**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF ELON SCHOOL OF LAW**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

SARAH LEWIS, )

Plaintiff, ) **COMPLAINT**

-against- )

Mountain States Construction Co., ) **Jury Trial Demanded**

Defendant. )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Plaintiff, Sarah Lewis, for her complaint against defendant alleges and avers as follows:

**NATURE OF THE ACTION**

1. This action is commenced by, Sarah Lewis (hereafter “Plaintiff”) against Mountain States Construction Co., (hereafter “Defendant”), in order to remedy and seek relief for Defendant’s unlawful and discriminatory employment practices, in violation of: Title VII.

**THE PARTIES**

**Plaintiff**

1. Sarah Lewis is an adult individual who is a resident of Greensboro, North Carolina, who has worked for Mountain States Construction Co., as a construction crew member during the times alleged in the Complaint.
2. At all times relevant to this action, Plaintiff resided in Guilford County, in this judicial district, which is the district where some or all of the Defendant’s wrongful acts as alleged occurred.

**Defendant**

1. Defendant is incorporated in the state of North Carolina and has its principal place of business in Greensboro, North Carolina.

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over Plaintiff’s claims under 28 U.S.C. §1331.
2. Venue is proper in this judicial district pursuant to, among, other provisions, 28 U.S.C. §1391(b) because this is the judicial district in which a substantial part of the events giving rise to Plaintiff’s claims occurred, and Defendant resides here.

**ADMINISTRATIVE EXHAUSTION**

1. Plaintiff timely filed a Charge of Discrimination with the EEOC office alleging claims of gender discrimination and sexual harassment and received her Notice of Right to Sue from the EEOC within 90 days of the filing of this Complaint.

**STATEMENT OF THE FACTS AND CLAIMS**

1. Plaintiff has been an employee of Defendant for approximately five years. Plaintiff has encountered multiple acts to constitute a hostile work environment due to gender discrimination. Plaintiff has endured comments suggestive of gender stereotypes and that females should continue the historical practice of being a homemaker. Plaintiff has endured countless derogatory commentaries on the female anatomy and form. Plaintiff was repeatedly disrupted by male counterparts while in the onsite restroom. Plaintiff was singled out by male coworkers for pranks such as hiding her tools and disrupting her workday.

Plaintiff was repeatedly pursued by her immediate supervisor for an intimate relationship. On roughly twelve occasions the supervisor attempted to initiate a romantic relationship with Plaintiff. Plaintiff declined the invitation and informed the supervisor that there would not be a relationship at this time, and she did not wish to commence a relationship with him in the future. Plaintiff endured multiple physical advancements from the immediate supervisor, the supervisor repeatedly touched Plaintiffs back and buttocks.

**CAUSE OF ACTION**

**SEXUAL HARASSMENT**

1. Plaintiff re-alleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph as though fully set forth herein.
2. (1) Plaintiff is a member of the protected class, she was singled out for treatment because she is a female in a male-dominated profession. (2) Plaintiff was subjected to unwelcome behavior, Plaintiff informed male coworkers that she did not like the statements made toward her and Plaintiff denied multiple advances from superior and instructed him that a relationship would not occur. (3) This behavior was because of sex, Plaintiff is a single female in the male-dominated field of construction workers. Other employees were not subjected to the same discrimination that Plaintiff suffered due to her gender. (4) The harassing behavior demonstrated against Plaintiff was “sufficiently severe or pervasive to alter the conditions of employment and cause hostile work environment”, the actions of Plaintiff’s coworkers caused a hostile work environment. Plaintiff could not use the general facilities without being harassed by male coworkers, there were multiple physical advances made toward Plaintiff and verbal advances were frequent. (5) The employer should bear the responsibility of the behavior

**PRAYER FOR RELIEF**

Plaintiff is requesting relief for declaratory judgment; actual damages; compensatory and punitive damages; attorneys’ fees and litigation expenses; and any other relief the Court deems proper and just.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all questions of fact raised by this Complaint.

/s/Stephanie Keller

January 28, 2019