

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

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ROXANNE RIFE, IJADA WORMSLEY-ASHBY, and
SAMANTHA SHEWMAKER,

Plaintiffs,

v.

THE AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS, also known as the AFL-CIO,
and THE PENNSYLVANIA AMERICAN
FEDERATION OF LABOR AND CONGRESS OF
INDUSTRIAL ORGANIZATIONS, also known as
the PA AFL-CIO, RICHARD BLOOMINGDALE,
and FRANK SNYDER,

Defendants.

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Case No.:

COMPLAINT

JURY TRIAL DEMANDED

ELECTRONICALLY FILED

Plaintiffs Roxanne Rife, Ijada Wormsley-Ashby, and Samantha Shewmaker, by and through their attorneys, Filippatos PLLC, hereby allege against Defendants, the American Federation of Labor and Congress of Industrial Organizations (“National AFL-CIO”), the Pennsylvania American Federation of Labor and Congress of Industrial Organizations (“PA AFL-CIO”) (together, the “Union Defendants”), and Richard Bloomingdale and Frank Snyder (together, the “Individual Defendants”), as follows:

NATURE OF THE CASE

1. The National AFL-CIO is the largest federation of unions in the United States representing 56 national and international unions, who together represent over 12 million active and retired workers across America. The National AFL-CIO engages in substantial political spending and activism, typically in support of liberal or progressive policies.

2. The National AFL-CIO proclaims that: “in partnership with affiliate unions and constituency groups, the AFL-CIO resolves to do the following: i) Advocate for women’s

economic equity, ii) Advocate for gender justice, iii) support leadership development for union women; iv) combat gender-based harassment and violence in the workplace.”¹

3. Likewise, the PA AFL-CIO, the National AFL-CIO’s Pennsylvania chapter, boasts about how it continuously promotes and advocates for gender equality, and is “fighting for a better future for working moms,”² and against “inequality,” “[u]nequal pay, harassment, and discrimination” that “women face daily” in the workplace.”³

4. Unfortunately, over the course of several years, the National AFL-CIO has been aware of but has chosen to disregard the appeals of female workers at its Pennsylvania chapter, the PA AFL-CIO who have repeatedly filed complaints about being discriminated against, berated, humiliated, and subjected to inferior terms and conditions of employment as compared to their male counterparts by the PA AFL-CIO’s male leadership, even repeatedly bringing their concerns to the attention of the National AFL-CIO.

5. As detailed below, Plaintiffs Roxanne Rife, Ijada (“Jada”) Wormsley-Ashby, and Samantha Shewmaker are three such courageous, hardworking former female employees of the PA AFL-CIO, and who were, at all relevant times, jointly employed by the National AFL-CIO. Plaintiffs demonstrated unwavering dedication and worked tirelessly for and the PA AFL-CIO and National AFL-CIO despite being verbally abused, mistreated, berated, and regarded as and treated less favorably than their male counterparts under the leadership of the PA AFL-CIO’s top two

¹ See <https://aflcio.org/resolutions/resolution-8-promote-gender-equity> (last accessed on October 5, 2023).

² See <https://paafICIO.org/news/were-fighting-better-future-working-moms> (last accessed on October 5, 2023).

³ See <https://paafICIO.org/news/international-womens-day> (last accessed on October 5, 2023).

leaders, former President, Defendant Richard Bloomingdale, and former Secretary-Treasurer, Defendant Frank Snyder.

6. As a result of Defendants' unlawful conduct described below, Plaintiffs hereby bring this action to obtain redress from Defendants for violating their civil rights under Title VII of the Civil Rights Act of 1964, as codified, 42 USC §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166 ("Title VII"); Section 1981 of the Civil Rights Act of 1866, 42 USC § 1981 ("§ 1981"); the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12101, *et. seq.*, as amended by the ADA Amendments of 2008, Pub. L. No. 110-325 ("ADAA"); and the Pennsylvania Human Relations Act, 43 P.S. §§ 951, *et. seq.* ("PHRA") by discriminating and retaliating against them based on their gender (female), and as to Ms. Ashby, also based on her race (African American), color (Black), and disability (Granulomatosis with polyangiitis).

PARTIES

7. At all times relevant hereto, Ms. Rife was a resident of the State of Pennsylvania, County of Cumberland.

8. At all times relevant hereto, Ms. Rife was and is a Caucasian woman.

9. At all times relevant hereto, Ms. Ashby was and is a resident of the State of Pennsylvania, County of Dauphin.

10. At all times relevant hereto, Ms. Ashby was and is a Black woman with a disability (Granulomatosis with polyangiitis).

11. At all times relevant hereto, Ms. Shewmaker was and is a resident of the State of Pennsylvania, County of Lebanon.

12. At all times relevant hereto, Ms. Shewmaker was and is a Caucasian woman.

13. At all times relevant hereto, Plaintiffs were employees of the National AFL-CIO and the PA AFL-CIO.

14. At all times relevant hereto, the National AFL-CIO was and is a federation of unions, maintaining its principal place of business at 815 16th Street NW, Washington, DC 20006.

15. At all times relevant hereto, the PA AFL-CIO was and is a state federation and the Pennsylvania chapter of the National AFL-CIO, maintaining its principal place of business at 600 North Second Street, Harrisburg, PA 17101.

8. Upon information and belief, the National AFL-CIO employs over 20 individuals on a full-time or full-time equivalent basis and thus is subject to all statutes upon which Plaintiffs are proceeding herein.

9. Upon information and belief, PA AFL-CIO employs approximately 17 individuals on a full-time or full-time equivalent basis and thus is subject to all statutes upon which Plaintiffs are proceeding herein.

10. Upon information and belief, at all times relevant hereto, Defendant Richard Bloomingdale was and is an individual residing in the State of Pennsylvania, and was an employee of Defendants, holding the position of “President of the PA AFL-CIO,” and had the authority to hire and terminate Plaintiffs and affect the terms and conditions of their employment or to otherwise influence the decision making regarding same.

11. Upon information and belief, at all times relevant hereto, Defendant Frank Snyder was and is an individual residing in the State of Pennsylvania, and was an employee of Defendants, holding the position of “Secretary-Treasurer of the PA AFL-CIO,” and had the authority to hire and terminate Plaintiffs and affect the terms and conditions of their employment or to otherwise influence the decision making regarding same.

JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over this matter pursuant to 28 USC §1331.

13. This Court has supplemental jurisdiction over the claims that Plaintiff has brought under state law pursuant to 28 USC § 1367.

14. Venue is proper in this district, pursuant to 28 USC §1391(b), as one or more Defendants reside in the Middle District of Pennsylvania, and a substantial part of the acts complained of occurred therein.

ADMINISTRATIVE REQUIREMENTS

15. Plaintiffs timely filed charges of discrimination related to the facts and allegations in this matter with the Pennsylvania Human Relations Commission (“PHRC”) and cross-filed with the Equal Employment Opportunity Commission (“EEOC”).

16. Plaintiffs are filing this action more than one year after filing their charges with the PHRC and within 90 days of receiving Notices of Right to Sue from the EEOC for: (i) Ms. Shewmaker on August 16, 2023; (ii) Ms. Rife on November 10, 2023; and (iii) Ms. Ashby on November 10, 2023, and within two years after the PHRC released jurisdiction of Plaintiffs’ Claim: (i) on May 31, 2023, for Ms. Shewmaker; (ii) on February 2, 2023, for Ms. Rife; and (iii) on September 27, 2023, for Ms. Ashby, satisfying the procedural prerequisites for the commencement of the instant action.

