

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Malcolm Mackey

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Attorney for Plaintiff JACQUELINE RIVERA

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JACQUELINE RIVERA, an Individual,

Plaintiff,

v.

PLANNED PARENTHOOD LOS ANGELES; and DOES 1 TO 50, Inclusive,

Defendants.

CASE NO.: **20STCV02818**
COMPLAINT FOR:

- (1) **WRONGFUL TERMINATION**
[Cal. Gov't Code § 12940(a)];
- (2) **DISABILITY DISCRIMINATION**
[Cal. Gov't Code § 12940(a)];
- (3) **FAILURE TO PROVIDE A REASONABLE ACCOMMODATION**
[Cal. Gov't Code § 12940(m)];
- (4) **RETALIATION**
[Cal. Gov't Code § 12940(h)];
- (5) **FAILURE TO ENGAGE IN A GOOD FAITH INTERACTIVE PROCESS**
[Cal. Gov't Code § 12940(n)]; AND

DEMAND FOR JURY TRIAL

Plaintiff JACQUELINE RIVERA (hereinafter referred to as "Plaintiff" or "RIVERA")
alleges through her Counsel as follows:

1 **GENERAL ALLEGATIONS**

2 1. This is an action for violations of California's laws concerning employee
3 discrimination and retaliation based on disability/perceived disability. PLANNED
4 PARENTHOOD LOS ANGELES (hereinafter referred to as "Defendant") and DOES 1 TO 50,
5 inclusive, violated various California laws by continuously discriminating against Plaintiff,
6 failing to prevent discrimination, retaliating and ultimately wrongfully terminating Plaintiff in
7 violation of public policy.

8 2. Specifically, Defendant violated the provisions of the California Fair
9 Employment and Housing Act ("FEHA"), including but not limited to California Government
10 Code ("California Gov't Code") §§ 12900 and 12940.

11 3. All of these claims are the result of the intentional conduct by the Defendant and
12 its blatant disregard for the laws of the State of California. Accordingly, this civil action seeks
13 compensatory and punitive damages against Defendant for violations of Plaintiff's rights as set
14 forth herein.

15 4. Venue is proper in this Court because Defendant PLANNED PARENTHOOD
16 LOS ANGELES is a California corporation, does substantial business in the County of Los
17 Angeles and employed Plaintiff in County of Los Angeles, California.

18 **THE PARTIES**

19 5. Plaintiff is and was all times relevant herein an individual residing in the County
20 of Los Angeles and a resident of the State of California.

21 6. Plaintiff is informed and believes, and on that basis alleges, that Defendant
22 PLANNED PARENTHOOD LOS ANGELES is a California Corporation doing business in the
23 County of Los Angeles. Plaintiff is informed and believes that Defendant is an "employer" as
24 defined by California Gov't Code §§ 12926(d), 12940(a), and 12940(j)(4)(A).

25 7. Plaintiff is ignorant of the true names of Defendants DOES 1 through 50,
26 inclusive, and has therefore sued them by the above names which are fictitious. Plaintiff will
27 amend this complaint by inserting true names in lieu of the fictitious names, together with apt
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1 and proper charging words, when the true names are ascertained. Plaintiff is informed and
2 believes and thereon alleges that each of the Defendants designated in this Complaint as DOE
3 is responsible and liable to Plaintiff in some manner for the events, happenings, and contentions
4 referred to in this complaint. All references in this complaint to "Defendants" shall be deemed
5 to include all DOE Defendants as well as Defendant PLANNED PARENTHOOD LOS
6 ANGELES.

7 8. Plaintiff is informed and believes and thereon alleges that each Defendants,
8 including DOE(S), were and are the agents, employees, servants, subsidiaries, partners,
9 members, associates, or representatives of each other Defendant, including DOE(S), and all of
10 the things alleged to have been done by the Defendants, and each of them, were done in the
11 course and scope of the agency, employment, service, or representative relationship and with
12 the knowledge and consent of their respective principals, employers, masters, parent
13 corporations, partners, members, associates, or representatives.

