

operates and transacts business in this judicial district and the events giving rise to Plaintiff's claims occurred within this District.

ADMINISTRATIVE PREREQUISITES

4. All conditions precedent to jurisdiction under § 706 of Title VII, 42 U.S.C. §2000e-5, have occurred or been complied with.

5. A charge of employment discrimination on basis of sex, sexual harassment, and retaliatory discharge was filed by the Plaintiff with the Equal Employment Opportunity Commission ("EEOC") (Attached hereto as Exhibit "A").

6. Plaintiff received a Notice of Right to Sue from the EEOC (attached hereto as Exhibit "B"), and Plaintiff filed this lawsuit within ninety (90) days of Plaintiff's receipt of the EEOC's Notice of Right to Sue.

PARTIES

7. At all times material to the allegations of this Complaint, Plaintiff, Kortani Watson resides in Cook County in the State of Illinois.

8. At all times material to the allegations in this Complaint, Defendant, North Park Scheduled Operations d/b/a Chicago Transit Authority is an independent governmental agency doing business in and for Cook County whose address is 3112 West Foster Avenue, Chicago, Illinois 60625-4107.

9. Plaintiff was employed by Defendant as an "employee" within the meaning of 42 U.S.C §2000e(f).

10. During the applicable limitations period, Defendant has had at least fifteen employees, has been an "employer" as defined by Title VII, and has been engaged in an industry affecting commerce within the meaning of Title VII, 42 U.S.C. § 2000e(b).

BACKGROUND FACTS

11. Plaintiff worked for Defendant as a bus operator from on or about January 16, 2024, through March 4, 2024.

12. Plaintiff is female and is a member of a protected class because of her sex.

13. Since at least February 5, 2024, through March 4, 2024, Defendant has subjected Plaintiff to different terms and conditions of employment than others not within her protected class and has been subjected to a hostile work environment on the basis of sex, violating Title VII.

14. On or about February 5, 2024, Plaintiff started being sexually harassed by Renwick Johnson ("Mr. Johnson"), Plaintiff's Instructor.

15. During a time where Mr. Johnson should have been focused on training a group of employees, including Plaintiff, he announced to the group he was a "freaky motherfucker."

16. Unfortunately, the sexual harassment only escalated from there.

17. Mr. Johnson would routinely stop the bus to make sexual remarks to Plaintiff and other female coworkers.

18. On one occasion, where Plaintiff was operating the vehicle, Mr. Johnson asked if Plaintiff was "ticklish."

19. Mr. Johnson then proceeded to attempt to touch Plaintiff's arm.

20. Plaintiff was highly disturbed by this inexcusable conduct.

21. Mr. Johnson also attempted to convince Plaintiff that a drink he was drinking makes "semen taste good" and that Plaintiff would give him "oral sex."

22. On or about February 28, 2024, fed up with the blatant sexual harassment, Plaintiff approached a bus manager, Ms. Jackson, and informed her of Mr. Johnson's sexual misconduct.

23. Ms. Jackson simply gave Plaintiff an in-house EEO form to fill out.

24. Eventually, Mr. Johnson got wind of Plaintiff's complaint.

25. From that point on, Mr. Johnson proceeded to spread baseless and offensive rumors about Plaintiff that Plaintiff was giving out "sexual favors."

26. Not to mention, Plaintiff was promised she would no longer need to work alongside him, but this proved to be untrue.

27. Plaintiff still had to interact with him which meant the pervasive harassment would not halt.

28. Mr. Johnson continued to tell Plaintiff things like, "Kortani with a K, I just want to smack your ass."

29. Mr. Johnson would also constantly discuss topics that were inappropriate for the work environment such as the topic of "circumcised penises."

30. Once more, Plaintiff went to management to discuss the ongoing situation and requested a transfer to another garage.

31. Mr. Oliver, a bus manager, informed Plaintiff that the only way to switch to another garage would be to resign first.

32. Seeing as Defendant was offering Plaintiff no real solution or protection from Mr. Johnson, and were not investigating Plaintiff's claims, Plaintiff had no choice but to face a constructive discharge due to the hostile work environment fueled by Mr. Johnson's rampant sexual harassment.