FACTUAL ALLEGATIONS

A. The National AFL-CIO and Its State Federation, the Pennsylvania AFL-CIO, Jointly Employed Plaintiffs

17. While the PA AFL-CIO was Plaintiffs’ nominal employer, Plaintiffs were jointly employed by the National AFL-CIO.

18. At all relevant times, the National AFL-CIO has had the authority to hire and fire employees of the PA AFL-CIO, promulgate work rules and assignments relative to the PA AFL-CIO, set conditions of employment at the PA AFL-CIO, engage in supervision of employees (including discipline) at the PA AFL-CIO, and has had control of PA AFL-CIO employee and other business records.⁴

19. The PA AFL-CIO is a state federation and chartered organization of the National AFL-CIO,⁵ effectively acting as a local agent of the National AFL-CIO within the Commonwealth of Pennsylvania. The PA AFL-CIO and its employees and officers are bound by the National AFL-CIO's Constitution, policies, and "Rules Governing AFL-CIO State Central Bodies."⁶

⁴ See *Hollinghead v. City of York*, 11 F. Supp. 3d 450, 463 (M.D. Pa. 2014) ("District courts in this Circuit consider the following factors in determining whether a joint employer relationship exists: (1) authority to hire and fire employees, promulgate work rules and assignments, and set conditions of employment, including compensation, benefits, and hours; (2) day-to-day supervision of employees, including employee discipline; and (3) control of employee records, including payroll, insurance, taxes, and the like. No single factor is dispositive, and a weak showing of one factor may be offset by a strong showing of the other two factors. The parties' beliefs and expectations regarding the relationship between the parties are also relevant.").

⁵ See National AFL-CIO, 2022 LM-2 Form, <https://olmsapps.dol.gov/query/orgReport.do?rptId=782882&rptForm=LM2Form/>, see also <https://paaficio.org/about-us/> (last accessed October 20, 2023) (Pennsylvania AFL-CIO is "one of nearly 500 state and local labor councils of the [National] AFL-CIO and are the heart of the labor movement."); see also <https://aflcio.org/about-us/our-unions-and-allies/state-federations-and-central-labor-councils/> (last accessed October 20, 2023) ("State federations and central labor councils are the heart of the movement. These local organizations partner with state and community organizations and conduct state, local, and national campaigns to improve the lives of working families.").

⁶ See *Rules Governing AFL-CIO State Central Bodies*, V §10 ("The substance and procedures of this Code shall be binding upon each State Federation and Central Labor Council with respect to its own officers and managerial employees."); I §15 ("State, area, and local central bodies in a state shall ensure that their work is coordinated and integrated with each other and with the programs and priorities of the AFL-CIO and affiliated national and international unions. State, area, and local central bodies shall develop a unified work plan and budget at least every two years, which shall set forth the roles, responsibilities, budget, and activities of each organization. Such work plans and budgets shall be submitted to the President of the AFL-CIO upon request, and the

20. The National AFL-CIO issued the PA AFL-CIO its charter, and retains the right to refuse, revoke, or suspend the charter.⁷ Any constitutions or bylaws adopted by the PA AFL-CIO are subject to approval by the National AFL-CIO, must be consistent with the National AFL-CIO's Constitution and rules, and may be required by the National AFL-CIO to be amended.⁸

21. These Rules and the National AFL-CIO's Constitution expressly govern the "conduct, activities, affairs, finances and property" of the PA AFL-CIO and sets forth the "procedures for the discipline, including suspension and expulsion" of its officers, subject to amendment at any time by the National AFL-CIO's Executive Council.⁹

22. For instance, the National AFL-CIO requires the PA AFL-CIO to develop and submit a unified work plan and budget every two years detailing all the PA AFL-CIO's and its employees' roles, responsibilities, budgets, and activities. The President of the National AFL-CIO has the authority to modify, approve, or reject every work plan and budget. If the PA AFL-CIO fails to conform their activities to its unified work plan and with budget, or otherwise fails to meet the National AFL-CIO's performance standards and benchmarks, the National AFL-CIO has the power to subject PA AFL-CIO or its officers to disciplinary action.¹⁰

President may modify, approve, or reject any work plan or budget. The failure of a state, area, or local central body, or any of its officers, to participate in the unified planning and budgeting process, to conform their activities to the unified work plan and budget, or to meet performance standards and benchmarks as established by the Executive Council, shall be grounds for disciplinary action pursuant to Rule 24.").

⁷ See *id.* at I §5.

⁸ See *id.* at I §7(a) and (c).

⁹ See *id.* at I §1.

¹⁰ See *id.* at I §24 ("The President is authorized to take disciplinary action against state central bodies, including the authority to suspend or expel any officer thereof, and to suspend such organizations or revoke their charters. Such disciplinary action may be taken against any such organization or officer, when such organization or officer violates or fails to comply with any of

23. In other words, as set forth in the National AFL-CIO's governing documents, the National AFL-CIO has the power to discipline, suspend, or expel PA AFL-CIO's officers and commandeer the PA-AFL CIO and its employees' entire operations.

24. Not only does the National AFL-CIO have the authority, power, responsibility, and/or obligation to discipline, if not fire, PA AFL-CIO officers who violate the National AFL-CIO's Constitution and policies, but, in fact, the National AFL-CIO has made and implemented personnel decisions at the PA AFL-CIO. This included the decision to terminate Defendant Snyder's employment in 2022 after allegations of discrimination and harassment against him by women were made public.

25. Notably, the National AFL-CIO's current President, Elizabeth Shuler, publicly stated in June 2022: **"I put my thumb on the scale"** to push Defendant Snyder out of the PA AF-CIO.¹¹

26. Moreover, when asked whether she would make public the results of an investigation into allegations of misconduct and discrimination against Defendant Snyder commissioned by the National AFL-CIO, President Shuler stated: "The report was never written ... *We decided to take action prior to official findings* because I knew it would divide the labor movement, and we are going into an important election year. Pennsylvania is a critical state."¹²

the provisions of the Constitution of the AFL-CIO or of these rules, or engages in any activity or course of conduct which is contrary or detrimental to the welfare or the best interests of the AFL-CIO, or when any such organization fails to conform its policies to the policies of the AFL-CIO.").

¹¹ See <https://www.axios.com/2022/06/12/axios-interview-inside-the-plans-of-the-countrys-top-union-leader> (last accessed on October 5, 2023).

¹² *Id.*

27. The National AFL-CIO also hired and paid for the attorneys and/or investigators who conducted the “investigation” into the allegations against Defendant Snyder, in addition to unilaterally deciding to not make public and/or release the findings of the “investigation.”

28. The National AFL-CIO has overseen the “Code of Conduct Committee,” which was established and mandated by the National AFL-CIO to address complaints and allegations of misconduct brought by PA AFL-CIO employees against officers like Defendant Snyder and Defendant Bloomingdale.

29. Annually, the PA AFL-CIO is required to provide certification to the National AFL-CIO affirming adherence to the National AFL-CIO Ethical Practices Code. In cases of non-compliance, the officers or other managerial employees are obligated to state reasons for the non-compliance and present a plan for achieving compliance within a specific timeline.¹³

30. Moreover, the National AFL-CIO has the authority to access, review, and audit the PA AFL-CIO’s books and records, including personnel files, and is involved in establishing PA AFL-CIO employees’ benefits, such as pension plans.

¹³ See *Rules Governing AFL-CIO State Central Bodies*, I §29a (“The officers and managerial employees of state central bodies shall comply with all of the provisions of the AFL-CIO Ethical Practices Code. The President and Secretary-Treasurer of each state central body shall certify in the state central body’s Annual Report to the AFL-CIO or on such other form required by the President of the AFL-CIO, that they and the other officers and the managerial employees of the state central body have reviewed the AFL-CIO Ethical Practices Code and are in compliance with it. If not in compliance with the Ethical Practices Code, the officers will state the provision with which they (or the other officers or managerial employees) are not in compliance, the facts that cause them to not be in compliance, the steps they will take to be in compliance and the date by which they will be in compliance. The Constitution Page of each state central body shall establish a standing ethical practices committee, in accordance with the AFL-CIO Ethical Practices Code.”).

