

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

REBECCA HILL,

Plaintiff,

– against –

NORTHWELL HEALTH, INC.

Defendant.

Case No. 23 Civ. 1948

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Rebecca Hill hereby alleges the following against Defendant Northwell Health, Inc. (“Northwell Health” or the “Hospital”) in support of her claims of gender discrimination, sexual harassment, and unlawful retaliation:

PRELIMINARY STATEMENT

1. Plaintiff Rebecca Hill is a dedicated former First Cook at Northwell Health, New York’s largest healthcare provider and private employer.
2. Sadly, starting in October 2017, Ms. Hill began to experience differential treatment at work based on her gender. Specifically, Ms. Hill was passed over and denied promotions due to her gender.
3. Also, starting in June 2020, Ms. Hill began to be sexually harassed at work by an employee named Ishmael As-Salaam.
4. This disturbing, wholly uninvited conduct left Ms. Hill shocked and frozen in horror.
5. Sadly, this heinous harassment was easily preventable. Hospital management knew that Mr. As-Salaam regularly engaged in inappropriate sexualized conduct in the

workplace but did absolutely nothing to address or correct this behavior, all but inviting the unwanted conduct against Ms. Hill.

6. Although Ms. Hill immediately reported Mr. As-Salaam's heinous conduct, nothing was ever done by the Hospital and the harassment was allowed to continue, unabated.

7. Worse, after Ms. Hill was left with no choice but to seek help from and report the unlawful activity to which she was being subjected to the Equal Employment Opportunity Commission ("EEOC"), the Hospital began a campaign of unlawful and insidious retaliation, first suspending Ms. Hill for baseless reasons, and ultimately terminating her employment on utterly pretextual bases.

8. As a result of Northwell Health's unlawful conduct, Ms. Hill has been demoralized and left to suffer from severe emotional distress due to Mr. As-Salaam's incessant harassing and unlawful conduct, the Hospital's abject failure and refusal to protect her, and its subsequent retaliatory and unlawful decision to fire her, leaving her without a source of income.

9. As a result, Ms. Hill brings this action to seek redress for the unlawful employment practices committed against her, including Defendant's discriminatory treatment towards her due to her sex/gender, as well as unlawful retaliation due to her complaints of gender discrimination and sexual harassment, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e ("Title VII"), the New York State Human Rights Law, N.Y. Exec. Law §§ 290 et seq. ("NYSHRL"), and the New York City Human Rights Law, N.Y. City Administrative Code §§ 8-101 et seq. ("NYCHRL").

ADMINISTRATIVE REQUIREMENTS

10. On December 5, 2020, Ms. Hill filed a Charge of Discrimination against Defendant with the Equal Employment Opportunity Commission (“EEOC”) concerning the allegations of discrimination, sexual harassment, and retaliation discussed herein.

11. On December 15, 2022, the EEOC issued Ms. Hill a Notice of Right to Sue.

12. This action is being commenced within 90 days of Ms. Hill’s receipt of her Notice of Right to Sue.

JURISDICTION AND VENUE

13. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331 as this action involves federal questions regarding the deprivation of Ms. Hill’s rights under Title VII. The Court has supplemental jurisdiction over Ms. Hill’s related claims arising under New York law pursuant to 28 U.S.C. § 1367(a).

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because: (i) Northwell Health resides in this district; and (ii) a substantial part of the events or omissions giving rise to this action, including the unlawful employment practices alleged herein, occurred in this district.

PARTIES

15. Plaintiff Rebecca Hill is a former employee of Defendant Northwell Health who last worked at its Long Island Jewish Forest Hills hospital in Forest Hills, NY. Ms. Hill is an adult resident of the state of New York. At all relevant times, Ms. Hill qualified as an “employee” under all relevant statutes.

16. Defendant Northwell Health is a domestic nonprofit corporation. Northwell Health is an integrated healthcare network that operates more than 20 hospitals and more than

700 outpatient facilities throughout Queens, Bronx, Kings, New York, Suffolk, Richmond, and Nassau counties. At all relevant times, Northwell Health controlled the terms and conditions of Plaintiff's employment, qualifying as an "employer" of Ms. Hill under all relevant statutes.

