

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ALYSSA LAWSON,	)	Civil Action No. 2:20-cv-1112
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
A.K. STEEL,	)	JURY TRIAL DEMANDED
	)	
Defendant.	)	Electronically Filed.

COMPLAINT IN A CIVIL ACTION

COMES NOW the Plaintiff, ALYSSA LAWSON, by and through her attorneys, LAW OFFICES OF JOEL SANSONE, JOEL S. SANSONE, ESQUIRE, MASSIMO A. TERZIGNI, ESQUIRE, and ELIZABETH A. TUTTLE, ESQUIRE, and hereby files this Complaint in a Civil Action as follows:

JURISDICTION AND VENUE

1. This is an action to redress the deprivation by the Defendant of the Plaintiff’s civil rights, and, in particular, the right to be free from illegal, invidious and damaging discrimination and harassment in her employment on account of her sex, which right is guaranteed by the Constitution of the United States and the laws and statutes enacted pursuant thereto, and in particular, Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e, *et seq.* (as amended) (“Title VII”) and the Civil Rights Act of 1991 (as amended), as well as pendent state law claims. Declaratory relief is sought under and by virtue of Title 28 U.S.C. Section 2201 and 2202. Jurisdiction of this Honorable Court is founded upon Title 28 U.S.C. Section 1331 and 1343(3), and by Title 42 U.S.C. Section 2000(e).

2. All, or substantially all, of the events, facts and circumstances giving rise to the instant Complaint occurred in the Western District of Pennsylvania and therefore venue is appropriate under Title 28 U.S.C. §1391 (b)(2) and (c).

3. Plaintiff has satisfied all procedural and administrative requirements set forth in Section 706 of Title VII of the Civil Rights Act of 1964, as amended, and in particular:

- a. Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) on or about October 22, 2019, and said charge was cross-filed with the Pennsylvania Human Relations Commission (“PHRC”);
- b. The EEOC issued a Notice of Right to Sue dated May 14, 2020; and
- c. Plaintiff’s Complaint is timely filed within 90 days of Plaintiff’s receipt of the Notice of Right to Sue.

#### PARTIES

4. Plaintiff, Alyssa Lawson, is an adult transgender woman residing in Butler County, Pennsylvania.

5. Defendant, A.K. Steel, at all times relevant to this Complaint, is a business corporation with a registered office at 9227 Centre Point Drive, West Chester, Ohio 45069 and a local address of 210 Pittsburgh Road, Butler, Pennsylvania 16001. At all times relevant hereto, Defendant was acting through its partners, directors, agents, subsidiaries, officers, employees and assigns acting within the full scope of their respective agency, office, employment or assignment.

6. At all times relevant to this Complaint, Defendant was an employer in an industry affecting commerce within the meaning of Section 701(b) of the Civil Rights Act of 1966 and 42 U.S.C. Section 2000e-5(3), and is thus covered by the provisions of Title VII of the Civil Rights Act of 1991.

FACTUAL ALLEGATIONS

7. Plaintiff was employed by the Defendant from in or about April of 1999 until her unlawful termination on or about April 28, 2019. After grieving the unlawful conduct described herein through her union, Plaintiff was returned to work on February 5, 2020.
8. Plaintiff is a transgender woman.
9. After the Plaintiff's transition, in or about 2017, Plaintiff suffered discrimination and harassment in the workplace based on her gender.
10. This harassment of the Plaintiff included, but was not limited to, discriminatory graffiti in Defendant's restroom, having a lock placed on the Plaintiff's locker so that she could not access her locker, another employee spitting in the Plaintiff's drink and other noticeable discriminatory actions.
11. Plaintiff believes, and therefore avers, that Plaintiff's supervisor was aware of the discriminatory harassment, as more fully described hereinbefore above, and failed to act and/or directly participated in this discriminatory conduct against the Plaintiff.
12. On or about April 28, 2019, Plaintiff was unlawfully terminated by the Defendant.
13. Defendant's stated reason for Plaintiff's termination was that the Plaintiff was not wearing the proper safety gloves.
14. This reason provided by the Defendant is pretextual and unworthy of belief.
15. Other employees who are not transgender and/or women did not face any disciplinary action by the Defendant for wearing the same gloves that the Plaintiff was disciplined for wearing.