31. The PA AFL-CIO must also provide written financial statements to the National AFL-CIO, which may require it to amend its financial practices and procedures.¹⁴

32. The National AFL-CIO also sets rules and standards as to whom the PA AFL-CIO is allowed to hire. For instance, the National AFL-CIO prohibits anyone who “consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association” from serving as an officer, executive board or committee member, employee, agent, delegate, or representative for the PA AFL-CIO.¹⁵

33. Nor can the PA AFL-CIO hire, pursuant to the rules and standards set by the National AFL-CIO, anyone who has been convicted of a violent felony, crime of dishonesty, or crime involving abuse or misuse of such person’s position in a labor organization or employee benefit fund to serve as an officer or managerial employee.¹⁶

34. The PA AFL-CIO is also prohibited from hiring anyone who “holds a salaried position or any other position of administrative or executive authority in a union, or any

¹⁴ See *id.* at I §15 (“The Secretary-Treasurer may require any state central body to amend its financial practices and procedures so as to come into conformity with the provisions of this rule. The Secretary-Treasurer may at any time require any state central body to submit financial reports, and may cause a full audit to be made of the books, records, funds, property or accounts of any state central body, including 501(c)(3) and 501(c)(4) organizations that it has established or control, and may require the state central body to bear the expenses thereof. Written financial statements shall be distributed at each meeting of its Executive Board. All state central bodies shall have a financial evaluation performed by an outside, independent CPA each year, in accordance with the AFL-CIO Agreed-Upon Procedures established for this purpose.”).

¹⁵ See *id.* at I §11(b).

¹⁶ See *id.* at I §11(c).

subordinate branch of a union, which has been suspended, expelled, or which has disaffiliated from the AFL-CIO.”¹⁷

35. The National AFL-CIO also possesses the “right to participate, and have a voice” in all the PA AFL-CIO’s “activities, meetings and deliberations.”¹⁸

36. Moreover, the PA AFL-CIO “may dissolve only with the approval of the President” of the National AFL-CIO. In other words, the PA AFL-CIO cannot unilaterally decide to disband or dissolve but needs permission from the National AFL-CIO. Upon a dissolution, “all funds, properties, books and assets” revert to the National AFL-CIO,¹⁹ further demonstrating the National AFL-CIO’s control over chartered entities like the PA AFL-CIO, and in turn, control over the PA AFL-CIO’s employees.

37. The National AFL-CIO also provides significant support and funding to the PA AFL-CIO. For instance, in 2020 and 2021, the National AFL-CIO provided funding to the PA AFL-CIO for staffing support, and in 2020, awarded the PA AFL-CIO a grant for lobbying and member mobilization efforts of more than \$200,000.²⁰

38. Accordingly, Plaintiffs were employed jointly by both the PA AFL-CIO and the National AFL-CIO.

B. Plaintiffs are Hired by Defendants

39. Ms. Rife began working for Defendants on November 12, 2019, as a “Per Capita Manager” at the PA AFL-CIO, earning a salary of \$42,000. In February 2021, Ms. Rife was

¹⁷ See *id.* at I §11(d).

¹⁸ See *id.* at I §11(f).

¹⁹ See *id.* at I §28.

²⁰ See National AFL-CIO, 2022 LM-2 Form, <https://olmsapps.dol.gov/query/orgReport.do?rptId=782882&rptForm=LM2Form/>.

promoted to “Executive Assistant to the President,” earning a salary of \$60,000, and reported directly to Defendant Bloomingdale. Ms. Rife remained employed at Defendants until her constructive discharge on September 3, 2021.

40. Ms. Ashby began working for Defendants on December 1, 2015, in the position of Bookkeeper at the PA AFL-CIO, earning an annual salary of \$40,000, which eventually increased to \$77,250. In this position, Ms. Ashby was responsible for Finance and Operations. Ms. Ashby remained employed at Defendants until her constructive discharge in April 2022.

41. Ms. Shewmaker began working for Defendants in or about August 2016, in the position of “Communications Staff,” earning a salary of \$55,000, which eventually increased to \$75,000. In this position, she was responsible for managing all aspects of the PA AFL-CIO’s Communications Department, including, but not limited to, digital and social media, press and media relations, and in-house content creation and publication. Ms. Shewmaker remained employed at Defendants until her constructive discharge in March 2022.

C. Plaintiffs Are Subjected to Disparaging and Discriminatory Treatment, and Their Complaints Fall on Deaf Ears

i. Unequal Pay

42. According to the PA AFL-CIO’s payroll records (to which Ms. Ashby had access given her role as Bookkeeper), male employees were systematically paid more than female employees.

43. For instance, the PA AFL-CIO hired a man named Shawn Gilchrist in 2021 as “Data Director” to perform essentially the same or highly similar functions as Ms. Shewmaker. Shortly after being hired, his title was changed to “Strategic Campaigns Director” due to his lack of experience with data. However, the PA AFL-CIO still paid Mr. Gilchrist substantially more than Ms. Shewmaker at an annual starting salary of \$82,7770 per year, even though Ms.

Shewmaker had been with the PA AFL-CIO for many years by then.

44. Ms. Ashby was paid substantially less (about \$10,000) than the male employee who preceded her in her role. Ms. Ashby was also paid less, at an annual starting salary of \$77,250, than all the male employees, even though she had been with the PA AFL-CIO for more than 5 years prior to the start date of their employment.

45. Likewise, Ms. Rife was paid less than Dave Madsen, Community Services and Education Director, and Mr. Gilchrist, who both reported to Ms. Rife. Mr. Madsen was paid \$77,795 per year.

46. Ms. Rife also discovered that she was paid substantially less than a male employee named Brian Phillips, who preceded her as Executive Assistant to the President.

47. In or around October 2020, Ms. Rife complained to Defendant Snyder about these unequal pay practices. Defendant Snyder acknowledged that he and Defendant Bloomingdale were in the process of adjusting her salary to be comparable to the male employees. However, Ms. Rife was never paid a comparable salary.

ii. Gender, Race and Disability Discrimination Against Ms. Ashby

48. Throughout her employment at Defendants, Ms. Ashby suffered harassment and public humiliation at the hands of Defendant Snyder merely because she was a Black woman with a rare autoimmune disorder.

49. Defendant Snyder consistently subjected Ms. Ashby to verbal abuse and belittlement for nearly every minor action, while refraining from treating male employees in a similar manner.

50. For instance, when Ms. Ashby asked for personal time off, on most occasions, Defendant Snyder would gratuitously give her a hard time and baselessly threaten her job by

(falsely) stating that her, “work isn’t acceptable,” and that he was “going to fire [her].”

51. Moreover, even though Mr. Gilchrist was allowed to work from home each Friday without issue, when Ms. Ashby requested flexibility to occasionally work from home for legitimate health reasons related to her rare autoimmune disorder, Defendant Snyder belittled and harassed her for making the same request. He told her that her health issues were a “problem” for him, and made derisive and mocking comments such as, “how long are you going to be sick?”

52. Defendant Snyder also accused Ms. Ashby of being “lazy,” which was untrue and racist code against Ms. Ashby as a Black woman.

53. For instance, when Ms. Ashby was hospitalized in early 2022, she still made sure to complete her work from her hospital bed. Yet, Defendant Snyder still falsely and offensively characterized her work and performance as “poor,” called her “lazy,” accused her of “always hav[ing] an excuse,” and questioned whether she was even ill, causing Ms. Ashby great emotional distress and anxiety.

54. Defendant Snyder would threaten to fire Ms. Ashby on a regular basis, at least numerous times a month, and would cruelly taunt her by saying that she “must want to get fired,” which could not have been further from the truth.