FACTUAL ALLEGATIONS

I. Ms. Hill's Strong Performance at Northwell Health

17. Ms. Hill was hired by the Hospital on December 5, 2011, as a Dietary Aide at its Long Island Jewish Forest Hills Hospital location in Forest Hills, NY.

18. In December 2017, Ms. Hill was promoted to First Cook.

19. At all times, Ms. Hill performed her job admirably, receiving nothing but positive feedback for her work up until 2020, when she complained about gender-based disparate treatment and sexual harassment.

II. The Hospital Targets and Treats Ms. Hill Differently Based on her Gender

20. In October 2017, Ms. Hill decided to apply for a First Cook position but, unfortunately, instantly began to experience disparate treatment based on her gender.

21. Specifically, when Ms. Hill expressed her interest in the First Cook position, she immediately faced resistance and warnings about not moving forward with her application from Theresa Dunn and Debra Epstein, both of whom were Directors of Food and Nutrition Services.

22. Both Ms. Epstein and Ms. Dunn repeatedly told Ms. Hill that they did not think she was capable of performing the First Cook job — which would have entailed her to work among an all-male kitchen staff — but gave absolutely no reason why they felt this way.

23. Realizing that Northwell Health was denying Ms. Hill an opportunity to work in the kitchen that was readily offered to male employees, Ms. Hill reached out to her union delegate, Richard Benincasa, who had to intervene on Ms. Hill's behalf. Mr. Benincasa was

aware that the Hospital was inexplicably denying Ms. Hill the First Cook position even though no one besides her had even applied for the role.

24. Following lengthy communications between the Hospital and Ms. Hill's union delegate, the Hospital finally hired Ms. Hill into the First Cook role in December 2017.

25. However, shortly after beginning her new role, Ms. Hill realized that she was being asked to perform duties that were not normally required of First Cooks simply for being a woman working in the kitchen.

26. Specifically, Ms. Hill noticed that the Hospital's expectations for men and women working in the kitchen were very different. Women like herself were treated with absolutely no respect, such as by being degradingly ordered constantly to "clean up."

27. The Hospital also steered male employees into open kitchen positions even though it knew that there were better qualified women for the roles.

28. For instance, when a full-time First Cook position opened in 2020, it was quickly and quietly given to a male employee – none other than Mr. As-Salaam who was also responsible for sexually harassing Ms. Hill, as discussed *infra* – rather than to a female employee named Tiffany Stevenson who was significantly more qualified for the position and had in fact performed the role for about eight months when Ms. Hill had to take a temporary leave of absence.¹ The open First Cook position was not even posted to allow Ms. Stevenson or any other woman to apply, but was simply offered outright to Mr. As-Salaam without hesitation.

29. Moreover, the Hospital paid Ms. Hill less than her male coworkers who worked in the same First Cook position.

¹ On October 6, 2019, Ms. Hill got hurt on the job and had to take medical leave until June 18, 2020.

30. To make matters worse, Ms. Hill was blatantly harassed and targeted by Ms. Epstein after taking on the First Cook role.

31. Specifically, Ms. Epstein unilaterally reassigned Ms. Hill to the morning/day shift knowing that Ms. Hill would have been paid more by continuing to work the night shift. Moreover, when Ms. Hill was able to work the night shift, Ms. Epstein inexplicably continued to pay Ms. Hill at the lower day shift rate.

32. Ms. Epstein also routinely demanded that Ms. Hill – but not any of her male colleagues – complete the cleanup duties in the kitchen at the end of each shift. Previously, cleanup duties were typically assigned to the cashiers.

33. Additionally, Ms. Epstein regularly cut Ms. Hill's lunch breaks short and went out of her way to embarrass Ms. Hill in front of her peers.

