

the Connecticut Fair Employment Practices Act, Connecticut General Statutes §46a-60(b)(4).

II. JURISDICTION

3. This action likewise arises under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, et seq., and the Civil Rights Act of 1991, 42 U.S.C. §1981a.
4. Jurisdiction is invoked pursuant to Title 28 U.S.C. §1343(a)(3), Title 28 U.S.C. §1343(a)(4), Title 29 U.S.C. §626(b) and Title 42 U.S.C. §2000e-5(f).
5. All conditions precedent to jurisdiction under Section 706 of Title VII of the Civil Rights Act of 1964, Title 42 U.S.C. §2000e-5(f)(3), have occurred or have been complied with in the following manner:
 - a. A charge of employment discrimination on the basis of race and color was filed on or about January 6, 2023, with both the State of Connecticut Commission on Human Rights and Opportunities and the United States Equal Employment Opportunity Commission, which filings were within three hundred days of the commission of the unlawful employment practices alleged herein;
 - b. On November 14, 2023, the United States Equal Employment Opportunity Commission issued a memorandum entitled “Dismissal and Notice of Rights.
Exhibit 1.

6. Declaratory, injunctive, compensatory damages, liquidated damages and equitable relief is sought pursuant to Title 28 U.S.C. §2201, §2202, and Title 42 U.S.C. §2000e-5(g).
7. Costs and attorney fees may be awarded pursuant to Title 42 U.S.C. §2000e-5(k), and Title 42 U.S.C. §1988.

III. VENUE

8. This action properly lies in the United States District Court for the District of Connecticut pursuant to Title 28 U.S.C. §1391(b), because the claims of the plaintiff arose in this judicial district, and the defendant, State of Connecticut Department of Labor, is an agency of the State of Connecticut.

IV. PARTIES

9. The plaintiff, Jide Ebo, is a citizen of the United States residing in the Town of Bloomfield, State of Connecticut.
10. The plaintiff's race and his color are Black.
11. The plaintiff's ethnicity is Nigerian.
12. The defendant, State of Connecticut Department of Labor, is an agency of the State of Connecticut, organized and existing under the laws of the State of Connecticut.
13. The defendant is a person within the meaning of Section 701(a) of Title VII of the Civil Rights Act of 1964, Title 42 U.S.C. §2000e(a).

14. The defendant is an employer within the meaning of Section 701(b) of Title VII of the Civil Rights Act of 1964, Title 42 U.S.C. §2000e(b).
15. The defendant is a person within the meaning of Section 701(a) of Title VII of the Civil Rights Act of 1964, Title 42 U.S.C. §2000e(a).
16. The defendant employs in excess of fifteen employees.

V. FACTS

17. In 1989, after the plaintiff had worked approximately for three months at the State of Connecticut Department of Correction, the plaintiff accepted an offer of employment from the defendant as a CT Careers Trainee for the position of Wage and Hour Investigator.
18. After completing his employment as a trainee, the plaintiff worked as a Wage and Hour Investigator, then as a Wage Enforcement Agent until approximately 2007, when he was promoted to the position of Field Supervisor of Wage Regulation.
19. The plaintiff performed his job duties as Wage and Hour Investigator, Wage Enforcement Agent, and as a Field Supervisor of Wage Regulation in an exemplary manner.
20. In spite of his exemplary performance, the defendant has inexplicably refused to promote the plaintiff beyond the position of Field Supervisor of Wage Regulation.

21. Although the plaintiff had been fully qualified for promotions to the positions for which he had applied, the defendant refused to promote the plaintiff because of his race, color and/or national origin, including the following:

- i. Wage Enforcement promotion in 1991;
- ii. First Supervisor Promotion;
- iii. Second Supervisor Position;
- iv. First Assistant Director Promotion;
- v. First Director Promotion;
- vi. Second Director Promotion; and
- vii. Second Assistant Director Promotion.

22. The plaintiff has been the primary trainer for employees in the defendant's Wage and Workplace Standards Division.

23. The plaintiff possesses a doctoral degree from Columbia University in Organization & Leadership.

24. In the instances in which the defendant had refused to promote the plaintiff, the plaintiff was not only the most senior but also the most qualified of the candidates who sought promotion.

