

17. BRIEF SUMMARY OF ALLEGATIONS. Please state why you feel your basis/ bases was/were a factor in how you were treated. Please be sure to address each action you checked in Question #7. (Please DO NOT identify people who may be witnesses in support of your complaint.) *(Please read the instructions before writing your brief summary.)*

During my employment at McDonald's in Dyersville, Iowa, I was promised a manager position. However, once my employer became aware that I am gay and also HIV positive, I was denied the opportunity to train for and be promoted into the manager position. After this manager found out that I am gay, I was told there was no way that I would have a manager's position. Lisa, the manager who denied me this promotion, said I was not going to get it because "I liked guys," obviously referring to my sexual orientation as the reason that I would not receive the promotion. In addition, after the company found out that I was gay and HIV positive, my hours were cut from approximately 35 to 40 hours per week to 10 to 15 hours per week. I also received death threats from other employees because I am gay and HIV positive. Eventually, the company terminated my employment because I am gay and HIV positive. I have learned since my termination from other employees who are still employed by the company that the management in the office at McDonald's in Dyersville has said "The faggot got fired" when referring to the fact that the company terminated my employment. The managers were laughing when these comments were made. I have been told that Lisa, the Manager, does not like gay people and she will push them to quit. I am aware of another employee who is bisexual and has been harassed as a result.

With regard to my HIV positive status, Lisa, the manager, told me approximately a week before I was fired that she did not think that I could legally work because I am HIV positive. I had previously presented a doctor's note to the company indicating that it is safe for me to work. The company obviously used my HIV positive status to discriminate against me as well. My HIV status is a protected disability under the ADA and the Iowa Civil Rights Act, and it should not have formed any basis for the termination of my employment.

I have been harassed on the job both because of my HIV positive status and my status as a homosexual. I was hit in the stomach by a manager while I was on the job and nothing was done about this situation even though I complained to management about the incident. In November 2007, I was threatened by other employees because of my HIV status and my sexual orientation that I "better watch my back or I might get shot." I reported these comments to Nicole, a manager, and nothing was done to correct the problem. Then myself and another employee, Erica Nabers, reported the behavior to another manager, Donna, and nothing was written up and no action was taken. Approximately one week after this November incident, Robert, another employee, called me a "faggot rat" after I reported to management that he was under the influence of a controlled substance at work. He also pushed me and slapped me with a piece of cheese. A fight resulted and I was written up the next day at work. I wanted to complain about this harassment based upon my sexual orientation, but someone had removed the phone number from the sign providing employees with information about how to complain about sexual harassment. Likewise, when I burned my hand on the grill at work, I was not given medical attention by the company, nor was a first report of injury filed with regard to my burn injury. I was denied the same rights, privileges and treatments as employees who are not HIV positive and/or gay. I have been terminated because of my sexual orientation and my HIV positive status,

and I have been subject to a harassing, hostile and abusive working environment based upon these protected statuses.

I certify under penalty of perjury and pursuant to the laws of the State of Iowa and the laws of the United States of America that the preceding charge is true and correct.

X  _____ 2-28-08
Signature of Complainant Date

- Intaker Name: Larry Phone: 1-800-457-4416; option 9; ext. 1-4430 or 515-281-4430.
- Intaker Name: Kerry Phone: 1-800-457-4416; option 9; ext. 1-4437 or 515-281-4437.