

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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CHRISTINA ORTIZ

Date Filed:
Index No.:

Plaintiff,

SUMMONS

-against-

Plaintiff designates
New York County
as the place of trial
based on CPLR 504

CITY OF NEW YORK, EMELIO RODRIQUES,
Individually

Defendants’
-----X

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your Answer, or if the complaint is not served with the summons, to serve a notice of appearance on Plaintiff’s attorney within twenty (20) days after service of this summons, exclusive of the day of service, (or within thirty (30) days after service is complete, if this summons is not personally delivered to you within the State of New York); and in case of your failure to answer, judgment will be taken against you by default for the relief demanded hereto.

Dated: New York, New York
February 19, 2025

/s/
John Scola
Law Office of John A. Scola, PLLC
Attorneys for Plaintiff Christina Ortiz
90 Broad Street, Suite 1023
New York, New York 10004
(917) 423-1445

DEFENDANTS ADDRESS:

CITY OF NEW YORK
Corporation Counsel of the City
Of New York
100 Church Street
New York, NY 10007

EMELIO RODRIQUES
100 Centre Street
New York, NY 10038

SUPREME COURT OF THE STATE OF NEW YORK
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CHRISTINA ORTIZ

Plaintiff,

-against-

CITY OF NEW YORK, EMELIO RODRIQUES,
Individually,

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Index No.:

COMPLAINT

JURY DEMAND

The Plaintiff, CHRISTINA ORTIZ by her attorneys the LAW OFFICE OF JOHN A. SCOLA, PLLC., as and for her complaint against defendants’ CITY OF NEW YORK, and EMELIO RODRIQUES, (collectively referred to as “Defendants”) for gender and caretaker association discrimination, hostile work environment, and retaliation pursuant to New York State Executive § 296, and New York City Local Law §187 et al. Plaintiff also bring claims against Defendant EMELIO RODRIQUES for defamation based on his false statements that Plaintiff was engaged in an affair with a Lieutenant while she worked for the New York City Police Department (“NYPD”).

INTRODUCTION

This is a civil rights action on behalf of Plaintiff CHRISTINA ORTIZ (hereinafter referred to as “Plaintiff”) to vindicate her rights related to the gender and caretaker association discrimination, retaliation, and hostile work environment created by the Defendants CITY OF NEW YORK, (hereinafter referred to as “CITY”), and EMELIO RODRIQUES (hereinafter referred to as “RODRIQUES”). More specifically, Plaintiff seeks compensatory, emotional distress and punitive damages against all Defendants as well as attorney’s fees related to the

deprivation of Plaintiff's rights secured by New York City Local Law §8-107 et al. Plaintiff was denied employment on the basis of her gender and association with officers who are caretakers, forced to work in a hostile work environment, and retaliated against for lawfully protected complaints of said discrimination.

PLAINTIFF

1. Plaintiff CHRISTINA ORTIZ is a female citizen of the United States of America, over twenty-one (21) years of age, resident of Orange County.
2. Plaintiff is a Hispanic woman.

DEFENDANTS'

3. Defendant the CITY OF NEW YORK is a municipal corporation organized and existing under and by virtue of the law of the State of New York.
4. Defendant, EMELIO RODRIQUES, is a Lieutenant in the New York City Police Department and is employed by the Defendant CITY OF NEW YORK.
5. At all times relevant herein, Defendant RODRIQUES was a supervisor to Plaintiff in that he is one rank higher than Plaintiff.
6. Defendant CITY, and their agency the NYPD, are equal opportunity employers which prohibit discriminatory employment actions against, and treatment of, their employees and applicants for employment based on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender (including "gender identity" -- which refers to a person's actual or perceived sex, and includes self-image, appearance, behavior or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status, prior record of arrest or conviction, caretaker status, marital status, partnership

status, genetic information or predisposing genetic characteristic, sexual orientation, status as a victim or witness of domestic violence, sex offenses or stalking, and unemployment status.

FACTUAL ALLEGATIONS

7. Plaintiff joined the NYPD on July 10, 2006 as a Police officer.
8. After successfully completing the training in the Police Academy, Plaintiff was assigned to Police Service Area (“PSA”) 5 where she completed Impact.
9. At all times herein Plaintiff excelled in her role as a Police Officer.
10. Plaintiff was transferred to PSA 4 after Impact concluded in September 2007.
11. Plaintiff excelled in PSA 4 and
12. In 2014, based on Plaintiff’s stellar performance, she was transferred to the Housing Bureau Counter Terrorism & Training Unit (HBCTTU) to wherein she coordinated training for the bureau and trained officers for three (3) years.
13. In this role Plaintiff was responsible for coordinating, allocating and training police officers assigned to the Housing Bureau.
14. In 2017, Plaintiff was assigned to the Risk Management Bureau
15. In May 2019, Plaintiff was promoted to Sergeant.
16. In April 2019, after completing additional Sergeant’s training (BMOC), Plaintiff was assigned to the 23rd Precinct.
17. In that position in the 23rd Precinct, Plaintiff worked under Special Operations Lieutenant Michael Disanto and Commanding Officer Inspector Aneudy Castillo.
18. At all times herein Plaintiff excelled in her role as a Sergeant.
19. In 2019, Plaintiff was assigned to the position of Domestic Violence Sergeant in the 23rd

Precinct.

20. At all times herein, Plaintiff excelled in her role as the Domestic Violence Sergeant.
21. In July 2022, Inspector Aneudy Castillo is named the Commanding Officer of the 34th Precinct.
22. When making the transition to the new command, Inspector Castillo brings Lieutenant Disanto to be his Special Operations Lieutenant.
23. Approximately three (3) months later, in October 2022, Plaintiff transfers to the 34th Precinct where she is assigned to the position of Domestic Violence Sergeant.
24. Several positions within the NYPD require a civil service examination before an employee can earn that rank.
25. Ranks within the NYPD which require the taking and passing of a civil service examination are police officer, sergeant, lieutenant, and captain.
26. There are several promotional opportunities within the NYPD that do not require the passing of a civil service examination.
27. These positions include but are not limited to detective 3rd grade, detective 2nd grade, detective 1st grade, Sergeant Special Assignment, Sergeant Supervisor of Detectives, Lieutenant Special Assignment, Lieutenant Supervisor of Detectives, and Deputy Inspector.
28. In December 2022, Plaintiff receives a discretionary promotion to Sergeant Special Assignment due to her stellar work performance.
29. For the year 2022, Plaintiff receives a near perfect performance evaluation, which is reflective of her work performance.
30. This honor is one given to few women within the NYPD.