16. Furthermore, prior to the Plaintiff's termination, Plaintiff was suspended for five (5) days for damaging a hose despite the fact that Defendant was aware that the Plaintiff was not the individual responsible for damaging this hose.

17. Plaintiff was also disciplined by the Defendant and suspended for ten (10) days for a procedural violation prior to her termination.

18. Plaintiff believes, and therefore avers, that non-transgender, male employees would not be disciplined by the Defendant for this procedural violation.

19. For the reasons stated herein, Plaintiff believes, and therefore avers, that the Defendant treated her less favorably than non-transgender and/or male employees.

20. Furthermore, Plaintiff believes, and therefore avers, that she was terminated by the Defendant and/or subjected to ongoing harassment, as more fully described hereinbefore above, because she did not conform to gender stereotypes.

21. Plaintiff believes, and therefore avers, that the Defendant's conduct is part of a plan, pattern or practice of discrimination.

COUNT I:

PLAINTIFF v. DEFENDANT

GENDER DISCRIMINATION

22. Plaintiff incorporates by reference Paragraphs 1 through 21 as though fully set forth at length herein.

23. As described hereinbefore above, Plaintiff was subjected to discrimination and harassment in the workplace based on her gender, treated less favorably than non-transgender and/or male employees and terminated by the Defendant based on her gender.

24. As a direct result of the Defendant's discriminatory and harassing actions in violation of

Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991, Plaintiff has incurred counsel fees and other costs in pursuing her legal rights.

25. Additionally, the Plaintiff has suffered emotional, psychological and physical distress, inconvenience, loss of reputation, humiliation and embarrassment as a direct result of the Defendant's discriminatory conduct as described above.

26. The actions of the Defendant as aforementioned were intentional, willful and deliberate and/or done with reckless disregard for the rights of the Plaintiff.

27. The actions on the part of the Defendant are part of a plan, practice or pattern of discrimination, which affects others who are similarly situated to the Plaintiff.

WHEREFORE, Plaintiff requests the following:

- a. that the Court enter a judgment declaring the actions of the Defendant to be unlawful and violative of Title VII of the Civil Rights Acts of 1964 and 1991;
- b. that, in addition to the damages described hereinbefore above, the Court award the Plaintiff compensatory and punitive damages as a result of the Defendant's violation of the Civil Rights Act of 1991;
- c. that the Court order the Defendant to pay pre and post-judgment interest on any award given to the Plaintiff;
- d. that the Court award the Plaintiff reasonable attorneys' fees and costs of this action; and
- e. that the Court grant the Plaintiff such additional relief as may be just and proper.

**JURY TRIAL DEMANDED**

COUNT II:

PLAINTIFF v. DEFENDANTS

PHRA VIOLATIONS

28. Plaintiff incorporates Paragraphs 1 through 27 as though fully set forth at length herein.
29. As set forth above, the Defendants have discriminated against the Plaintiff because of her sex in violation of the Pennsylvania Human Relations Act, 43 Pa. C.S.A. Section 955(a).
30. As a direct and proximate result of Defendant's conduct, Plaintiff was subjected to discriminatory comments, a hostile work environment, treated less favorably than non-transgender male employees and terminated based on her gender.
31. As a direct result of the Defendant's discriminatory actions, and in violation of the PHRA, the Plaintiff lost economic benefits of her employment with Defendant. In addition, the Plaintiff has and or will incur counsel fees and other costs in pursuing her legal rights. The Plaintiff has also suffered from physical and emotional distress, inconvenience, humiliation, loss of standing among her peers, apprehension and stress.
32. The actions on the part of the Defendant were intentional and willful.

