

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

VALERIE KENNEDY	:	
Plaintiff,	:	CIVIL ACTION
	:	NO.:
PAULA ROSS	:	
Plaintiff,	:	
	:	
	:	JUNE 14, 2007
vs.	:	
	:	
STATE OF CONNECTICUT	:	
CONNECTICUT COMMISSION ON	:	COMPLAINT AND
HUMAN RIGHTS AND	:	JURY DEMAND
OPPORTUNITIES,	:	
Defendant.	:	

COMPLAINT

PARTIES

1. The Plaintiff, VALERIE KENNEDY (hereinafter “Kennedy”) is a fifty-seven (57) year old white Female, and at all times relevant to this complaint, a resident of the Town of Mansfield and the State of Connecticut.
2. The Plaintiff, PAULA ROSS (hereinafter “Ross”) is a sixty-one (61) year old white Female, and at all times relevant to this complaint, a resident of the Town of Granby and the State of Connecticut.
3. The Plaintiff’s join in this complaint pursuant to Federal Rule of Civil Procedure 20(a) because the relief sought by the plaintiffs arises out of the same series of transactions or occurrences and common questions of law and fact are presented.
4. Defendant, CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES (hereinafter “CHRO”), is, and at all times mentioned in this complaint, a state agency conducting business in the State of Connecticut, employing

more than twenty people and whose headquarters are located at 21 Grand Street, Hartford, Connecticut 06106.

JURISDICTION AND VENUE

5. The Court has jurisdiction pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e.
6. The Court has jurisdiction over the Plaintiffs' state law causes of action pursuant to 28 U.S.C.S. §1367.
7. Venue is proper in the United States District Court for the District of Connecticut under 28 U.S.C. §1391(b)(2).

FACTS

8. Kennedy was hired by the CHRO on 12/10/04 as a Human Rights and Opportunities Representative ("HRO Rep").
9. Ross was hired by the CHRO on 7/20/89 as an Investigator Trainee and is presently a Human Rights and Opportunities Representative ("HRO Rep").
10. R. Hamisi Ingram (hereinafter "Ingram") is a black male hired by Defendant as Executive Director of the CHRO in August 2004.
11. Gloria Sparveri (hereinafter "Sparveri") is a white female hired by Defendant as Affirmative Action Program Manager in October 2005.
12. Antoinette Alphonse (hereinafter "Alphonse") is a minority female hired by Defendant as Personnel Officer in August 2005. She is presently a Human Resource Specialist.
13. Plaintiffs are both current CHRO employees who were disciplined after complaining about the conduct of the Executive Director of the CHRO.

14. Plaintiffs work in the affirmative action/contract compliance unit of the CHRO.
15. Plaintiff Kennedy has been subject to harassment at CHRO since approximately March 18, 2005 when she began to question defendant Ingram's actions and interpretations regarding affirmative action and contract compliance regulations.
16. Plaintiff Ross has been subject to harassment at CHRO since approximately January of 2005 when she began to question defendant Ingram's actions and interpretations regarding affirmative action and contract compliance regulations
17. Plaintiffs have also been subject to harassment since they verbally objected to the Ingram's treatment of them and other employees, which they believed violated the spirit and letter of the discrimination laws of Connecticut.
18. On November 10, 2005, in a memo entitled "Restoration of Titles," Ingram unilaterally changed both Plaintiffs' job titles from HRO Representative to Affirmative Action Program Analysts. Ingram's memo stated that this change was implemented because the Plaintiffs were not qualified for the HRO Representative job title and could not perform the tasks set forth under the HRO Representative job description.
19. On or about November 16, 2005 Ingram threatened to transfer Plaintiffs from the Central Office to field offices if they did not change their job titles. Neither Plaintiff's nor Ingram possessed the authority to change their job titles.
20. Ingram took the actions described in Paragraphs 18 and 19 despite being notified by the Department of Administrative Services ("DAS") that neither he nor the Plaintiffs could change their job titles.
21. On December 20, 2005, Plaintiffs were notified that effective January 3, 2006, they would be involuntarily transferred to field offices to investigate complaints rather than

monitor and enforce affirmative action and contract compliance as they had previously done. Ingram's December 20, 2005 letter of transfer stated that plaintiffs were not discharging their duties of the position as assigned.

