

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SELMA DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	)	
	)	
	)	
Plaintiff,	)	CASE NO. 1:13-cv-0476-CB-M
v.	)	
	)	
CATASTROPHE MANAGEMENT SOLUTIONS	)	COMPLAINT <u>JURY DEMAND</u>
	)	
	)	
	)	
Defendant.	)	

NATURE OF THE ACTION

This is an action brought under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e *et seq.* ("Title VII"), and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of race (black) and to provide appropriate relief to Chastity C. Jones who was adversely affected by the unlawful practices.

Specifically, Plaintiff U.S. Equal Employment Opportunity Commission alleges that Defendant Catastrophe Management Solutions ("Catastrophe") maintained a racially discriminatory policy of prohibiting employees from wearing dreadlocks and enforced the policy against Chastity C. Jones by withdrawing an offer of employment when she refused to comply with the policy.

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 Sections 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 herein were committed within the jurisdiction of the United States District Court for the Southern District of Alabama, Selma Division.

PARTIES

3. Plaintiff, U.S. 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 Catastrophe has continuously been doing business in the State of Alabama, in the City of Mobile and at all relevant times had at least fifteen (15) employees.

5. At all relevant times, Defendant Employer has continuously been and employer engaged in an industry affecting commerce within the meaning of 701(b), (g) and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than 30 days prior to the institution of this lawsuit, Chastity C. Jones filed a charge of discrimination with the Commission alleging violations of Title VII by Defendant Catastrophe. All conditions precedent to the filing of this lawsuit have been fulfilled.

7. Since on or about May 2010, Defendant Catastrophe has engaged in unlawful employment practices at its Mobile, Alabama location in violation of 42 U.S.C. § 2000e-2(a)(1)

and 42 U.S.C. § 2000e-2(m) by implementing a policy that prohibited employees from wearing dreadlocks and enforcing that policy against Chastity C. Jones.

8. Defendant's policy states as follows:

"All personnel are expected to be dressed and groomed in a manner that projects a professional and businesslike image while adhering to company and industry standards and/or guidelines...hairstyle should reflect a business/professional image. No excessive hairstyles or unusual colors are acceptable..."

9. Defendant interpreted its policy to prohibit dreadlocks.

10. Defendant conditioned the employment of Chastity C. Jones on her cutting off her dreadlocks, and then withdrew the offer of employment when she declined.

11. Defendant's application of its policy to prohibit dreadlocks constitutes an employment practice that discriminates on the basis of race, black.

12. The effect of the practices complained of above has been to deprive Chastity C. Jones of equal employment opportunities and to otherwise adversely affect her status as an employee because of her race (black).

13. The unlawful employment practices complained of above were intentional.

14. The unlawful employment practices complained of above were done with malice or reckless indifference to the federally protected rights of Chastity C. Jones.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining the Defendant Catastrophe Management Solutions, its owners, officers, successors, assigns and all persons in active concert or participation with it, from engaging in any employment practice which discriminates against blacks, by subjecting them to disparate terms and conditions of employment.

- B. Order Defendant Catastrophe Management Solutions 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 Chastity C. Jones, by providing appropriate back pay with pre-judgment 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 reinstatement and/or front pay.
- D. Order Defendant Catastrophe Management Solutions to pay Chastity C. Jones, punitive damages for its malicious and reckless conduct in an amount to be determined at trial.
- E. Grant such further relief as the Court deems necessary and proper in the public interest.
- F. Award the Commission its costs in this action.

JURY TRIAL DEMAND

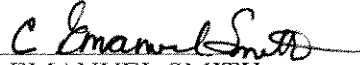
The Commission requests a jury trial on all questions of fact raised by its complaint.

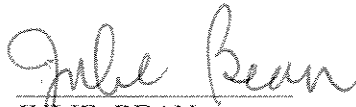
RESPECTFULLY SUBMITTED,

P. DAVID LOPEZ
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel
Equal Employment Opportunity Commission
131 M Street, N.E.
Washington, D.C. 20507


C. EMANUEL SMITH
Regional Attorney
Mississippi Bar # 7473


JULIE BEAN
Supervisory Trial Attorney
D.C. Bar # 433292

Equal Employment Opportunity Commission
Birmingham District Office
Ridge Park Place, Suite 2000
1130 22nd Street South
Birmingham, AL 35205
(205) 212-2045