25. In the instances in which the defendant had refused to promote the plaintiff, the plaintiff was indisputably the most qualified in terms of education, experience, and job performance.
26. Throughout his career in the employ of the defendant, the plaintiff has performed extra duties, as well assuming additional responsibilities beyond his job requirements for and on behalf of past directors to whom he reported, without receiving recognition, compensation, and/or reclassification.
27. For instance, the plaintiff managed the office in the absence of the Director, attended Director's meetings, represented the Director in seminars, developed an individual employee evaluation plan for use by the division, developed official/designated duty station/mileage policy; developed division's executive summary/overview; managed divisions conflict mediation/resolution; wrote position statements on behalf of division, communicated to the public via DOL WebHelp on behalf of division; developed "Streamline Investigation Initiative," developed "Self-Audit Initiative," initiated debit card wage payment, and managed clerical staff functions.
28. Unquestionably, the plaintiff was the most capable employee of the entire division to whom every director under whom he worked would call upon to take on the most complex of tasks.

29. Despite his background, education, experience and job knowledge, the plaintiff has continuously been denied advancement because of his race, color, and national origin.
30. The current Director of Wage and Workplace Standards, Thomas Wydra (“Wydra”), had stated that the reason the former Labor Commissioner, Scott Jackson (“Jackson”) did not promote the plaintiff beyond his current position was because Scott Jackson claimed he could not understand the plaintiff when he was communicating with him because of the plaintiff’s Nigerian accent.
31. Jackson, who had hired Wydra to replace Resa Spaziani as the Director of the Wage and Workplace Standards Division, stated that he bypassed the plaintiff for promotion to the position of director on the demotion of Resa Spaziani was because he could not understand the plaintiff when verbally communicating with him.
32. Wyda was the first person to become the director of the division, who did not come through the ranks of the Department of Labor but was hired from outside the department to circumvent the promotion of the plaintiff, who, by department custom, was next in line to be promoted to division director.
33. The defendant deviated from its long-established past practice of promoting to the position of director from within the division so as to bypass the plaintiff.
34. The defendant disregarded the established past practice in making appointments to the position of Director to avoid appointing the plaintiff, whose color and race were Black

and whose national origin was Nigerian, to the vacant director position, instead appointing Wydra, a far less qualified Caucasian candidate.

35. On or about August 19, 2022, the plaintiff discovered that the position of Assistant Director, which had been vacant, had previously been posted by the defendant, indicating an intention to fill the position.
36. The defendant failed to follow the standard procedure the Department of Labor followed in posting that its desire to seek applications from qualified candidates to fill the position of Assistant Director.
37. Department of Labor job openings are, as a matter of course, posted through the State of Connecticut email system by Neil Griffin, an employee of the defendant's Human Resources division, to all employees in the department.
38. Without explanation, the defendant ignored this long-established practice in filling vacant positions in the Department of Labor when it failed to post the job opening in the normal manner.
39. By failing to post the vacancy in the Assistant Director position by email throughout the Department of Labor, the defendant restricted the number of potential applicants who would have knowledge about the job posting for the Assistant Director position.

40. Dora Senkow (“Senkow”), an employee in the Department of Labor, was the only potential applicant for the position of Assistant Director who was informed of the job posting as well as the location of the posting.
41. The information that was provided by the defendant to Senkow concerning the job position for Assistant Director was not provided to the plaintiff.
42. During a clerical staff meeting, Wydra informed the clerical staff that when the Assistant Director position was posted, the plaintiff was not informed of the posting “because of a screw up in HR.”
43. Contrary to its established practices and procedures, the defendant failed to announce the job posting for the Assistant Director position by email notification to the employees of the Department of Labor.
44. As a matter of course, the defendant’s Human Resources department would send emails to the employees of the Labor Department notifying them of job vacancies within the Department of Labor for which applications were being taken.
45. In the plaintiff’s memory, this was the first time that the defendant’s Human Resources division did not send emails to notify employees of the Department of Labor of promotional opportunities within the Department.