WHEREFORE, Plaintiff requests the following:

- a. that the Court enter a judgment declaring the actions of the Defendants to be unlawful and violative of the Pennsylvania Human Relations Act;
- b. that, in addition to the damages described hereinbefore above, the Court award the Plaintiff compensatory damages as a result of the Defendant's violations of the Pennsylvania Human Relations Act;
- c. that the Court order the Defendant to pay pre and post-judgment interest on any award given to the Plaintiff;
- d. that the Court award the Plaintiff reasonable attorneys' fees and costs of this action; and

- e. that the Court grant the Plaintiff such additional relief as may be just and proper.

JURY TRIAL DEMANDED

Respectfully submitted,

s/ Joel S. Sansone

Joel S. Sansone, Esquire

PA ID No. 41008

Massimo A. Terzigni, Esquire

PA ID No. 317165

Elizabeth A. Tuttle, Esquire

PA ID No. 322888

*Counsel for Plaintiff*

Law Offices of Joel Sansone  
Two Gateway Center, Suite 1290  
603 Stanwix Street  
Pittsburgh, Pennsylvania 15222  
412.281.9194

Dated: July 23, 2020

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Alyssa Lawson

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Law Offices of Joel Sansone, Two Gateway Center, Suite 1290, 603 Stanwix Street, Pittsburgh, Pennsylvania 15222 412-281-9194

DEFENDANTS

A.K. Steel

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Land Condemnation, Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 2000e et seq
Brief description of cause: Employment Discrimination

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: X Yes [ ] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 07/23/2020 SIGNATURE OF ATTORNEY OF RECORD s/Joel S. Sansone

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

JS 44A REVISED June, 2009

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
THIS CASE DESIGNATION SHEET MUST BE COMPLETED

**PART A**

This case belongs on the (  Erie  Johnstown  Pittsburgh) calendar.

1. **ERIE CALENDAR** - If cause of action arose in the counties of Crawford, Elk, Erie, Forest, McKean, Venang or Warren, OR any plaintiff or defendant resides in one of said counties.
2. **JOHNSTOWN CALENDAR** - If cause of action arose in the counties of Bedford, Blair, Cambria, Clearfield or Somerset OR any plaintiff or defendant resides in one of said counties.
3. Complete if on **ERIE CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.
4. Complete if on **JOHNSTOWN CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.

**PART B** (You are to check ONE of the following)

1.  This case is related to Number \_\_\_\_\_ . Short Caption \_\_\_\_\_
2.  This case is not related to a pending or terminated case.

**DEFINITIONS OF RELATED CASES:**

**CIVIL:** Civil cases are deemed related when a case filed relates to property included in another suit or involves the same issues of fact or it grows out of the same transactions as another suit or involves the validity or infringement of a patent involved in another suit

**EMINENT DOMAIN:** Cases in contiguous closely located groups and in common ownership groups which will lend themselves to consolidation for trial shall be deemed related.

**HABEAS CORPUS & CIVIL RIGHTS:** All habeas corpus petitions filed by the same individual shall be deemed related. All pro se Civil Rights actions by the same individual shall be deemed related.

**PART C**

**I. CIVIL CATEGORY** (Select the applicable category).

1.  Antitrust and Securities Act Cases
2.  Labor-Management Relations
3.  Habeas corpus
4.  Civil Rights
5.  Patent, Copyright, and Trademark
6.  Eminent Domain
7.  All other federal question cases
8.  All personal and property damage tort cases, including maritime, FELA, Jones Act, Motor vehicle, products liability, assault, defamation, malicious prosecution, and false arrest
9.  Insurance indemnity, contract and other diversity cases.
10.  Government Collection Cases (shall include HEW Student Loans (Education), V A Overpayment, Overpayment of Social Security, Enlistment Overpayment (Army, Navy, etc.), HUD Loans, GAO Loans (Misc. Types), Mortgage Foreclosures, SBA Loans, Civil Penalties and Coal Mine Penalty and Reclamation Fees.)

I certify that to the best of my knowledge the entries on this Case Designation Sheet are true and correct

Date: 7/23/2020

s/Joel S. Sansone

ATTORNEY AT LAW

NOTE: ALL SECTIONS OF BOTH FORMS MUST BE COMPLETED BEFORE CASE CAN BE PROCESSED.