14 9. The unlawful practices and tortuous conduct complained of herein occurred in
15 the County of Los Angeles, State of California.

16 **DEFENDANT'S ILLEGAL CONDUCT**

17 10. Plaintiff was hired by Defendant on or about December 2016 as a Surgical Registered
18 Nurse in their Los Angeles Medical Clinic. Plaintiff's job duties and responsibilities
19 included but were not limited to, working in the surgical recovery room, intravenous
20 therapy room, pre-operation preparation, reviewing charts, following physician
21 instructions, providing mediation and assisting with recovery and assessments.

22 11. At all times herein alleged, Plaintiff had a physical disability(s), including, but not
23 limited to her wrist and associated conditions and was perceived disabled by Defendant.

24 12. On or about 10/2018, and continuing, Plaintiff sustained and/or aggravated
25 and/or developed perceived physical disabilities, including but not limited to a wrist injury and
26 associated condition.

27 13. Plaintiff notified Defendant, and each of them, of Plaintiff's disability(s);
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- 1 14. Plaintiff was placed on work restriction from 10/2018 through 04/2019;
- 2 15. Plaintiff requested and/or was granted a leave of absence on or about 04/2019 to have
3 a wrist surgery.
- 4 16. In and around 07/2019, Plaintiff was released back to work and was placed on work
5 restrictions and/or modified duties.
- 6 17. Plaintiff notified Defendant, and each of them, of Plaintiff's work restrictions.
- 7 18. On or about 06/2019, Defendant, and each of them, now discriminated and retaliated
8 against Plaintiff by refusing to engage in a good faith interactive process, refusing to provide a
9 reasonable accommodation and refusing to allow her to return to work..
- 10 19. On or about 07/2019, Plaintiff spoke with Defendant's Human Resources
11 Department and was informed her employment was terminated.
- 12 20. Plaintiff is informed and believes, and thereon alleges, that Defendant, and each of
13 them, kept and/or replaced Plaintiff with, and/or treated more favorably, less experienced non-
14 disabled individual(s).
- 15 21. At all times herein alleged, Plaintiff was a qualified disabled worker with one or
16 more perceived physical disabilities, who could perform the essential duties of Plaintiff job with or
17 without an accommodation, and without causing harm to Plaintiff and/or Plaintiff's fellow
18 employees, and who was entitled to an accommodation.
- 19 22. From 2018, and continuing at least through to 07/2019, and continuing, Defendant
20 discriminated and retaliated against Plaintiff on the basis of Plaintiff's perceived and/or physical
21 disability, by the following continuous action, and conduct among others:
- 22 a. Failing to determine the extent of Plaintiff's disability and how it could be
23 accommodated;
- 24 b. Failing to take any affirmative steps to inform Plaintiff of any job opportunities
25 within the company;
- 26 c. Failing to consider Plaintiff for a for and move Plaintiff into opening for which
27 Plaintiff was qualified and could handle subject to Plaintiff's disability;
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- 1 d. Failing to engage in a timely, good faith, interactive process with Plaintiff to
2 determine effective reasonable accommodations;
- 3 e. Discriminating against and retaliating against Plaintiff based on Plaintiff's disability;
- 4 f. On or about 07/2019, retaliating against and wrongfully terminating Plaintiff for the
5 false and/or exaggerated and/or pretextual reason(s) of no reason at all;
- 6 g. Keeping and/or replacing Plaintiff with, and/or treating more favorably, a less
7 experienced non-disabled individual(s);
- 8 h. Failing to re-hire and/or reemploy Plaintiff;

9 23. On or about July 16, 2019, Plaintiff filed a complaint with the California Department
10 of Fair Employment and Housing ("DFEH") and received a right-to-sue notice dated July 16, 2019,
11 attached hereto as Exhibit A. As such, Plaintiff has exhausted her administrative remedies.

12 **I.**

13 **FIRST CAUSE OF ACTION**

14 **WRONGFUL TERMINATION**

15 **[California Gov't Code 12940(a)]**

16 **(Plaintiff Against All Defendants)**

17 24. Plaintiff realleges and incorporates by reference each and every allegation
18 contained in each and every aforementioned paragraph as though fully set forth herein.