34. On one occasion in mid-January 2018, Ms. Hill was on a break when Ms. Epstein suddenly ordered her to report to the front of the kitchen purportedly because there were no employees there to cover that area. However, upon information and belief, Ms. Epstein knew that the front of the kitchen was in fact being covered by two other employees, Stacey Edouard and Jacinth Smith, but still ordered Ms. Hill to report to the front of the kitchen under false pretenses. Moreover, Ms. Epstein knew that Ms. Hill had been working for six hours straight since 6:00AM without a break, and other shift workers had already arrived to cover Ms. Hill while she went on break.

35. In August 2018, Ms. Hill sent an email to Human Resources (HR) and Ms. Epstein, copying David Nadal, Director of HR, Shane Oommen, Assistant Director of HR, and David Schower, Director of Security, Food, and Nutrition, regarding the change in her schedule instituted by Ms. Epstein.

36. Thankfully, shortly after Ms. Hill sent this email, she was finally returned to her original schedule, though she continued to be paid at the lower day shift rate.

37. Ms. Hill complained about being paid less than the night shift for working the day shift to Ms. Epstein and others at Northwell Health on many occasions, but this was never rectified.

38. Throughout 2018 and 2019, Ms. Epstein also denied Ms. Hill's requests to take paid time off often while rarely denying male employees' requests. Ms. Epstein would claim that permission to take time off was prioritized by seniority and that Ms. Hill was "last on the list." In fact, every year that Ms. Hill worked as a First Cook, her male colleagues were allowed to take more paid time off than her. Moreover, Ms. Hill, unlike her male peers, had to work on most holidays.

39. In early 2019, Northwell Health hired Tony Meo to be Manager of the café. Mr. Meo immediately began to speak to Ms. Hill in a belittling and disrespectful tone, in stark contrast to how he spoke to male workers.

40. In addition, there seldom were occasions in early 2019 when Ms. Hill had to arrive late to work which resulted in verbal warnings from Ms. Epstein/Mr. Meo. The last such instance took place on June 14, 2019. Ms. Hill heard nothing further whatsoever about these lateness warnings until she was fired on April 12, 2021.

41. Notably, in April 2020, Mr. Meo acknowledged the fact that he had already received complaints from Ms. Hill about the harassment she was facing – which he dismissively referred to as "obstacles." Nevertheless, Mr. Meo incredibly shifted the blame onto *Ms. Hill* by claiming, in an unduly critical performance evaluation he administered to Ms. Hill, that "Rebecca needs to improve on her working relationships. She has had issues with co-workers

and needs to be able to overcome obstacles so we as a department can continue moving forward to better serve everyone.”

42. That Ms. Hill was being actively portrayed as the “aggressor” by those from whom she desperately sought help against the harassment she endured, is appalling.

III. Ms. Hill is Sexually Harassed by Ishmael As-Salaam; the Hospital Fails to Address or Prevent the Sexualized, Inappropriate Conduct Despite Notice

43. Immediately upon returning from her medical leave of absence, in June 2020, Ms. Hill began to be sexually harassed by her coworker, Ishmael As-Salaam, also a First Cook.

44. Mr. As-Salaam harassed Ms. Hill virtually daily about spending time with him outside of work. He would also make sexually inappropriate comments such as “how do you taste?” He would also routinely and unwantedly invade Ms. Hill’s personal space and maneuver his genital area into inappropriately close contact with her. Mr. As-Salaam would even repeatedly chase Ms. Hill around her workstation, causing her to often have to actually run away from Mr. As-Salaam.

45. Ms. Hill had made it very clear to Mr. As-Salaam that she was not at all interested in him and in no way wished to ever speak or engage with him on a personal level.

46. Ms. Hill reported Mr. As-Salaam’s severe harassment to Mr. Meo in or about July 2020, and on another occasion in 2020 to HR business partner Talisa Flack. However, both Mr. Meo and Ms. Flack dismissed Ms. Hill’s complaints and never took any corrective action.

47. Instead, Mr. As-Salaam’s harassment of Ms. Hill continued unabated. In fact, when she attempted to report Mr. As-Salaam’s harassment to Mr. Meo, Ms. Hill was offensively and inexcusably questioned whether *she* was “initiating” the harassment.