22. On or about December 20, 2005, the Plaintiffs' union, AFSCME Council4, ("Union") filed charges on the Plaintiffs behalf with the Connecticut Department of Labor Relations alleging that the transfer referred to in paragraph 21 was retaliation for the plaintiff's union activity.
23. Plaintiffs spoke with Affirmative Action Officer Sparveri on December 23, 2005 about filing a discrimination charge against the executive director based on gender, age and race.
24. Although Plaintiffs never formally filed a complaint with the CHRO's Affirmative Action office, an investigation was conducted by Sparveri into allegations of discrimination based on age, gender and race.
25. The investigation described in Paragraph 24 was conducted despite Plaintiffs' request that it be turned over to an outside agency to avoid a conflict of interest. The Plaintiffs were not interviewed or contacted as part of the investigation.
26. Between December 20, 2005, and January 9, 2006, the Plaintiffs' Union attempted to void the agency transfers. The Union filed a prohibited practice charge and a union grievance. A stipulated agreement was signed that included a non-retaliation clause.
27. On February 10, 2005, Plaintiffs were placed on unpaid leave of absence for "false charges, conspiracy, insubordination, defamation and misconduct" stemming from the discrimination complaint. The letter notifying Plaintiffs of this directed them to have no

contact with any CHRO employees and to refrain from going on CHRO property. At Ingram's direction Plaintiffs were ushered from the building by a State Police escort.

28. Ingram prevented Plaintiffs from filing CHRO complaints, effectively attempting to deny them the ability to vindicate their rights under state and federal antidiscrimination statutes.
29. Plaintiffs' salaries were restored pending a Loudermill hearing. The only evidence presented at the February 21, 2006 Loudermill hearing was documents related to the investigation described in Paragraphs 24-25.
30. On March 28, 2006 Plaintiffs were notified by correspondence that they were being placed on unpaid leave for 30 working days, effective March 27, 2006, as a result of "activities adjudged misconduct."
31. On April 4, 2006, at a Labor Board hearing, defendant CHRO claimed that the measures described in Paragraphs 27-29 were taken because Plaintiffs filed a discrimination complaint.
32. Plaintiffs filed a grievance as a result of the suspension described in Paragraph 30. On May 10, 2006, by Hearing Officer Decision, Plaintiffs' grievances regarding the 30 day suspensions were successful and the suspensions were overturned.
33. Plaintiff's have both filed EEOC complaints and have appeared in front of a legislative committee regarding the defendant CHRO.
34. Sparveri has attempted to turn new CHRO employees against the Plaintiffs and create a hostile environment by spreading lies and rumors about the Plaintiffs.
35. Alfonse has permitted tampering with personnel Plaintiffs' personnel files and shared confidential information.

36. Defendant asked its Security Officers to monitor the Plaintiffs' comings and goings through use of its video surveillance equipment.
37. Until Ingram was removed from his position on November 30, 2007, Plaintiffs feared that they would be disciplined for alleged workplace infractions and poor performance and that termination proceedings would be brought against them.
38. During Ingram's tenure as CHRO Director he developed a well documented pattern of discriminating and retaliating against women within the Defendant's organization. At least ten (10) women other than the Plaintiffs also experienced this discrimination and hostility. These individuals include but are not limited to Pekah Wallace, Rebecca Johnson and Neva Vigezzi.
39. On May 23, 2006, the Connecticut State Senate's Committee on Labor and Public Employees conducted an informal hearing focused on the facts alleged in this Complaint as well as other alleged instances of discrimination. Plaintiffs testified at this hearing, as did Rebecca Johnson and Neva Vigezzi.
40. Plaintiffs continue to be subjected to harassment, retaliation, and attempts to discredit them both personally and professionally by Sparveri and Alphonse.
41. Plaintiffs continue to work in an extremely hostile work environment that subjects them to severe psychological, emotional and physical stress because of the Defendant's actions.
42. Plaintiffs complained about the allegations contained in this Complaint to the Department of Administrative Services, The Governor's office and the Connecticut Office of the Attorney General; however no action was taken to investigate or remedy Plaintiffs' complaints.

43. Plaintiffs have timely filed discrimination charges with the United States Equal Employment Opportunity Commission and with the Civil Rights Commission of the State of Connecticut and have exhausted all of their administrative remedies.

SPECIFIC FACTS – PLAINTIFF ROSS

44. In ongoing retaliation for Plaintiff Ross exercising her legal rights during non-work hours, the Defendant held a second hearing on April 27, 2006 resulting in an additional two-week suspension for Plaintiff Ross for alleged insubordination. This suspension was overturned as described in Paragraph 32.

45. Plaintiff Ross has been verbally attacked by a secretary and she has also been the subject of a public campaign to discredit her by Sparveri.

46. Sparveri has sent negative e-mails about Plaintiff Ross to other agencies and sent a threatening letter to Ross' home.

47. Sparveri has sent negative e-mails and memos about Plaintiff Ross to employees at the CHRO.

48. Sparveri provoked the filing of a false charge against Plaintiff Ross with the state police.

49. Plaintiff Ross has been diagnosed with Post Traumatic Stress Disorder as a result of the hostile and harassing conduct described in this Complaint.

