



operates and transacts business in this judicial district and the events giving rise to Plaintiff's claims occurred within this District.

**ADMINISTRATIVE PREREQUISITES**

4. All conditions precedent to jurisdiction under § 706 of Title VII, 42 U.S.C. §2000e-5, have occurred or been complied with.

5. A charge of employment discrimination on basis of sex, sexual harassment, and retaliatory discharge was filed by the Plaintiff with the Equal Employment Opportunity Commission ("EEOC") (Attached hereto as Exhibit "A").

6. Plaintiff received a Notice of Right to Sue from the EEOC (attached hereto as Exhibit "B"), and Plaintiff filed this lawsuit within ninety (90) days of Plaintiff's receipt of the EEOC's Notice of Right to Sue.

**PARTIES**

7. At all times material to the allegations of this Complaint, Plaintiff, Kimberly Adams resides in Cook County in the State of Illinois.

8. At all times material to the allegations in this Complaint, Defendant, North Park Scheduled Operations d/b/a Chicago Transit Authority is an independent governmental agency doing business in and for Cook County whose address is 567 W Lake Street, Chicago, Illinois 60661-1405.

9. Plaintiff was employed by Defendant as an "employee" within the meaning of 42 U.S.C §2000e(f).

10. During the applicable limitations period, Defendant has had at least fifteen employees, has been an "employer" as defined by Title VII, and has been engaged in an industry affecting commerce within the meaning of Title VII, 42 U.S.C. § 2000e(b).

**BACKGROUND FACTS**

11. Plaintiff worked for Defendant as a bus operator from on or about January 16, 2024, and is still actively employed in this capacity.

12. Plaintiff is female and is a member of a protected class because of her sex.

13. Since at least February 5, 2024, through the present, Defendant has subjected Plaintiff to different terms and conditions of employment than others not within her protected class and has been subjected to a hostile work environment on the basis of sex, violating Title VII.

14. On or about February 5, 2024, Plaintiff started being sexually harassed by Renwick Johnson ("Mr. Johnson"), Plaintiff's Instructor.

15. Plaintiff met Mr. Johnson during her first day of instructions in the garage.

16. When Plaintiff started working with Mr. Johnson, he began making inappropriate comments, such as telling the whole team that he was "freaky" in reference to his sexual preferences.

17. Immediately, Plaintiff was made to feel uncomfortable around Mr. Johnson.

18. On or about February 6, 2024, Mr. Johnson asked Plaintiff if she was married, to which Plaintiff replied in the affirmative.

19. Mr. Johnson then proceeded to ask Plaintiff if she would cheat on her husband with him.

20. The comment was very inappropriate and disturbing to Plaintiff.

21. Plaintiff let him know that the comment was unwelcome and unwanted and that she would not be a part of a conversation of that nature.

22. As Plaintiff left the room, Plaintiff passed by Mr. Johnson, and he touched her

bottom.

23. Plaintiff felt violated and disgusted; it was a shock to Plaintiff that Mr. Johnson would escalate his behavior in such a way.

24. Plaintiff asked Mr. Johnson what he was doing and why he touched Plaintiff, and he simply disregarded Plaintiff and her concerns.

25. In the following days, Plaintiff continued to work, and Mr. Johnson would continue with his pervasive harassing behavior and sexual remarks.

26. For example, every time Plaintiff passed by him, he would make sexual noises, making Plaintiff feel very unsafe and uncomfortable in the workplace—subjecting Plaintiff to a hostile work environment.

27. Additionally, on a different day, Mr. Johnson was drinking a vitamin drink, and a coworker asked him what the drink was, and then he replied by saying that it was a drink that made his sperm “good.”

28. Clearly, Mr. Johnson was not stopping his conduct, and the situation would not change despite Plaintiff’s clear opposition to the behavior.

29. However, fearing retaliation, Plaintiff waited until she passed all her tests to lodge a formal complaint because Plaintiff felt that if she complained before finishing her instruction, Mr. Johnson would make every effort to terminate Plaintiff in retaliation, as he was her instructor.

30. On or about February 25, 2024, Plaintiff passed her instruction.

31. The following day, on or about February 26, 2024, Plaintiff immediately reported the harassment and discrimination she had been and continued to be subjected to, to Ms. Jackson (FNU, female) Business Manager.

32. Plaintiff was asked by Ms. Jackson if she was sure she wanted to file a complaint, and Plaintiff was given paperwork to do so.

33. Plaintiff completed all the paperwork and submitted her complaint against Mr. Johnson, specifying all the horrifying details about the sexual harassment Plaintiff was experiencing.