55. Defendant Snyder would also make threatening remarks about how he could fire Ms. Ashby on a whim and make sure that she was unable to collect unemployment insurance (i.e., “I’m gonna fire your ass; don’t think you will collect unemployment”). Defendant Snyder intimated that he had the authority to interfere with Ms. Ashby’s unemployment insurance benefits because Defendant Bloomingdale, his enabler and protector, served on the Pennsylvania Unemployment Insurance Board and had significant political influence within the state.

56. To that end, Defendant Snyder would say “maybe he [Defendant Bloomingdale]

won't go against you, but I will!"

57. Defendant Snyder's constant threats to fire Ms. Ashby for no reason were meant to intimidate and debase her knowing that she needed her job and could not afford to be unemployed because she had children to support, including a young child in elementary school and an older child who suffers from developmental disorders.

58. The harassment and mistreatment Ms. Ashby had to endure on a near daily basis was so distressing and harmful that she has had to seek regular treatment from a mental health professional to this day.

59. Additionally, on June 22, 2021, Defendant Snyder yelled at and berated Ms. Ashby and Ms. Rife and called Ms. Ashby a liar when she answered his questions about where the two women had gone during their unpaid lunchtime. While yelling at her, Defendant Snyder moved towards Ms. Ashby in a threatening and aggressive manner, causing Ms. Ashby to fear for her safety in her own workplace.

60. Due to the many events that unfolded that day, about which Defendant Snyder and Defendant Bloomingdale were aware, Ms. Rife and Ms. Ashby could not take their lunch breaks until approximately 2:16pm. However, when they returned to work at 2:45pm (within the one hour allocated for lunch breaks), Defendant Snyder screamed at them both in front of all their coworkers.

61. Defendant Snyder did not yell at, belittle, or humiliate male employees at the office for taking their lunches at "unconventional" times – or for any reason.

62. In November 2021 and early 2022, Ms. Ashby complained to Defendant Bloomingdale about how Defendant Snyder mistreated her. Unfortunately, Defendant Bloomingdale completely brushed aside her complaints and tried to excuse Defendant Snyder's

behavior by asserting that Defendant Snyder was under pressure because he was running for President of the PA AFL-CIO at the time.

iii. *Gender Discrimination Against Ms. Rife*

63. Ms. Rife suffered harassment and unfair treatment throughout her employment at Defendants at the hands of Defendants Snyder and Bloomingdale merely because she was a woman.

64. Ms. Rife was subjected to numerous sexist comments by Defendant Bloomingdale, including that, “women belong in clerical roles, not men,” and “women were always supposed to be in clerical [roles],” among others.

65. In fact, when Defendant Bloomingdale interviewed a male candidate for the executive assistant position, he told the candidate during the interview that it “felt funny interviewing a man for this position,” and asked the candidate if it was “weird” to him too.

66. Ultimately, this candidate was only hired after Ms. Ashby warned Defendant Bloomingdale that his comments could be considered discrimination. Notably, this male was hired at a substantially higher (around \$10,000) salary than the female who was previously in that role.

67. This male employee was eventually let go by Defendant Bloomingdale simply because he wanted a woman in that support role, in part because Defendant Bloomingdale did not feel comfortable asking a man to work beyond regular work hours or late into evenings, whereas he had no qualms about asking female employees to do so. Ms. Rife later took on this executive assistant role.

68. At the time Ms. Rife was forced to resign from Defendants in September 2021, Defendant Bloomingdale asked her to find a replacement. Each time Ms. Rife gave Defendant Bloomingdale the resume of a male candidate, he simply wrote “No” on the resume without any

further consideration.

69. Ms. Rife was also subjected to harassing behavior by and remarks from Defendant Snyder. For instance, when Ms. Rife asked Defendant Snyder what room accommodations he preferred during a July 2021 trip she was booking for him, he told her that he wanted a “cheese plate, wine, and twins,” referring to women.

70. When Ms. Rife reported this inappropriate remark to Defendant Bloomingdale, he dismissed her concerns and sent her back a laughing emoji.

71. In 2020, during a telephone conference, Defendant Snyder and Defendant Bloomingdale informed the PA AFL-CIO staff that employees would be required to return to the office which had been closed because of the COVID-19 pandemic and would be supplied with Personal Protective Equipment (“PPE”), including, but not limited to, face masks and disinfectants. Ms. Rife asked whether the PPE and masks complied with CDC guidelines.

72. Defendant Snyder immediately lashed out at Ms. Rife, shouting: “Why does it matter what type of face masks they are?” in front of her colleagues, leaving Ms. Rife perplexed and humiliated.

73. Defendant Bloomingdale completely ignored and appeared unfazed by Defendant Snyder’s unprovoked, abusive conduct, nonchalantly adding: “We are unsure what type of disinfectants were being used by the cleaning company in the building.” Evidently, Defendant Snyder’s abhorrent treatment of female employees was tolerated and the norm by that point.

74. On June 25, 2021, Defendant Snyder demeaned and humiliated Ms. Rife merely for asking to which legislators she needed to send a particular letter. Defendant Snyder’s response was to text Ms. Rife back a “facepalm” emoji and a shocked face with an exploding head emoji to ridicule Ms. Rife.

75. Defendant Snyder was mocking Ms. Rife and trying to paint her out to be incompetent, which he would never do to male employees.

iv. Gender Discrimination Against Ms. Shewmaker

76. Throughout Ms. Shewmaker's employment, she too suffered harassment and public humiliation at the hands of Defendant Snyder merely because she was a woman.

77. On her second day on the job, a coworker expressed to Ms. Shewmaker about being shocked [that] they hired a woman." These blunt words proved to be ominous, as Ms. Shewmaker soon learned firsthand about the PA AFL-CIO's troubling, deep-seated culture of misogyny and hostility directed at female staff and the unfortunate impact this culture would have on every aspect of her life.

78. By way of example only, when Ms. Shewmaker would contact Defendant Snyder to solicit his input on her work, Defendant Snyder would routinely refuse to acknowledge and/or deny such requests.

79. On those occasions in which Ms. Shewmaker was permitted to enter Defendant Snyder's office, his demeanor would turn hostile, contrarian, and aggressive within moments.

80. Rather than meet with Ms. Shewmaker and engage in constructive, work-related discussions, Defendant Snyder routinely refused to do so and deflected Ms. Shewmaker's efforts to engage him.

81. Defendant Snyder would often promise Ms. Shewmaker that he would meet with her to discuss work the next day or at another specified time when he was supposedly available, only for Ms. Shewmaker to later realize that Defendant Snyder planned to be hundreds of miles away on the other side of the state or already had a scheduling conflict. Defendant Snyder had zero intention of interacting with Ms. Shewmaker in a professional manner or interest in her career

development.

82. A pattern of harassment and public humiliation even emerged throughout Ms. Shewmaker's employment. It was commonplace for Defendant Snyder to express how he did not respect Ms. Shewmaker or her work, and to do what he needed to do to ensure that the whole staff knew how he felt.

83. Defendant Snyder made his feelings known in virtually every staff meeting, during which he relished tearing down Ms. Shewmaker's work plans and ideas. Defendant Snyder treated nearly every contribution Ms. Shewmaker made as an indication of her incompetence. Defendant Snyder would even sabotage Ms. Shewmaker's work, on top of heavily and unduly criticizing and micro-managing her performance.

84. In contrast, Ms. Shewmaker never witnessed Defendant Snyder treat any male employee in such a grotesque and disturbing manner.

85. Furthermore, Defendant Snyder purposely excluded Ms. Shewmaker from meetings and discussions related to her own duties and responsibilities, making it exceedingly and needlessly difficult to perform the basic functions of her job.

86. For example, on Labor Day 2020, completely unbeknownst to Ms. Shewmaker, then-presidential candidate Joe Biden was scheduled to give a Labor Day address from the PA AFL-CIO's headquarters. Even though Ms. Shewmaker was the Communications Director responsible for media relations, social media engagement, and publishing internal communications to the members of the organization, Ms. Shewmaker was completely kept in the dark about the fact that she and her colleagues had to host the presumptive Democratic party's candidate for president.

