



6. Defendant, City of Birmingham, Alabama is a municipal entity in the State of Alabama.

\_\_\_\_\_7. Defendant, Birmingham Library Board, is an entity created by *Birmingham City Code Section 2-5-71*, et al. and is subject to suit in this Court.

8. Renee Blaylock is an individual employed by the Birmingham Library Board who, upon information and belief, is a citizen of Alabama.

### **ADMINISTRATIVE REMEDIES**

9. The Plaintiff filed a Charge of Discrimination with the Equal Employment Opportunity Commission (“EEOC”) within 180 days of the acts of discrimination of which she now complains.

10. The Plaintiff received a Notice of Right to Sue letter from the EEOC within 90 days of filing this action.

11. All conditions precedent to the institution of this lawsuit have been fulfilled.

### **FACTUAL ALLEGATIONS**

12. The Defendants operate the downtown branch of the Birmingham Public Library.

13. The Plaintiff has been employed by the Defendants since on or about August 12, 2002.

14. The Plaintiff is employed as a Library Assistant III.

15. The Defendants have installed computers in various parts of the library in such a manner as to make it difficult, if not impossible, for staff and/or other patrons to avoid viewing the material displayed on the computer terminals.

16. The computers are routinely used to access obscene and pornographic materials.

17. The images displayed on the computer terminals are of an explicit sexual nature

depicting heterosexual intercourse, homosexual acts, pictures of male and female genitalia, and apparent child pornography.

18. During the course of her employment, the Plaintiff has been subjected to a sexually hostile work environment which consists of severe, pervasive, unwelcomed and offensive obscene and pornographic materials on said computers.
19. In addition, the Plaintiff has been exposed to sexually aggressive comments, touching, including touching of her breasts, shoulders and buttocks and other conduct of a sexual nature by certain patrons of the library.
20. Plaintiff has also been subjected to patrons who masturbate in the library in the presence of staff and other patrons, including children.
21. The Plaintiff has reported the above sexual misconduct to library management multiple times, both verbally and in writing.
22. The Defendants have completely failed to adequately address the sexually hostile work environment which, as a result of said failure, continues to exist at the downtown branch of the Birmingham Public Library.
23. On numerous occasions, the Plaintiff has observed patrons accessing obscene and pornographic materials in the presence and/or plain view of children who were nearby.
24. On many occasions, when the Plaintiff would attempt to confront patrons engaged in the above-described behavior, the patron would become belligerent. Plaintiff has been stared at, screamed at, and followed around the library by patrons whom have engaged in said behavior.

25. The Plaintiff has suffered severe and substantial emotional distress and mental anguish as a result of the Defendant's failure to adequately protect her from a sexually hostile work environment. It is increasingly difficult for the Plaintiff to come to the work place on a daily basis to be confronted with the obscene and sexual misconduct that is ongoing at the downtown branch of the Birmingham Public Library.

**COUNT ONE**  
**TITLE VII - Sexual Harassment**  
**(Hostile Work Environment)**

26. The Plaintiff adopts and re-alleges each paragraph set forth above as if fully set forth herein.

27. The above-described wrongful conduct on the part of the Defendants constitutes the creation and/or allowance of a sexually charged hostile work environment in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000(e) *et. seq.* and the Civil Rights Act of 1991.

**WHEREFORE, PREMISES CONSIDERED**, the Plaintiff respectfully requests the entry of judgment under Title VII against the Defendants for sexual harassment and/or hostile work environment, pursuant to an Order by which the Court:

- (a) awards compensatory damages for mental anguish;
- (b) awards punitive damages;
- (c) awards injunctive relief;
- (d) awards that equitable relief which is fair, reasonable and just;
- (e) awards a reasonable attorney's fee; and
- (f) taxes costs against the Defendants.

**PLAINTIFF DEMANDS TRIAL BY A STRUCK JURY.**

*s/Adam P. Morel*

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Adam P. Morel

**ATTORNEY FOR PLAINTIFF**

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

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I hereby certify that a copy of the above has been served on all counsel of record via electronic filing.

This the 21st day of October, 2010.

*s/Adam P. Morel*

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**OF COUNSEL**