



February 4, 2004

Electra Yourke
Enforcement Supervisor
Equal Employment Opportunity Commission
New York District Office
33 Whitehall Street
New York, NY 10004

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Dear Ms. Yourke:

The Women's Rights Project of the American Civil Liberties Union Foundation (ACLU-WRP) represents five Latina women who faced sex discrimination, among other illegal practices, as housekeepers at the Broadway Plaza Hotel in New York City.

Enclosed, please find EEOC charges for our clients: Juana Sierra Trejo, Gabriela Flores Viegas, Ines Bello Castillo, Carmen Calixto Rodriguez, and Lucero Santes Vazquez. Note that Ms. Flores Viegas continues to work at Broadway Plaza Hotel.

The ACLU-WRP believes that this case will benefit from a thorough EEOC investigation. In addition to the egregiousness of the sexual harassment faced by our clients, other housekeepers who currently work at the hotel face similar sex discrimination. It is our understanding that at least some of these housekeepers would like to bring charges against the Broadway Plaza Hotel, but fear employer retaliation.

Please do not hesitate to contact either of us if you require further information or have any questions.

Sincerely,

Jennifer Arnett, Esq.
Lenora M. Lapidus, Esq.

Declaration of Juana Sierra Trejo

1. My name is Juana Sierra Trejo. I am an eighteen year old Latina woman who resides in New York City.
2. I worked as a housekeeper at Broadway Plaza Hotel, located at 1155 Broadway, New York, New York 10001, from approximately June 7, 2002 until I was constructively discharged on approximately September 11, 2003.
3. I returned to work as a housekeeper at the hotel on approximately October 6, 2003 but then quit again on January 26, 2004.
4. Felix David Buendía Ramirez, the hotel manager and my supervisor, sexually harassed me. He caressed me and tried to touch me in a sexual way, asked me out, and yelled at me for not giving into his demands. He also mistreated me by yelling at me, making me work at his home for no pay, and not paying me overtime.
5. Mr. Ramirez grabbed my head and caressed my face on a regular basis. He also leaned in towards me in an attempt to touch my breasts. I was very scared when he tried to touch me in these ways.
6. Mr. Ramirez asked me to go out to dinner with him a few times and I always refused. Mr. Ramirez punished me for refusing him by giving me more rooms to clean.
7. Before my constructive discharge in September of 2003, Mr. Ramirez made me clean his private home, without pay, 2 to 3 times a week after I finished my work at the hotel. At his home, Mr. Ramirez caressed my face and grabbed my head.
8. When I cleaned the hotel rooms, Mr. Ramirez sometimes came in to watch me. He told me that he likes unwed women because they are alone.
9. Mr. Ramirez said that I am “muy cabrona” [a real bitch] because I don’t let him do anything to me.
10. Mr. Ramirez bragged that he “pinchó” [slang for had sex with] all the housekeepers.
11. Mr. Ramirez is now dating one the housekeepers. She made us clean the rooms assigned to her. If we refused to clean the girlfriend’s rooms, Mr. Ramirez gave us more work.
12. Mr. Ramirez yelled at me and the other housekeepers on a daily basis, yelling things like “puta madre” [whore of a mother], “concha tu madre” [fuck your

- mother], and “eres una mierda” [you’re a piece of shit]. He also said that I and the other housekeepers are nothings, just pieces of shit.
13. Before my constructive discharge from the hotel in September 2003, I was very frightened by Mr. Ramirez. Due to his sexual harassment and threats, I became very nervous. I often arrived home trembling from being caressed, and also because I was yelled at so much, and was threatened with my job and immigration. I started jumping at any small movement or loud noise. I was not nervous or afraid like this before I started working for Mr. Ramirez.
 14. I was especially scared of Mr. Ramirez’s caresses.
 15. When I was originally hired in 2002, Mr. Ramirez told me that my duties would entail cleaning 15 rooms per day, 6 days a week, for 8 hours a day, at a rate of \$5.25 per hour. Mr. Ramirez assigned all of my work to me and paid me my weekly salary.
 16. Before my constructive discharge in September 2003, I worked seven days per week and was never allowed a day off, unless Mr. Ramirez felt like giving me the day off. Even when Mr. Rodriguez gave me days off, he called my house and insisted that I go into work. He said that if I did not go in, he would come to get me.
 17. Mr. Ramirez did not pay me for the work I performed at his home. If I refused to go to his home, Mr. Ramirez punished me by giving me more rooms to clean at the hotel, without more pay. Two other women, who are scared to file charges, had to go to work at Mr. Ramirez’s home with me.
 18. I also occasionally had to clean the house of Felipe, one of the hotel owners, and Felipe’s mother. While I was not given a choice about doing this job, Felipe paid me for cleaning his home.
 19. In addition, even though I was hired to work as a housekeeper at the Broadway Plaza Hotel, I also had to paint the walls (without a mask), clean the stairways, and move furniture.
 20. Before my constructive discharge in September 2003, I had to arrive at work by 6:30 a.m. and punch in at 7:00 a.m. I worked at the hotel until at least 4:00 p.m. Sometimes, I worked up to fifteen hours per day. I always worked seven days per week. I was not paid overtime.
 21. When I worked at Mr. Ramirez’s home, I worked there for about four hours.
 22. I was not permitted to eat any food, drink any water, or use the restroom while working at the hotel or while working at Mr. Ramirez’s home. I was not given any break to eat, drink, or use the restroom. I was not able to eat, drink water, or go to the bathroom all day long.