87. In fact, Ms. Shewmaker only learned about the event via a PennLive notification

just 48 hours before the event took place.

88. Similarly, Defendant Snyder and Defendant Bloomingdale organized an entire virtual Energy Summit in the winter of 2020/21 focusing on green jobs and workforce development through the lenses of labor lobbyists, leaders from impacted industries, and other distinguished speakers, but failed to inform Ms. Shewmaker about the event until the day before, and only after she heard about the event from someone else.

89. Ms. Shewmaker was responsible for covering these types of events on social media and in the organization's internal newsletter, but just like in this instance, would often be left completely out of the loop which affected her ability to perform her job.

90. Furthermore, as Communications Director, Ms. Shewmaker was responsible for, among other things, all aspects of the PA AFL-CIO's social media presence, both with respect to content generation and with analytics and strategy. Defendant Snyder, however, excluded Ms. Shewmaker from his discussions with outside digital media consultants in relation to the PA AFL-CIO's political ad campaigns.

91. Accordingly, even though Ms. Shewmaker was the Communications Director and was responsible for disseminating information to members and to the media, Defendant Snyder's behavior ensured that she had *no* input on PA AFL-CIO's messaging, design, or strategy, and was usually the "last to know" about relevant conversations and decisions, leading to a lack of quality control, effectiveness, and efficiency.

92. Beyond being systematically excluded from meetings and discussions germane to her job responsibilities, Ms. Shewmaker was routinely denigrated and marginalized by Defendant Snyder in other ways.

93. One way in which he did this was to ignore her completely and humiliatingly as

well as anything she said or did when they were out representing the organization in public.

94. For instance, in the early winter of 2022, staff from the PA AFL-CIO – including Defendant Bloomingdale, Defendant Snyder, and Ms. Shewmaker – did a “walk-through” of the convention site where the PA AFL-CIO’s Constitutional Convention would be taking place. Ms. Shewmaker was responsible for setting up the stage, lighting, seating, and all visual elements in the Grand Ballroom.

95. While Defendant Bloomingdale, Defendant Snyder, and other staff discussed plans for setting up the Grand Ballroom, Defendant Snyder began firing off suggestions and commands for how he envisioned the room set up.

96. However, when Ms. Shewmaker provided feedback in response to Defendant Snyder’s ideas and proposals, he humiliatingly ignored her completely, sidelining her from doing her job, and instead began to speak directly with and only to hotel staff.

97. Not only that, but Defendant Snyder would deliberately and embarrassingly turn and walk away from Ms. Shewmaker during this and other similar public conversations and discussions, as if he could not see her or did not know she existed.

98. This was such blatantly discriminatory and troubling behavior that it caught the eye of several hotel staff members who expressed their concern about how Defendant Snyder was treating Ms. Shewmaker, naïve to the fact that these types of degrading actions were par for the course for Defendant Snyder when it came to female workers at the PA AFL-CIO.

99. On another occasion, on April 28, 2020, Defendant Bloomingdale berated and verbally abused Ms. Shewmaker for making a minor typo - misplacing a comma - in a draft press release.

100. For context, on that day, Ms. Shewmaker had successfully organized and executed

a virtual event celebrating Workers Memorial Day from start to finish. Within minutes after she sent Defendant Bloomingdale a draft press release containing the misplaced comma, he immediately called her and, without offering any constructive feedback, proceeded to yell at her, calling her names, including “incompetent,” “illiterate,” “unprofessional,” and “an embarrassment to the organization.”

101. Defendant Bloomingdale, who was irate, then, condescendingly, referenced the successful virtual event Ms. Shewmaker had just executed, but rather than commend the quality of her work, said: “You had a good day today. Why can’t you be perfect?” Defendant Bloomingdale’s comments caused Ms. Shewmaker to tremble in fear and sob.

102. On another occasion, this time in the summer of 2020, Defendant Bloomingdale, sensing that Defendant Snyder was likely to berate and humiliate Ms. Shewmaker during an upcoming meeting with an outside consulting firm named Indigo Strategies, called one of the consultants before the meeting began and requested: “Don’t let Frank be too hard on Samantha.” In other words, Defendant Bloomingdale expected Defendant Snyder to disparage and degrade Ms. Shewmaker in public yet again but was not willing to reprimand Defendant Snyder for his misconduct.

103. On a prior occasion, in early 2017, Ms. Shewmaker and her colleagues attended a bill signing event hosted by the Governor of Pennsylvania at the Governor’s office. The room where the event was taking place was filled with labor lobbyists, politicians, the press, as well as the Governor himself. Ms. Shewmaker was responsible for taking photographs of the event and sat in the front row to get a good angle. Defendant Bloomingdale sat next to Ms. Shewmaker.

104. Suddenly, just as the event got underway, in the middle of this scrum of people, Defendant Snyder got up, stood in front of Ms. Shewmaker, and began to gesticulate wildly while

waving his arms and hands at her. This was all occurring just a few yards away from the Governor of Pennsylvania. It was completely unclear to Ms. Shewmaker what Defendant Snyder was trying to communicate or why he needed to act so demonstrably and humiliate Ms. Shewmaker.

105. As Defendant Snyder grew more agitated and animated, Ms. Shewmaker finally realized that Defendant Snyder wanted to sit in her seat and got up and gave him her chair.

106. A male union member who attended the event contacted Ms. Shewmaker later that day to express how wrong Defendant Snyder's behavior had been and how ridiculous he looked. This union member told Ms. Shewmaker: "You do a good job. And I'm telling you that because I know you won't hear it from them," referring to Defendant Bloomingdale and Defendant Snyder. Several other people also expressed concern to Ms. Shewmaker about this incident.

107. Nevertheless, when Ms. Shewmaker went to Defendant Bloomingdale to address Defendant Snyder's behavior at this bill signing event, he bristled: "Yea, why did you make Frank do that?" Defendant Bloomingdale went on to blame Ms. Shewmaker for Defendant Snyder's behavior, faulted her for not moving from her seat sooner, and condemned her for putting Defendant Snyder in a position where he had to ask her for her seat in the first place.

108. Defendant Bloomingdale continued to berate Ms. Shewmaker and call her "selfish" and "not perfect," and accused her of essentially veering "out of her lane" by not prioritizing the wants and needs of her male superior, Defendant Snyder.

109. Ms. Shewmaker complained dozens of times throughout her tenure to Defendant Bloomingdale about how Defendant Snyder targeted and mistreated her, begging Defendant Bloomingdale for guidance, support, and intervention in response to Defendant Snyder's conduct towards her.

110. Often, these conversations came in the context of Ms. Shewmaker being assigned

a project to complete that Defendant Snyder would somehow make exceptionally difficult, sabotage, and/or refuse to respond to/responded to well past stated deadlines.

111. Defendant Bloomingdale would acknowledge that Defendant Snyder mistreated Ms. Shewmaker and unequivocally link the behavior to her gender, including by directly and rather flippantly saying: “Well, it’s because you’re a woman,” in those exact words, on multiple occasions.

112. In Defendant Bloomingdale’s mind, sexism has been and will always be the practice and standard at the PA AFL-CIO.

113. Ms. Shewmaker also complained to Defendant Bloomingdale about how Defendant Snyder unfairly criticized her performance while never critiquing male employees in such a manner. In response, Defendant Bloomingdale would not deny that such disparate treatment was occurring but would attribute the behavior to Ms. Shewmaker’s gender, conceding that: “Women have to do 130% as compared to a man.”

v. Female Employees are Disparately Treated

114. Rather than berate their male colleagues for any issues involving their workload/skill development, Defendant Snyder and Defendant Bloomingdale would simply shift the work and responsibilities of poor performing or overwhelmed male employees onto the other female employees like Ms. Shewmaker and Ms. Rife.