31. Upon information and belief, Plaintiff is one (1) of less than fifty (50) women who currently hold the rank of Sergeant Special Assignment.
32. In January 2023, Defendant RODRIQUES is brought in to the command by Commanding Officer Inspector Castillo.
33. Defendant RODRIQUES and Castillo were very close which afforded him great leeway as he repeatedly underperformed within the command.
34. Initially Defendant RODRIQUES was the Administrative Lieutenant and Plaintiff did not have any issues with him.
35. Defendant RODRIQUES is quite insecure and constantly worried about his place within the command.
36. Defendant RODRIQUES would become very jealous of any supervisor who met with Commanding Officer Inspector Castillo.
37. As part of her responsibilities as the Domestic Violence Sergeant, Plaintiff regularly needs to meet with Inspector Castillo.
38. This angers Defendant RODRIQUES.
39. In June 2023, Defendant RODRIQUES unexpectedly tries to change Plaintiff's tour.
40. Prior to the sudden tour change, Plaintiff was allowed to work any time she wanted so long as her subordinates were working.
41. From this point forward, Plaintiff and the other women in the Command were treated less well due to their gender by Defendant RODRIQUES.
42. Plaintiff's subordinates, which consists of approximately five (5) police officers, work from 7:00 am to 8:00 pm depending on the day so Plaintiff's tour times changed so she could properly supervise her team.

43. Defendant RODRIQUES tried to change Plaintiff's tour to a steady 6:00 pm to 2:00 am which would render Plaintiff unable to supervise nearly half of her subordinates working hours.
44. Following notice of the tour change, Plaintiff talks with Lieutenant Disanto, her direct supervisor about the sudden change.
45. Lieutenant Disanto immediately stopped Plaintiff's tour change.
46. This further angered Defendant RODRIQUES.
47. This disparate treatment caused Plaintiff and the other women in the command to work in a hostile work environment from this point, until Plaintiff was forced to leave the Command in February 2024 to get away from the constant harassment and hostile work environment caused by Defendant RODRIQUES due to Plaintiff's gender.
48. Around this time, Plaintiff was on the phone with her husband in the parking lot.
49. The couple was discussing the divorce of famous couple which was in the news.
50. Defendant RODRIQUES overheard the comment and then tells Plaintiff "the reason why divorces are up is because women are not doing what they are made to do, which is to be seen and not heard."
51. After Defendant RODRIQUES makes his sentiments about women known, the real motives for his hostility towards Plaintiff become known.
52. Defendant RODRIQUES views women as less than men and treats them in that manner.
53. Around this time Defendant RODRIQUES begins false rumors that Plaintiff and Lieutenant Disanto were engaged in a sexual relationship.
54. Defendant RODRIQUES also spreads false rumors that Plaintiff is a lesbian.
55. None of these rumors are even close to accurate and were gender motivated as no woman

could hold a supervisory role in the eyes of Defendant RODRIQUES.

56. Plaintiff is married to a fellow Sergeant in the NYPD and never had an affair with Lieutenant Disanto or anyone else.
57. Plaintiff and the other women in the Command are subjected to this gender discrimination and hostile treatment by Defendant RODRIQUES.
58. Shortly thereafter, Defendant RODRIQUES attempted to cut off Plaintiffs 311 overtime.
59. In 2023, Sergeants could do 311 overtime which allowed them to earn significant overtime.
60. Defendant RODRIQUES issues an order to Plaintiff that she can no longer work these details.
61. This order made little sense as there was a shortage of overtime for the sergeants.
62. Defendant RODRIQUES did not treat male sergeants in this manner.
63. Following the Order of Defendant RODRIQUES, Plaintiff spoke with Lieutenant Disanto about the order.
64. Plaintiff is immediately restored to the details and Defendant RODRIQUES' order is overridden.
65. This further angers Defendant RODRIQUES.
66. The constant effort to discriminate against Plaintiff cause her to constantly have to worry about being punished and/or attacked for being a woman and causes her to work in a hostile work environment.
67. At all times herein, Plaintiff was treated less well due to her gender by Defendant RODRIQUES.
68. This disparate treatment caused Plaintiff to work in a hostile work environment.

69. In June 2023, Sergeant Burgos transfers into the command while pregnant.
70. Defendant RODRIQUES immediately begins to target Sergeant Burgos due to her being pregnant.
71. The harassment of Sergeant Burgos by Defendant RODRIQUES is motivated by her gender.
72. Plaintiff informs Defendant RODRIQUES that she worked with Sergeant Burgos previously in the 23rd Precinct and that she's a good worker.
73. Plaintiff tells Defendant RODRIQUES that Sergeant Burgos had child care responsibilities and needs to work day tours.
74. At all times herein, women who are caregivers to their children or elderly relatives are a protected category under New York City Human Rights law.
75. When these women ask Plaintiff for accommodation surrounding their caregiver obligations, they are engaging in protected activity similar to the filing of a discrimination complaint.
76. When Plaintiff seeks accommodation with Defendant RODRIQUES on behalf of her caregiver subordinates, she is also engaging in protected activity, similarly to if she was making a discrimination complaint on behalf of these same officers.
77. At all times herein, Defendant RODRIQUES retaliated against Plaintiff based on her engagement in protected activity and her association with the women officers who are caregivers to their families.
78. This retaliatory conduct was done purposefully to dissuade Plaintiff and others from engaging in protected activity.
79. Defendant RODRIQUES was uncommonly rude about the situation and informed

Plaintiff that he will not accommodate her stating “needs of the Department”.