23. When I asked for a short break, Mr. Ramirez yelled at me, called me bad names, and said that I was there to work, not to eat. When Mr. Ramirez saw any of us with food or water, he yelled dirty names at us and then took our food or water.
24. In addition to becoming very nervous, jumpy, and shaky, I developed other health problems from working at the Broadway Plaza Hotel. I was always very tired, became very weak, and developed a bad back.
25. Once, after moving heavy furniture, I asked for some time off so that I could see a doctor about my back problems. Mr. Ramirez yelled at me and refused to give me the time off.
26. When I told Mr. Ramirez that I would let the owners of the hotel know about the sexual harassment and other abuses, Mr. Ramirez told me not to waste my time because the owners would not listen to me and I would be fired.
27. Mr. Ramirez threatened me and the other housekeepers regularly. He said that he was capable of anything, including killing. Mr. Ramirez also said that if I or other housekeepers told anybody about his treatment of us, he could have us killed.
28. I stopped working at the hotel in September 2003 because I was scared, sick, and tired. My entire body hurt, but I was too afraid to take time off to see a doctor. I felt I had no choice but to stop working at the hotel.
29. After I stopped working at the hotel, Mr. Ramirez called me at home and tried to persuade me to go back to work at the hotel. He promised that he would not yell at me anymore and that I would get a lunch break. I returned to the hotel because I need to have a job.
30. I stopped working at the hotel again in January of 2004 because I was being sexually harassed by a co-worker. I could not approach Mr. Ramirez about this harassment. I felt that my only options were to continue to be sexually harassed at the hotel or quit. I chose to quit because I could not put up with the sexual harassment any longer.
31. I swear or affirm, under penalty of perjury, that the above is true and correct.

Dated: _____, 2004

Juana Sierra Trejo

Declaration of Gabriela Flores Viegas

1. My name is Gabriela Flores Viegas. I am a Latina woman who resides in New York City.
2. I have worked as a housekeeper at Broadway Plaza Hotel, located at 1155 Broadway, New York, New York 10001, since approximately January 2001. I am still employed at Broadway Plaza Hotel.
3. Felix David Buendía Ramirez, the manager of the hotel and my supervisor, sexually harasses me and other housekeepers at the hotel. Mr. Ramirez has sex with female employees during work hours in the hotel rooms, touches his employees in sexually inappropriate ways, brags about his sexual exploits, and hires housekeepers based on whether he thinks they will have sex with him. The workplace is permeated with Mr. Ramirez's constant treatment of his female employees as potential or actual sexual conquests.
4. Mr. Ramirez has sex with some of the housekeepers in the hotel rooms while they are supposed to be working. I know of at least two housekeepers with whom he has had sex in the hotel rooms. On regular occasions, Mr. Ramirez had sex with one of the women in a hotel room and, when he finished, had sex with the other woman in another hotel room.
5. Mr. Ramirez frequently brags about his sexual conquests and says that he has had sex with all the housekeepers.
6. One of the former housekeepers with whom Mr. Ramirez had sex in the hotel rooms became pregnant with twins. Mr. Ramirez demanded that this housekeeper give him the children once they were born, so that he could give the children to his mother. When the housekeeper refused, Mr. Ramirez retaliated by treating her even worse than the other housekeepers and eventually firing her.
7. Mr. Ramirez said he got one of the housekeepers drunk, took her home with him, and they had sex. This housekeeper is now Mr. Ramirez's girlfriend. Mr. Ramirez lets her order the rest of us around and makes us do the work that is assigned to the girlfriend. In addition, she comes to work late, but her card is punched for the time when she is supposed to be at work.
8. Mr. Ramirez tries to hug, kiss, and grope housekeepers. He especially preys on the more vulnerable girls, such as Juana Sierra, one of the women filing a charge with me, who was a minor until recently.
9. One housekeeper was made to stand on a ladder, allegedly to clean something out of reach, while he held the ladder and looked up her skirt. Mr. Ramirez has tried to get me to change lightbulbs, but I refuse. He yells at me when I refuse.
10. When a new housekeeper comes to work at the hotel, Mr. Ramirez asks whether she is married. Housekeepers who are married cannot work at the hotel because Mr. Ramirez

