



intentionally paid less than her male and white coworkers in violation of Title VII the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq* (“Title VII”).

2. On the basis of the violations asserted herein, Plaintiff seeks an injunction requiring that all PGPD salary information be made public so that all PGPD employees know where they stand compared to similarly situated employees, an injunction requiring her salary to be the same level as other male and white Administrative Assistant IIs, back pay, compensatory damages, and attorneys’ fees and costs to redress injuries suffered as a result of Defendant’s unlawful conduct under Title VII.

### **PARTIES**

3. Defendant Prince George’s County, Maryland (the “County”) is a governmental entity that maintains and is ultimately responsible for the PGPD.

4. The County and the PGPD each employ over fifteen people.

5. Plaintiff Mina Johnson is a resident of Elkrigde, MD and currently employed by PGPD. She is a black female.

### **JURISDICTION AND VENUE**

6. This Court has original jurisdiction over this action pursuant to 42 U.S.C. § 2000e-5(f)(3) and 28 U.S.C. § 1331 because this action arises under the laws of the United States.

7. Venue is proper in the Greenbelt Division of the United States District Court for the District of Maryland pursuant to 28 U.S.C. § 1391(b)(2) because all of the actions alleged herein took place in Prince George’s County, Maryland.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

8. On or about September 6, 2011, Ms. Johnson timely filed a charge of sex and race discrimination with the U.S. Equal Employment Opportunity Commission (“EEOC”).

9. On or about April 13, 2016, the EEOC found probable cause that Defendant had violated Title VII on the basis of sex.

10. On December 19, 2016, the United States Department of Justice issued a right to sue letter to Ms. Johnson.

11. This action is filed within ninety days of Ms. Johnson’s receipt of that letter

**FACTUAL ALLEGATIONS**

12. On June 11, 2007, Ms. Johnson began working as an Administrative Assistant I with PGPD’s Planning and Research Division (the “PRD”).

13. She was hired as a P18 at \$37,214 per year.

14. Upon being hired by PGPD, Ms. Johnson asked Personnel Specialist Mike Connor if she could negotiate her salary.

15. Mr. Connor told her that her salary was non-negotiable.

16. After a one year probationary period, Ms. Johnson received a planned promotion to become an Administrative Assistant II.

17. As an Administrative Assistant II in the PRD, Ms. Johnson serves as a policy writer.

18. The Administrative Assistant II position is not a secretarial, administrative aide, or office support position.

19. From 2009 - 2012, she assisted the Grants Manager for the PGPD and helped review grant applications before they were submitted.

20. As her position has evolved, she now works to maintain eighty-nine chapters of the PGPD's policy manual, keeping abreast of changes to local, state, and federal laws and regulations as well as the current events and the availability of new equipment, among other things.

21. Law enforcement policy manuals are essential to the proper operation of law enforcement agencies.

22. Ms. Johnson also works on research projects and represents the PGPD at state police planners' meetings.

23. Ms. Johnson's qualifications "surpassed the requirements" for the Administrative Assistant II position because of her experience and education.

24. Ms. Johnson graduated magna cum laude with a bachelor's degree from Bowie State University in 2002. She earned her degree while working full time.

25. She started as a high school intern with the United States Department of Commerce, and then was hired later at the Department of Labor as a Federal GS-3 upon completing high school in 1985.

26. She was promoted to a Federal GS-7 upon receiving her bachelor's degree.

27. From December 1997 to August 2004, she worked as a Workforce Development Assistant with the United States Department of Labor.

28. While at the U.S. Department of Labor, she assisted and participated in audits and monitored grant funds.

29. Following that position, Ms. Johnson worked from August 2004 until March 2007 as a special education teacher with the County.

30. Ms. Johnson's grants management experience has proved vital to the PGPD.

Among other successes, Ms. Johnson helped PGPD secure an over \$2,000,000 grant.

31. As of January 15, 2011, Ms. Johnson was being paid \$48,166 per year.

32. On January 15, 2011, Ms. Johnson read an article in the *Prince George's County Gazette* that published the salaries of members of the PGPD.

33. As of January 15, 2011, she learned that she was the lowest paid employee in the PRD and the lowest paid Administrative Assistant II in the PGPD.

34. Many of the Administrative Assistant IIs were hired after Ms. Johnson.

35. Around the same time PGPD hired Ms. Johnson, PGPD hired a white female Administrative Assistant II for the PRD, from a different County agency, to serve the same purpose, and this white female Administrative Assistant II had the same, if not fewer, years of work experience as Ms. Johnson.

36. That white female Administrative Assistant II has had the same job duties and responsibilities as Ms. Johnson since, at least, January 15, 2011.

37. As of January 15, 2011, that white female Administrative Assistant II was paid \$83,711 a year, \$35,545 more than Ms. Johnson.

38. As of the January 15, 2011, only one other Administrative Assistant II who was hired in 2007 or 2008 was paid less than \$66,670 a year. That Administrative Assistant II was paid \$62,982 per year, \$14,816 more than Ms. Johnson. That Administrative Assistant II is a white female.