80. Plaintiff knew that accommodating the pregnant Sergeant would not create a hardship on the Defendants, but Defendant RODRIQUES refused to assist her due to her gender.
81. From this point forward Defendant RODRIQUES purposefully assigned desk coverage overtime, that she would have difficulty performing, to Sergeant Burgos in retaliation for her being pregnant and a woman.
82. Male supervisors are not treated in this manner.
83. In the summer of 2023, Plaintiff’s subordinate Police Officer Stephanie Zarro informed her that she had childcare issues as a single mother for her 9-year-old son.
84. Officer Zarro informed Plaintiff that she is the primary caregiver to her son and that she needed to be accommodated due to her needs.
85. Again, this request for accommodation constitutes protected activity under the New York City Human Rights law.
86. Plaintiff happily accommodates Officer Zarro as the request would not create a hardship on the command or the Defendant CITY.
87. Plaintiff also informs Defendant RODRIQUES of the accommodation request in order to ensure that Officer Zarro is accommodated.
88. Defendant RODRIQUES tells Plaintiff that he will accommodate Officer Zarro.
89. Despite agreeing to accommodate Officer Zarro to Plaintiff, he immediately reneges and assigns Officer Zarro to multiple overtime assignments which would disrupt her child care.
90. After learning that Defendant RODRIQUES had refused to accommodate her female subordinate, Plaintiff confronts Defendant RODRIQUES about his failure to

accommodate her.

91. Defendant RODRIQUES tells Plaintiff “I do not give a shit” and tells Plaintiff he will continue to not accommodate her.

92. Defendant RODRIQUES is harassing Officer Zarro due to her gender and due to her proximity to Plaintiff.

93. Further, Plaintiff requesting an accommodation on behalf of her subordinates who have childcare issues is protected activity under the New York City Human Rights law.

94. At all times herein, Plaintiff is treated less well due to her gender, her association with women seeking accommodation and in retaliation for their accommodation requests.

95. Defendant RODRIQUES does not treat men in this manner due to their gender.

96. Following the confrontation, Plaintiff talks to Lieutenant Disanto.

97. Lieutenant Disanto contacts Defendant RODRIQUES and forces him to accommodate Officer Zarro.

98. Despite the order from Lieutenant Disanto, Defendant RODRIQUES orders Officer Zarro to work two (2) more overtime tours which conflict with her childcare responsibilities.

99. Defendant RODRIQUES attempts to schedule officer Zarro for three (3) consecutive tours.

100. Plaintiff intercedes to protect Officer Zarro.

101. Defendant RODRIQUES tells Plaintiff that Officer Zarro can be his driver for her third tour.

102. Officer Zarro comes to Plaintiff and tells her that she does not feel comfortable being Defendant RODRIQUES’ driver.

103. Plaintiff stands up to Defendant RODRIQUES and informs him that Officer Zarro would not be working the overtime as she has an accommodation for her childcare responsibilities.
104. Defendant RODRIQUES gets angry at Plaintiff and tells her “I am the Admin Lieutenant she’s doing both (tours).”
105. Plaintiff ends the conversation so as to not be discourteous to a supervisor.
106. Plaintiff is forced to go to Lieutenant Disanto again to stop Defendant RODRIQUES from discriminating and retaliating against her and her subordinates.
107. Lieutenant Disanto immediately ends the order towards Officer Zarro.
108. Defendant RODRIQUES continues to retaliate against Plaintiff for her efforts to assist her staff with their accommodation requests.
109. Plaintiff is forced to work in a hostile work environment due to Defendant RODRIQUES.
110. Defendant RODRIQUES treated male employees in a more favorable manner than women employees.
111. The disparate treatment caused Plaintiff to have to work in a hostile work environment.
112. Around this time another female officer had an issue on the job.
113. Following the incident, Plaintiff reviewed Officer Julie Ng’s body worn camera video, of her response to a domestic violence call.
114. In this case, Officer Ng had failed to identify a wanted criminal and did not make the arrest as she was unsure whether or not the man fit the description of the wanted criminal.
115. Following the incident, Plaintiff spoke with the officer and jointly agreed on scheduling

additional training for the officer at the Police Academy.

116. Following the conversation, Plaintiff informed Defendant RODRIQUES what was going on and asked if the officer could be scheduled to receive additional training at the Police Academy.
117. Plaintiff speaks with Defendant RODRIQUES who agrees to schedule the training.
118. Following the meeting, Defendant RODRIQUES unilaterally changes Officer Ng's tour to the day tour in punishment for her mistake.
119. The Officer Ng then speaks with Defendant RODRIQUES who informs her that he changed her tour at Plaintiff's direction.
120. Officer Ng speaks with Plaintiff and is confused as she had agreed with Plaintiff to be scheduled for training.
121. Plaintiff informs the officer not to worry and she will "make it right."
122. Plaintiff immediately confronts Defendant RODRIQUES who informs him that Officer Ng cares for her sick elderly father during the day and cannot work the day tour.
123. Officer Ng is a caretaker to her father, a protected category.
124. Officer Ng had been accommodated to allow her to care for her father.
125. This accommodation constitutes protected activity.
126. Defendant RODRIQUES tells Plaintiff that Officer Ng "shitcanned" an arrest and that she needs to face consequences for her actions.
127. Plaintiff explicitly explains to Defendant RODRIQUES that Officer Ng is a caretaker to her father and needs to be accommodated.
128. Defendant RODRIQUES refuses despite the accommodation not creating a hardship on the Defendants.

129. Defendant RODRIQUES tells Plaintiff “everyone has an excuse” and that he cannot accommodate “cops playing the sick card.”
130. At no time did Defendant RODRIQUES engage Officer Ng in a cooperative dialogue in order to accommodate her nor would it create a hardship on the Defendant CITY to accommodate the female officer.
131. Plaintiff seeking an accommodation on behalf of her subordinate constitutes a protected activity under the New York City Human Rights law.
132. As result of Defendant RODRIQUES’ retaliation of the female officer, Plaintiff speaks with Commanding Officer Inspector Castillo about Defendant RODRIQUES’ unlawful actions.
133. Defendant RODRIQUES does not undermine the authority of male supervisors in the way that he does Plaintiff due to their gender.
134. Commanding Officer Inspector Castillo tells Plaintiff that there have been other complaints about Defendant RODRIQUES.
135. Plaintiff explains the incident involving Officer Ng.
136. Commanding Officer Inspector Castillo immediately orders Officer Ng have her tour changed back to allow her to care for her elderly father.
137. At all times herein, Plaintiff was treated less well due to her gender by Defendant RODRIQUES.
138. This disparate treatment caused Plaintiff to work in a hostile work environment.
139. The actions taken towards Plaintiff were done purposefully to dissuade others from engaging in protected activity.
140. In retaliation for Plaintiff standing up for her women subordinates, and due to her