prefers single women. He prefers single women because he thinks they will have sex with him. As he says, a single woman “va a caer” [slang for “will have sex”] with him.

11. When two new housekeepers started on the same day, Mr. Ramirez said that at least one of the women “va a caer.” One of the women, Ines Bello, who is filing a charge with me, was soon sexually acosted by Mr. Ramirez. The other woman is now his girlfriend.
12. I am an exception to the rule that married women cannot work at the hotel. I am married, but Mr. Ramirez did not ask me my marital status until after I had been working at the hotel for a few days. By that time, he had seen that I am a very good worker, and so he let me stay.
13. Mr. Ramirez yells sexually explicit epithets at me and the other housekeepers on a daily basis, such as “chucha” [cunt], “concha tu madre” [fuck your mother], and “puta madre” [whore of a mother], and he says that we are “unas mierdas” [pieces of shit]. Mr. Ramirez does not call us by our names, but instead calls us “esta mierda” [this piece of shit].
14. The other housekeepers at the hotel have all experienced Mr. Ramirez’s sexual harassment. In addition to the women filing charges with me, others want to complain about his behavior, but are afraid of losing their jobs.
15. The sexually hostile environment that Mr. Ramirez has created causes me a lot of stress. A large part of my job has become devising tactics to avoid sexual attention and advances from my boss.
16. In addition to sexually harassing us, Mr. Ramirez says that because many of the hotel employees are immigrants, we are not worth anything. He says that we will not be able to do anything about our work conditions because we are immigrants, and we should go back to our home countries.
17. Mr. Ramirez makes it clear that he is in charge of the operations of the hotel. He will not let me or the other housekeepers talk to the owner. When I have tried to enter the owner’s office to complain about work conditions, Mr. Ramirez has physically blocked the doorway so that I cannot enter.
18. The owners of the hotel see Mr. Ramirez yelling at us, but they do not say anything. We cannot speak to the owners in front of Mr. Ramirez because he would yell at us even more and would probably fire us.
19. Mr. Ramirez has some housekeepers go to his home to clean his house for no pay. When he asked me, I refused, and he punished me by giving me extra work to do the next day. I have seen him yell at other women who did not want to work at his home.
20. When I was hired, Mr. Ramirez told me that my duties would entail cleaning 15 rooms per day, 6 days a week, for 8 hours a day, at a rate of \$5.25 per hour. I now earn \$5.91 per hour. Mr. Ramirez assigns all of my work to me and pays me my weekly salary.

21. I used to work seven days a week at the hotel, but I now sometimes have six-day weeks. I work over forty hours per week—sometimes I work up to twelve hours per day—but I have never been paid overtime. In addition, a portion of my salary is always missing from my weekly pay.
22. I have to clean the owner’s home, Felipe, once every second week. I am not given a choice about this, and was not told I would have to clean Felipe’s home when I was hired.
23. Before a large group of housekeepers quit in September 2003, including some of the women filing charges with me, we were not permitted to eat, drink water, or go to the bathroom while at the hotel, even when we worked twelve hour days. We received no break to eat, drink water, or go to the bathroom. When Mr. Ramirez caught me eating fruit while cleaning a room, he yelled “cabrona” [bitch] at me.
24. When the large group of housekeepers quit in September 2003, I overheard Mr. Ramirez telling the owner that he didn’t care because there were a lot of girls out looking for work.
25. I know that I may be fired in retaliation for filing this charge. But I can live with that as long as I know that something is done to stop the sexual harassment and other abuses at the hotel. I do not want for more girls and young women to have to experience sexual harassment as I have had to do.
26. I swear or affirm, under penalty of perjury, that the above is true and correct.

