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IRIS Y. MARTINEZ
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COOK COUNTY, IL
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION**

Ukeisha Kitching,)	
)	
Plaintiff,)	
)	Case No. 2022L005007
v.)	
)	Ad Damnum: \$300,000
Village of University Park, Illinois, and)	+fees
Ernestine B. Beck-Fulgham,)	+costs
)	
Defendants.)	JURY DEMANDED

COMPLAINT

Plaintiff, Ukeisha Kitching (“Kitching” or “Plaintiff”), by and through her undersigned counsel, Cass T. Casper, Esq., DISPARTI LAW GROUP, P.A., complains as follows against the Village of University Park, Illinois (“Village”) and Ernestine B. Beck-Fulgham (“Fulgham”) (collectively hereinafter, “Defendants”).

JURISDICTION AND VENUE

1. General jurisdiction is vested in this Court pursuant to Article 6, Section 9, of the Illinois Constitution.
2. This Court has jurisdiction over the state law employment discrimination claims raised herein pursuant to the Illinois Human Rights Act (“IHRA”), 775 ILCS 5/1-101, *et seq.*
3. Venue is proper pursuant to 735 ILCS § 5/2-101 of the Illinois Code of Civil Procedure because all operative acts underlying this Complaint occurred in Cook County, Illinois, and Defendant’s principal places of business and operation are in Cook County.

PARTIES

4. Plaintiff Ukeisha Kitching is a legal adult, a resident of the state of Illinois, and at

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relevant times was an “employee” of the Village within the meaning of the IHRA in that she has been performing services for remuneration for the Village.

5. At all times, Defendant Village has been a “public employer” within the meaning of the IHRA in that it is a unit of local government within the state of Illinois and is also an “employer” within the meaning of IHRA because it is a municipal corporation.

6. At all times relevant, Defendant Ernestine B. Beck-Fulgham has been the Village Manager for the Defendant Village.

7. Defendant Ernestine B. Beck-Fulgham is named in her individual capacity for purposes of the IHRA claims.

ADMINISTRATIVE PREREQUISITES

8. Plaintiff filed a charge of discrimination with the Illinois Department of Human Rights (“IDHR”) against the Village of University Park, Illinois in Charge Number 2022CF0213 alleging hostile work environment discrimination based on her sex (female) and retaliation for engaging in activity protected by the IHRA.

9. Plaintiff received a right to sue notice from the IDHR on or about March 7, 2022, authorizing her to file suit in the appropriate state circuit court based on the allegations in Charge Number 2022CF0213 within 90 calendar days. A true and accurate copy of the right to sue letter is attached hereto as Exhibit 1.

10. Plaintiff filed a charge of discrimination with the Illinois Department of Human Rights (“IDHR”) against the Ernestine B. Beck-Fulgham in Charge Number 2022CN0214 alleging hostile work environment discrimination based on her sex (female) and retaliation for engaging in activity protected by the IHRA.

11. Plaintiff received a right to sue notice from the IDHR on or about March 7, 2022,

authorizing her to file suit in the appropriate state circuit court based on the allegations in Charge Number 2022CN0214 within 90 calendar days. A true and accurate copy of the right to sue letter is attached hereto as Exhibit 2.

12. Plaintiff has exhausted her administrative remedies, satisfied all prerequisites to filing this suit, and timely files this suit within the 90-day period following her receipt of the right to sue letters attached as Exhibit 1 and 2 hereto.

**COUNT 1: CIVIL RIGHTS VIOLATION BASED ON GENDER DISCRIMINATION
AND SEXUAL HARASSMENT**
(Plaintiff v. All Defendants)

13. Plaintiff restates, realleges, and incorporates by reference in this count Paragraphs 1 through 12 as if fully restated herein.

14. The IHRA makes it a civil rights violation for any employer to engage in unwelcome conduct against any employee on the basis of the employee's actual or perceived sex that has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment. *See* 775 ILCS 5/2-101(E-1), 2-102(A).

15. At all times relevant, Plaintiff Kitching has been employed as a secretary to the Village Manager of Defendant University Park.

16. In that role, Kitching made approximately \$18.00 per hour, and was tasked with completing the duties required of her by the Village Manager, including scheduling, appointments, handling phone calls, completing basic paperwork, and completing whatever other tasks were assigned to her by the Village Manager.

17. Kitching began her role as secretary to Village Manager John E. Pate, but after he left the Village she served in such role for the newly-appointed Village Manager, Ernestine Beck-Fulgham, who was appointed to that position in or about September 2019.

18. Once Beck-Fulgham became Village Manager, Beck-Fulgham and that Mayor subjected Plaintiff to an onslaught of harassing conduct based on Plaintiff's sex (female).

19. For example, the Mayor would repeatedly approach Kitching, sit uncomfortably close to her in her work area, stare at her in suggestive manner, and attempt to engage her in flirtatious conversation, all of which made Plaintiff extremely uncomfortable.

20. In January 2020, Kitching was required to go with the Mayor to inspect the new Village Hall and, during such inspection, the Mayor repeatedly followed Plaintiff room-to-room and tried to engage Kitching in flirtatious conversation, and at one point told Plaintiff to make sure to tell him which office she wanted and he would make it happen.

