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JUN - 5 2014

STATE OF CONNECTICUT  
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

COMM. ON HUMAN RTS. & OPP.  
SOUTHWEST REGIONAL OFFICE

AFFIDAVIT OF ILLEGAL DISCRIMINATORY PRACTICE

DATE: June 5, 2014 CASE NO: 1420422

My name is Mr. John Mosby and I reside at 15 Adamson Avenue, Norwalk, Connecticut.

My e-mail address is: \_\_\_\_\_

The Respondent is the City of Norwalk and Board of Education, whose address is Norwalk Town Hall, 125 East Main Street, 3<sup>rd</sup> Floor, Norwalk, Connecticut.

The adverse action(s) occurred in: Norwalk, Connecticut.

I was

- terminated
- suspended
- placed on probation
- demoted
- warned
- given a poor evaluation
- denied a raise
- less trained
- denied service (s)
- other Disparate Treatment
- not hired/not promoted
- not rented a dwelling
- harassed  sexually harassed
- earning a different rate of pay
- constructively discharged
- retaliated against
- denied a reasonable accommodation
- delegated difficult assignments
- discriminated against in the terms/conditions of employment

on (3/18/2014, 4/8/2014) and believe that my

- race (African-American)
- color (Black)
- sex { }male { }female
- previous opposition, filing, testimony or assistance
- ancestry
- national origin
- marital status
- physical disability
- intellectual disability
- mental disability
- religious creed  creed

- age \_\_\_\_\_ DOB:
- religion
- pregnancy
- alienage
- gender identity or expression
- other \_\_\_\_\_
- familial status
- sexual orientation
- learning disability
- lawful source of income
- genetic information

was/were in part a factor/factors in this action/these actions. I believe that the Respondent violated the following statutes and acts listed below, as amended, enforced through CONN. GEN. STAT. § 46a-58(a) (X), if applicable:

- CONN. GEN. STAT. § 46a-60(a)(1)
- CONN. GEN. STAT. § 46a-60(a)(4)
- CONN. GEN. STAT. § 46a-60(a)(5)
- CONN. GEN. STAT. § 46a-60(a)(7)( ) ( ) ( )
- CONN. GEN. STAT. § 46a-60(a)(8)( ) ( ) ( )
- CONN. GEN. STAT. § 46a-64( ) ( )
- CONN. GEN. STAT. § 46a-64a( ) ( ) ( )
- CONN. GEN. STAT. § 46a-70
- CONN. GEN. STAT. § 46a-71
- CONN. GEN. STAT. § 46a-80 ( )
- CONN. GEN. STAT. § 46a-81( ) ( ) ( )
- other \_\_\_\_\_
- Title VII of the Civil Rights Act of 1964, 42 U.S.C § 2000e-2 {cite for 15 individuals employed}
- Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 {cite for over 20 individuals employed}
- Americans With Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.
- Equal Pay Act of 1964, U.S.C. § 206
- Section 504 of the Rehabilitation Act of 1973

I provide the following particulars:

1. My name is Mr. John Mosby and I reside at 15 Adam Avenue, Norwalk, Connecticut. I am an adult male, my race is African-American, and my color is Black.
2. The Respondent is the City of Norwalk and Board of Education (B.O.E.), whose address is Norwalk Town Hall, 125 East Main Street, 3<sup>rd</sup> Floor, Norwalk, Connecticut.
3. The Respondent employs fifteen (15), or more employees in Connecticut.
4. On or about 1970 I began my employment with the B.O.E. as a "Custodian." On or about the year 1999, I retired from the B.O.E. My last employment position with the B.O.E. was as the "Head Custodian" at the "Briggs Alternative High School" in Norwalk, Connecticut.

5. I have been a "Community Activist" speaking and acting for minority members of our society all of my adult life. As such, I regularly attend and speak at B.O.E. public hearings concerning several issues such as equal opportunity in B.O.E. hiring and promotional practices for minority members of our society, allocating additional monies to repair and maintain public schools in minority communities, as well as other issues important to minority members of our society.
6. On or about March 18, 2014, I attended and spoke one or more times at the B.O.E. meeting held on same night. After I finished speaking I was politely told my "three minutes are up." The B.O.E. never acknowledged and or addressed the issues and concerns I spoke about.
7. On or about April 8, 2014, I attended and spoke one or more times at the B.O.E. meeting held on same night. After I finished speaking I was politely told my "three minutes are up." The B.O.E. never acknowledged and or addressed the issues and concerns I spoke about.
8. On or about same March 18, 2014, and April 8, 2014, B.O.E. meetings several Caucasian (White), non-basis parents and or citizens of Norwalk, Connecticut, also spoke about relevant B.O.E. issues. After each White person finished speaking, B.O.E. member(s) would actually acknowledge the person's concerns and assure them the B.O.E. will investigate their complaint(s) and try to remedy the situation.
9. I charge the City of Norwalk and Board of Education have retaliated against me and submitted me to disparate treatment because I filed a previous complaint of discrimination against the B.O.E. The B.O.E. perpetrates its disparate treatment against me by routinely and systematically ignoring my complaints while actually acknowledging and investigating the complaints that White parents and or citizens bring to its attention.
10. I charge the City of Norwalk and Board of Education with unlawful discrimination through retaliation and disparate treatment of me at B.O.E. public hearings by routinely and systematically ignoring my complaints, while actually acknowledging and investigating the complaints that White parents and or citizens bring to its attention.