115. By way of one example only, one male employee routinely had challenges completing certain basic clerical tasks such as mailing a package or creating a sign-in sheet. Rather than take issue with him, the PA AFL-CIO’s leaders shifted this man’s responsibilities onto Ms. Rife.

116. From November 2019 through September 2021, Ms. Rife, had to perform the duties

of her old role as “Per Capita Manager” along with her new position of Executive Assistant to the President, as well as various duties belonging to two male employees. Ms. Rife’s title failed to account for the extent of her broad responsibilities.

117. Ms. Shewmaker, in contrast, never received assistance when her workload became overwhelming, but was expected to come up with her own solution and/or face discipline for putting herself in such a position in the first place.

118. Ms. Shewmaker was also discriminated against based on her gender by the PA AFL-CIO by being denied a promotion/change in title that she deserved for years, in contrast to lesser performing male employees who regularly received promotions and/or changes to their titles to align with their responsibilities.

119. For nearly three years, Ms. Shewmaker was considered “Communications Staff,” even though she was the *only* person in the department, an irony that became a running “joke” at the organization.

120. For years, Ms. Shewmaker was supposedly denied the title of “Director” because she had no direct reports. However, one male employee held the title of “Legislative Director” without having any direct reports, while another male employee held the title of “Data Director” for years before being first given a direct report.

121. In fact, Ms. Shewmaker had originally been hired with an assurance from Defendant Bloomingdale that she would be assessed for the “Director” position between six months and a year into her employment. Ms. Shewmaker repeatedly requested a formal evaluation throughout her tenure, but her requests were largely brushed aside.

122. In the spring of 2018, Ms. Shewmaker asked again to be considered for a promotion, after just having received positive feedback from Defendant Bloomingdale and while

discussing the organization's strategy and future plans. Defendant Bloomingdale told Ms. Shewmaker that he needed to first see how she performed at an upcoming convention. After that convention took place and ended, Ms. Shewmaker asked Defendant Bloomingdale for his feedback on her performance, to which he responded, "You did great."

123. After this convention, Ms. Shewmaker continued to work diligently and fulfill all her duties as "Communications Director" despite the lack of title. However, it was not until a year later, in July 2019, that Ms. Shewmaker was finally recognized as the "Communications Director."

124. Even then, whenever Defendant Bloomingdale discussed Ms. Shewmaker's well-deserved but stalled, unduly postponed, and deliberately withheld promotion, he insultingly claimed that part of his reasoning for approving the promotion was because her relationship with Defendant Snyder had allegedly "improved."

D. As Plaintiffs' Protected Complaints Continue to Fall on Deaf Ears, the Onslaught of Discrimination and Retaliation Culminates in Plaintiffs' Constructive Discharges

vi. Ms. Ashby's Constructive Discharge

125. Following Ms. Rife decision in February 2022 to file a Charge of Discrimination against the PA AFL-CIO and National AFL-CIO with the PHRC and EEOC, the PA AFL-CIO tried to trumpet out Ms. Ashby (without her permission) as a purported example of how the organization supposedly did not discriminate against or mistreat women. However, by then, Ms. Ashby had been discriminatorily paid less than male employees, had been constantly harassed, belittled, and berated by Defendant Snyder, and had endured discriminatory and sexist comments from Defendant Bloomingdale for years, among other unlawful and discriminatory acts.

126. In fact, Defendant Bloomingdale falsely asserted that Ms. Ashby was the PA AFL-CIO's highest-paid employee despite knowing that Mr. Gilchrist, who started working in 2021, earned more than her. Ms. Ashby made clear to Defendant Bloomingdale that she did not want her

gender and/or race to be used by the organization to defend against discrimination complaints — especially when the information was untrue.

127. On February 25, 2022, Ms. Ashby complained to the Code of Conduct Committee — an entity created and mandated by the National AFL-CIO to deal with such issues — about how Defendant Snyder was mistreating and harassing her on account of her gender, race, and disability/health conditions.

128. Her complaints, however, were to no avail, as the Code of Conduct Committee merely told Ms. Ashby that they had to seek further counsel from the National AFL-CIO. The discrimination did not stop.

129. As a result of the above conduct and other incidents of harassment, discrimination, and lack of support by Defendants, Ms. Ashby's workplace became so intolerable that she could no longer continue her employment, resulting in her April 2022 constructive discharge.

130. In retaliation for engaging in protected activity, Ms. Ashby was denied the opportunity to work during her two-week notice period after she announced that she would be leaving the PA AFL-CIO, which was customary.

131. Rather, Defendant Bloomingdale told Ms. Ashby that she had to leave, which humiliated and discredited her. Nearly all other employees who gave advanced notice about their planned departures, but who had not complained about discrimination and/or harassment unlike Ms. Ashby, were allowed to work through the end of their notice periods.

vii. Ms. Rife's Constructive Discharge

132. On July 14, 2021, as a result of the above conduct and other incidents of harassment and discrimination, Ms. Rife's doctor recommended that she take time off from work as she was at her breaking point and her work environment became insufferable, even if it meant she no longer

had an income.

133. Accordingly, when Ms. Rife informed Defendant Bloomingdale that she needed a one-week leave of absence, Defendant Bloomingdale belittled and harassed Ms. Rife by falsely proclaiming that this was an “attendance issue.”

134. Ms. Rife had no attendance issues to that point and had ample sick leave available. Unlike Mr. Gilchrist, who was allowed to work from home every Friday, Ms. Rife was shunned for offering to work remotely — to accommodate Defendant Bloomingdale — when she could have requested sick time instead.

135. Ms. Ashby and Ms. Rife were the only employees chastised and disparaged for attempting to use sick time.

136. Due to the hostile work environment and discrimination she had to endure, Ms. Rife became increasingly sick and needed to work from home more often.

137. On July 27, 2021, Ms. Rife had to go to an urgent care clinic, where she tested positive for Bronchitis. She was instructed to work from home.

138. On or about August 8, 2021, Ms. Rife tested positive for COVID-19 and needed to continue to work remotely until August 31, 2021.

139. On July 29, 2021, while on a Zoom meeting, Ms. Rife witnessed another female employee get profusely screamed at by Defendant Snyder for asking a reasonable question about a grant proposal that Defendant Snyder had given the staff 48 hours to complete. Defendant Snyder berated and screamed at this female employee, accusing her of not being able to “do anything,” and that she “must have lied” on her resume and during interviews.

140. Ms. Rife was forced to watch this dressing down and had to re-live her many previous encounters with Defendant Snyder, unable to disconnect as the host of the Zoom meeting.

141. As a result of the above incident and other episodes of harassment and discrimination, Ms. Rife's health grew progressively worse, even as she took time off, to the point where Ms. Rife had no choice but to find another position, resulting in her September 2021 constructive discharge.

142. On August 15, 2021, Ms. Rife informed Defendant Bloomingdale that she had no choice but to resign. Defendant Bloomingdale asked her if she was sure. In response, Ms. Rife reiterated her repeated complaints about how she was paid less than her male peers despite working more and having to take on their responsibilities. Defendant Bloomingdale simply responded, "OK."

143. However, even after Ms. Rife's gave notice of her resignation, Defendant Snyder continued to engage in harassing conduct, including on Ms. Rife's penultimate day, September 2, 2021. On that day, Defendant Snyder yelled at Ms. Rife and another female employee for taking lunch at a somewhat unorthodox time in the day. Mr. Gilchrist – who took the same unorthodox lunchtime – was unsurprisingly spared Defendant Snyder's wrath.

viii. Ms. Shewmaker's Constructive Discharge

144. As to Ms. Shewmaker, fed up with the constant harassment and mistreatment Ms. Shewmaker had faced since 2016, in February 2022, Ms. Shewmaker reached out to the Code of Conduct Committee and disclosed to them her experiences of being discriminated against, demeaned, and harassed because of her gender by Defendant Snyder. The Code of Conduct Committee assured Ms. Shewmaker that they intended to notify the National AFL-CIO about her concerns.