34. After filing Plaintiff's complaint, Plaintiff was told her complaint would be sent to the Company's EEO office.

35. However, Defendant failed to address the matter, and Plaintiff was forced to continue working alongside Mr. Johnson.

36. Due to Defendant's failure, Plaintiff continued to be subjected to sex-based discrimination and harassment.

37. Mr. Johnson was still in the garage as if nothing had ever happened.

38. Plaintiff felt so uncomfortable going to work that Plaintiff was forced to seclude herself in order to avoid unwanted and unwelcome advances from Mr. Johnson.

39. On or about March 20, 2024, Plaintiff had a meeting with the EEO officer and was asked to submit Plaintiff's statement, which she did.

40. Still, nothing has been done to address the situation.

41. Further, even though Plaintiff's complaint and the investigation were supposed to remain confidential, Plaintiff heard coworkers talking about it—clearly indicating that the confidential details had been shared.

42. The conversations were detailed enough to the point where she heard that Mr. Johnson was making false allegations that a coworker and Plaintiff had offered him sexual favors

to pass the tests, defaming Plaintiff's character, and further subjecting Plaintiff to a hostile work environment.

43. Plaintiff met or exceeded Defendant's performance expectations during the entire duration of her employment and continues to do so.

44. Plaintiff reported the sexual harassment to Defendant.

45. However, Defendant failed to address Plaintiff's concerns, further subjecting her to sex-based discrimination and harassment.

46. To present, Plaintiff continues to suffer as a result of Defendant's failure.

47. There is a basis for employer liability for the sexual harassment that Plaintiff was subjected to.

48. Plaintiff can show that she engaged in statutorily protected activity—a necessary component of her retaliation claim—because Plaintiff lodged complaints directly to her manager about the harassment.

**COUNT I**  
**Violation of Title VII of the Civil Rights Act**  
**(Sexual Harassment)**

49. Plaintiff repeats and re-alleges paragraphs 1-48 as if fully stated herein.

50. By virtue of the conduct alleged herein, Defendant engaged in unlawful employment practices and subjected Plaintiff to sexual harassment, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

51. Defendant knew or should have known of the harassment.

52. The sexual harassment was severe or pervasive.

53. The sexual harassment was offensive subjectively and objectively.

54. The sexual harassment was unwelcomed.

55. Plaintiff is a member of a protected class under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*, due to Plaintiff's sex, female.

56. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

57. As a direct and proximate result of the sexual harassment described above, Plaintiff has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

**COUNT II**  
**Violation of the Title VII of the Civil Rights Act of 1964**  
**(Sex-Based Discrimination)**

58. Plaintiff repeats and re-alleges paragraphs 1-45 as if fully stated herein.

59. By virtue of the conduct alleged herein, Defendant intentionally discriminated against Plaintiff based of Plaintiff's sex, in violation of the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

60. Plaintiff met or exceeded performance expectations.

61. Plaintiff was treated less favorably than similarly situated employees outside of Plaintiff's protected class.

62. Defendant has subjected Plaintiff to a hostile work environment on the basis of Plaintiff's sex.

63. Plaintiff is a member of a protected class under the Title VII, due to Plaintiff's sex.

64. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

65. As a direct and proximate result of the discrimination described above, Plaintiff has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

**COUNT III**  
**Violation of Title VII of the Civil Rights Act**  
**(Retaliation)**

66. Plaintiff repeats and re-alleges paragraphs 1-45 as if fully stated herein.

67. Plaintiff is a member of a protected class under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq.

68. During Plaintiff's employment with Defendant, Plaintiff reasonably complained to Defendant about sexual harassment or sex-based discrimination.

69. As such, Plaintiff engaged in protected conduct and was protected against unlawful retaliation by Defendant under the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

70. In response to Plaintiff's complaint, Defendant failed to conduct a prompt, thorough and objective investigation of Plaintiff's complaint of sexual harassment or sex-based discrimination.

71. Defendant also failed to take necessary precautions to prevent further recurrences of the discriminatory and harassing conduct complained of by Plaintiff.

72. Plaintiff suffered an adverse employment action in retaliation for engaging in protected activity.

73. By virtue of the foregoing, Defendant retaliated against Plaintiff based on reporting the sexual harassment or sex-based discrimination, thereby violating the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

74. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

75. As a direct and proximate result of the retaliation described above, Plaintiff has suffered and continues to suffer mental anguish, distress, humiliation and loss of enjoyment of life.

**RELIEF REQUESTED**

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

- a. Compensatory damages for emotional pain and suffering;
- b. Pre-judgment and post-judgment interest;
- c. Injunctive relief;
- d. Punitive damages;
- e. Reasonable attorney's fees and costs; and
- f. For any other relief this Court may deem just and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby requests that all issues be submitted to and determined by a jury.

Dated this 25<sup>th</sup> day of September 2024.

/s/ Nathan C. Volheim  
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