**IMPORTANT: YOU MUST OBTAIN A NOTARIZATION OF YOUR COMPLAINT BEFORE YOU RETURN THIS FORM**

I request the Connecticut Commission on Human Rights and Opportunities investigate my complaint, secure for me my rights as guaranteed to me under the above cited laws and secure for me any remedy to which I may be entitled.

I, John Mosby, being duly sworn on oath, states that s/he is the Complainant herein; that s/he has read the foregoing complaint and knows the content thereof; that the same is true of her/his own knowledge, except as to the matters herein stated on information and belief, and that as to these matters s/he believes the same to be true.

Dated at Bridgeport, Connecticut this 5<sup>th</sup> day of June 2014.

John Mosby  
(Complainant's Signature)

Subscribed and sworn to before me this 5<sup>th</sup> day of June 2014.

Jack W. ...  
Notary Public/Commissioner of  
the Superior Court

My commission expires: 5/31/2015

**Case No: 1420422**

**EMPLOYMENT SCHEDULE A**  
Request for Information

1. State the full legal name of the respondent.
2. State the proper address of the respondent's facility where the complainant alleges that an act or acts of discrimination occurred.
3. If the respondent is incorporated, indicate under what state's laws it is incorporated.
4. If the respondent is incorporated, state the address of respondent's corporate headquarters.
5. State the name and address of respondent's agent for services.
6. If the respondent is currently the subject of bankruptcy proceedings, or has been the subject of bankruptcy proceedings during the past three years, provide documentation of the current status of such proceedings.
7. Please identify an employee of the respondent who will be contacted in this matter. State the name, title, address, telephone number, fax number and e-mail address of the individual to be contacted. **PLEASE DO NO LIST OUTSIDE COUNSEL AS THE CONTACT PERSON.**
8. Separately state the number of respondent's employees in Connecticut and at the facility where the complainant alleges that discriminatory conduct occurred.
9. Submit a response, in "**admit**" "**deny**" format, to each numbered statement in the Affidavit of Illegal Discriminatory Practice (complaint affidavit). For each statement that is denied, submit a statement that sets forth the facts upon which you rely in your denial. Please submit any and all documents and written statements of witnesses or participants to support your position. **The response must be submitted under oath.**
10. Submit copies of all written rules, policies and procedures relating to the issue(s) raised in the complaint. If these are not in writing, explain the rules, policies and procedures.
11. If the complainant was discharged, disciplined, or subject to any other adverse employment decision, submit the following information:
  - a) Date complainant was advised of the act complained of;

- b) Explain in detail the reason(s) for the action taken;
  - c) Identify the person(s) recommending the action(s) at issue, including name, position held, **and previously opposed discriminatory conduct**;
  - d) Identify the person(s) making the final decision, including name, position held, **and previously opposed discriminatory conduct**;
  - e) Provide a copy of any evaluation(s) or investigative report(s), and all other relevant documents relating to the act;
  - f) Provide a list of all employees who committed the same or substantially similar offense(s) that the complainant committed, and the disciplinary action taken against each of them. Supply backup documentation for the listed employees. Identify each employee by name, **and previously opposed discriminatory conduct**;
  - g) List all employees discharged or who received the same discipline as the complainant within the past two years. For each employee listed, include employee's name, **and previously opposed discriminatory conduct**. Provide a copy of the discipline or separation notice for each person.
12. If the complainant was denied a promotion or not hired, provide the following information:
- a) Describe the selection process, and provide copies of documents describing the process, if available;
  - b) Describe the job at issue, indicating the qualifications sought. Provide a copy of the written job description, as well as a copy of any advertisements or internal postings for the position at issue;
  - c) Provide applications and resumes for all applicants for the position. Identify the successful candidate or candidates;
  - d) Explain why complainant was not selected, and why the successful candidate(s) was selected;
  - e) Provide other examples of promotions or hire for similar positions;
  - f) Identify by of all individuals holding the same title as the position sought by the complainant;

- g) Identify the person(s) recommending the action(s) at issue, including name, position held, and **previously opposed discriminatory conduct;**
  - h) Identify the person(s) making the final decision, including name, position held, and **previously opposed discriminatory conduct.**
13. If this complaint alleges a failure to hire, failure to promote, demotion or termination of employment, provide the rate(s) of pay for the position(s) at issue.
  14. If this complaint involves a claim of disability, did you make any attempts to reasonably accommodate the disability at issue? If so, please detail them.
  15. Provide any other information and/or explanation you deem relevant to this complaint, and any other information which will assist the Commission in reaching a decision in this matter.