



Department of Justice

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TUESDAY, MARCH 22, 2016
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JUSTICE DEPARTMENT SUES WYOMING STATE AGENCY FOR SEX DISCRIMINATION

WASHINGTON – The Department of Justice announced today that it has filed a lawsuit against the Wyoming Military Department alleging that it discriminated against a female former employee on the basis of her sex when it failed or refused to take timely remedial actions when she was sexually harassed by her male supervisor.

According to the complaint, the supervisor's persistent and prevalent sexual harassment led to a hostile work environment, based on sex, in violation of Title VII of the Civil Rights Act of 1964. Title VII is a federal statute that prohibits employment discrimination on the basis of race, color, religion, sex or national origin.

The department's complaint, filed today in the U.S. District Court for the District of Wyoming, alleges that the former employee was regularly subjected to sexual harassment in the workplace by her immediate supervisor, the former Director of the Wyoming Military Department's Youth Challenge Program. The supervisor's unwelcome conduct included unwanted emails about his personal life with his then wife; unwanted written expressions of affection for the employee, including songs and poems; and invasion of her work space to discuss personal issues to such a degree that it interfered with her ability to do her work and that she found it necessary to invent pretext to get away from him. The employee repeatedly rejected these advances and requested that her supervisor cease all of his unwanted behavior, but the supervisor persisted in his conduct. The employee filed multiple complaints with the Wyoming Military Department indicating that her supervisor's behavior was unwelcome, that she had asked him to stop his unwanted attentions and that he failed or refused to do so.

According to the complaint, the employee received no effective assistance from the Wyoming Military Department in remedying her claims despite her complaints to both its human resources department and management officials. The combination of the supervisor's actions and the agency's lack of assistance caused the employee to resign.

"Title VII ensures that no woman should have to choose between keeping her job and enduring sexual harassment in the workplace," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department's Civil Rights Division. "When employers learn

about allegations of sexual harassment, the law requires that they take swift action to protect victims and hold perpetrators accountable.”

The Equal Employment Opportunity Commission (EEOC) received a charge of sex discrimination filed by the former employee. The EEOC’s Denver Field Office, in the Phoenix District, investigated the matter and found reasonable cause to believe that the Wyoming Military Department discriminated against the former employee. After unsuccessful conciliation efforts, the EEOC referred the matter to the Justice Department.

The lawsuit seeks declaratory and injunctive relief requiring the Wyoming Military Department to implement employment policies that prevent hostile work environment harassment based on sex. The United States will also seek to obtain “make whole” relief, including monetary damages, for the victim.

The case was brought by the Civil Rights Division’s Employment Litigation Section. Enforcing federal employment discrimination laws is a top priority for the Justice Department. Additional information about Title VII and other federal employment laws is available on the Civil Rights Division’s website at www.justice.gov/crt.

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