- gender, Defendant RODRIQUES tries to issue Plaintiff a command discipline for “boss shopping” and Officer Zarro a command discipline for failing to lock her locker.
141. Specifically, in the Fall 2023, Defendant RODRIQUES does a surprise locker inspection of the women’s locker room only.
142. After the inspection, Defendant RODRIQUES attempts to issue Officer Zarro a command discipline for failing to lock her locker and Plaintiff a Command Discipline for “boss shopping”.
143. Specifically, Defendant RODRIQUES announces that he is going to give Officer Zarro a command discipline failing to lock her locker.
144. Officer Zarro’s locker only had clothes in it and no weapons or other belongings that were required to be locked.
145. Following the announcement that Officer Zarro would be given a command discipline, Plaintiff states that Officer Zarro will not be given a command discipline for this infraction.
146. Defendant RODRIQUES insists that Officer Zarro will be disciplined.
147. Plaintiff objects to the clear gender discrimination.
148. Defendant RODRIQUES continues to insist that Officer Zarro must be disciplined.
149. Plaintiff proceeds to go to the men’s locker room and sees that the vast majority of the lockers were unlocked.
150. Plaintiff demanded that Defendant RODRIQUES issue a command discipline to the men as well, but he refuses.
151. Based on the commotion, Lieutenant Disanto states that no one will be getting command disciplines at this time.

152. This disparate treatment caused Plaintiff to work in a hostile work environment.
153. Based on the treatment of women in the office, Plaintiff orders her domestic violence subordinates, to lock the door to the Domestic Violence office at all times to avoid Defendant RODRIQUES from entering the office.
154. Plaintiff tells her team that there is no reason for Defendant RODRIQUES to be in the office and if he needs something to contact her.
155. Plaintiff is forced to work in a hostile work environment due to her gender, association with women who require accommodation and in retaliation for her engagement in protected activity.
156. Male officers are not treated by Defendant RODRIQUES in this manner.
157. In November 2023, Officer Zarro had additional child care issues which prevented her from working overtime.
158. Plaintiff was able to accommodate her for the most part.
159. Plaintiff sees that Defendant RODRIQUES schedules Officer Zaro for an overtime tour at a time she cannot work.
160. Plaintiff confers with Officer Zarro and confirms that she cannot work the overtime tour.
161. Plaintiff speaks with Lieutenant Disanto about her subordinate in order to avoid any problems.
162. Defendant RODRIQUES walks in during the conversation and overhears Plaintiff.
163. Defendant RODRIQUES tells Plaintiff “You with this shit again.”
164. Plaintiff explains that the officer has childcare responsibilities.
165. Defendant RODRIQUES again gets angry about the childcare request and says, “we all

have child care issues.”

166. Plaintiff tells Defendant RODRIQUES that “he gets to bring his child to work when he has issues, so he doesn’t have the same childcare issues” as the women in the command.

167. Defendant RODRIQUES responds by telling Plaintiff “Fuck you. Who the fuck do you think you are?”

168. Defendant RODRIQUES does not talk to men in this manner.

169. Lieutenant Disanto intervenes and stands up for Plaintiff.

170. Lieutenant Disanto informs Defendant RODRIQUES that he cannot speak to Plaintiff in this manner.

171. Plaintiff is extremely upset by the argument and disrespect from Defendant RODRIQUES.

172. Plaintiff is so upset by the interaction she leaves work early for the day.

173. Men in the command are not treated in this manner by Defendant RODRIQUES.

174. At all times herein, Plaintiff was treated less well due to her gender by Defendant RODRIQUES.

175. This disparate treatment caused Plaintiff to work in a hostile work environment.

176. The actions taken towards Plaintiff were done purposefully in retaliation for her protected complaints to dissuade others from engaging in protected activity.

177. Prior to the latest incident, in September 2023, Plaintiff was contacted by Lieutenant Janice Falette who is the Commanding Officer of Internal Affairs Bureau Group 51.

178. Group 51 is a fledgling Internal Affairs Group tasked with investigating sex crime allegations against Members of Service.

179. Plaintiff was contacted by Lieutenant Falette to join her group.

180. Plaintiff said no, previously in September 2023.
181. The primary reason that Plaintiff initially said no to the offer is that the position would be a pay cut for Plaintiff in her last two years with the NYPD.
182. At the end of 2023, Plaintiff is entering her 18th year as a member of service with the NYPD.
183. A member of service with the NYPD is eligible for full retirement benefits after their 20th year of service.
184. It is common for officers who are in their last years of employment with the NYPD to have increased overtime to increase their pension as much as possible.
185. There is a rule within the NYPD that an Officer can increase their salary for their last year by no more than 20% of their previous year.
186. This means that if an officer earned \$150,000 for their 19th year, they could earn a maximum of \$180,000 in pensionable income even if they earned more than that amount in their last year.
187. As the Domestic Violence Supervisor Plaintiff would have been able to earn much more in overtime in her 19th and 20th year in the command then she would in Internal Affairs.
188. Specifically, Plaintiff could average more than 60 hours a month in overtime in the command in her last two (2) years.
189. At a group in Internal Affairs, Plaintiff's overtime would be limited to thirty (30) hours a month.
190. This means that Plaintiff would earn approximately \$40,000 - \$60,000 more a year in overtime if she stayed in the 34th Precinct.
191. Following the latest incident with Defendant RODRIQUES, Plaintiff feels like she has

no choice but to leave the command.