33. Ultimately, Plaintiff was unlawfully constructively discharged on the basis of Plaintiff's sex (female) on or about March 4, 2024.

34. However, Defendant did not make well on their promise to hire Plaintiff to a different garage and proceeded to not rehire Plaintiff.

35. Not to mention, HR confirmed with Plaintiff on or about March 5, 2024, that she did not have to resign to receive a transfer to a different garage.

36. In reality, Plaintiff was retaliated against for opposing sexual harassment and was ultimately constructively discharged for exercising her protected rights.

37. Plaintiff met or exceeded Defendant's performance expectations during the entire duration of her employment.

38. Plaintiff reported the sexual harassment to Defendant.

39. However, Defendant failed to address Plaintiff's concerns, further subjecting her to sex-based discrimination and harassment.

40. There is a basis for employer liability for the sexual harassment that Plaintiff was subjected to.

41. Plaintiff can show that she engaged in statutorily protected activity—a necessary component of her retaliation claim—because Plaintiff lodged complaints directly to her manager about the harassment.

COUNT I
Violation of Title VII of the Civil Rights Act
(Sexual Harassment)

42. Plaintiff repeats and re-alleges paragraphs 1-41 as if fully stated herein.

43. By virtue of the conduct alleged herein, Defendant engaged in unlawful employment practices and subjected Plaintiff to sexual harassment, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

44. Defendant knew or should have known of the harassment.

45. The sexual harassment was severe or pervasive.

46. The sexual harassment was offensive subjectively and objectively.

47. The sexual harassment was unwelcomed.

48. Plaintiff is a member of a protected class under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*, due to Plaintiff's sex, female.

49. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

50. As a direct and proximate result of the sexual harassment described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, loss of other employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

COUNT II
Violation of the Title VII of the Civil Rights Act of 1964
(Sex-Based Discrimination)

51. Plaintiff repeats and re-alleges paragraphs 1-41 as if fully stated herein.

52. By virtue of the conduct alleged herein, Defendant intentionally discriminated against Plaintiff based of Plaintiff's sex, in violation of the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

53. Plaintiff met or exceeded performance expectations.

54. Plaintiff was treated less favorably than similarly situated employees outside of Plaintiff's protected class.

55. Defendant constructively discharged Plaintiff's employment on the basis of Plaintiff's sex.

56. Plaintiff is a member of a protected class under the Title VII, due to Plaintiff's sex.

57. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

58. As a direct and proximate result of the sexual harassment described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, loss of other employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

COUNT III
Violation of Title VII of the Civil Rights Act
(Retaliation)

59. Plaintiff repeats and re-alleges paragraphs 1-41 as if fully stated herein.

60. Plaintiff is a member of a protected class under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq.

61. During Plaintiff's employment with Defendant, Plaintiff reasonably complained to Defendant about sexual harassment or sex-based discrimination.

62. As such, Plaintiff engaged in protected conduct and was protected against unlawful retaliation by Defendant under the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq.

63. In response to Plaintiff's complaint, Defendant failed to conduct a prompt, thorough and objective investigation of Plaintiff's complaint of sexual harassment or sex-based discrimination.

64. Defendant also failed to take necessary precautions to prevent further recurrences of the discriminatory and harassing conduct complained of by Plaintiff.

65. Plaintiff suffered an adverse employment action in retaliation for engaging in protected activity.

66. By virtue of the foregoing, Defendant retaliated against Plaintiff based on reporting

the sexual harassment or sex-based discrimination, thereby violating the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

67. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

68. As a direct and proximate result of the sexual harassment described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, loss of other employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

RELIEF REQUESTED

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

- a. Back pay and benefits;
- b. Interest on back pay and benefits;
- c. Front pay and benefits;
- d. Compensatory damages for emotional pain and suffering;
- e. Pre-judgment and post-judgment interest;
- f. Injunctive relief;
- g. Reasonable attorney's fees and costs; and
- h. For any other relief this Court may deem just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff hereby requests that all issues be submitted to and determined by a jury.

Dated this 26th day of September 2024.

/s/ Nathan C. Volheim
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