39. As of January 15, 2011, five white male and one black male Administrative Assistant IIs who were hired in 2007 or 2008 made, at least, \$66,790 a year.

40. The one black male Administrative Assistant II had no law enforcement background and nearly identical experience as Ms. Johnson.

41. Ms. Johnson's level of responsibility as a policy writer is substantially similar to that of the black male Administrative Assistant II.

42. After learning of these pay disparities, Ms. Johnson wrote to Michelle Burke, Assistant Director of PRD, to request that she receive a salary increase to at least \$66,670.

43. In response to Ms. Johnson's request, Ms. Burke asked Interim Chief of Police Mark Magaw in writing to raise Ms. Johnson's salary \$18,624 to an annual salary of \$66,670.

44. Ms. Johnson never received a response nor raise in salary.

45. Upon information and belief, all of the male Administrative Assistant IIs were allowed to negotiate their salaries when they were hired.

46. Upon information and belief, the PGPD regularly allows males to negotiate their salaries when they are hired, whereas women are told that negotiation is not an option.

47. Since she was hired, Ms. Johnson has consistently received high performance evaluations, never scoring below "Exceeds Satisfactory." Indeed since June 2011, her performance evaluations have always rated her as "Outstanding," the highest rating, in every rating category.

48. Ms. Johnson has received a number of achievement and performance awards from PGPD and she has no disciplinary record.

49. As of the date of this complaint, Ms. Johnson earns \$54,470 a year.

50. Upon information and belief, the white female Administrative Assistant II who does the same work as Ms. Johnson earns over \$85,000 a year, more than \$30,000 more than Ms. Johnson.

51. Because of these intentional pay disparities and intentional refusals to provide Ms. Johnson with a fair salary, PGPD has caused Ms. Johnson to suffer economic loss, pain and suffering, and humiliation. She feels that the PGPD believes that she is a less valuable employee because of her race and sex despite about a decade of hard work that she has put into the job.

**CLAIMS FOR RELIEF**

**COUNT I:  
SEX DISCRIMINATION IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT  
OF 1964**

52. Plaintiff realleges paragraphs 1-51 and adopts them as if fully set forth herein.

53. Title VII makes it unlawful to discriminate against any individual with respect to compensation on the basis of sex. 42 U.S.C. § 2000e-2.

54. Defendant constitutes an employer for the purposes of Title VII.

55. Despite comparable experience at the United States Department of Labor, Plaintiff, an African-American woman, is paid less than a male who was hired after her and who had the same level of responsibility as her in an Administrative Assistant II position.

56. Defendant was on notice of the pay disparity and did nothing to fix it.

57. Sex was a motivating factor in Defendant's decision to pay Ms. Johnson substantially less than her male co-workers.

58. These practices by Defendant constitute discrimination on the basis of sex in violation of 42 U.S.C. § 2000e-2.

59. Defendant's discriminatory practices have caused and continue to cause Plaintiff economic and emotional harm.

**COUNT II:  
RACE DISCRIMINATION IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS  
ACT OF 1964**

60. Plaintiff realleges paragraphs 1-51 and adopts them as if fully set forth herein.

61. Title VII makes it unlawful to discriminate against any individual with respect to compensation on the basis of race. 42 U.S.C. § 2000e-2.

62. Defendant constitutes an employer for the purposes of Title VII.

63. Despite comparable experience at the United States Department of Labor, and being hired by the PGPD at around the same time, Plaintiff, an African-American woman, is paid considerably less than a white female who works as an Administrative II in the same department and has the same job duties as Plaintiff.

64. Defendant was on notice of the pay disparity and did nothing to fix it.

65. Race was a motivating factor in Defendant's decision to pay Ms. Johnson substantially less than her white co-workers.

66. These practices by Defendant constitute discrimination on the basis of race in violation of 42 U.S.C. § 2000e-2.

67. Defendant's discriminatory practices have caused and continue to cause Plaintiff economic and emotional harm.

**PRAYER FOR RELIEF**

68. Wherefore, Plaintiff Mina Johnson respectfully requests that this Court:

- a. Declare that Defendant's actions constitute pay discrimination in violation of Title VII;
- b. Issue a permanent injunction that raises Plaintiff's salary to a comparable rate to that of her white and male co-workers doing substantially similar work;
- c. Issue a permanent injunction requiring the PGPD to publically publish all employee salaries;



- d. Award back pay in an amount to be proven at trial pursuant to 42 U.S.C § 2000e-5(g)(1);
- e. Award compensatory damages for emotional distress, humiliation, embarrassment, loss of income, and mental anguish in an amount to be proven at trial pursuant to 42 U.S.C. § 1981a(1);
- f. Award reasonable attorneys' fees and litigation costs pursuant to 42 U.S.C. § 2000e-5(k); and
- g. Award any other relief that the Court deems necessary and appropriate.

**DEMAND FOR TRIAL BY JURY**

69. Plaintiff Mina Johnson requests a trial by jury.

Dated March 17, 2017

Respectfully submitted,

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