48. In addition to reporting Mr. As-Salaam's harassment to Mr. Meo beginning in July 2020, Ms. Hill complained to HR on multiple occasions, yet the Hospital failed to respond or take remedial action.

49. On August 3, 2020, Ms. Hill reached out to Mr. Oommen to desperately seek his help, and to detail Mr. As-Salaam's harassment, Mr. Meo's dismissal of her complaints and his own discrimination against her, and the utterly untenable hostile work environment she was forced to endure as a woman working in the Hospital's kitchen:

Dear Shane,

I am aware of your busy schedule due to your heavy workload. And it is unfortunate we have not been able to speak. I have an upcoming appointment that I really felt could be simplified with a email. Shane please be advised that I wouldn't waste your time if this weren't serious. I feel constantly berated and humiliated by my Manager Tony Meo. I have only been back to work since June 18 2020. As of my return I am considered to be the scapegoat for every situation involving the new 9 am to 5 pm cook Ishmiel. He is very aggressive in his tone and often rude in most of his approach when speaking to me or other staff members. I alerted my manager Mr. Tony when Ishmiel approached me during work about my silence around him. His demeanor and language choices were very alarming. He has made my work environment hostile. I have to be the buffer between him and other staff members because they are afraid of him. I am brought to the office every week for this same individual and my boss continues to side with him.

Mr. Tony has been made aware numerous times by multiple people of Ishmiel inappropriate behavior but states it started upon my arrival. These incidents didn't consist of my presence or participation in no form. He keeps bringing me in his office once with Richard the delegate witnessing Ishmiel admitting he has been purposely prohibiting me from completing my task on time. ... Constantly I am being told we have communication issues. I shouldn't have to worry is someone going to disrespect me everyday and if I try and tell management I have communication issues.

My evaluation was falsified to silence me from the truth that Mr. Tony is bias when it comes to me and is driven to fabricate details to justify he has had a lot of the details regarding Ishmiel and his behaviors. He holds meetings where he questions all the parties together including witnesses all in front of the accused party stifling them from being forth coming and doesn't believe in confidentiality. And there are no records or documentation of these meetings. Which just results in more issues. He stated I have to work better with the team. It has nothing to do with others on staff just Ishmiel. I don't know to the extent of him being violent he has had some issues and I don't want to be next.

Mr. Tony also states I have time management issues. Information provided by what source. I don't have a log or time sheet or any documentation regarding this. ...

Please investigate, I've been 5 am to 7pm the only cook there that works all three positions in one day. Time management issues since when. I am stressed out, can't sleep, my nerves are really bad. I am at my wits end with the harassment. He states I need to collaborate more with my colleagues. Me and Tiffany [Stevenson] just collaborated and I was promised another imaginary meeting as usual. It baffles me why they pretend my ideas count. My input is less wanted than my presence. I earned my spot as a cook from hard work in dietary. I refuse to spend another year as a mistake. There is a constant bias clearly exhibited when it comes to a woman in the kitchen. They believe I am a maid with a spatula. I serve as a quota that had to be met instead of being great at my job. There are no words to express how depressed coming to work now makes me feel.

Please Help Me,

Rebecca Hill.

50. Receiving no reply, four days later, on August 7, 2020, Ms. Hill sent the same note to Beatriz Rivera, Assistant Director of HR. Ms. Hill continued to try to meet with Mr. Oommen, but he twice inexplicably canceled their meeting.

51. Ms. Hill eventually met with Ms. Rivera and repeated her complaints about Mr. As-Salaam's harassment and inappropriate behavior toward her. Ms. Hill also explained how,

Arielle Flanagan, Assistant Manager of Food and Nutrition, would reflexively accept Mr. As-Salaam's word over hers without looking into the matter whenever Ms. Hill turned to her for help, and that Ms. Flanagan had refused to speak to her since she returned from sick leave.