21. Plaintiff perceived the Mayor to be propositioning her and intimating that he would give her workplace benefits in exchange for her succumbing to his advances.

22. In February 2020, the Mayor approached Plaintiff in her work area at the old Village Hall, got physically close to her, and in suggestive manner advised her that she would not be fired and that she seemed like a good person. Kitching perceived him to be coming onto her again during this conversation, and perceived him to be suggesting that her job was contingent on her succumbing to his advances.

23. During the months of March through June, 2020, the Village generally worked on a remote basis due to COVID-19.

24. In June 2020, some employees, including Plaintiff, began returning to the office.

25. At a staff meeting in June 2020, Defendant Beck-Fulgham told Plaintiff in front of other several other employees at the meeting that "we all know you have a body built like a shit brickhouse and I am tired of seeing men walk behind you and stare at you."

26. Beck-Fulgham's comments to Plaintiff about her body and physical appearance had a

humiliating effect on Plaintiff, were unwelcome, and were all based on Plaintiff's gender (female).

27. Subsequent to Beck-Fulgham's appointment as Village Manager, Defendant Beck-Fulgham would constantly make comments to Plaintiff insinuating that she was sleeping with administration officials, whether she "slept with any of the trustees," and threatening Plaintiff that she "better not find out Plaintiff was sleeping with anybody" at the Village.

28. Plaintiff endured such comments from Beck-Fulgham on a near weekly basis at least in the months of July, August, and September 2020, and more sporadically thereafter until January 2021.

29. Beck-Fulgham's comments to Plaintiff had the effect of humiliating Plaintiff, suggesting that she was just a sex object, and turned every working day into a dread-experience where Plaintiff hated coming to work for fear that Beck-Fulgham would make comments suggesting that she sleeps with Village administration offices.

30. At all times, Beck-Fulgham and the Mayor were in positions of authority over Plaintiff, and either could fire her at any time, deprive her of benefits, monitor her work, and generally completely control all aspects of Plaintiff's employment relationship.

31. In Fall 2020, the Village Treasurer and Beck-Fulgham were in her office and, when Kitching came in, the Village Treasurer patted his lap and asked Kitching to come sit on his lap in a flirtatious and humiliating way.

32. Plaintiff observed Beck-Fulgham to laugh at the Treasurer's comment that Plaintiff sit on his lap, and Beck-Fulgham did not do anything to confront the Treasurer or reprimand him for this conduct.

33. In February 2021, Kitching asks Beck-Fulgham if she may go to lunch with a public

works employee who was in the office, and Beck-Fulgham denied Plaintiff's request, stating, "No you cannot, there will not be any blummer pudding around here." Beck-Fulgham made this comment in front of two other employees, including the Public Works employee. Plaintiff was shamed and humiliated in front of her co-workers, again, on the basis of Beck-Fulgham insinuating that she was sleeping with other Village workers.

34. On March 31, 2021, Beck-Fulgham humiliatingly smacked Plaintiff's buttocks in front of other coworkers for no reason other than to degrad Plaintiff in front of other coworkers. A fellow employee witnessed Beck-Fulgham do this and expressed shock to Plaintiff that it occurred.

35. Plaintiff's tenure as secretary to Beck-Fulgham was filled with instances of her suffering romantic or sexual overtures by the Mayor, Treasurer, or by statements and implications from her direct supervisor that she sleeps with other officials or employees in the Village, body-shaming and commentary, and humiliating physical conduct.

36. The specific instances cited herein were so severe and pervasive as to have the effect of altering Plaintiff's terms and conditions of employment so as to make coming to work completely unbearable and hostile and to interfere with Plaintiff's work performance.

37. At all times, the hostile actions taken toward Plaintiff were as a result of her sex (female), because they were about her body, insinuated female-based stereotypes about Plaintiff based on sexual conduct, and took the form of romantic and/or sexual advances.

38. Plaintiff eventually transferred over the Police Department to a record clerk and court officer position in or about June 2021 in order to get away from Beck-Fulgham.

39. Plaintiff has suffered emotional distress as a result of Beck-Fulgham's and the Village's sexually-charged environment, has had to undergo therapy and counseling, has had to obtain medicine to help her sleep, and Plaintiff has experienced loss or normal life and dissociated

episodes stemming from the trauma she experienced while working as secretary to Beck-Fulgham.

40. Plaintiff has suffered damages as a result of the foregoing conduct, to include distress, loss of normal life, anguish, humiliation, anger, outrage, sadness, and loss of normal sleep, as well as reputational damage within the Village due to the sexual insinuations about her character.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that this Honorable Court enter judgment in her favor, and against Defendants, and enter and order an order for damages in an amount to be proved at trial, including for compensatory damages, reasonable attorneys' fees, costs and expenses, prejudgment interest, and all other available and appropriate relief.

PLAINTIFF DEMANDS TRIAL BY JURY

Respectfully submitted,

USKEISHA KITCHING

By: */s/ Cass T. Casper*

Her Attorney

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