

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS

ROSALBA SALAS	)	
	)	Cause No:
Plaintiff,	)	
	)	JURY TRIAL DEMANDED
v.	)	
	)	
TEAM COMPANY d/b/a STAFFQUICK,	)	
Serve:	)	
Registered Agent:	)	
Apollo Carey	)	
239 N Main St	)	
Edwardsville, IL 62025-1603	)	
	)	
and	)	
	)	
BIMBO BAKERIES USA, INC.	)	
Serve:	)	
Serve Registered Agent	)	
Illinois Corporation Service Company	)	
801 Adlai Stevenson Drive	)	
Springfield, IL 62703	)	
	)	
Defendants.	)	

**COMPLAINT**

NOW COMES Plaintiff Rosalba Salas (“*Plaintiff*”), by her attorneys, and for her complaint against Team Company d/b/a StaffQuick (“*Defendant StaffQuick*”) and Bimbo Bakeries USA, Inc. (“*Defendant Bimbo*”) (collectively “*Defendants*” states as follows:

**INTRODUCTION**

1. This is an action under the Illinois Human Rights Act, 775 Ill. Comp. Stat. Ann. 5/1-101 *et. seq.* (“*IHRA*”), Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000 (e) *et seq.* (“*Title VII*”), Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981 (a), and the Civil Rights Act of 1866, 42 U.S.C. §1981 to correct unlawful employment practices on the basis

of race, national origin, gender, and retaliation and to provide appropriate relief to Plaintiff Rosalba Salas.

2. Additionally, this is an action under the Illinois Workers Compensation Act 820 Ill. Comp. State 305/4 et seq. to correct the unlawful employment practices on the basis of retaliation of Plaintiff asserting her rights under Illinois Workers Compensation Law and to provide appropriate relief to Plaintiff.

#### **JURISDICTION AND VENUE**

3. Plaintiff invokes this Court's jurisdiction under 28 U.S.C. §1331 to hear and decide claims under federal law. Plaintiff invokes supplemental jurisdiction of this Court pursuant to 28 U.S.C. §1367(a) to hear and decide Plaintiff's claims under Illinois state law.

4. Venue is proper in this Court pursuant to 28 U.S.C §1391(b)(1) because Defendants are residents of this District, and all events giving rise to this action occurred within the Central District of Illinois.

5. On June 5, 2023, Plaintiff cross-filed a charge against Defendants with the Equal Employment Opportunity Commission ("**EEOC**") and the Illinois Department of Human Rights ("**IDHR**") alleging sexual discrimination, racial discrimination, national origin discrimination, and retaliation against Defendants.

6. On April 5, 2024, the EEOC issued Rights to Sue on the charges mentioned in paragraph 3.

7. On July 14, 2023, Plaintiff cross-filed a charge of discrimination against Defendant Bimbo with the Illinois Department of Human Rights alleging national origin discrimination, sexual discrimination, and retaliation.

8. On April 24, 2024, the EEOC issued a Right to sue on the charge mentioned in paragraph 5.

9. Plaintiff filed this action within 90 days of receipt of the foregoing notices. Plaintiff complied fully with the administrative exhaustion requirements of Title VII and the Illinois Human Rights Act.

10. In conformance with the law, Plaintiff filed this action within two years after Defendant willfully violated Plaintiff's rights under 820 Ill. Comp. State 305/4 et seq.

#### **PARTIES**

11. Plaintiff is a Hispanic female from Mexico currently residing in Douglas County, IL.

12. Defendant StaffQuick is an Illinois business located at 1 Sunset Hills Professional Center, Edwardsville, IL 62025.

13. Defendant Bimbo is a Delaware business registered to conduct business in Illinois and conducts business at 3801 Dewitt Ave, Mattoon, IL 61938.

