

FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO

2024 JUL 31 PM 1:36

JEFFREY D. COLWELL
CLERK

BY _____ DEP. CLK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. _____
(To be supplied by the court)

Juana Urbina, Plaintiff

v.

Employbridge / Prologistix,

Jury Trial requested:
(please check one)
 Yes No

_____, Defendant(s).

(List each named defendant on a separate line. If you cannot fit the names of all defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section B. Do not include addresses here.)

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

A. PLAINTIFF INFORMATION

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

Juanal Urbina 312 Mountain View Ave Fort Lupton Co. 80621
(Name and complete mailing address)

720-606-1532 juanaurbina.80601@gmail.com
(Telephone number and e-mail address)

B. DEFENDANT(S) INFORMATION

Please list the following information for each defendant listed in the caption of the complaint. If more space is needed, use extra paper to provide the information requested. The additional pages regarding defendants should be labeled "B. DEFENDANT(S) INFORMATION."

Defendant 1: Employbridge 4570 Ivy St. # B-300 Denver Co. 80216
(Name and complete mailing address)

303-371-4000 jason.anderson@employbridge.com
(Telephone number and e-mail address if known)

Defendant 2: _____
(Name and complete mailing address)

(Telephone number and e-mail address if known)

C. JURISDICTION

Identify the statutory authority that allows the court to consider your claim(s): (check all that apply)

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, et seq.
(employment discrimination on the basis of race, color, religion, sex, or national origin)

Americans with Disabilities Act, as amended, 42 U.S.C. §§ 12101, et seq. (employment discrimination on the basis of a disability)

Age Discrimination in Employment Act, as amended, 29 U.S.C. §§ 621, et seq.
(employment discrimination on the basis of age)

Other: (please specify) _____

D. STATEMENT OF CLAIM(S)

State clearly and concisely every claim that you are asserting in this action and the specific facts that support each claim. If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "D. STATEMENT OF CLAIMS."

CLAIM ONE: Discrimination against National Origin (Hispanic)

The conduct complained of in this claim involves the following: (check all that apply)

- failure to hire
- different terms and conditions of employment
- failure to promote
- failure to accommodate disability
- termination of employment
- retaliation
- other: (please specify) _____

Defendant's conduct was discriminatory because it was based on the following: (check all that apply)

- race
- religion
- national origin
- age
- color
- sex
- disability

Supporting facts:

E. ADMINISTRATIVE PROCEDURES

Did you file a charge of discrimination against defendant(s) with the Equal Employment Opportunity Commission or any other federal or state agency? *(check one)*

Yes *(You must attach a copy of the administrative charge to this complaint)*

No

Have you received a notice of right to sue? *(check one)*

Yes *(You must attach a copy of the notice of right to sue to this complaint)*

No

F. REQUEST FOR RELIEF

State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "F. REQUEST FOR RELIEF."

*Unemployment payments due
financial relief*

G. PLAINTIFF'S SIGNATURE

I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

J. Urbina

(Plaintiff's signature)

7/31/2024

(Date)

(Revised February 2022)

COMPLAINT OF DISCRIMINATION <i>The Privacy Act of 1974 affects this form.</i> <i>See Privacy Act Statement before completing this form.</i>		EEOC Complaint No. CCRD Complaint No. E2400023192
COLORADO CIVIL RIGHTS DIVISION AND EEOC		
Name (<i>Complainant</i>) Juana Urbina		(Area Code) Telephone (720) 606-1532
Street Address 312 Mountain View Ave	City, State, and Zip Code Fort Lupton, CO 80621	County Weld
The Employer, Labor Organization, Employment Agency, Apprenticeship Committee, State or Local Government Agency who discriminated against me is:		
Name (<i>Respondent</i>) Employbridge, LLC d/b/a Staffing Solutions Southwest, Inc. d/b/a ProLogistix	Number of Employees 20+	(Area Code) Telephone (303) 371-4000 Email Address jason.anderson@employbridge.com
Street Address 4570 Ivy St. Unit B-300	City, State, and Zip Code Denver, CO 80216	County Denver
Discrimination Based on: National Origin/Ancestry (Hispanic); Age (50, DOB 9/8/1974); Retaliation		Date Most Recent Discrimination Occurred: October 2023
<p>I. Jurisdiction: The Colorado Civil Rights Division and Equal Employment Opportunity Commission have jurisdiction over the subject matter of this charge and the named Respondent, pursuant to the provisions of the Colorado Revised Statutes (C.R.S. 1973, 24-34-301, <i>et seq.</i>), as reenacted, Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e, <i>et seq.</i>), as amended, and the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621, <i>et seq.</i>), as amended.</p> <p>II. Personal Harm: In or about August 2023, and thereafter, I was subjected to unequal terms and conditions of employment based on my national origin/ancestry (Hispanic), age (50, DOB 9/8/1974), and/or in retaliation for engaging in protected activity. In or about September 2023, I was subjected to unequal compensation or pay and was disciplined based on my protected classes and/or in retaliation for engaging in protected activity. In or about October 2023, I was discharged and was denied a promotion based on my protected classes and/or in retaliation for engaging in protected activity.</p> <p>III. Respondent's Position: Unknown.</p> <p>IV. Discrimination Statement: I believe I was unlawfully discriminated against because of my protected classes and/or in retaliation for engaging in protected activity in violation of the Colorado Anti-Discrimination Act (CADA). 1.) I began employment with the Respondent on or about May 14, 2015, always performed my duties satisfactorily, and my most recent job title was Recruiter. 2.) In or about 2022, I was transferred from Longmont to the Respondent's Denver location for budgetary reasons and because the Denver location needed a Spanish-speaking Recruiter. 3.) Thereafter, I was subjected to unequal terms and conditions of employment when Branch Managers Lisa Baker ("Baker") and Lisa Hayes repeatedly yelled at me and told me to stop speaking Spanish</p>		

at work, despite that it was my job to communicate with Spanish-speaking clients. 4.) Throughout my employment, I engaged in protected activity when I complained of discrimination multiple times, however, the Respondent failed to take prompt and appropriate action in response to my complaints. 5.) In or about September 2023, I was subjected to unequal compensation or pay when the Respondent hired Recruiter Juanita Cruz ("Cruz") (Hispanic, under 40) and paid her \$6 an hour more than me. 6.) Thereafter, I engaged in protected activity when I complained of unequal pay, however, the Respondent refused to increase my pay, purportedly because the branch could not afford it. 7.) Thereafter, I was disciplined when Baker placed me on a performance improvement plan. 8.) In or about early October 2023, I applied for the Respondent's open Staff Performance Manager position, for which I was qualified because I held that title in the past. 9.) Thereafter, I was told that if Regional Manager Jason Anderson ("Anderson") was involved in hiring for the position, I would not get it. 10.) In or about September 2023, and thereafter, Anderson repeatedly stated that he "preferred" Cruz over me. 11.) In or about late October 2023, I informed Anderson that I applied for the open position, and the same day, I was discharged. 12.) I believe that I was discriminated against because of my protected classes and/or in retaliation for engaging in protected activity.

V. **WHEREFORE:** The Complainant prays that the Colorado Civil Rights Division grant such relief as may exist within the Division's power and which the Division may deem necessary and proper.

I want this charge filed with both the Equal Employment Opportunity Commission and the State or local agency, if any. I will advise the agency if I change my address or telephone number, and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I understand that, by filing this complaint, I consent to the disclosure of the foregoing information to the above-named Respondent.

I declare under penalty of perjury that the foregoing is true and correct.

Date

6/6/24

Charging Party/Complainant (Signature)