19 25. California Government code § 12940(a) makes it illegal for an employer
20 "because of...physical disability...to bar or to discharge a person from employment...or to
21 discrimination against the person in compensation or in terms, conditions, or privileges of
22 employment." This public policy is designed to protect all employees and to promote the
23 welfare and well-being of the community at large. Accordingly, the actions of Defendant, and
24 each of them, in employing and then constructively terminating Plaintiff were wrongful and in
25 contravention and in violation of the statutes and public policy of this state.

26 26. Plaintiff is and was at all times relevant suffering from a physical disability(s)
27 within the meaning of California Government Code § 12926(m) because Plaintiff suffered from
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1 an industrial injury/disability that affected her musculoskeletal system and/or limited a major
2 lift activity.

3 27. During Plaintiff's employment, Defendants and its agents engaged in actions
4 intentionally that resulted in Plaintiff being treated less favorably because of her physical
5 disability(s). Plaintiff was discharged from her employment and discriminated against in terms,
6 conditions, or privileges of her employment on the basis of her disability(s), and such
7 characteristic(s) were the motivating factors even though other factors may have contributed to
8 Defendants' actions, in violation California Government Code § 12940(a).

9 28. At all material points described herein, Plaintiff was treated differently than
10 similarly situated non-disabled employees and/or otherwise subjected to unlawful
11 discriminatory employment practices as prohibited by the laws of California. The conduct,
12 statements and acts described herein were an ongoing part of a continuing scheme and course
13 of conduct. Defendants, in engaging in the aforementioned conduct, discriminated against
14 Plaintiff on the basis of her disability(s).

15 29. Defendant knew the substance of the above-described facts and circumstances and
16 ratified the wrongs and injuries mentioned herein when it was their ability to prevent, remedy
17 and/or correct these wrongs. Defendant further intentionally and willfully failed to ensure that
18 their employees were informed of the law relevant to their duties to ensure that employees
19 would not participate in illegal conduct.

20 30. Defendant has continued to ratify and have refused to remedy or correct the
21 aforementioned conducting during and since Plaintiff's employment, notwithstanding the fact
22 that company officials knew or reasonably should have known of the conduct and its
23 unlawfulness.

24 31. As a direct and proximate result of the aforementioned violations of statute and
25 public policy, Plaintiff has suffered and will continue to suffer:

- 26 a. A substantial reduction in past and current income and future income potential
27 in sums as may be shown according to proof;

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1 within the meaning of California Government Code § 12926(m) because Plaintiff suffered from
2 an industrial injury/disability that affected her musculoskeletal system and/or limited a major
3 lift activity.

4 37. During Plaintiff's employment, Defendant and its agents engaged in intentional
5 actions that resulted in Plaintiff being treated less favorably because of actual and/or perceived
6 disability. Plaintiff was barred and discharged from employment and discriminated against in
7 terms, conditions, or privileges of employment on the basis of her disability(s), and her
8 disability(s) were a motivating factor even though other factors may have contributed to
9 Defendant's actions, in violation California Gov't Code § 12940(a).

10 38. At all material points described herein, Plaintiff was treated differently than
11 similarly situated non-disabled employees and/or otherwise subjected to unlawful
12 discriminatory employment practices as prohibited by the laws of California. The conduct,
13 statements and acts described herein were an ongoing part of a continuing scheme and course
14 of conduct. Defendant, in engaging in the aforementioned conduct, discriminated against
15 Plaintiff on the basis of her disability.

16 39. Defendant knew the substance of the above-described facts and circumstances
17 and ratified the wrongs and injuries mentioned herein when it was their ability to prevent,
18 remedy and/or correct these wrongs. Defendant further intentionally and willfully failed to
19 ensure that their employees were informed of the law relevant to their duties to ensure that
20 employees would not be required to participate in illegal conduct.

21 40. Defendant has continued to ratify and have refused to remedy or correct the
22 aforementioned conducting during and since Plaintiff's employment, notwithstanding the fact
23 that company officials knew or reasonably should have known of the conduct and its
24 unlawfulness.