14. At all times relevant herein, Defendants employed at least fifteen employees.

15. At all times relevant herein, Defendants acted through their servants and agents.

#### **STATEMENT OF FACTS COMMON TO ALL COUNTS**

16. At all times relevant, Plaintiff worked on the production line at Defendant Bimbos

17. Plaintiff received her employment at Defendant Bimbo through Defendant StaffQuick.

18. Plaintiff began this employment in May 2022.

19. At all relevant times, Defendant StaffQuick employed at least fifteen individuals to work on its behalf.

20. At all relevant times, Defendant Bimbo employed at least fifteen individuals to work on its behalf.

21. During her employment, Plaintiff earned \$18.50 per hour and worked between sixty-five and seventy hours per week.

22. Beginning in March of 2022, Defendant Bimbo assigned Plaintiff to various posts along the production lines.

23. In either May or June 2022, Plaintiff worked next to Defendant Bimbo employee Phillip Webb (“*Webb*”) on index line 1.

24. While working on index line 1, Webb would walk behind Plaintiff and rub his hand against her butt.

25. Webb would also act like he was trying to grab a bagel but go between Plaintiff’s arms and touch Plaintiff’s breasts.

26. A week later, Defendant Bimbo again assigned Plaintiff to work alongside Webb, and he did the same behavior.

27. None of this physical contact was necessary to perform their job functions.

28. Plaintiff did not want the physical contact, and the physical contact caused Plaintiff great distress.

29. In fear of retaliation, Plaintiff did not report the behavior initially.

30. Around September of 2022, Plaintiff learned from other coworkers that Webb was physically touching them, too.

31. On September 14, 2022, Defendant Bimbo’s supervisors Kathleen Brewer (“*Brewer*”) and Andrea Last Name Unknown (“*Andrea*”) called Plaintiff into the office.

32. While in the office, Kathleen and Andrea joked that Defendant Bimbo was terminating Plaintiff's employment.

33. At the meeting, Plaintiff learned that her coworker Nereyda Hernandez ("**Hernandez**") reported Webb touching her inappropriately and sexually.

34. They told Plaintiff that her name came up as another individual whom Webb sexually assaulted.

35. Plaintiff truthfully responded that he had touched her inappropriately.

36. They asked Plaintiff to write a report.

37. Plaintiff wrote down the basic things, not going into much detail, as she feared they would terminate her employment.

38. Plaintiff's supervisor told her to go back to work.

39. On September 15, 2022, Plaintiff's supervisor, Tyson Last Name Unknown, asked Plaintiff to go to the office to meet with Andrea and the interpreter, Juan Rodriguez ("**Rodriguez**").

40. They informed Plaintiff that she needed to rewrite the report, so she made this report more detailed.

41. Plaintiff gave the report to Rodriguez, who read it to the supervisors Neil, Chris, Kathleen, and Andrea.

42. Plaintiff asked Rodriguez to inquire if her report would cause her problems.

43. The supervisors reassured Plaintiff that everything would be okay and that she should return to work.

44. After reporting this information about Webb, Defendant Bimbo's employees retaliated against Plaintiff.

45. For months, Defendant Bimbo's management team watched Plaintiff carefully while she worked.

46. Specifically, Amy and some American women working for Defendant Bimbo continued to watch Plaintiff carefully.

47. Defendant Bimbo always had someone watching Plaintiff and following her when she went to lunch or the bathroom.

48. Defendant Bimbo reassigned Plaintiff's job assignment to a different production line area.

49. This job assignment required Plaintiff to lift heavy boxes throughout most of her shift.

50. It is known to employees that Defendant Bimbo assigns this task to employees who are in trouble as punishment.

51. Other individuals in the plant warned Plaintiff that she needed to be careful, as they were looking for a reason to terminate her employment in retaliation for her filing the report about Webb.

52. On September 19, 2022, Plaintiff saw Hernandez at work.

53. Yasira came into the office and asked Plaintiff about the report and why she did not report Webb's behavior earlier.

54. Plaintiff informed Yasira that Plaintiff feared that Defendant Bimbo would terminate Plaintiff's employment if she reported Webb's behavior.

55. On or about September 20, 2022, the director, Francisco, took Plaintiff to a small office and informed her that there was insufficient evidence against Webb, and he would return to work.