46. Having been alerted by a co-worker to the posting for the Assistant Director position, the plaintiff on or about August 23, 2022, belatedly applied for the Assistant Director's position.
47. Prior to the posting of the position of Assistant Director, Wydra had unfairly skewed the appointment process to favor Senkow to the disadvantage of the plaintiff.
48. Wydra had isolated the plaintiff from the defendant's activities throughout the calendar year 2022.
49. Wydra favored Senkow, a Hispanic employee, over the plaintiff, who was of the Black race and of Nigerian ethnicity.
 - i. Wydra would attend public activities with Senkow, to the exclusion of the plaintiff.
 - ii. Wydra raised baseless questions about the authenticity of a letter recommending the plaintiff's promotion to Assistant Director, which was sent to the Commissioner of the Department of Labor.
 - iii. Wydra, without justification, questioned the validity of the plaintiff's contributions through the years of his employment to the Wage and Workplace Standards Division of the Department of Labor.
 - iv. Wydra raised unfounded doubts about the genuineness of the plaintiff's interest in being promoted to the Assistant Director position.

- v. Wydra said that it was absurd for the plaintiff to apply for the Assistant Director 's position, given his age.
 - vi. Wydra embarked on a campaign of disinformation intended to harm the plaintiff's chances for promotion.
50. Wydra intentionally took actions to harm the plaintiff's promotion opportunity and favor Senkow, a substantially less qualified candidate for appointment to the position of Assistant Director.
51. Wydra cast doubt on the plaintiff's job performance, fabricating negative inferences in connection with the plaintiff's everyday job performance.
52. The plaintiff had been psychologically traumatized by Wydra's unwarranted assault on his excellent professional standing and reputation, earned over thirty years of dedicated professional employment with the Department of Labor.
53. On August 31, 2022, the plaintiff sent a letter to the defendant's Deputy Commissioner, Mark Polzella, and Deputy Commissioner, Daryle Dudzinski, to voice his concerns over the manner in which the promotion process for the Assistant Director of Wage Regulation was proceeding, especially the favoritism being shown for Senkow.
54. The plaintiff asserted, "I would assume that you are aware that the vacant position for Assistant Director of Wage Regulations was posted. I want to make you aware that there

is irrefutable evidence of deliberate efforts to deny me an opportunity to be considered for the position ... ".

55. In response to the plaintiff's August 31, 2022, letter, Deputy Commissioner Polzella responded as follows: "I write to confirm receipt of your communication. The recruitment will proceed as originally intended. I will not entertain the meeting that you requested, as it would be outside of the standard process and create an unbalanced environment as we prepare to begin candidate interviews."
56. Deputy Commissioner Daryle Dudzinski neither acknowledged nor responded to the plaintiff's letter.
57. Additionally, not content on disparaging the plaintiff's skills, abilities, knowledge, and experience, Wydra voiced age derogatory comments directed at the plaintiff's employment longevity with the Department of Labor, asserting "is Jide going to work here forever?" and "doesn't he have one foot out the door?"
58. Additionally, Wydra contended that the list of his job duties that the plaintiff had compiled for Deputy Commissioner, Polzella, was fabricated and exaggerated.
59. Wydra betrayed his opposition to the plaintiff's promotion, stating "why would Jide want this position, he's about seventy (70) years old," and bluntly stating that he "wanted Senkow to receive the position because she's younger and forty (45) years old."

60. Wydra commented on his prior employment in Hamden, Connecticut and how he was given an opportunity when he was younger and that he planned on providing Senkow and the other younger employees within the department the same opportunity to the exclusion of the plaintiff, who he viewed as too old for appointment.
61. Wydra was fixated on the plaintiff's age, commenting that he did not know why the plaintiff should be applying for the position of Assistant Director at the age of almost seventy (70) years.
62. On multiple occasions, Wydra commented that he wanted to promote younger people, noting that Senkow is only forty-five (45) years, and that the plaintiff is almost seventy (70) years old.
63. Wydra emphasized how he was given an opportunity in the Hamden Police Department at a young age, which led to his appointment as Chief of Police, and that he wanted to give Senkow the same opportunity as a youthful employee.
64. Wydra never considered the plaintiff for promotion to Assistant Director, having predetermined that Senkow should receive the promotion, not on the basis of qualifications or experience, but solely on the basis of overt discriminatory considerations, race, color, national origin and/or age.