25 41. As a direct and proximate result of the aforementioned violations of statute and
26 public policy, Plaintiff has suffered and will continue to suffer:

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- 1 a. A substantial reduction in past and current income and future income
2 potential in sums as may be shown according to proof;
3 b. A substantial injury and damage to her occupation and professional reputation
4 in a sum as may be shown according to proof; and
5 c. Extreme humiliation, embarrassment, depression, sleeplessness, emotional
6 pain, emotional distress, mental anguish, loss of enjoyment of life and other
7 loses from the date of said acts all to Plaintiff's damage in a sum as may be
8 shown according to proof.

9 42. Defendant committed the acts herein allegedly maliciously, fraudulently and
10 oppressively with the wrongful intention of injuring Plaintiff, from an improper and evil motive
11 amounting to malice, and in conscious disregard of the rights of Plaintiff. As a result of these
12 and other actions, Plaintiff is entitled to an award of punitive damages.

13 43. In addition, as a proximate result of the wrongful conduct of Defendant,
14 Plaintiff is entitled to attorneys' fees and prejudgment interest.

15 44. Pursuant to California Government Code § 12965(b), Plaintiff requests the
16 award of attorneys' fees against Defendant under the cause of action.

17 **III.**

18 **THIRD CAUSE OF ACTION**

19 **FAILURE TO PROVIDE A REASONABLE ACCOMMODATION**

20 **[California Gov't Code § 12940(m)]**

21 **(Plaintiff Against All Defendants)**

22 45. Plaintiff realleges and incorporates by reference each and every allegation
23 contained in each and every aforementioned paragraph as though fully set forth herein.

24 46. California Government Code §12940(m) makes it unlawful for an employer to
25 "fail to make reasonable accommodation for the known physical or mental disability of an
26 applicant or employee."

27 47. At all relevant times herein, Defendant knew that Plaintiff had a physical
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1 disability and/or perceived Plaintiff to have a physical disability within the meaning of
2 California Government Code § 12926(m). However, Defendant did not attempt to provide
3 Plaintiff with a reasonable accommodation and instead refused to engage in a good faith
4 interactive process and terminated Plaintiff's employment.

5 48. Making a reasonable accommodation includes engaging in a good faith
6 interactive process and allowing Plaintiff to perform duties and responsibilities in accordance
7 with her work restrictions. This would not have created an undue hardship on Defendant. Such
8 a small accommodation would not have required significant difficulty or expense, as none
9 would be expended to accommodate Plaintiff's needs. The conduct, statements and acts
10 described herein were an ongoing part of a continuing scheme and course of conduct.
11 Defendant knew of the above described facts and circumstances and ratified the wrongs and
12 injures mentioned herein when it was their ability to prevent these wrongs. Defendant further
13 intentionally and willfully failed to ensure that their employees were informed of the law
14 relevant to their duties to ensure that employees would not be required to participate in illegal
15 conduct.

16 49. Defendant has continued to ratify and have refused to remedy or correct the
17 aforementioned conducting during and since Plaintiff's employment, notwithstanding the fact
18 that company officials knew or reasonably should have known of the conduct and its
19 unlawfulness.

20 50. As a direct and proximate result of the aforementioned violations of statute and
21 public policy, Plaintiff has suffered and will continue to suffer:

- 22 a. A substantial reduction in past and current income and future income potential
23 in sums as may be shown according to proof;
- 24 b. A substantial injury and damage to her occupation and professional reputation in
25 a sum as may be shown according to proof; and
- 26 c. Extreme humiliation, embarrassment, depression, sleeplessness, emotional pain,
27 emotional distress, mental anguish, loss of enjoyment of life and other loses from
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1 the date of said acts all to Plaintiff's damage in a sum as may be shown according
2 to proof.

3 51. Defendant committed the acts herein allegedly maliciously, fraudulently and
4 oppressively with the wrongful intention of injuring Plaintiff, from an improper and evil motive
5 amounting to malice, and in conscious disregard of the rights of Plaintiff. As a result of these
6 and other actions, Plaintiff is entitled to an award of punitive damages.