52. On August 29, 2020, Ms. Hill's coworker, Brunia Vildorin, called Ms. Hill who had the day off to tell her that Mr. As-Salaam had spent the whole day asking about her whereabouts, asked colleagues for Ms. Hill's phone number and even told Ms. Vildorin that he "loved" Ms. Hill.

53. Ms. Vildorin also described how Mr. As-Salaam drank a shake in front of her and abhorrently remarked: "This is sweet – just like [Ms. Hill]."

54. Both Ms. Hill and Ms. Vildorin were mortified by how Mr. As-Salaam's harassment was escalating. Ms. Hill later reported this incident to Ms. Flack in or about November 2020.

IV. The Hospital Unlawfully Terminates Ms. Hill in Retaliation for Her Complaints About Sexual Harassment in the Workplace

55. On September 9, 2020, Ms. Hill was called into a meeting with Ms. Flanagan and Mr. Schower without her union delegate present and was told she was being written up purportedly because of lateness. Some of the alleged incidents of lateness dated back to 2019, but most occurred during the height of the COVID-19 pandemic in 2020 and, as the Hospital was well aware, were the result of childcare issues caused by the pandemic.

56. Ms. Hill then learned from her union delegate that this was the first time that the Hospital was combining incidents of this nature that took place over multiple years into a single write-up. It was clear that Ms. Hill was being disciplined in sheer retaliation for making complaints of sexual harassment in the workplace.

57. Then on September 25, 2020, Mr. As-Salaam played salsa music at work and repeatedly harassed Ms. Hill about “mov[ing] [her] hips” and to dance with him, disgustingly remarking that Ms. Hill “would make a good partner.”

58. Mr. As-Salaam even insultingly asked a fellow male First Cook named Gary Defratas to join them. Desperate to get away from Mr. As-Salaam and his despicable, unwanted sexual advances, Ms. Hill tried to stay on the other side of the room and take shelter next to a female colleague named Claudia Romero who could tell that Ms. Hill was extremely distraught and distressed over Mr. As-Salaam’s predatory behavior.

59. On November 12, 2020, Ms. Hill complained yet again about Mr. As-Salaam to Ms. Flanagan, which Ms. Flanagan acknowledged was “becoming a pattern.”

60. Then on November 18, 2020, Ms. Hill complained again to Ms. Epstein about Mr. As-Salaam’s predatory behavior and sexual harassment, specifically detailing how Mr. As-Salaam was constantly standing inappropriately and uncomfortably close to her and followed her around making unwanted, inappropriate sexual remarks towards her daily.

61. Ms. Hill begged Ms. Epstein for help putting an end to this repeated, severe, and pervasive unwelcome sexual conduct in the workplace. However, Ms. Epstein failed to do anything to stop the sexual harassment from recurring.

62. A few weeks later, on December 5, 2020, Ms. Hill filed a Charge of Discrimination with the Equal Employment Opportunity Commission against the Hospital based on the sex discrimination, sexual harassment, hostile work environment, and retaliation she had to endure, as described above.

63. On January 25, 2021, Ms. Hill finally heard back from Ms. Rivera in regard to her repeated harassment complaints. Ms. Rivera curiously advised Ms. Hill that “*certain aspects of*

your complaint were substantiated and they have been addressed appropriately” (emphasis added):

Dear Ms. Hill:

This is to confirm the conversation we had with you and your 1199 delegate, Richard Benincasa, on January 25, 2021, following a complaint you made on November 24, 2020. As discussed during our meeting, we conducted a thorough investigation and found certain aspects of your complaint were substantiated and they have been addressed appropriately.

In accordance with the Conduct in the Workplace Policy, retaliating against any individual who makes a good faith effort to report suspected non-compliant behavior is strictly prohibited. Such conduct will be subject to immediate discipline, up to and including termination of employment. We encourage you to contact our office if you experience any form of retaliation.

Should you have any further concerns, please report them immediately to your Department Leadership Team and/or Human Resources. Your case is now closed.