65. On or about September 28, 2022, the staff in the plaintiff's unit informed him that they had sent a letter of recommendation on his behalf to the Commissioner of the Department of Labor, Dante Bartolomeo.
66. In reaction to the letter of recommendation from the staff in the plaintiff's unit expressing their favorable opinion of the plaintiff, Wydra belittled the staff's letter, claiming that the staff were likely coerced by the plaintiff into signing the letter, and that most of the staff were probably not aware of its content or what they were in fact signing.
67. Wydra cheapened the plaintiff's pronounced superior qualifications, which included his seniority, experience, academic background, contributions to the Division, and letters of recommendation, to facilitate the selection of Senkow for promotion to the Assistant Director position.
68. As a result of Wydra's extreme assault on his qualifications for promotion to the Assistant Director position, the plaintiff suffered emotional distress.
69. On the evening of November 16, 2022, and into the early morning of November 17, 2022, the plaintiff composed a letter which he emailed to Wydra, with a copy to Commissioner Dante Bartolomeo, which he sent on the morning of November 17, 2022, stating that he was being forced by the hostile treatment to which he had been subjected because of his candidacy for Assistant Director to withdraw from promotion process for

the Assistant Director position, and would not be attending the candidate interview which had been scheduled interview for him.

70. On or about November 30, 2022, Wydra announced that Senkow has been appointed as the new Assistant Director of the Division and would begin her new position on December 2, 2022.
71. On or about December 7, 2022, Deputy Commissioner Polzella, and Deputy Commissioner Dudzinski composed an email that was sent to all Managers and Directors of the Department of Labor, barring all pending interviews for positions in the Department of Labor.
72. The hold on the interviews resulted from the questions over the corrupted hiring and promotional practices within Labor Department that had come to light, including the promotion of Senkow to the Assistant Director position despite her lack of qualifications, and the overall favoritism shown friends and relatives in place of merit and seniority in the hiring practices of the Department of Labor.
73. The email indicated that changes in the following areas were required: (1) How to determine the candidates that meet qualifications, (2) Training for all Directors and Managers, and (3) The need for Directors and Managers to reach out to the EEOC prior to interviews.

74. The email further indicated that the revamping of the interview/promotion process was necessary because of the hiring of friends and family in lieu of people who are qualified and experienced in that field.
75. The email also explained that the changes were necessary because one individual, who had more years and experience in the job for which he was applying, was not selected, but the other individual, who was friendly with managers in the department, was hired for the position even though possessing substantially less experience than the other candidate.
76. In face of the concerted assault by Wydra on the plaintiff's candidacy for promotion, the plaintiff had no realistic chance of receiving the promotion over Senkow.
77. Because of the emotional trauma suffered by the plaintiff as result of Wydra's campaign to diminish his professional reputation and years of excellent job performance, the plaintiff found it necessary to withdraw his application for promotion to the position of Assistant Director.
78. It would have been entirely futile, and at a substantial risk to the plaintiff's health and well-being, for the plaintiff to continue in his quest to be promoted to the position of Assistant Director.
79. The plaintiff was by far the most qualified candidate for promotion to the position of Assistant Director.