7 52. In addition, as a proximate result of the wrongful conduct of Defendant,
8 Plaintiff is entitled to attorneys' fees, pursuant to California Government Code § 12965(b), and
9 prejudgment interest under this cause of action.

10 **IV.**

11 **FOURTH CAUSE OF ACTION**

12 **RETALIATION**

13 **[Cal. Gov't Code §12940(h)]**

14 **(Plaintiff Against All Defendants)**

15 53. Plaintiff realleges and incorporates by reference each and every allegation
16 contained in each and every aforementioned paragraph as though fully set forth herein.

17 54. The cause of action is brought pursuant to California Government Code
18 § 12940(h) making it illegal for an employer to retaliate against a person from employment on
19 the basis of her or her physical disability(s).

20 55. Plaintiff was and/or is suffering from physical disability(s) within the meaning
21 of California Gov't Code § 12926(m).

22 56. Plaintiff was unlawfully terminated in retaliation on account of her disability(s)
23 and/or requesting an accommodation.

24 57. At all material points described herein, Plaintiff was treated differently than
25 similarly situated younger non-disabled employees and/or otherwise subjected to unlawful
26 discriminatory employment practices as prohibited by the laws of California. The conduct,
27 statements and acts described herein were an ongoing part of a continuing scheme and course
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1 of conduct. Defendants, in engaging in the aforementioned conduct, discriminated against
2 Plaintiff on the basis of her physical disability(s) and associated conditions.

3 58. Defendants knew the substance of the above-described facts and circumstances
4 and ratified the wrongs and injuries mentioned herein when it was their ability to prevent,
5 remedy and/or correct these wrongs. Defendants further intentionally and willfully failed to
6 ensure that their employees were informed of the law relevant to their duties to ensure that
7 employees would not be required to participate in illegal conduct.

8 59. Defendants have continued to ratify and have refused to remedy or correct the
9 aforementioned conducting during and since Plaintiff's employment, notwithstanding the fact
10 that company officials knew or reasonably should have known of the conduct and its
11 unlawfulness.

12 60. As a direct and proximate result of the aforementioned violations of statute and
13 public policy, Plaintiff has suffered and will continue to suffer:

- 14 a. A substantial reduction in past and current income and future income
15 potential in sums as may be shown according to proof;
- 16 b. A substantial injury and damage to her occupation and professional
17 reputation in a sum as may be shown according to proof; and
- 18 c. Extreme humiliation, embarrassment, depression, sleeplessness,
19 emotional pain, emotional distress, mental anguish, loss of enjoyment of
20 life and other loses from the date of said acts all to Plaintiff's damage in
21 a sum as may be shown according to proof.

22 61. Defendants committed the acts herein allegedly maliciously, fraudulently and
23 oppressively with the wrongful intention of injuring Plaintiff, from an improper and evil motive
24 amounting to malice, and in conscious disregard of the rights of Plaintiff. As a result of these
25 and other actions, Plaintiff is entitled to an award of punitive damages.

26 62. In addition, as a proximate result of the wrongful conduct of Defendants,
27 Plaintiff is entitled to attorney's fees pursuant to California Government Code § 12965(b).

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V.

FIFTH CAUSE OF ACTION

FAILURE TO ENGAGE IN A GOOD FAITH INTERACTIVE PROCESS

[California Gov't Code § 12940(n)]

(Plaintiff Against All Defendants)

63. Plaintiff realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph as though fully set forth herein.

64. Plaintiff is and was at all times relevant suffering from a physical disability(s) within the meaning of California Government Code § 12926(m) because Plaintiff suffered from an industrial injury/disability that affected her musculoskeletal system and/or limited a major lift activity. Alternatively, the Defendants perceived Plaintiff as being physically disabled.

65. California Gov't Code Section 12940(n) requires an employer to engage in a good faith interactive process with a disabled employee to ascertain effective reasonable accommodations with an employee who requests same or needs such accommodations. The employer's failure to do so is a separate violation of FEHA.