Sincerely,

/s/

Beatriz Rivera

64. Shockingly, despite the promises and representations in Ms. Rivera’s letter that Ms. Hill would not be subject to retaliation for her complaints, *that same day*, Ms. Hill was suddenly suspended for three days for alleged “time and attendance” issues. This baseless discipline was simply more unlawful retaliation against Ms. Hill for engaging in protected activity, including her filing of an EEOC charge against the Hospital.

65. Over the course of the next several weeks, Mr. As-Salaam’s sexual harassment and predatory behavior against Ms. Hill continued undeterred. This caused Ms. Hill to suffer a panic attack and shortness of breath on Thursday, March 11, 2021, as she was traveling to work and dreading and overwhelmed with fear about encountering Mr. As-Salaam at work.

66. Ms. Hill immediately called her union delegate at approximately 10:45 AM, as she remained parked outside the Hospital, afraid of going into work, to tell her that she was

suffering a panic attack and “couldn’t work one more day” with Mr. As-Salaam. Ms. Hill followed the union delegate’s advice and sent an email to Ms. Rivera, Mr. Schower, and Ms. Flanagan describing what she was experiencing happening.

67. Despite shaking and crying, Ms. Hill tried to calm herself down near the Hospital’s loading dock, before gaining the courage to enter the building and start her shift. Despite emailing high-level HR representatives and managers, at no point during Ms. Hill’s shift did anyone reach out to her to see how she was doing.

68. The next day, Friday, March 12, 2021, Ms. Hill noticed that her employee ID badge was not working and notified Ms. Flanagan who informed her that her badge had apparently also not worked the prior day as it did not record her entering or exiting the Hospital. Ms. Hill then completed a “missed swipe form” to report the malfunctioning badge.

69. Two weeks later, on March 26, 2021, Ms. Flanagan informed Ms. Hill and her union delegate that back on March 11, 2021, Mr. Defratas (who had previously joined Mr. As-Salaam in harassing Ms. Hill in the workplace) was unable to locate Ms. Hill at her workstation. Ms. Flanagan, however, was not sure exactly when Mr. Defratas allegedly could not locate Ms. Hill, and because Mr. Defratas was unavailable to join the meeting at the time, the meeting was adjourned. However, no follow up meeting ever took place.

70. Instead, shockingly, on April 12, 2021, the Hospital terminated Ms. Hill’s employment, allegedly for “theft of time” and falsifying “missed swipe” forms. The allegations were pure fiction.

71. Of course, the Hospital repeatedly and woefully failed to discipline Mr. As-Salaam for his sustained, severe, and pervasive sexual harassment in the workplace, and instead allowed the harassment against Ms. Hill to thrive, unfettered. When Ms. Hill was left with no

choice but to escalate her concerns to the EEOC, the Hospital began a campaign of insidious retaliation, culminating in its unlawful decision to terminate her employment for utterly pretextual reasons.

72. Ms. Hill has been left devastated, humiliated, and traumatized by Mr. As-Salaam's actions, the Hospital's blatant failure and abject refusal to protect her, and its crusade of unlawful retaliation ending in her unlawful firing.

73. Despite repeatedly being placed on notice, the Hospital turned a blind eye to the severe and pervasive sexual harassment occurring in its workplace, effectively giving Mr. As-Salaam free reign to harass and terrorize Ms. Hill with impunity.

74. Mr. As-Salaam's repeated, daily sexual harassment of Ms. Hill should have never happened had the Hospital simply complied with its legal responsibility to protect its employees and ensure a safe workplace free of sexual harassment.

FIRST CAUSE OF ACTION
(Discrimination and Harassment in Violation of Title VII)

75. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

76. By the actions described above, among others, Defendant has discriminated against Plaintiff in violation of Title VII by, *inter alia*, denying her the equal terms and conditions of employment because of her sex/gender, and by engendering a sex-based hostile work environment within which she had to work.

77. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of Title VII, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

78. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of Title VII, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

79. Defendant's unlawful and discriminatory actions constitute malicious, willful, and wanton violations of Title VII for which Plaintiff is entitled to an award of punitive damages.