80. The defendant took hostile steps to force the plaintiff into withdrawing his candidacy for promotion to the position of Assistant Director.
81. Despite her lack of qualifications in comparison to the plaintiff's qualifications, Senkow was favored over the plaintiff for promotion to Assistant Director from the very start of the process.
82. The plaintiff possesses unparalleled experience in the Wage and Workplace Standards Division of the Department of Labor.
83. The plaintiff was fully qualified to perform the duties of Assistant Director in the Wage and Workplace Standards Division of the Department of Labor.
84. Senkow, who was promoted to the position of Assistant Director by the defendant, was substantially less qualified than the plaintiff.
85. Despite the plaintiff's qualifications, the defendant made it impossible for the plaintiff to compete in the promotion process for Assistant Director in the Wage and Workplace Standards Division of the Department of Labor as it had been corrupted by Wydra to assure the appointment of Senkow.
86. The defendant had predetermined the selection of Senkow despite her obvious lack of qualifications for promotion to Assistant Director.
87. The promotions of an unqualified Hispanic candidate to the position of Assistant Director in the Wage and Workplace Standards Division of the Department of Labor, when there

was a far superior Black candidate of Nigerian ethnicity, constitutes intentional discrimination in violation of the provisions of Title VII of the Civil Rights Act of 1964, as amended, and the Connecticut Fair Employment Practices Act.

88. The plaintiff has suffered financially because of the defendant's discriminatory conduct.

89. The plaintiff has suffered emotional distress because of the defendant's discriminatory conduct.

VI. FIRST CAUSE OF ACTION (Unlawful Discrimination in Violation of Title VII of The Civil Rights Act Of 1964)

90-178. The plaintiff incorporates as if re-alleged paragraphs 1 through 89.

179. There existed no legitimate non-discriminatory reason for the defendant to obstruct the plaintiff's promotion opportunity so as to bring about the discriminatory promotion of an unqualified Hispanic candidate for Assistant Director in the Wage and Workplace Standards Division of the Department of Labor.

180. The plaintiff was fully qualified to perform the duties of the position of Assistant Director in the Wage and Hour Workplace Standards Division of the Department of Labor.

181. No reasonable decisionmaker would have selected Senkow over the plaintiff in a fair and non-discriminatory selection process.

182. Because the plaintiff's race, color and/or ethnicity were motivating factors and made a difference in the decision by the defendant to block the plaintiff from being promoted to

the position of Assistant Director in the Wage and Workplace Standards Division of the Department of Labor to assure the promotion of Senkow, the defendant violated the provisions of Title VII of the Civil Rights Act of 1964, as amended.

183. The defendant intentionally engaged in discrimination against the plaintiff with malice or reckless indifference to the plaintiff's rights under Title VII of the Civil Rights Act of 1964, as amended.

184. As a result of the unlawful acts of the defendant, the plaintiff has suffered monetary losses in addition to suffering emotional distress.

VII. SECOND CAUSE OF ACTION (Unlawful Retaliation in Violation of Title VII of The Civil Rights Act Of 1964)

185-273. The plaintiff incorporates as if re-alleged paragraphs 1 through 89.

274. The defendant has subjected the plaintiff to unlawful retaliation since the plaintiff filed a complaint with the State of Connecticut Commission on Human Rights and Opportunities Commission, and the United States Equal Employment Opportunity Commission in which he complained about the race, color, and national origin discrimination to which he had been subjected by the defendant.

275. After the plaintiff had filed an unlawful race, color, and national origin discrimination complaint with the State of Connecticut Commission on Human Rights and Opportunities Commission, and the United States Equal Employment Opportunity Commission, the defendant subjected the plaintiff to the following retaliatory actions:
- a. The defendant, without just cause, downgraded the plaintiff in two categories on his annual performance evaluation.
 - b. The year before he filed the complaint with CHRO and the EEOC and years before that, the plaintiff had been graded “Excellent” in all categories.
 - c. On the day that the plaintiff was delivered his evaluation, the Assistant Director, Senkow, informed him that Wydra instructed her to conduct the plaintiff’s evaluation that morning and that she did not agree with the lower assessments.
 - d. Wydra no longer includes the plaintiff in matters relating to the Wage and Workplace Standards Division.
 - e. Kimberley Adams-Ribeiro, a Field Supervisor for the Wage and Hour Division, informed the plaintiff that on April 19, 2023, Wydra met with each of the soon to be new Field Supervisors separately.
 - f. When meeting with Adams-Ribeiro, Wydra stated that he is in the process of rebuilding the Division.