66. The Defendant violated California Gov't Code Section 12940(n) by failing to engage in said good faith interactive process with Plaintiff when she was released to work following a brief leave of absence and provided Defendant with her work restrictions. Instead, Defendant decided to terminated Plaintiff after her release and after she provided her workplace restrictions. As such, Defendant refused to engage Plaintiff in a good faith interactive process upon her return and terminated her employment. As a proximate result of the said violation of FEHA, Plaintiff has suffered mental anguish and emotional suffering in an amount in excess of the minimum jurisdiction of this court and according to proof.

67. As a further proximate result of said violation of FEHA as aforepleaded, Plaintiff has suffered a loss of tangible employment benefits including lost wages (including commissions) and fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to proof.

DEMAND FOR JURY TRIAL

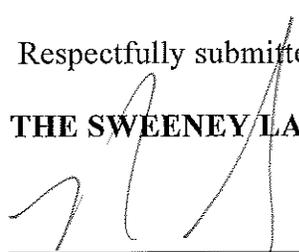
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DEMAND FOR JURY TRIAL IS HEREBY MADE.

DATED: January 22, 2020

Respectfully submitted,

THE SWEENEY LAW FIRM



BRANDON J. SWEENEY
Attorneys for Plaintiff
JACQUELINE RIVERA

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EXHIBIT A



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

KEVIN KISH, DIRECTOR

July 16, 2019

Brandon Sweeney
15233 Ventura Blvd., Suite 500
Sherman Oaks, California 91403

RE: **Notice to Complainant's Attorney**
DFEH Matter Number: 201907-06852816
Right to Sue: Rivera / Planned Parenthood of Los Angeles

Dear Brandon Sweeney:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

KEVIN KISH, DIRECTOR

July 16, 2019

RE: **Notice of Filing of Discrimination Complaint**
DFEH Matter Number: 201907-06852816
Right to Sue: Rivera / Planned Parenthood of Los Angeles

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

KEVIN KISH, DIRECTOR

July 16, 2019

Jacqueline Rivera
829 Creekside Dr.
Fullerton, California 92833

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201907-06852816
Right to Sue: Rivera / Planned Parenthood of Los Angeles

Dear Jacqueline Rivera,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective July 16, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**
2 **BEFORE THE STATE OF CALIFORNIA**
3 **DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**
4 **Under the California Fair Employment and Housing Act**
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**
7 Jacqueline Rivera

DFEH No. 201907-06852816

8 Complainant,

9 vs.

10 Planned Parenthood of Los Angeles
11 400 W 30th Street
12 Los Angeles, California 90007

13 Respondents

14 1. Respondent **Planned Parenthood of Los Angeles** is an **employer** subject to
15 suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, §
16 12900 et seq.).

17 2. Complainant **Jacqueline Rivera**, resides in the City of **Fullerton** State of
18 **California**.

19 3. Complainant alleges that on or about **July 8, 2019**, respondent took the following
20 adverse actions:

21 **Complainant was discriminated against** because of complainant's disability
22 (physical or mental) and as a result of the discrimination was terminated, denied any
23 employment benefit or privilege, denied reasonable accommodation for a disability,
24 denied work opportunities or assignments.

25 **Complainant experienced retaliation** because complainant requested or used a
26 disability-related accommodation and as a result was terminated, denied any
27 employment benefit or privilege, denied reasonable accommodation for a disability.

28 **Additional Complaint Details:** Complainant was taken off-work on 4/12/19 for for
surgery on her right wrist as a result of an industrial injury. While complainant was
off-work rehabilitating after her wrist surgery and before her was released back to
work she was discriminated and retaliated against based upon her physical

1 disability(s) (wrist and other conditions) and ultimately terminated by Respondent on
2 account of her wrist injury and/or disability(s).

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1 VERIFICATION

2 I, **Brandon J. Sweeney**, am the **Attorney** in the above-entitled complaint. I have read
3 the foregoing complaint and know the contents thereof. The matters alleged are
4 based on information and belief, which I believe to be true.

5 On July 16, 2019, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **Sherman Oaks, CA**

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