192. Plaintiff calls back Lieutenant Falette, to see if the position is still vacant and accepts the position in Group 51 in December 2023.
193. Plaintiff felt like she had no choice but to take the position.
194. In February 2024, Plaintiff is formally transferred to Group 51.
195. Plaintiff is forced to take the position due to the hostility of Defendant RODRIQUES.
196. The hostility of Defendant RODRIQUES which was caused by Plaintiff's gender, association with women who sought accommodations and in retaliation for when she engaged in protected activity, forced Plaintiff to take the position in Internal Affairs.
197. Men in the command are not treated in this manner by Defendant RODRIQUES.
198. At all times herein, Plaintiff was treated less well due to her gender by Defendant RODRIQUES.
199. This disparate treatment caused Plaintiff to work in a hostile work environment.
200. The actions taken towards Plaintiff were done purposefully in retaliation for her protected complaints to dissuade others from engaging in protected activity.
201. Plaintiff continues to suffer from having to leave the 34th Precinct to get away from the discrimination and retaliation of Defendant RODRIQUES.
202. For the year 2024 Plaintiff had a base salary of \$120,744 and earned a total of \$181,283, \$60,539 in overtime while assigned to Group 51 in Internal Affairs.
203. First year, male sergeant in the 34th Precinct, Jonathan Carter, who had a base salary of \$105,606, was able to earn \$89,495 in overtime in 2024, for a total of \$189,101.
204. Not only did the first year sergeant earn more in total income than Plaintiff, a Sergeant Special Assignment, but he was able to earn \$28,956 more in overtime than Plaintiff

despite earning approximately 20% less an hour in overtime pay.

205. Male Sergeant Edilberto Martinez earned \$218,461 in total pay in 2024 with a base salary of \$118,056, less than Plaintiff's base salary, and \$100,405 in overtime pay.
206. Plaintiff earned \$37,178 less in 2024 than Sergeant Martinez because she was forced to leave the 34th Precinct to get away from the discriminatory and retaliatory treatment of Defendant RODRIQUES.
207. Male Sergeant Jorge Lopez earned \$242,144 in total pay in 2024 with a base salary of \$118,056, less than Plaintiff's base salary, and \$124,088 in overtime pay.
208. Plaintiff earned \$60,861 less in 2024 than Sergeant Lopez, despite being a higher rank, because she was forced to leave the 34th Precinct to get away from the discriminatory and retaliatory treatment of Defendant RODRIQUES.
209. If Plaintiff remained in the 34th Precinct her pension would be \$30,000 more a year.
210. Plaintiff is forty (40) years old currently and will retire at the age of forty-one (41).
211. Plaintiff has a life expectancy of 78 years.
212. This means that Plaintiff will be denied \$30,000 a year in pension benefits for thirty-seven (37) years, which will total \$1,110,000 in lost pension benefits.
213. On February 15, 2025, the New York Post ran multiple stories about a charge of discrimination filed by Defendant RODRIQUES.
214. Defendant RODRIQUES, as stated in the story, filed a complaint
215. Defendant RODRIQUES falsely accused Plaintiff of having a sexual relationship with Lieutenant Disanto.
216. Defendant RODRIQUES made these allegation and statements despite knowing them to be false.

217. In that article, Defendant RODRIQUES defames Plaintiff by falsely stating that that Plaintiff “engaged in an inappropriate sexual relationship” with Lieutenant Disanto.
218. Defendant RODRIQUES defames Plaintiff by falsely stating about Plaintiff that “Despite her official role, Ortiz spent significant time ‘entertaining’ Disanto, which prevented her from fulfilling her responsibilities.”
219. Defendant RODRIQUES defames Plaintiff by falsely stating that : “They (Plaintiff and Lieutenant Disanto) would go lock up in her office anywhere maybe between 30 minutes and an hour” and that “He (Lieutenant Disanto) would come out adjusting himself.”
220. The insinuation by Defendant RODRIQUES was that Plaintiff was having a sexual relationship with Lieutenant Disanto.
221. The complaint filed by Defendant RODRIQUES allegedly states that “These encounters were so blatant that physical evidence, including broken nails, were left behind, reinforcing how openly this misconduct was occurring.”
222. This statement is demonstrably false as Plaintiff has only had her nails done on one occasion in her entire life, her wedding, and no time since.
223. Defendant RODRIQUES knows these statements to be false.
224. Defendant RODRIQUES caused these statements to be published,
225. Defendant RODRIQUES published these statements without privilege or authorization to a third party.
226. These statements caused Plaintiff harm.
227. These statements constitute defamation per se.
228. As a result of the defamatory statements, Plaintiff suffered harm to her career, reputation

and caused her a great deal of embarrassment.

229. On February 17, 2025, in response to the false allegations filed by Defendant RODRIQUES, Plaintiff filed a formal complaint of discrimination with the NYPD Office of Equal Employment Opportunity (“OEEO”).
230. Defendant RODRIQUES knows his statements to be false yet made them purposefully to harm Plaintiff, Plaintiff’s employment and reputation.
231. The formal complaint, dated February 16, 2025 states the following:

I am writing this letter for the purpose of filing a formal complaint against Lieutenant Emilio Curtis Rodriques, Tax # 931944. While assigned to the 34 Precinct there came a time when Lieutenant Rodriques was transferred to the command. From the moment I met the Lieutenant I noticed a lot of odd behavior from him. For example I would walk into a room and if he was there would become very quiet and look at me up and down. He would become over emotional over things like not saying hello to him or not immediately acknowledging his presence in the room. Due to these odd behaviors I felt uneasy around him and made it a point to never be alone with him and to ensure I chose my words carefully when speaking to him. There came a point in time where one of my domestic violence officers, Officer Stephanie Zarro, Tax # 969438 was going through a hard time at home, separated from her husband and became a single mother. My officer came to me and requested an accommodation with her scheduling so that she would be able to deal with her new life as a single mother. I made the change she requested with her schedule and allowed her to come in depending on what her child had going on. I spoke to Lieutenant Rodriques regarding the officers hardship and asked if we could consider her hardship when notifying her for overtime and if need be there were other members in the command willing to take her details. He told me he understood and stated that he would make every attempt to accommodate her. From that point forward he began putting notifications on her desk for overtime details without asking her if she was able to work them. So on multiple occasions I found myself either finding someone else to cover them or asking if he had anyone else to do them to which he would state “she knows what she got into when she became a cop, so I don’t understand why she’s playing these games”. On one occasion in addition to working her regular tour he tried to notify her for two slots of overtime back to back on the same day which would have had her working triple tours back to back. Officer Zarro went into the administrative office to speak to him and he told her that she was going to work both of them but for the second one she would be driving him so it wouldn’t be that bad. Officer Zarro came to me and stated she could work the first overtime but not the second because her child would be left home alone. She also stated she found it odd that he was going to take her as a driver for crime reduction which was not normal being that the overtime allotment is 1 and 8 so that would leave him with no officers to drive him but he was going to take her. I went to go speak to him about this and he told me he didn’t give a shit, stated that it wasn’t that bad because he