145. Thereafter, beginning in March 2022, Ms. Shewmaker had several conversations with the Code of Conduct Committee about the National AFL-CIO's alleged "investigation" into

the misconduct allegations made by Ms. Shewmaker, Ms. Ashby, and other employees. The Code of Conduct Committee told Ms. Shewmaker – just as they had with Ms. Ashby – that they had to seek further counsel from the National AFL-CIO about handling her complaint.

146. The National AFL-CIO’s “investigation,” however, proved to be fruitless as nothing meaningful was done to assist Ms. Shewmaker or Ms. Ashby. Both women continued to be harassed and subjected to a hostile work environment until their constructive discharges.

147. The National AFL-CIO only removed Defendant Snyder in June 2022, after allegations of misconduct towards women became public, notwithstanding any contrived and face-saving contention the National AFL-CIO may try to make that Defendant Snyder “retired.”

148. The National AFL-CIO had been on actual notice of Defendant Snyder’s penchant for mistreating employees for many years, dating back at least to 2017 when the Code of Conduct Committee was formed, but evidently failed to take any action against Defendant Snyder until his behavior became public.

149. Ms. Shewmaker’s final day working at the PA AFL-CIO was March 31, 2022, which was also the last day of a three-day convention attended by the PA AFL-CIO. However, even at this event, Ms. Shewmaker and other female employees were discriminated against and harassed, including by being assigned far more work to do and responsibilities than male employees. Indeed, male employees were allowed to sit around and relax while Ms. Shewmaker and other female staff members were considerably overworked and took on far greater responsibility.

150. These are just some of many examples showing how Plaintiffs were disparately treated, harassed, and subjected to a hostile work environment because of their gender. Ms. Ashby was even retaliated against for objecting to discrimination committed against her based on her

gender, race, and disability.

E. Defendants Retaliate Against Ms. Ashby For Engaging in Protected Activity Even After Her Constructive Discharge

151. The PA AFL-CIO unfortunately continued its unlawful retaliation and intimidation campaign after Ms. Ashby filed her Charge of Discrimination with the PHRC and EEOC.

152. On or about September 23, 2022, Ms. Ashby, through her counsel, submitted an “Employment Intake Questionnaire” along with a supplement containing factual allegations supporting her Charge of Employment Discrimination to the PHRC against the PA AFL-CIO and the National AFL-CIO.

153. At the time of Ms. Ashby’s filings with the PHRC and EEOC, her brother, Jordin Ward, had been working for the PA AFL-CIO for about six years as a custodian. He was paid over \$1,000 a month for providing regular, weekly cleaning services to the PA AFL-CIO, which made up a substantial portion of his monthly income.

154. Mr. Ward, upon information, had never received any complaints nor was ever made aware of any issues in relation to the services he provided to the PA AFL-CIO. In fact, Mr. Ward would do anything and everything asked of him by the PA AFL-CIO, including unclogging sinks, moving heavy boxes, and other handyman tasks, even if he did not expect to be compensated for the extra work.

155. Mr. Ward also received holiday bonuses most years in recognition of his contributions and work.

156. However, on or about January 27, 2023, Ms. Ashby’s brother, Mr. Ward, was abruptly and unceremoniously fired by PA AFL-CIO, shortly after Defendants learned that Ms. Ashby was had filed claims of discrimination against it and/or was served with her Charge.

157. At the time he was fired, Mr. Ward was told by the PA AFL-CIO official that he

had “done nothing wrong” and that the PA AFL-CIO was “pleased with his cleaning,” but that the PA AFL-CIO was purportedly “going in a different direction” and “cleaning house.”

158. However, upon information and belief, no one else who worked at or provided services to the PA AFL-CIO was terminated at or around that time other than Mr. Ward.

159. PA AFL-CIO’s actions in terminating Ms. Ashby’s brother after he had provided so many years of unblemished service were unlawful and clearly meant to retaliate against Ms. Ashby for filing her claims of discrimination against Defendants. These actions were meant to punish Ms. Ashby for speaking out against the discrimination and harassment she faced from Defendants, and to deter others in her position from engaging in similar protected activity.

FIRST CAUSE OF ACTION
DISCRIMINATION AND HOSTILE WORK ENVIRONMENT UNDER TITLE VII
Against National AFL-CIO, PA AFL-CIO Only

160. Plaintiffs repeat and reallege each and every allegation in the above paragraphs of this complaint as if fully set forth herein.

161. By the actions detailed above, among others, Defendants discriminated against Plaintiffs in violation of Title VII by, inter alia, denying them the equal terms and conditions of employment because of their gender (female) and allowing Plaintiffs to be subjected to discrimination and hostile work environment.

162. As a result of the acts and conduct complained of herein, Plaintiffs have suffered and will continue to suffer damages, including, but not limited to, economic and pecuniary losses (past and future) – such as income, salary, bonuses, and other compensation that their employment entailed, severe emotional, psychological, and physical stress, distress, anxiety, pain and suffering, the inability to enjoy life’s pleasures, and other non-pecuniary losses and special damages.

163. Accordingly, as a result of the unlawful conduct of Defendants set forth herein,

Plaintiffs have been damaged and are entitled to the maximum compensation available to them under this law, including, but not limited to, liquidated damages.

SECOND CAUSE OF ACTION
RETALIATION UNDER TITLE VII
Against National AFL-CIO, PA AFL-CIO Only

164. Ms. Ashby repeats and reallege each and every allegation in the above paragraphs of this complaint as if fully set forth herein.

165. By the actions detailed above, among others, Defendants have retaliated against Ms. Ashby based on her protected activities in violation of Title VII, including being abruptly denied the opportunity to work during her two-week notice period after she announced that she would be leaving and by terminating her brother's employment.

166. As a result of the acts and conduct complained of herein, Ms. Ashby has suffered and will continue to suffer damages, including, but not limited to, economic and pecuniary losses (past and future) – such as income, salary, bonuses, and other compensation that her employment entailed, severe emotional, psychological, and physical stress, distress, anxiety, pain and suffering, the inability to enjoy life's pleasures, and other non-pecuniary losses and special damages.

167. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Ms. Ashby has been damaged and is entitled to the maximum compensation available to her under this law, including, but not limited to, liquidated damages.

THIRD CAUSE OF ACTION
DISCRIMINATION AND HOSTILE WORK ENVIRONMENT UNDER SECTION 1981
Against National AFL-CIO, PA AFL-CIO Only

168. Ms. Ashby repeats and realleges each and every allegation made in the above paragraphs in this complaint as if fully set forth herein.

169. Pursuant to 42 USC §1981: "All persons within the jurisdiction of the United States

shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and should all be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind and to no other."

170. Defendants engaged in unlawful employment practices prohibited by 42 USC §1981 against Ms. Ashby by denying her the equal terms and conditions of employment, discriminating against her, and subjecting her to a hostile work environment because of her race (African American) and color (Black).

171. As a result of the acts and conduct complained of herein, Ms. Ashby has suffered and will continue to suffer damages including but not limited to economic and pecuniary losses (past and future) – such as income, salary, benefits, bonuses, commission, and other compensation that her employment entailed; severe emotional, psychological and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

172. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Ms. Ashby has been damaged and is entitled to the maximum compensation available to her under this law, including, but not limited to, liquidated damages.

FOURTH CAUSE OF ACTION
RETALIATION UNDER SECTION 1981
Against National AFL-CIO, PA AFL-CIO Only

173. Ms. Ashby repeats and realleges each and every allegation made in the above paragraphs in this complaint as if fully set forth herein.

