

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC
SAFETY
DIVISION ON CIVIL RIGHTS
DOCKET NUMBER:

BRIAN C PEEKE
COMPLAINANT

-vs-

VOORHEES DINER GROUP
RESPONDENT

)
)
) Verified Complaint
) Received and Recorded
) Date:07/24/2018
) Department of Law and Public Safety
) Division on Civil Rights
) By A. Gonzalez
)
)
)

1. The Complainant resides at:

[REDACTED]

2. To the best of Complainant's knowledge and belief, the Respondent is known as: VOORHEES
DINER GROUP and is located at:

320 ROUTE 73 SOUTH
VOORHEES NJ 08043
CAMDEN COUNTY

3. Charge of Discrimination:

The above named respondent is hereby charged with unlawful discrimination in violation of the named statutes with respect to the following charges:

3.1 Constructive Discharge because of Sexual Orientation/homosexual in violation of NJ Law Against Discrimination(N.J.S.A 10:5-12a)

3.2 Hostile Environment because of Sexual Orientation/homosexual in violation of NJ Law Against Discrimination(N.J.S.A 10:5-12a)

4. THE CHARGE IS BASED ON THE FOLLOWING:

4.1 Complainant belongs to a protected class, in that, he is homosexual.

4.2 Respondent hired Complainant as a server on November 1, 2016.

4.3 Complainant alleges that he was subjected the following treatment, including but not limited to:

4.3(a) Respondent's employees, Xavier Damian, Jack "Doe," Andreas "Doe" (last names being fictitious) and others would continuously refer to Complainant as "faggot," stupid faggot" and other derogatory remarks related to his sexual orientation.

4.4 Complainant alleges that on many occasions, with the last time being on June 8, 2018 he complained about the harassment to Respondent's managers, Tina Williams, Alexis Bradley, Tony "Doe" (l.n.b.f.) and owner, Mark Klein but no action was taken and the harassment continued.

4.5 Respondent constructively discharged Complainant on June 8, 2018.

5. RESPONDENT'S REASON FOR ADVERSE ACTION:

5.1 Respondent's employees did not provide any reason for the harassment and Respondent's managers, Tina Williams, Alexis Bradley, Tony "Doe" (l.n.b.f.) and owner, Mark Klein advised Complainant that they would talk to the people involved.

6. DISCRIMINATION STATEMENT:

6.1 Complainant alleges that the conduct to which he was subjected:

6.2 Occurred because of her sexual orientation; and

6.3 was severe or pervasive enough to

6. DISCRIMINATION STATEMENT: (continued)

6.4 make the working environment hostile or abusive.

6.5 Respondent knew about the hostile environment and failed to take prompt, effective, remedial action.

6.6 Further, Complainant alleges the situation at work was so unbearable, that he felt he had no choice but to resign. Respondent constructively discharged Complainant.

7. Said acts of discrimination occurred in the County of CAMDEN in the State of New Jersey.

8. The Complainant requests whatever relief is provided by law including, but not limited to, compensatory damages for economic loss, humiliation, mental pain and suffering.

9. The Complainant has not instituted action in any court, either criminal or civil, regarding this matter.

BRIAN C PEEKE
COMPLAINANT

STATE OF NEW JERSEY)
) SS:
COUNTY OF CAMDEN)

BRIAN C PEEKE of full age, certifies that he is the complainant named in this complaint, that he has read and understands this complaint, and that to the best of his knowledge, information and belief, the facts alleged in this complaint are true.

BRIAN C PEEKE
COMPLAINANT