56. On October 3, 2022, Webb returned to work and thereafter stalked Plaintiff and attempted to intimidate her.

57. On October 11, 2022, Plaintiff learned that Defendant Bimbo terminated Hernandez's employment in retaliation for her reporting Webb's behavior.

58. On or about February 27, 2023, Plaintiff slipped and fell on a wet mat in the scope of her employment, causing injury to her back.

59. Plaintiff completed a report of injury.

60. Both Defendants knew that Plaintiff's back hurt because of the injury.

61. Plaintiff's doctor recommended to not do repetitive heavy lifting.

62. Plaintiff informed Defendants regarding the doctor's recommendation.

63. Despite the doctor's recommendations, Defendants put Plaintiff in areas that required repetitive heavy lifting throughout her shift.

64. Plaintiff complained to Defendant StaffQuick about Defendant Bimbo's behavior and her belief that they were doing these actions in retaliation for her complaints about Webb's sexual harassment.

65. Defendant StaffQuick did not respond to Plaintiff's complaints.

66. On June 5, 2023, Plaintiff filed a charge of discrimination against Defendant Bimbo, alleging discrimination based on race, sex, national origin, and retaliation. EEOC Charge No. is 560-2023-02414.

67. Upon information and belief, other individuals who filed charges against Defendant Bimbo listed Plaintiff as a potential witness.

68. On June 12, 2023, Plaintiff received notice that Defendant Bimbo terminated her employment.

69. Defendant Bimbo never gave Plaintiff a reason for her termination.

70. However, the next day, other employees at Defendant Bimbo said that Defendant Bimbo terminated Plaintiff's employment due to her injury and her refusal to work.

71. Plaintiff never refused to work.

72. Upon information and belief, Defendants terminated the employment of the other individuals who filed complaints regarding the sexual harassment.

#### **VIOLATIONS OF LAW**

#### **COUNT I TITLE VII VIOLATION FOR GENDER DISCRIMINATION Against All Defendants**

73. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

74. At all material times, Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000(e)(b) and 42 U.S.C. § 2000(e)(c).

75. At all material times, Plaintiff was an employee as defined by 42 U.S.C. § 2000(f).

76. Plaintiff is a protected person (woman) within the meaning of Title VII.

77. Defendant Bimbo Bakery, through its agents, harassed Plaintiff due to her gender.

78. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's gender.

79. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment due to her gender.

80. Defendant StaffQuick, through its agents, harassed Plaintiff due to her gender.

81. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's gender.



82. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

83. Plaintiff is without an adequate remedy at law.

84. Plaintiff suffered irreparable harm by Defendants' actions.

85. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;
- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT II**  
**TITLE VII VIOLATION FOR NATIONAL ORIGIN DISCRIMINATION**  
**Against All Defendants**

86. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

87. At all material times, Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000(e)(b) and 42 U.S.C. § 2000(e)(c).

88. At all material times, Plaintiff was an employee as defined by 42 U.S.C. § 2000(f).

89. Plaintiff is a protected person (from Mexico) within the meaning of Title VII.

90. Defendant Bimbo Bakery, through its agents, harassed Plaintiff due to her national origin.

91. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's national origin.

92. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment due to her national origin.

93. Defendant StaffQuick, through its agents, harassed Plaintiff due to her national origin.

94. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's national origin.

95. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

96. Plaintiff is without an adequate remedy at law.

97. Plaintiff suffered irreparable harm by Defendants' actions.

98. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;

- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT III  
TITLE VII VIOLATION FOR RETALIATION  
Against All Defendants**

99. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

100. At all material times, Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000(e)(b) and 42 U.S.C. § 2000(e)(c).

101. At all material times, Plaintiff was an employee as defined by 42 U.S.C. § 2000(f).

102. Defendant Bimbo Bakery, through its agents, retaliated against Plaintiff after she complained about the sexual harassment.

103. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she complained about the sexual harassment.

104. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment in retaliation against Plaintiff after she complained about the sexual harassment and filed a charge with the EEOC.

105. Defendant StaffQuick, through its agents, harassed Plaintiff in retaliation against Plaintiff after she complained about the sexual harassment.

106. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she complained about the sexual harassment.

107. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

108. Plaintiff is without an adequate remedy at law.

109. Plaintiff suffered irreparable harm by Defendants' actions.

110. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;
- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT IV**  
**ILLINOIS HUMAN RIGHTS ACT: GENDER DISCRIMINATION**  
**Against All Defendants**

111. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

112. At all material times, Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

113. At all material times, Plaintiff was an employee as defined by 775 ILCS 5/2-101(A)

114. Plaintiff is a protected person (woman) within the meaning of the IHRA.

115. Defendant Bimbo Bakery, through its agents, harassed Plaintiff due to her gender.

116. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's gender.

117. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment due to her gender.

118. Defendant StaffQuick, through its agents, harassed Plaintiff due to her gender.

119. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's gender.

120. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

121. Plaintiff is without an adequate remedy at law.

122. Plaintiff suffered irreparable harm by Defendants' actions.

123. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;

- c. Award Plaintiff compensatory and punitive damages;
- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT V**  
**ILLINOIS HUMAN RIGHTS ACT: RACIAL DISCRIMINATION**  
**Against All Defendants**

124. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

125. At all material times, Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

126. At all material times, Plaintiff was an employee as defined by 775 ILCS 5/2-101(A)

127. Plaintiff is a protected person (Hispanic) within the meaning of IHRA.

128. Defendant Bimbo Bakery, through its agents, harassed Plaintiff due to her race.

129. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's race.

130. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment due to her race.

131. Defendant StaffQuick, through its agents, harassed Plaintiff due to her race.

132. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's race.

133. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

134. Plaintiff is without an adequate remedy at law.

135. Plaintiff suffered irreparable harm by Defendants' actions.

136. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;
- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT VI**  
**ILLINOIS HUMAN RIGHTS ACT: NATIONAL ORIGIN DISCRIMINATION**  
**Against All Defendants**

137. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

138. At all material times, Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

139. At all material times, Plaintiff was an employee as defined by 775 ILCS 5/2-101(A)

140. Plaintiff is a protected person (from Mexico) within the meaning of IHRA.

141. Defendant Bimbo Bakery, through its agents, harassed Plaintiff due to her national origin.

142. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's national origin.

143. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment due to her national origin.

144. Defendant StaffQuick, through its agents, harassed Plaintiff due to her national origin.

145. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment due to Plaintiff's national origin.

146. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

147. Plaintiff is without an adequate remedy at law.

148. Plaintiff suffered irreparable harm by Defendants' actions.

149. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;



- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT VII:  
ILLINOIS HUMAN RIGHTS ACT: RETALIATION  
Against All Defendants**

150. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

151. At all material times, Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000(e)(b) and 42 U.S.C. § 2000(e)(c).

152. At all material times, Plaintiff was an employee as defined by 42 U.S.C. § 2000(f).

153. Defendant Bimbo Bakery, through its agents, retaliated against Plaintiff after she complained about the sexual harassment.

154. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she complained about the sexual harassment.

155. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment in retaliation against Plaintiff after she complained about the sexual harassment and filed a charge with the EEOC.

156. Defendant StaffQuick, through its agents, harassed Plaintiff in retaliation against Plaintiff after she complained about the sexual harassment.

157. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she complained about the sexual harassment.

158. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

159. Plaintiff is without an adequate remedy at law.

160. Plaintiff suffered irreparable harm by Defendants' actions.

161. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay, lost benefits, and including, without limitation, any lost benefits that would otherwise have been available to the Plaintiff without the discrimination;
- c. Award Plaintiff compensatory and punitive damages;
- d. Award Plaintiff the costs of this action, including the fees and costs of experts, together with reasonable attorneys' fees; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

**COUNT VIII:  
ILLINOIS WORKERS COMPENSATION LAW: RETALIATION  
Against All Defendants**

162. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

163. Defendant Bimbo Bakery, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she asserted her rights under Illinois Workers' Compensation Law.