174. As described above, Defendants retaliated and/or discriminated against Ms. Ashby for engaging in protected activities pursuant to 42 USC § 1981, including being abruptly denied

the opportunity to work during her two-week notice period after she announced that she would be leaving and by terminating her brother's employment.

175. As a result of the acts and conduct complained of herein, Ms. Ashby has suffered and will continue to suffer damages including but not limited to economic and pecuniary losses (past and future) – such as income, salary, benefits, bonuses, commission, and other compensation that her employment entailed; severe emotional, psychological and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

176. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Ms. Ashby has been damaged and is entitled to the maximum compensation available to her under this law, including, but not limited to, liquidated damages.

FIFTH CAUSE OF ACTION
DISCRIMINATION UNDER ADA
Against National AFL-CIO, PA AFL-CIO Only

177. Ms. Ashby repeats and realleges each and every allegation made in the above paragraphs of this Complaint as if fully set forth herein.

178. Based on the facts alleged herein, Defendants engaged in unlawful employment practices prohibited by ADA by discriminating against Ms. Ashby on the basis of her disability and failing to provide any reasonable accommodation to help her continue to do her job, nor was she informed about any right she may under the circumstances.

179. As a result of the acts and conduct complained of herein, Ms. Asby has suffered and will continue to suffer damages, including, but not limited to, economic and pecuniary losses; severe emotional, psychological, and physical stress, distress, anxiety, pain, and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

180. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Ms. Ashby has been damaged and is entitled to the maximum compensation available under this law, including, but not limited to, liquidated damages.

SIXTH CAUSE OF ACTION
RETALIATION UNDER ADA
Against National AFL-CIO, PA AFL-CIO Only

181. Ms. Ashby repeats and realleges each and every allegation made in the above paragraphs of this Complaint as if fully set forth herein.

182. Based on the facts alleged herein, Defendants engaged in retaliation as prohibited by ADA by being abruptly denied the opportunity to work during her two-week notice period after she announced that she would be leaving and by terminating her brother's employment after Ms. Ashby engaged in protected activities, such as complaining about discrimination and retaliation based on her disability and lack of reasonable accommodations.

183. As a result of the acts and conduct complained of herein, Ms. Ashby has suffered and will continue to suffer damages, including, but not limited to, economic and pecuniary losses; severe emotional, psychological, and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

184. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Plaintiff has been damaged and is entitled to the maximum compensation available to him under this law, including, but not limited to, liquidated damages.

SEVENTH CAUSE OF ACTION
DISCRIMINATION UNDER PHRA
Against National AFL-CIO, PA AFL-CIO Only

185. Plaintiffs repeat and reallege each and every allegation made in the above paragraphs in this complaint as if fully set forth herein.

186. Pennsylvania Human Relations Act § 955 provides that:

1. It shall be an unlawful discriminatory practice: "(c) for any labor organization because of the race, color, religious creed, ancestry, age, sex, national origin, non-job-related handicap or disability or the use of a guide or support animal because of the blindness, deafness or physical handicap of any individual to deny full and equal membership rights to any individual or otherwise to discriminate against such individual with respect to hire, tenure, terms, conditions or privileges of employment or any other matter, directly or indirectly, related to employment."

187. By the actions detailed above, among others, Defendants have discriminated against Plaintiffs in violation of the PHRA by, inter alia, denying them the equal terms and conditions of employment, discriminating against them, and subjecting them to a hostile work environment because of their gender (female).

188. By the actions detailed above, among others, Defendants have discriminated against Ms. Ashby in violation of the PHRA by, inter alia, denying her the equal terms and conditions of employment, discriminating against her, and subjecting her to a hostile work environment because of her gender (female), race (African American), color (Black), and disability (Granulomatosis with polyangiitis).

189. As a result of the acts and conduct complained of herein, Plaintiffs have suffered and will continue to suffer damages including but not limited to economic and pecuniary losses (past and future) – such as income, salary, benefits, bonuses, commission, and other compensation that her employment entailed; severe emotional, psychological and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

190. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Plaintiffs have been damaged and are entitled to the maximum compensation available to them under this law, including, but not limited to, liquidated damages.

EIGHTH CAUSE OF ACTION
RETALATION UNDER THE PHRA
Against All Defendants

191. Ms. Ashby repeats and realleges each and every allegation made in the above paragraphs of this complaint as if fully set forth herein.

192. Pennsylvania Human Relations Act § 955 provides that:

1. It shall be an unlawful discriminatory practice: “(d) for any person, employer, employment agency or labor organization to discriminate in any manner against any individual because such individual has opposed any practice forbidden by this act, or because such individual has made a charge, testified or assisted, in any manner, in any investigation, proceeding or hearing under this act.”

193. By the actions detailed above, among others, Defendants have retaliated against Ms. Ashby based on her protected activities in violation of the PHRA, including being abruptly denied the opportunity to work during her two-week notice period after she announced that she would be leaving and by terminating her brother’s employment.

194. As a result of the acts and conduct complained of herein, Ms. Ashby has suffered and will continue to suffer damages including but not limited to economic and pecuniary losses (past and future) – such as income, salary, benefits, bonuses, commission, and other compensation that her employment entailed; severe emotional, psychological and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life’s pleasures; and other non-pecuniary losses and special damages.

195. Accordingly, as a result of the unlawful conduct of Defendants set forth herein, Ms. Ashby has been damaged and is entitled to the maximum compensation available to her under this law, including, but not limited to, liquidated damages.

NINTH CAUSE OF ACTION
AIDING AND ABETTING UNDER THE PHRA
Against All Defendants

196. Plaintiff hereby repeats and realleges each and every allegation made in the above paragraphs of this complaint as if fully set forth herein.

197. Pennsylvania Human Relations Act § 955 provides that:

1. It shall be an unlawful discriminatory practice: "(e) for any person, employer, employment agency, labor organization or employee, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory practice, or to obstruct or prevent any person from complying with the provisions of this act or any order issued thereunder, or to attempt, directly or indirectly, to commit any act declared by this section to be an unlawful discriminatory practice."

198. Defendants engaged in an unlawful employment practice in violation of PHRA § 955(e) by aiding, abetting, inciting, compelling, and coercing the discriminatory conduct against Plaintiffs.

199. As a result of the acts and conduct complained of herein, Plaintiffs have suffered and will continue to suffer damages including but not limited to economic and pecuniary losses (past and future) – such as income, salary, benefits, bonuses, commission, and other compensation that her employment entailed; severe emotional, psychological and physical stress, distress, anxiety, pain and suffering; the inability to enjoy life's pleasures; and other non-pecuniary losses and special damages.

200. Accordingly, as a result of the unlawful conduct of Defendants, Plaintiffs have been damaged as set forth herein and are entitled to the maximum compensation available to them under this law, including, but not limited to, liquidated damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request a judgment against Defendants:

A. Declaring that Defendants engaged in unlawful employment practices prohibited by

federal and state law;

B. Awarding damages to Plaintiffs for all lost wages and benefits resulting from Defendants' unlawful discrimination and to otherwise make them each whole for any losses suffered as a result of such unlawful employment practices;

C. Awarding Plaintiffs compensatory damages for mental, emotional, and physical injury, distress, pain and suffering, and injury to their reputation in an amount to be proven at trial;

D. Awarding Plaintiffs punitive damages;

E. Awarding Plaintiffs attorneys' fees, costs, disbursements, and expenses incurred in the prosecution of this action; and

F. Awarding Plaintiffs such other and further relief as the Court may deem equitable, just, and proper to remedy Defendants' unlawful employment practices.


JURY DEMAND

Plaintiffs hereby demand a trial by jury on all issues of fact and damages stated herein.

Dated: November 13, 2023
White Plains, New York

Respectfully submitted,

FILIPPATOS PLLC

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