Dated: _____, 2004

Gabriela Flores Viegas

Declaration of Ines Bello Castillo

1. My name is Ines Bello Castillo. I am a Latina woman who resides in New York City.
2. I worked as a housekeeper at Broadway Plaza Hotel, located at 1155 Broadway, New York, New York 10001, from approximately July 3, 2003, until my termination on approximately July 10, 2003.
3. Felix David Buendía Ramirez, the manager of the hotel and my supervisor, sexually harassed me. He forcibly hugged me on two occasions, tried to kiss me, and fired me because I rejected these advances.
4. On one occasion, Mr. Ramirez caressed forcibly hugged me in the elevator. He attempted to kiss me, but I managed to evade his kiss. Mr. Ramirez started to make fun of me and said that I was afraid of him. When he tried to forcibly hug me again, I told him to let me go because I was either going to scream or tell the owner. Mr. Ramirez said that the owner of the hotel would not believe me because the owner trusts Mr. Ramirez, not the housekeepers who are “puras chismosas” [pure gossips].
5. Mr. Ramirez constantly followed me and the other housekeepers around, and yelled things at us like “guebona” [female version of prick], “concha” [cunt], and “concha tu madre” [fuck your mother]. Mr. Ramirez yelled these names at us every day.
6. On approximately July 10, 2003, Mr. Ramirez again attempted to force himself on me in the elevator. He tried to hug me and told me that one way or another, he would have me. Mr. Ramirez used force when he tried to hug and grab me. I told him that as long as I rejected his advances, he could not make me do anything with him that I did not want to do.
7. After I rejected Mr. Ramirez’s advances on July 10, 2003, he punished me by ordering me to do more than my share of work. At the end of the work day, Mr. Ramirez told me not to come to work the next day. The following day, he told a co-worker that I no longer had a job at the hotel. July 10, 2003 was my last day of work.
8. If I had accepted Mr. Ramirez’s advances, I would not have been fired. In fact, I probably would have received more work and hours with additional pay because Mr. Ramirez had told me that I was a good and fast worker.
9. Before firing me, Mr. Ramirez told me that he was going to take me to his house to do work. I knew from the other women working at the hotel that this happened quite frequently. However, I never did work at his home.

10. I did not like Mr. Ramirez's sexual attention and did not think fighting off his advances should be part of my job.
11. When I was hired, Mr. Ramirez told me that my duties would entail cleaning 15 rooms per day, 6 days a week, for 8 hours a day, at a rate of \$5.25 per hour. Mr. Ramirez assigned all of my work to me and paid me my salary. But he only paid me \$20 for my first day of work, which lasted for 8 hours.
12. Mr. Ramirez did not permit me or the other housekeepers to eat any food, drink any water, or go to the bathroom while we were at work. I was not given any break to eat, drink, or use the restroom. I did not even know where the hotel bathroom was because we were not permitted to use the bathroom.
13. I swear or affirm, under penalty of perjury, that the above is true and correct.

Dated: _____, 2004

Ines Bello Castillo

Declaration of Carmen Calixto Rodriquez

1. My name is Carmen Calixto Rodriquez. I am a Latina woman who resides in New York City.
2. I worked as a housekeeper at Broadway Plaza Hotel, located at 1155 Broadway, New York, New York 10001, from approximately July 16, 2001, until my constructive discharge on approximately September 11, 2003.
3. Felix David Buendía Ramirez, the hotel manager and my supervisor, sexually harassed me. He gave preferential treatment to housekeepers he found attractive and yelled sexually-explicit epithets at me.
4. Mr. Ramirez gave unwanted attention to female housekeepers whom he thought were attractive, even touching them in inappropriate ways. Mr. Ramirez frequently bragged about his sexual conquests and made sure that we all knew he was a man who could take women as he pleased. He said that he had sex with all the housekeepers.
5. Mr. Ramirez gave preferential treatment to the housekeepers whom he was attracted to by giving them fewer work assignments. Because Mr. Ramirez did not find me attractive—he called me ugly to my face—I had to do more than my share of work.
6. When two new housekeepers started working at the hotel on the same day, Mr. Ramirez said that the two of them “no van a escapar” [will not escape], meaning he would have his way with them. One of these new housekeepers was Ines Bello, one of the women filing charges with me.
7. Mr. Ramirez yelled sexually explicit epithets at me and the other housekeepers on a daily basis, such as “concha tu madre” [fuck your mother], “puta madre” [whore of a mother], “mierda huevona” [lazy ass piece of shit], and said that we were “unas mierdas” [pieces of shit].
8. When I was hired, Mr. Ramirez told me that my duties would entail cleaning 15 rooms per day, 6 days a week, for 8 hours a day, at a rate of \$5.25 per hour. I worked seven days per week most weeks. Mr. Ramirez assigned all of my work to me and paid me my weekly salary.
9. I regularly worked 10 hours per day, and sometimes up to 16 hours per day. I worked 7 days a week. However, I never received overtime pay, and a few dollars were always missing from my weekly pay.
10. I also cleaned up to 20 rooms per day, which is more than what I was told I would be doing when I was hired.