SECOND CAUSE OF ACTION
(Retaliation in Violation of Title VII)

80. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

81. By the actions detailed above, among others, Defendant has retaliated against Plaintiff based on her protected activities in violation of Title VII.

82. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of Title VII, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

83. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of Title VII, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

84. Defendant's unlawful and retaliatory actions constitute malicious, willful, and wanton violations of Title VII, for which Plaintiff is entitled to an award of punitive damages.

THIRD CAUSE OF ACTION
(Discrimination and Harassment in Violation of the NYSHRL)

85. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

86. By the actions described above, among others, Defendant has discriminated against Plaintiff in violation of the NYSHRL by, inter alia, denying her the equal terms and conditions of employment because of her sex/gender, and by engendering a sex-based hostile work environment within which she had to work.

87. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of the NYSHRL, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

88. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of the NYSHRL, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

89. Defendant's unlawful and discriminatory actions constitute malicious, willful, and wanton violations of the NYSHRL for which Plaintiff is entitled to an award of punitive damages.

FOURTH CAUSE OF ACTION
(Retaliation in Violation of the NYSHRL)

90. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

91. By the actions detailed above, among others, Defendant has retaliated against Plaintiff based on her protected activities in violation of the NYSHRL.

92. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of the NYSHRL, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

93. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of the NYSHRL, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

94. Defendant's unlawful and retaliatory actions constitute malicious, willful, and wanton violations of the NYSHRL, for which Plaintiff is entitled to an award of punitive damages.

FIFTH CAUSE OF ACTION
(Discrimination and Harassment in Violation of the NYCHRL)

95. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

96. By the actions described above, among others, Defendant has discriminated against Plaintiff in violation of the NYCHRL by, inter alia, denying her the equal terms and conditions of employment because of her sex/gender, and by engendering a sex-based hostile work environment within which she had to work.

97. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of the NYCHRL, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

98. As a direct and proximate result of Defendant's unlawful and discriminatory conduct in violation of the NYCHRL, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

99. Defendant's unlawful and discriminatory actions constitute malicious, willful, and wanton violations of the NYCHRL for which Plaintiff is entitled to an award of punitive damages.

SIXTH CAUSE OF ACTION
(Retaliation in Violation of the NYCHRL)

100. Plaintiff hereby repeats and realleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

101. By the actions detailed above, among others, Defendant has retaliated against Plaintiff based on her protected activities in violation of the NYCHRL.

102. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of the NYCHRL, Plaintiff has suffered, and continues to suffer, monetary and/or economic harm, for which she is entitled to an award of damages.

103. As a direct and proximate result of Defendant's unlawful and retaliatory conduct in violation of the NYCHRL, Plaintiff has suffered, and continues to suffer, mental anguish and emotional distress, for which she is entitled to an award of damages.

104. Defendant's unlawful and retaliatory actions constitute malicious, willful, and wanton violations of the NYCHRL, for which Plaintiff is entitled to an award of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter the following:

A. A declaratory judgment that the actions, conduct and practices of Defendant complained of herein violate the laws of the United States, the State of New York, and the City of New York;

B. An injunction and order permanently restraining Defendant and its partners, officers, owners, agents, successors, employees and/or representatives and any and all persons acting in concert with it, from engaging in any such further unlawful conduct, including the policies and practices complained of herein;

C. An order directing Defendant to take such affirmative action as is necessary to ensure that the effects of these unlawful employment practices are eliminated;

D. An award of damages against Defendant, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages;

E. An award of damages against Defendant, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all non-monetary and/or compensatory damages;

F. An award of punitive damages;

G. Pre-judgment interest to Plaintiff on all applicable amounts due;

H. Post-judgment interest to Plaintiff on all applicable amounts due;

I. An award of costs that Plaintiff incurs in this action, as well as an award of reasonable attorneys' fees to the fullest extent permitted by law; and

J. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: March 14, 2023
White Plains, New York

Respectfully submitted,

FILIPPATOS PLLC



By: _____
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