SPECIFIC FACTS – PLAINTIFF KENNEDY

50. Sparveri has denied Plaintiff Kennedy's request to reinstate the modified work schedule she has had since June of 2005 which is an accommodation for a recognized disability.

51. Sparveri filed false charges against Plaintiff Kennedy with the State Auditor and the Department of Public Works (Division of Safety and Security).

52. Alfonse and Sparveri, with Defendant Ingram's approval, placed Plaintiff Kennedy on second administrative leave on May 16, 2006 pending new charges.
53. Alphonse and Sparveri distributed confidential information about Plaintiff Kennedy to other employees, resulting in further retaliatory actions against her.
54. Alphonse and Sparveri destroyed Plaintiff Kennedy's medical records.

COUNT I – GENDER DISCRIMINATION

55. Plaintiff Ross incorporates herein by reference Paragraphs 1 through 49 inclusive, as if fully set forth herein.
56. Plaintiff Ross alleges that the Defendant's actions described herein were taken, in part, because of her gender.
57. At all times described herein Defendant was aware of the provisions of Title VII.

COUNT II – GENDER DISCRIMINATION

58. Plaintiff Kennedy incorporates herein by reference Paragraphs 1 through 43 and 50-54 inclusive, as if fully set forth herein.
59. Plaintiff Kennedy alleges that the Defendant's actions described herein were taken, in part, because of her gender.
60. At all times described herein Defendant was aware of the provisions of Title VII.

COUNT III – RACE DISCRIMINATION

61. Plaintiff Ross incorporate herein by reference Paragraphs 1 through 49 inclusive, as if fully set forth herein.
62. Plaintiff Ross alleges that the Defendant's actions described herein were taken, in part, because of her race.
63. At all times described herein Defendant was aware of the provisions of Title VII.

COUNT IV – RACE DISCRIMINATION

64. Plaintiff Kennedy incorporates herein by reference Paragraphs 1 through 43 and 50-54 inclusive, as if fully set forth herein.
65. Plaintiff Kennedy alleges that the Defendant's actions described herein were taken, in part, because of her race.
66. At all times described herein Defendant was aware of the provisions of Title VII.

COUNT V - RETALIATION

67. Plaintiff Ross incorporates herein by reference Paragraphs 1 through 49 inclusive, as if fully set forth herein.
68. Defendant retaliated against Plaintiff Ross for opposing Ingram's conduct and for filing a CHRO complaint and a Union grievance.
69. At all times described herein Defendant was aware of the provisions of Title VII.
70. Defendant violated Connecticut General Statutes Sections 46a-60(a)(4) when it suspended plaintiff Ross based on the fact that she opposed what she believed to be a pattern of ongoing discriminatory employment practices carried out by Defendant, Ingram and Sparveri.

COUNT VI - RETALIATION

71. Plaintiff Kennedy incorporates herein by reference Paragraphs 1 through 43 and 50-54 inclusive, as if fully set forth herein.
72. Defendant retaliated against Plaintiff Kennedy for opposing Ingram's conduct and for filing a CHRO complaint and a Union grievance.
73. At all times described herein Defendant was aware of the provisions of Title VII.

74. Defendant violated Connecticut General Statutes Sections 46a-60(a)(4) when it suspended Plaintiff Kennedy based on the fact that she opposed what she believed to be a pattern of ongoing discriminatory employment practices carried out by Defendant, Ingram and Sparveri.

COUNT VII – HOSTILE WORK ENVIRONMENT

75. Plaintiff Ross incorporates herein by reference Paragraphs 1 through 49 inclusive, as if fully set forth herein.

76. The conduct described in Paragraphs 1 through 49 altered the conditions of Plaintiff Ross' employment and created an abusive working environment.

COUNT VIII – HOSTILE WORK ENVIRONMENT

77. Plaintiff Kennedy incorporates herein by reference Paragraphs 1 through 43 and 50-54 inclusive, as if fully set forth herein.

78. The conduct described in Paragraphs 1 through 43 and 50-54 altered the conditions of Plaintiff Kennedy's employment and created an abusive working environment.

CLAIMS FOR RELIEF

WHEREFORE, the Plaintiff prays that this Court:

1. Assume jurisdiction over this action, including any pendent state claims raised herein;
2. Award compensatory damages to the plaintiff;
3. Award punitive damages to the plaintiff;
4. Grant Plaintiff a trial by a jury;
5. Award costs pursuant to Rule 54(d) of the Federal Rules of Civil Procedure and any applicable State Laws; and
6. Grant such other and further relief and equity as may appertain.

Dated at Hartford, Connecticut this 14th day of June 2007.

Plaintiff,
VALERIE KENNEDY and PAULA ROSS

By /s/ _____
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