningful, and well-publicized written policy prohibiting sexual harassment and retaliation against employees in the County's Fire Department, which includes provisions describing responsibilities of all supervisors to report and respond to complaints of sexual harassment and which establishes an effective mechanism for receiving and responding to complaints of sexual harassment;
- (iii) provide adequate training to employees in the County's Fire Department, and all volunteer fire personnel who work with employees in the County's Fire Department, with regard to sexual harassment and retaliation prohibited by Title VII.
- (iv) modify any existing policies requiring transfers of employees in the County's Fire Department who complain about sexual harassment;
- (v) take appropriate actions to remedy and to prevent acts of sexual harassment and retaliation by volunteer fire personnel who work with employees in the County's Fire

Department against employees in the County's Fire Department;

(vi) take other appropriate nondiscriminatory measures to overcome the effects of the discrimination.

- (b) Award compensatory damages to Sharon Flory for mental and/or physical injuries incurred as a result of the discrimination against her as alleged in this complaint, pursuant to and within the statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

The plaintiff prays for such additional relief as justice may require, together with its costs and disbursements in this action.

JURY DEMAND

The United States hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure

and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

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