

<h2 style="margin:0;">CHARGE OF DISCRIMINATION</h2> <p style="font-size: small; margin: 5px 0;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC</p> <p style="text-align: right; font-weight: bold; font-size: large;">520-2020-05190</p>
NEW YORK STATE DIVISION OF HUMAN RIGHTS	
State or local Agency, if any	

Name (indicate Mr., Ms., Mrs.)	Home Phone	Year of Birth
MS. REBECCA D HILL		

Street Address City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name	No. Employees, Members	Phone No.
NORTHWELL HEALTH	101 - 200	(718) 830-4000

Street Address City, State and ZIP Code

102-01 66 AVE, FOREST HILLS, NY 11375

Name	No. Employees, Members	Phone No.

Street Address City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es))	DATE(S) DISCRIMINATION TOOK PLACE
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)	Earliest Latest 12-01-2017 12-05-2020
	<input checked="" type="checkbox"/> CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I began working for Northwell Health in December 2011 and I am currently working as First Cook.

I believe I am being treated differently in the workplace because I am a woman. When I first began working as a First Cook in December 2017, my supervisor, Debra Einstein, changed my shift schedule from 12pm-8pm to 1pm-9pm, in order for me to do all of the cleanup at the end of the shift. This is a duty that used to be performed by the cashiers but was instead given to me when I began to work as First Cook. The night shift also pays higher than the day shift, but Ms. Einstein continues to pay me as if I am working the day shift. These mistakes have been going on for years and I am still being paid less than I should be.

In August 2018, I emailed Human Resources (HR) and Ms. Einstein and was changed back to the original schedule (12pm-8pm) that I had applied for. I believe I am being paid less and being required to perform duties that are not normally required of First Cook because they

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
<p style="text-align: center; font-weight: bold;">Digitally signed by Rebecca Hill on 12-05-2020 03:29 PM EST</p>	SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

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NEW YORK STATE DIVISION OF HUMAN RIGHTS and EEOC

State or local Agency, if any

do not want women working in the kitchen. Ms. Einstein also is very rude and belittling to me in front of the staff.

Since I returned from a leave of absence in June 2020, my coworker, Ishmael, has been sexually harassing me. During our shifts together, Ishmael will harass me about spending time with him outside work, make fun of me with other male coworkers, and try to talk to me when I am visibly uncomfortable and previously told him I would not like to speak with him. On August 29, 2020 when I was not working, a coworker called me and stated that Ishmael had spent the whole day asking about me, looking for me, and asking for my phone number. Ishmaels harassment frightens me and my coworkers. I have reported Ishmael multiple times to my supervisor, Tony, but nothing has changed. Tony dismissed my complaints and spoke in a way that made me seem paranoid.

I have emailed HR multiple times since August 2020 and complained of Ishmaels behavior with no response. I eventually emailed a HR representative, Ms. Beechers, directly on August 3, 2020, detailing everything that had happened with Ishmael and Tony. Ms. Beechers listened to my complaints but there was no change in Ishmaels behavior.

On September 9, 2020, I was called into a disciplinary meeting with the manager, Ariel, and the directors boss, Dave. Because I could not find my union delegate, I asked to reschedule but was told it was not possible. I was forced to use a union delegate I did not know well and told that I was being written up because of incidents of lateness from 2019 being combined with 2020. These incidents of lateness were a result of childcare issues stemming from the COVID-19 pandemic. The union delegate then states that there is no policy in which they can combine multiple years of incidents for a write-up. Ms. Beechers is then called and states that because I am returning from a leave of absence, I am on probation. I believe I was being written-up in retaliation for complaining of Ismaels sexual harassment.

Furthermore, I believe that men are being steered into cook positions when there are women more qualified who are not offered the job. When I was temporarily out on leave, my coworker, Tiffany, replaced me as First Cook. However, when a full-time cook position opened, it was given to Ishmael rather than Tiffany, even though Tiffany is significantly more qualified. The cook position was not posted so Tiffany and other women could apply. The job was instead offered to Ishmael.

The expectations of men and women are very different in the kitchen. Women are seen to clean up and treated with less respect. When I report Ishmaels behavior, I am asked if I am initiating his harassment. I am also being set up for failure because Ishmael is given a break when it is difficult for me to handle the workload alone. When I must serve the maternity ward, Ishmael is given a break which makes me required to work the grill. Without his assistance at that time, the job is very difficult.

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<p>I declare under penalty of perjury that the above is true and correct.</p> <p style="text-align: center; font-weight: bold; margin-top: 20px;">Digitally signed by Rebecca Hill on 12-05-2020 03:29 PM EST</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p style="text-align: center;">SIGNATURE OF COMPLAINANT</p> <p style="text-align: center; margin-top: 20px;">SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <i>(month, day, year)</i></p>

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NEW YORK STATE DIVISION OF HUMAN RIGHTS

State or local Agency, if any

and EEOC

Based on the above, I believe I am being discriminated against because of my sex (female) in violation of Title VII of the Civil Rights Act of 1964, as amended.

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PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

- 1. FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
- 2. AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
- 3. PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
- 4. ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
- 5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an

investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.