164. Defendant Bimbo Bakery, through its agents, terminated Plaintiff's employment in retaliation against Plaintiff after she asserted her rights under Illinois Workers' Compensation Law.

165. Defendant StaffQuick, through its agents, placed Plaintiff in a position known to be difficult work and punishment in retaliation against Plaintiff after she asserted her rights under Illinois Workers' Compensation Law.

166. The foregoing conduct, as alleged, was committed knowingly, willfully, and maliciously by Defendants in violation of the law, as Defendants knew or showed reckless disregard for the fact that their compensation practices were in violation of the law.

167. Plaintiff is without an adequate remedy at law.

168. The discharge of Plaintiff from her employment by Defendant Bimbo was casually related to Plaintiff's workers' compensation claim against Defendants. Defendants fired Plaintiff in retaliation for pursuing her workers' compensation claim.

169. As a direct result of Defendant's termination of Plaintiff, Plaintiff sustained damages, including lost wages, pain, suffering, and the inability to secure employment.

170. Defendant's termination of Plaintiff was done with actual malice, and such gross negligence to indicate a willful and wanton disregard of the rights of others. As such, Plaintiff prays for punitive damages as well.

**CONCLUSION**

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendants Bimbo Bakeries and StaffQuick, awarding lost wages and benefits, unpaid wages, underpayments, reinstatement, liquidated damages, front wages, emotional distress damages, compensatory damages, punitive damages, pre- and post-judgment interest, and attorney's fees and costs, as well as any other relief this Court deems may be just and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully demands a trial by jury on all issues triable by a jury.

Respectfully submitted,

*By: /s/ Michelle Faron*

Michelle Faron, #IL 6344862

Sarah Jane Hunt, #IL 6316235

Kennedy Hunt, P. C.

4500 West Pine Blvd.

St. Louis, MO 63108

Phone: (314) 872-9041

Fax: (314) 872-9043

[michelle@kennedyhuntlaw.com](mailto:michelle@kennedyhuntlaw.com)

[sarahjane@kennedyhuntlaw.com](mailto:sarahjane@kennedyhuntlaw.com)



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St. Louis District Office  
1222 Spruce St, Rm 8 100  
St Louis, MO 63103  
(314) 798-1960  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DISMISSAL AND NOTICE OF RIGHTS**

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

Issued On: 04/05/2024

**To:** Rosalba Salas  
246 West Washington Apt. 3  
Arcola, IL 61910  
Charge No: 560-2023-02414

EEOC Representative and email: ROBERT SMITH  
Bilingual/Spanish  
Robert.Smith@eeoc.gov

---

### **DISMISSAL OF CHARGE**

The EEOC has granted your request that the agency issue a Notice of Right to Sue, where it is unlikely that EEOC will be able to complete its investigation within 180 days from the date the charge was filed.

The EEOC is terminating its processing of this charge.

### **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 a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 560-2023-02414.

On behalf of the Commission,

Digitally Signed By:David Davis  
04/05/2024

---

David Davis  
District Director

**Cc:**

**Renee Sickels**

**BBU**

**255 BUSINESS CENTER DR**

**Horsham, PA 19044**

**Sarah J Millsap**

**Jackson Lewis P.C.**

**10050 REGENCY CIR STE 400**

**Omaha, NE 68114**

**Quinn P Donnelly**

**Jackson Lewis P.C.**

**150 N MICHIGAN AVE STE 2500**

**Chicago, IL 60601**

**Michelle Faron**

**4500 West Pine Blvd**

**Saint Louis, MO 63108**

**Please retain this notice for your records.**

Enclosure with EEOC Notice of Closure and Rights (01/22)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

**IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT**

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFAs referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFAs, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

**ATTORNEY REPRESENTATION**

For information about locating an attorney to represent you, go to:  
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

**HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS**

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

**To make a FOIA request for your charge file**, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 560-2023-02414 to the

Enclosure with EEOC Notice of Closure and Rights (01/22)

District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

**To make a Section 83 request for your charge file**, submit a signed written request stating it is a "Section 83 Request" for Charge Number 560-2023-02414 to the District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to

<https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.





## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St. Louis District Office  
1222 Spruce St, Rm 8 100  
St Louis, MO 63103  
(314) 798-1960  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### DISMISSAL AND NOTICE OF RIGHTS

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

Issued On: 04/08/2024

To: Rosalba Salas  
246 West Washington Apt. 3  
Arcola, IL 61910  
Charge No: 560-2023-02417

EEOC Representative and email: ROBERT SMITH  
Federal Investigator  
[robert.smith@eeoc.gov](mailto:robert.smith@eeoc.gov)

---

### DISMISSAL OF CHARGE

The EEOC has granted your request that the agency issue a Notice of Right to Sue, where it is unlikely that EEOC will be able to complete its investigation within 180 days from the date the charge was filed.

The EEOC is terminating its processing of this charge.

### 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 a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 560-2023-02417.

On behalf of the Commission,

Digitally signed by Alfred C. Kirk  
Jr.  
Date: 2024.04.08 11:40:57  
-05'00'

---

David Davis  
District Director

**Cc:**

**Dawn Hancock  
600 WASHINGTON AVE STE 2500  
Saint Louis, MO 63101**

**David Gearhart  
600 WASHINGTON AVE STE 2500  
Saint Louis, MO 63101**

**Megan Pacheco  
524 B Lakeland Blvd.  
Mattoon, IL 61938**

**Michelle Faron  
4500 West Pine Blvd  
Saint Louis, MO 63108**

**Please retain this notice for your records.**

Enclosure with EEOC Notice of Closure and Rights (01/22)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

**IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT**

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PFWA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PFWA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

**ATTORNEY REPRESENTATION**

For information about locating an attorney to represent you, go to:  
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

**HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS**

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

**To make a FOIA request for your charge file**, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 560-2023-02417 to the

Enclosure with EEOC Notice of Closure and Rights (01/22)

District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

**To make a Section 83 request for your charge file**, submit a signed written request stating it is a "Section 83 Request" for Charge Number 560-2023-02417 to the District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to <https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St. Louis District Office  
1222 Spruce St, Rm 8 100  
St Louis, MO 63103  
(314) 798-1960  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DISMISSAL AND NOTICE OF RIGHTS**

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

Issued On: 04//2024

**To:** Rosalba Salas  
246 West Washington Apt. 3  
Arcola, IL 61910  
Charge No: 560-2023-02788

EEOC Representative and email: ROBERT SMITH  
EEOC Federal Investigator Bilingual/Spanish  
[robert.smith@eeoc.gov](mailto:robert.smith@eeoc.gov)

---

### **DISMISSAL OF CHARGE**

The EEOC has granted your request that the agency issue a Notice of Right to Sue, where it is unlikely that EEOC will be able to complete its investigation within 180 days from the date the charge was filed.

The EEOC is terminating its processing of this charge.

### **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 a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 560-2023-02788.

On behalf of the Commission,

**Alfred C. Kirk  
Jr.**

Digitally signed by Alfred C.  
Kirk Jr.  
Date: 2024.04.24 10:52:35  
-05'00'

---

David Davis  
District Director

**Cc:**

Renee Sickels  
255 BUSINESS CENTER DR  
Horsham, PA 19044

Michelle Faron  
4500 West Pine Blvd  
Saint Louis, MO 63108

Nicole Matlock  
4500 West Pine Blvd.  
Saint Louis, MO 63108

Ellen Bruntrager  
Kennedy Hunt Law  
4500 West Pine Blvd.  
Saint Louis, MO 63108

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

**IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT**

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PFWA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PFWA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

**ATTORNEY REPRESENTATION**

For information about locating an attorney to represent you, go to:  
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

**HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS**

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

**To make a FOIA request for your charge file**, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 560-2023-02788 to the

Enclosure with EEOC Notice of Closure and Rights (01/22)

District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

**To make a Section 83 request for your charge file**, submit a signed written request stating it is a "Section 83 Request" for Charge Number 560-2023-02788 to the District Director at David Davis, 1222 Spruce St Rm 8 100, St Louis, MO 63103.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to

<https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.