was going to have her drive him and kicked me out of his office. I went to go speak to my Lieutenant and my Lieutenant handled it. There came a point in time around the summer of 2023 where Officer Zarro worked her regular tour, stayed for overtime due to a DV arrest in addition to dealing with her responsibilities at home. She came in the next day tired and a little out of it. While walking down the hallway Lieutenant Rodriques proceeded to give her dirty looks. She came into the office and told me that he was acting weird so I told her to ignore him and that if he said anything to her to let me know and I would handle it. A couple of days after this I was having a conversation on the phone out in the parking lot about something I read in the paper regarding a famous couple getting divorced and Lieutenant Rodriques interjected himself in my conversation and stated that's why divorces are up because "women are not doing what they were made to do, be seen and not heard". I hung up my call and went inside.

Around June of 2023 a female Sergeant who was pregnant and also a single mother of another small child, was transferred to the 34 Precinct. Upon arrival she was instructed to speak to Lieutenant Rodriques, who was the administrative Lieutenant at the time regarding what tour she needed. While speaking to her at the desk she told me Lieutenant Rodriques told her she would be accommodated on the 2nd platoon as soon as a spot opened up. During her time there supervisors were transferred and multiple spots opened up on the 2nd platoon but despite requesting those spots she was never given a day tour. Instead Lieutenant Rodriques rotated her on every tour and even notified her for overtime for coverage. There came a point in time where she was basically sleeping at the command because of the back to back coverage she was doing. One day she came into work and informed him that she was going out sick as per the recommendation of her doctor who stated she would be delivering any day now. While I was at the desk Lieutenant Rodriques came over pissed off and began yelling about the supervisor stating that she pulled some scam and was using her pregnancy to get out of working the double and that now he was going to have to find someone on such short notice. I then volunteered to work the double, he looked over at me and said "oh so now you trying to save every body huh?". I took the notification and walked away without saying anything back.

As time went on things got worse, I went to Lieutenant Rodriques on one occasion and requested retraining for a female officer named Officer Julie NG, Tax # 972824. Officer NG responded to a domestic violence job for a violation of an order of protection. Upon arrival the offender was on scene but the officer wasn't sure because she had never seen him before. I then sent her a picture and upon interacting with him she let him go. After she was done with the job I called her into my office and we talked about the job and what went wrong. I told her that after watching several of her domestic violence BWC videos I really thought she would benefit from retraining at the academy. She agreed that she would so I told her I would have them schedule her and let her know. I went to the administrative office because the training Sgt had been away for a while and was on vacation for the next two weeks. I told Lieutenant Rodriques about what happened and told him since the training Sgt wasn't in, did he have a contact I could reach out to so I could schedule her for retraining. The Lieutenant told me he would take care of it. The next day I get a text from Officer NG requesting to speak to me. She came into my office in tears stating Lieutenant Rodriques changed her tour to work on the 2nd platoon. She

then explained that her father who is elderly has a home attendant during the night hours and that she has to be home to care for him during the day. She stated that the Lieutenant told her that I requested a tour change as punishment for her not handling the DV job correctly. I told NG that I never stated that, I asked him for a contact so that I could schedule the retraining and he told me he would take care of it. I told NG not to worry about it that I would get her tour changed back. I went to go speak to Lieutenant Rodriques and he told me that he did what I requested and I told him that I didn't ask him to change her tour. I then told him about the reason she needs the 3rd platoon and he went on to state that everyone has an excuse when they face the consequences of fucking up and that he didn't care that she had a sick father at home, she should've thought about that before she tried to shit can the collar. I then went to the Commanding Officer with my concerns and the Commanding Officer told him to change her tour back to the 3rd platoon.

There came a point in time where Lieutenant Rodriguez made it a point to now walk into my office when I wasn't there to say things to my officers. On one occasion he walked into the domestic violence office and began yelling at Officer Zarro in my other DVO's presence, Officer Leslie Romero, Tax # 964738, stating that the only reason she was still working in that office was because of him and that he was the one who selected her to be a domestic violence officer when she put in for it (which was not true). He yelled at her to the point where she went down to the locker room and bursted into tears. The same day he put a notification for overtime on her desk. Upon coming into work, I spoke to my cops and they told me about what happened and about the notification. I grabbed the notification and went to speak to my supervisor because at that point I had enough. While in my lieutenant's office, Lieutenant Rodriques walks in and I nicely ask him about the overtime and asked if there was anyone else that would be willing to work it. He then cuts me off mid-sentence and begins yelling at me about my cop. He stated that he didn't give a shit if she had child care issues, that he has child care issues too. He then went on a rant about how she didn't say hi to him in the hallway (he was referring to the day he gave Zarro dirty looks in the hallway) and that now she wanted to come crying about being notified. He then began cursing at me and calling me names so my Lieutenant stepped in to defend me and put a stop to it.

In October of 2023 there was a newly promoted Sgt, Sgt Opokuduro, Kwadwo, Tax # 961037 transferred to the 34 Precinct. I was notified to train him on the responsibilities of the desk. While at the desk with the new Sgt, Lieutenant Rodriques walks over, gives me a tumbler I gifted all the supervisors during the holidays and states he no longer wanted it and then proceeds to tell me in front of the new Sgt that he didn't need someone like me training new supervisors and tells me to go back to my office. His statement in front of my peers left me feeling embarrassed. I then returned later on and the new Sgt who was by himself and overwhelmed at the desk ask me what the Lieutenants deals was with me and I told him I didn't know.

In December of 2023 I received a call regarding a newly created unit made to investigate sex crimes and I told them I was interested. Before being transferred in February of 2024 I had a conversation with my delegate because Lieutenant Rodriques was bad mouthing me to anyone who would give him the time of day. Before I could address that I was

transferred to the unit. I have not spoken to nor seen Lieutenant Rodriques since that time.