- g. The plaintiff was excluded from the meeting and never officially informed of the meeting, unlike his involvement prior to filing his CHRO and EEOC complaint.
- h. Since the plaintiff filed his complaint with the CHRO and the EEOC, the division has filled three (3) Field Supervisor positions, interviewed for three (3) Wage and Hour Investigator positions, and interviewed for the promotion of three (3) Wage Enforcement Agents.
- i. The other three Field Supervisors in the division have participated in meetings, and strategy sessions in preparing for the various interviews.
- j. The other three Field Supervisors were all chosen as panelists in the interviews.
- k. Although being a Field Supervisor, the plaintiff has been completely excluded from the preparation for the interviews as well as being excluded from being a panelist for the interviews.

276. Since filing the CHRO claim, Wydra rarely communicates with the plaintiff.

277. Because the plaintiff's opposition to the defendant's race and color discrimination was the determinative factor in the retaliatory actions to which the plaintiff was subjected by the defendant, the defendant violated Title VII of the Civil Rights Act of 1964, as amended.

278. Because the plaintiff's participation in CHRO and EEOC proceedings concerning the unlawful discrimination complaint which he filed against the defendant, was a

determinative factor in the retaliatory actions to which the plaintiff was subjected by the defendant, the defendant violated Title VII of the Civil Rights Act of 1964, as amended.

279. The defendant engaged in retaliation against the plaintiff with malice or reckless indifference to the plaintiff's rights under Title VII of the Civil Rights Act of 1964, as amended.

280. The plaintiff's complaints to the State of Connecticut Commission on Human Rights and Opportunities Commission, and the United States Equal Employment Opportunity Commission, about the discriminatory treatment to which he has been subjected constitutes protected activity under the provisions of Title VII of the Civil Rights Act of 1964, as amended.

281. The retaliatory actions to which the defendant subjected the plaintiff would deter a reasonable employee from making, filing, or supporting a claim of workplace discrimination.

282. The defendant discriminated against the plaintiff based on the plaintiff's opposition to the defendant's unlawful race and color discrimination when he complained about such acts to the Connecticut Commission on Human Rights and Opportunities and the United States Equal Employment Opportunity Commission.

283. Because the plaintiff's opposition to the defendant's race and color discrimination was a determinative factor in the retaliation the defendant directed at the plaintiff, the defendant violated Title VII of the Civil Rights Act of 1964, as amended.

284. The plaintiff has no plain, adequate, or complete remedy at law to redress the wrongs alleged and the plaintiff is now suffering and will continue to suffer irreparable injury from his treatment by the defendant unless the defendant is enjoined by this Court.

285. The plaintiff is now and will continue to suffer emotional distress as a direct result of the defendant's unlawful retaliation.

VIII . PRAYER FOR RELIEF

WHEREFORE, THE PLAINTIFF PRAYS THAT THIS COURT:

- a. Declare the conduct engaged by the defendant to be in violation of the plaintiff's rights;
- b. Enjoin the defendant from engaging in such conduct;
- c. Require the defendant to appoint the plaintiff to the position of Assistant Director in the Wage and Workplace Standards Division of the Department of Labor;
- d. Award plaintiff the equitable relief of back pay and benefits, together with prejudgment interest for the entire period as well as front salary and benefits accrual;
- e. Award plaintiff compensatory damages;

- f. Award plaintiff costs and attorney fees; and
- g. Grant such other and further relief as the Court may deem just and proper.

IX. JURY DEMAND

THE PLAINTIFF REQUESTS A TRIAL BY JURY.

THE PLAINTIFF – JIDE EBO

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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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New York, NY 10004
(929) 506-5270
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 11/14/2023

To: Jide Ebo
23 High Hill Road
Bloomfield, CT 06002

Charge No: 16A-2023-00462

EEOC Representative and email: MARIANNE MONTLER
Supervisory Investigator
Marianne.Montler@eeoc.gov

DISMISSAL OF CHARGE

The EEOC is closing this charge because: The Charging Party is pursuing another forum.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Digitally Signed By: Timothy Riera
11/14/2023

Timothy Riera
Acting District Director