

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	)	
COMMISSION, Plaintiff,	)	
	)	
JEFF L. CARTER, Applicant for	)	
Intervention,	)	
	)	
vs	)	Case No.: 5:03CV0150
	)	
ROBERT BOSCH CORPORATION,	)	Honorable Wendell A. Miles
Defendant.	)	
	)	

INTERVENOR'S COMPLAINT AND JURY DEMAND

NOW COMES Jeff L. Carter and for his cause of action against the Defendant alleges as follows:

The Nature of the Action

1. This is an action seeking redress for discrimination in employment based on religion as prohibited by Title VII of the civil Rights Act of 1964 as amended, 42 U.S.C. 2000e et seq. ("Title VII").

The Parties

2. Intervenor-Plaintiff, Jeff L. Carter (Intervenor-Plaintiff), is a citizen of the United States of America and a resident of the State of Michigan.

3. Defendant, Robert Bosch Corporation (Defendant), is a Michigan corporation doing business in the State of Michigan. Defendant is an employer engaged in an industry

affecting commerce, employing at least fifteen (15) or more employees for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year, and is and has at all pertinent times, been engaged in commerce and the production of goods, services and business for commerce within the meaning of 42 U.S.C. 2000e (b).

Jurisdiction and Venue

4. Jurisdiction of the Court arises under Title VII of the Civil Rights Act of 1964 as amended, 42 U.S.C. 2000e et seq. ("Title VII"), 42 U.S.C. 2000e-5 (f), 28 U.S.C. 1331 and 28 U.S.C. 1343(a) (4). The Defendant is engaged in business in the City of Saint Joseph, State of Michigan.

Cause of Action

5. Intervenor-Plaintiff timely filed a Charge of Discrimination against the Defendant with the Equal Employment Opportunity Commission ("EEOC") which organization administers Title VII of the Civil Rights Act of 1964, as amended.

6. On or about September 29, 2003, EEOC commenced this lawsuit.

7. Intervenor-Plaintiff was hired by Defendant as an employee within the meaning of 42 U.S.C. 2000e (f).

8. During all times relevant hereto, Intervenor-Plaintiff was a member of the International Old Path Church of God, and thus keeps holy as the Sabbath the time period from sundown Friday night to sundown Saturday night.

9. Intervenor-Plaintiff advised the Defendant that Intervenor-Plaintiff could not work on his Sabbath and described the time period it covered. After Defendant scheduled Intervenor-

Plaintiff to work on his Sabbath, Intervenor-Plaintiff requested an accommodation of the exercise of his religious beliefs.

10. Defendant refused to accommodate Intervenor-Plaintiff's religious beliefs, although several possible accommodations were available.

11. When Intervenor-Plaintiff was unable to work on Friday nights and Saturdays as scheduled during the period of Intervenor-Plaintiff's employment, he was subjected to discipline and his employment was terminated.

12. Defendant has intentionally and willfully engaged in unlawful employment practices against Intervenor-Plaintiff because of his religion in violation of Title VII, Section 703(a) (1) by:

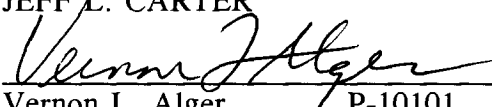
- (a) Failing to reasonably accommodate Intervenor-Plaintiff's religion by refusing to grant him time off from work so that he could observe his Sabbath.
- (b) Failing to reasonably accommodate Intervenor-Plaintiff's religion by refusing to grant him a change in his work schedule so that he could observe his Sabbath.
- (c) Discriminating against Intervenor-Plaintiff in the terms and conditions of his employment by refusing to grant him a swap in work hours with other employees.
- (d) Disciplining Intervenor-Plaintiff because he is a member of the International Old Path Church of God.
- (e) Terminating Intervenor-Plaintiff's employment because he is a member of the International Old Path Church of God.

13. Defendant could have reasonably accommodated Intervenor-Plaintiff's religion without incurring an undue hardship.

WHEREFORE, Intervenor-Plaintiff prays:

1. That this Court find that Defendant has engaged in lawful employment practices with respect to Intervenor-Plaintiff;
2. That this Court enjoin Defendant from engaging in those unlawful employment practices.
3. That this Court order Defendant to pay Intervenor-Plaintiff all wages and benefits lost, including interest, because of Defendant's unlawful employment practices.
4. That this Court order Defendant to pay Intervenor-Plaintiff's damages suffered on account of Defendant's unlawful discrimination against Intervenor-Plaintiff.
5. That this Court order Defendant to expunge all disciplinary actions from Intervenor-Plaintiff's personnel file.
6. That this Court order Defendant to rehire Intervenor-Plaintiff.
7. That this Court order Defendant to pay all of Intervenor-Plaintiff's costs in this action.
8. That this Court award Intervenor-Plaintiff his reasonable attorney's fees as part of Intervenor-Plaintiff's costs in this cause pursuant to 42 U.S.C. 2000e-5 (k).
9. That this Court order or adjudge such other and further relief as it deems just and proper.

Dated: December 12, 2003

JEFF L. CARTER
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