

COMPLAINT
ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RECEIVED
APR 2 2002
PRO SE OFFICE

①

Tatiana Zolondek Plaintiff, BLOOM, M.J.

CV 02-2031
COMPLAINT

-against-

JURY TRIAL DEMANDED
 YES
 NO

World Wide Flight Services, Inc. Defendant(s).

This action is brought for discrimination in employment pursuant to (check only those that apply):

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

Note: In order to bring suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 99-592, the Civil Rights Act of 1991, Pub. L. No. 102-166).

Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub. L. No. 102-166).

Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

JURISDICTION

Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under New York law. Within 90 days of the commencement of this action, the Equal Employment Opportunity Commission (EEOC) issued a right to sue letter.

PARTIES

1. Plaintiff resides at: 1225 Ocean Parkway 6E BROOKLYN
Street Address City
Kings N.Y. 11230 (718) 2534846
County State Telephone Number

2. Defendant(s) reside(s) at, or its business is located at: World Wide Flight Services Inc,
1001 W. Euless Blvd. Suite # 320 - Euless
Street Address City
Texas 76040 1-(817) 665-3410
County State Telephone Number
*Michelle Smith
Manager of
Human
Resources*

3. The address at which I sought employment or was employed by the defendant(s) is:
JFK International Airport - Jamaica N.Y. 11430
Street Address City
Queens N.Y.
County State

*WorldWide Flight Services - Inc; Bldg # 78.
Manager of Human Resources
(718) 244-8222*

4. The discriminatory conduct of which I complain in this action includes (check only those that apply):

- Failure to hire me.
- Termination of my employment.
- Failure to promote me.
- Failure to accommodate my disability.
- Unequal terms and conditions of my employment.
- Retaliation.

Other acts (specify): *They fired me when I was out sick. I had a note from my doctor. And recommendations from my doctors to leave the job.*

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

5. It is my best recollection that the alleged discriminatory acts occurred on: from July 2001
Date

6. I believe that defendant(s) (check one)

is still committing these acts against me.

is not still committing these acts against me. *(Because I'm not working there. They fired me, when I left the job because of doctors recommendations)*

7. Defendant(s) discriminated against me based on my: (check only those that apply and explain)

___ Race _____ Color _____

___ Gender/Sex _____ Religion _____

___ National Origin _____ *- other - Because I complained to EEOC*

___ Age _____ My date of birth is: 4/5/52

___ Disability _____

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

8. The facts of my case are as follows:

I Tatiana Zolondek, am a white female from Russia. I began working for Worldwide Flight services Inc. in April 2000, as a Freight Agent. My work performance has always been satisfactory or better. I have been subjected to a hostile work environment because of national origin, and my accent, and because of my religion and race. Additionally I have been sexually harrassed and discriminated against. I complained to EEOC. Because of this, they put me under great stress and pressure. In the end they fired me when I was sick and I have a doctor's note. Also, I have doctors recommendations to leave the job because it is not healthy and the atmosphere is not healthy at work for me. I left the job because of the recommendations but they fired me anyway. I am sick, I have no job, (Attach additional sheets as necessary) ^{seeing doctors at present.}

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights.

9. It is my best recollection that I filed a charge with the New York State Division of Human Rights or the New York City Commission on Human Rights regarding defendant's alleged discriminatory conduct on: _____

Date

10. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: _____

^{Date}
Charge # 160-A1-2377 - Retaliation - 7/27/01

Only Litigants Alleging Age Discrimination Must Answer Question #11.

11. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one),

- 60 days or more have elapsed.
- less than 60 days have elapsed.

12. The Equal Employment Opportunity Commission (check one):

- has not issued a Right to Sue Letter.
- has issued a Right to Sue Letter, which I received on 1/31/02.

Note: Attach a copy of the Right to Sue Letter from the Equal Employment Opportunity Commission to this complaint.

WHEREFORE, Plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Dated: 4/2/02

[Handwritten Signature]
Plaintiff's Signature

1225 Ocean Parkway # 6E - Brooklyn N.Y. 11230
Address

718 - 2534846
Telephone Number

SSN 076 - 82 - 880 3
Social Security Number



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office**

**Rodney E. Plummer
Federal Investigator
(212) 337-2382**

**201 Varick Street, Room 1009
New York, New York 10014
Telephone: (212) 741-8815
TDD: (212) 741-3080
General FAX: (212) 620-0070
Alternative FAX: (212) 741-3080**

January 30, 2002

Tatiana Zolondek
1225 Ocean Parkway, Apt 6E
Brooklyn, New York 11230

**Re: Tatiana Zolondek v. Worldwide Flight Services, Inc.
EEOC Charge No. 160-A1-2317**

Dear Mrs. Zolondek:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission") has concluded its inquiry into your allegations of discrimination. The Commission's procedures require us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce. In accordance with these procedures, the Commission has evaluated your charge, including the information you provided, and has concluded that the evidence is not sufficient to continue this investigation.

You allege that you were retaliated against because you filed a previous charge with the Commission in violation of Title VII of the Civil Rights Act of 1964, as amended. More specifically, you allege that your employer (hereinafter referred to as the "Respondent") questioned you regarding you filling of a charge of discrimination; they gave you a hard time when you requested a leave of absence without pay, and they placed a camera in your work area to monitor your daily activities during working hours.

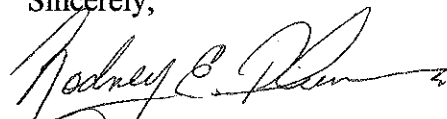
In order for Respondent to provide a position statement regarding any alleged discrimination it is necessary to conduct an investigation which requires the interview of persons named in the charge. Therefore, the questioning of you regarding the alleged discrimination which you previously complained of is well within the normal course of an investigation.

Respondent's position statement indicates that you were granted a leave of absence without pay upon request and therefore, did not retaliate against you in this manner. Respondent further states that there were thirty-two security cameras installed by Korean Airlines in order to prevent burglaries and hold-ups in the building and that the plan for installation of these cameras were in affect for two years prior to your filing of a charge of discrimination. Also, these cameras were installed in a variety of areas throughout the work area and not only situated at your station.

Given the information above, it is unlikely that further investigation will result in the finding of a

violation of the laws we enforce. This determination concludes the processing of this charge. Enclosed is your Notice of Right to Sue, allowing you to file suit in Federal District Court against the Respondent if you so choose. This letter will be the only notice of dismissal and the only Notice of Right to Sue sent by the Commission. Following this dismissal, you may only pursue this matter by filing suit within 90 days of receipt of this letter, otherwise your right to sue will be lost.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney E. Plummer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rodney E. Plummer
Federal Investigator

DISMISSAL AND NOTICE OF RIGHTS

To: Tatiana Zolondek
1225 Ocean Parkway, Apt 6E
Brooklyn, New York 11230

From: Equal Employment Opportunity Commission
New York District Office
201 Varick Street, Room 1009
New York, New York 10014

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
160-A1-2317	Legal Unit R-1	(212) 741-8815

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- We cannot investigate your charge because it was not filed within the time limit required by law.
- Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- While reasonable efforts were made to locate you, we were not able to do so.
- You had 30 days to accept a reasonable settlement offer that afford full relief for the harm you alleged.
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state) _____


- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** from your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Spencer H. Lewis, Jr., District Director



(Date Mailed)

Enclosure(s)

cc: Respondent(s): Worldwide Flight Services, Inc.
C/O Proskauer Rose, LLP
One Newark Center, 18th Floor
Newark, N.J. 07102-5211
Attn: Edward Cerasia, II