On February 15, 2025 I received multiple phone calls and text messages regarding an article released by the New York Post stating that Lieutenant Rodriques alleged I was having an affair with my former Lieutenant who is also married. His defaming lies have single handedly destroyed my family, my character and my good standing with this Department. I have been publicly humiliated by this man for no reason. These allegations have no basis to them nor are they true. I had to sit down with my children who are 12, 15 and 19 to explain to them what was going on. I live in a heavy first responder populated community and am now contemplating selling my house and moving because of what this man has done to me. I have done nothing to deserve the pain and embarrassment he's caused myself and my family. Both my husband, who is also a Sergeant, and I have given the NYPD 18.5 years of our lives. We've worked hard on this job, have been in good morale standing with the Department and have never been part of any scandals like this. I find it unjust and disturbing that the NYPD would keep a man, who has had multiple complaints in every precinct he's ever worked in, where he's constantly harassing and belittling women who work for this Department, working in a capacity to be in charge of those women. This isn't the first complaint of this nature this man has received. I have been receiving calls, text messages and have been talked about in group chats across this job. This article has been shared countless number of times online and across social media. I hope that in some way this wrong can be made right.

232. It is unclear at this time whether the Defendant CITY will take actions to protect the women of the NYPD from Defendant RODRIQUES or will continue in their failures to protect women in the workplace.
233. The actions that Plaintiff was forced to endure by Defendant RODRIQUES, repeatedly being cursed at, yelled at, berated, attempted tour changes, discipline, retaliation repeated threats, and harassment significantly impacted Plaintiff's ability to perform her job duties and created a hostile work environment.
234. These actions by the Defendants herein which caused the hostile work environment for Plaintiff were severe and pervasive.
235. As a result of Defendant CITY on notice of the gender discrimination and harassment dating back to 2023, and subsequent failure to take prompt and effective remedial action and/or that the Defendant CITY should have known and failed to exercise reasonable

diligence to prevent future acts, the Defendants are strictly liable to Plaintiff pursuant to the New York City Human Rights Law (hereinafter referred to as "NYCHRL") §8-107(13)(b).

236. As a result of the Defendants failure to prevent the discriminatory atmosphere in which Plaintiff was subjected, the intentional, malicious, and reckless indifference that resulted in discrimination and retaliation of Plaintiff, Defendants are subjected to punitive damages in this action.
237. The Defendants failure to intervene and protect Plaintiff, despite knowing that employment discrimination and retaliation to be unlawful which is common knowledge in today's society that employment discrimination and retaliation is impermissible Plaintiff is entitled to an award of punitive damages.
238. The Defendants egregious misconduct is evidence of the Defendants mental state of intentional discrimination and retaliation.
239. Plaintiff engaged in protected activity repeatedly when she spoke with Defendant RODRIQUES about the reasonable accommodation requests of her women officers related to their care taker status.
240. The Defendants herein were aware of that Plaintiff participated in protected activity when she made these complaints.
241. Plaintiff suffered disadvantageous employment actions, which were more than petty slights, and trivial inconveniences when she was denied overtime opportunities and labeled a problem by the Defendants herein.
242. Plaintiff suffered more than petty slights and trivial inconveniences as a result of the discriminatory and retaliatory actions of the Defendants herein.

243. Plaintiff alleges that the actions of the defendants herein caused her to suffer severe and pervasive emotional distress as a result of that hostile environment.

COUNT I
SEX/GENDER DISCRIMINATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

244. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count IV of this complaint.

245. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of her sex and gender.

246. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiff's stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's gender, created a hostile work environment by the conduct of Defendants CITY and RODRIQUES without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.

247. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.

248. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.

249. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful

employment actions against Plaintiff based on her sex and gender.

250. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

COUNT II
CARETAKER- ASSOCIATION DISCRIMINATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

251. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count IV of this complaint.
252. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of her association with employees who have caretaker status.
253. Plaintiff is associated with employees who have caretaker status.
254. Plaintiff suffered adverse employment actions which rise above the level of petty sleights and trivial inconveniences based on her association,
255. At all times herein these conditions caused Plaintiff to work in a hostile work environment as she was treated less well due to her association.
256. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's caretaker status, created a hostile work environment by the conduct of Defendants CITY and RODRIQUES without any non-discriminatory basis thereof. The

wrongful conduct was condoned by the Defendant CITY.

257. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
258. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
259. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff based on her caretaker status.
260. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

COUNT III
SEX/GENDER DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

261. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count V of this complaint.
262. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of her sex and gender.
263. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of

employment, including all favorable conditions and emoluments thereof because of Plaintiff's gender, created a hostile work environment by the conduct of Defendants CITY and RODRIQUES and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.

264. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
265. Defendants subjected Plaintiff to a materially adverse and hostile work environment by subjecting her, day after day and year after year, without supervisory intervention to discrimination and retaliation based on her sex and gender.
266. The actions of the Defendants towards Plaintiff were severe and pervasive.
267. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
268. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff based on her sex and gender.
269. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices, including subjecting Plaintiff to a hostile work environment, of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

COUNT IV
CARETAKER ASSOCIATION DISCRIMINATION

**HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS**

270. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count IV of this complaint.
271. Plaintiff is associated with employees who have caretaker status.
272. Plaintiff suffered adverse employment actions which rise above the level of petty sleights and trivial inconveniences based on her association,
273. At all times herein these conditions caused Plaintiff to work in a hostile work environment as she was treated less well due to her association.
274. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's gender, created a hostile work environment by the conduct of Defendants CITY and RODRIQUES and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.
275. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
276. Defendants subjected Plaintiff to a materially adverse and hostile work environment by subjecting her, day after day and year after year, without supervisory intervention to discrimination and retaliation based on her sex and gender.
277. The actions of the Defendants towards Plaintiff were severe and pervasive.
278. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits

and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.

279. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff based on her sex and gender.
280. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices, including subjecting Plaintiff to a hostile work environment, of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

COUNT V
RETALIATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

281. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count V of this complaint.
282. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment in retaliation for Plaintiff engaging in protected activity.
283. Plaintiff engaged in protected activity when she requested accommodations on behalf of her subordinates.
284. Plaintiff was retaliated against by the Defendants CITY and RODRIQUES, Individually, as a result of her engagement in protected activity.
285. Defendants' actions were taken under circumstances giving rise to an inference of retaliation.

286. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, lost career, and business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
287. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff in retaliation for Plaintiff's lawfully protected complaints.
288. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

COUNT VI
SEX/GENDER DISRIMINATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)
AGAINST ALL DEFENDANTS

289. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count VII of this complaint.
290. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the discriminatory acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
291. At all times herein Defendant RODRIQUES was a supervisor of Plaintiff.
292. Plaintiff was subjected to gender discrimination and hostile work environment.
293. The Defendants were aware of the actions of managers and supervisors, including

Defendant RODRIQUES, but failed to take corrective remedial action which forced Plaintiff to be subjected repeated harassment based on her gender.

294. The Defendants failed to exercise reasonable diligence to prevent such discriminatory conduct.

295. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's gender, created a hostile work environment by the conduct of Defendant RODRIQUES and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.

296. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.

297. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.

298. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff based on her sex and gender.

299. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.

300. As a result of Defendants willful actions, they are strictly liable to Plaintiff for their actions.

COUNT VII
CARETAKER ASSOCIATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)
AGAINST ALL DEFENDANTS

301. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count VII of this complaint.

302. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the discriminatory acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.

303. At all times herein Defendant RODRIQUES was a supervisor of Plaintiff.

304. Plaintiff was subjected to discrimination due to her association with someone who has caretaker status.

305. The Defendants were aware of the actions of managers and supervisors, including Defendant RODRIQUES, but failed to take corrective remedial action which forced Plaintiff to be subjected to discrimination based on her association with women who are caretakers.

306. The Defendants failed to exercise reasonable diligence to prevent such discriminatory conduct.

307. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's caretaker association, created a hostile work environment by the conduct of Defendant RODRIQUES and without any non-discriminatory basis thereof. The

wrongful conduct was condoned by the Defendant CITY.

308. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
309. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
310. Plaintiff alleges Defendants CITY and RODRIQUES, engaged in various unlawful employment actions against Plaintiff based on her caretaker association.
311. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY and RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.
312. As a result of Defendants willful actions, they are strictly liable to Plaintiff for their actions.

COUNT VIII
RETALIATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)
AGAINST ALL DEFENDANTS

313. Plaintiff re-alleges all paragraphs contained herein and incorporates them by reference of Count XI of this complaint.
314. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the acts of managers and supervisors against a subordinate

employee, such as the Plaintiff herein.

315. Plaintiff was subjected to repeated retaliatory acts following the lawful complaints made by Plaintiff regarding sex and gender discrimination, and accommodations.
316. The Defendant CITY OF NEW YORK was aware of the actions of managers and supervisors, including Defendant RODRIQUES. The Defendants failed to exercise reasonable diligence to prevent such retaliatory conduct.
317. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations and numerous commendations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's gender, her association with those who are caretakers and in retaliation for their requests for accommodation, and created a hostile work environment by the conduct of Defendant RODRIQUES, and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.
318. Defendants' actions were taken under circumstances giving rise to an inference of retaliation.
319. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career, and business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
320. Plaintiff alleges Defendant RODRIQUES, engaged in various unlawful employment actions against Plaintiff in retaliation for her lawfully protected complaints of sex and

gender discrimination.

321. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendant RODRIQUES, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to her personal and professional reputation.
322. As a result of Defendants willful actions, they are strictly liable to Plaintiff for their actions.

COUNT IX
DEFAMATION/DEFMATION PER SE
(AGAINST Defendant RODRIQUES ONLY)

323. Plaintiff repeats and re-alleges all the allegations contained in all preceding paragraphs of this complaint with full force and effect as though set forth at length herein.
324. The Defendant RODRIQUES herein made various defamatory statements against Plaintiff published on February 15, 2025.
325. These statements were made and published by the Defendant RODRIQUES herein despite knowing these statements to be false for the purpose of harming Plaintiff as described herein.
326. The Defendant RODRIQUES herein made these false statements in a malicious or reckless manner to ensure that Plaintiff was publicly caused harm to Plaintiff personally and professionally.
327. These statements are patently false which was known by the Defendant RODRIQUES herein at the time they were made.

328. By reason of the foregoing, Defendant RODRIQUES's willful and malicious defamatory statements about the Plaintiff constitute defamation and/or defamation per se for which they are answerable for damages that Plaintiff incurred under New York State law.
329. By reason of the foregoing, Defendant RODRIQUES's willful and malicious defamatory statements about the Plaintiff constitute slander and/or slander per se for which they are answerable for damages that Plaintiff incurred under New York State law.
330. Plaintiff hereby demands compensatory and punitive damages against Defendant RODRIQUES in an amount to be proven at trial that exceeds the jurisdictional limitations of all lower courts that would otherwise have jurisdiction against each of the defendants, individually and severally.

JURY TRIAL

331. Plaintiff demands a trial by jury of all issues in this action that are so triable.

**PRAYER
FOR RELIEF**

WHEREFORE, Plaintiff respectfully request that the Court:

- a. Award compensatory damages for the back pay, front pay, pain, suffering, emotional distress, loss of dignity, humiliation, and damages to reputation and livelihood endured by Plaintiff and all other damages afforded to Plaintiff by statute or otherwise in an amount to be determined at trial.
- b. Award Plaintiff punitive damages in an amount to be determined at trial New York City Human Rights Law Administrative Code §8-502(a).
- c. Find Defendants strictly liable pursuant to New York City Human Rights Law Administrative Code §8-107(13)(b).

VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK)

I, the undersigned, an attorney duly admitted to practice law in the State of New York, under penalties of perjury do affirm.

That I am the attorney of record for the plaintiff in the within matter and make this affirmation in accordance with CPLR 3020. I have read the within VERIFIED COMPLAINT and know the contents thereof to be true to your affirmant’s own knowledge, with the exception of those matters therein stated to be alleged upon information and belief. Your affirmant bases her belief regarding those matters upon the contents of the file and conversation with witnesses and the claimant.

This verification is made by your affirmant and not by the claimant for the following reason: The claimants resides in a different County than where your affirmant maintains an office.

Dated: New York, New York
February 20, 2025

/s/
JOHN SCOLA