11. Mr. Ramirez made me punch his time card everyday because he left work early, before his scheduled ending time. He threatened to fire me if I refused to punch his time card after he left for the day.
12. I and my co-workers were not permitted to eat any food, drink any water, or use the restroom when we were at the hotel. I was not given any break to eat, drink, or use the restroom, even when I worked 16 hour days. According to Mr. Ramirez, I was at the hotel to work, not to eat.
13. Mr. Ramirez said that I did not have the right to say anything about my treatment at work because I am an immigrant.
14. On or about September 3, 2003, I could not stand the thought of going to work because of the foul things Mr. Ramirez yelled at me and my co-workers. I did not go into work at my scheduled time, but Mr. Ramirez came to my home to pick me up along with a co-worker. He took the two of us to the hotel and we worked for the day.
15. On September 9, 10, and 11, 2003, I worked without pay. Mr. Ramirez told me not to speak to the owner because the owner did not want to see me and he would not pay me for these days. Mr. Ramirez also said that he, not the owner, was in charge at the hotel.
16. Due to the sexual harassment and the incredibly harsh work conditions at the hotel, and the fact that I was not paid for three days of work in September, I felt that I had no choice but to stop working at the Broadway Plaza Hotel. Even though I very much need to have a steady job, my last day of work at the hotel was approximately September 11, 2003.
17. I swear or affirm, under penalty of perjury, that the above is true and correct.

Dated: _____, 2004

Carmen Calixto Rodriguez

Declaration of Lucero Santes Vazquez

1. My name is Lucero Santes Vazquez. I am a Latina woman who resides in New York City.
2. I worked as a housekeeper at Broadway Plaza Hotel, located at 1155 Broadway, New York, New York 10001, from approximately May 2001, until my constructive discharge on approximately September 11, 2003.
3. Felix David Buendía Ramirez, the hotel manager and my supervisor, sexually harassed me.
4. Mr. Ramirez gave unwanted attention to female housekeepers whom he thought were attractive, even touching them in inappropriate ways. He was always looking for sexual favors from his female employees. He asked them out or hugged and caressed them without permission.
5. The women who agreed to go out with Mr. Ramirez received lighter work schedules and were not yelled at. The women who refused Mr. Ramirez's advances were assigned more rooms to clean or were told not to come back.
6. Mr. Ramirez yelled sexually explicit epithets at me and the other housekeepers on a daily basis, such as "concha" [cunt] and "fuck you."
7. When Mr. Ramirez hired me, he told me that my duties would entail cleaning 15 rooms per day, 6 days a week, for 8 hours a day, at a rate of \$250.00 per week. Mr. Ramirez assigned all of my work to me and paid me my weekly salary.
8. During my first year at the Broadway Plaza Hotel, I worked seven days a week. After the first year, I worked either six or seven days per week. I often had to work extra hours, but I was never paid overtime. In addition, there was always a little money missing when Mr. Ramirez gave me my weekly salary.
9. Even though I was hired to clean rooms, Mr. Ramirez ordered me to paint rooms (without a mask), move furniture, and remove old carpets. I had to do this work because Mr. Ramirez did not want to hire men, whom he would have had to pay more to do the work.
10. Mr. Ramirez also took me to clean corridors in the hotel owner's apartment buildings during my regular work hours.
11. When I became pregnant I told Mr. Ramirez that I was going to leave in a month. He told me to stay because there was a lot of work and he made me move furniture.

12. I was not allowed to eat, drink water, or use the bathroom while at the hotel. The manager always told me and the other housekeepers that we were at the hotel to work, not to eat. If the manager caught one of the employees with food, he would take it away and curse at us.
13. I felt that I had no choice but to stop working at the Broadway Plaza Hotel. My last day of work at the hotel was approximately September 11, 2003.
14. I declare under the penalty of perjury that the foregoing is true and correct.

Dated: _____, 2004

Lucero Santes Vazquez