

Employee Gets \$1.2M Verdict Against Staffing Agency

1/2/2008 --- An employee at Concepts in Staffing Inc. has won her race and gender discrimination lawsuit against the Manhattan-based staffing agency, with a federal jury returning a \$1.2 million verdict on her claims of a hostile work environment and emotional distress.

Following two weeks of trial and two days of deliberation, a jury in the U.S. District Court for the Southern District of New York on Dec. 20 found both Concepts in Staffing and its chairman and CEO, Arthur Abrams, liable for discrimination against the plaintiff, Sydney Nurse.

A spokesperson for Concepts in Staffing said Thursday that the company is seeking a new trial and plans to appeal the verdict if necessary.

In a complaint filed in November 2006, Nurse accused the company and Abrams of a slew of acts that were predicated on both her gender and her race. (Ms. Nurse is African American.) Together, these acts cultivated a hostile work environment, she alleged.

The allegations centered around Abrams, whom the jury found personally liable. The jury also decided to assess punitive damages against both the company and its CEO, according to Nurse's firm.

"I'm very happy that the jury believed in me and that I was able to achieve this important step to improve the working conditions for myself and all other women of color who continue to work at this company," said Nurse on Dec. 21. "I look forward to returning to work with my head held high after this difficult ordeal."

"The jury verdict was well-reasoned and thoughtful," added Scott B. Gilly of Thompson Wigdor & Gilly LLP, which represented Nurse. "The jury recognized from the evidence that we presented that the company and Mr. Abrams engaged in the worst forms of racial and sexual harassment and that Ms. Nurse suffered severe emotional distress because of their actions."

A Concepts in Staffing spokesperson vehemently disputed the verdict Thursday.

"It will not be sustained under the law," the spokesperson argued. "There's so much evidence of [Nurse's] significant promotions throughout her employment history that it belies any history of discrimination or harassment."

The spokesperson pointed to Nurse's rise from an account coordinator to

company Controller--the employee with the second-highest salary, the spokesperson said--in only four years as evidence of the lack of discrimination.

"Certainly her decision to return to an environment she found impossible to work in speaks volumes," the spokesperson added.

Nurse reiterated her earlier sentiments on Wednesday, her first day back at work.

"Of course I'm happy about the verdict, and it was a very difficult thing for me to report and bring out, and the trial was very difficult, as well as everything leading up to it," she said.

"My whole thing was about respect and I wanted the situation to stop," she added.

According to Nurse's firm, Nurse said that the both racial epithets and sexual innuendo and pantomimes had been directed at her in the workplace.

Though some of these claims were lodged against an unnamed employee, others were pegged to Abrams himself, who allegedly groped Nurse, made racially denigrating remarks within her earshot and told his employees that the laws which he was alleged to have violated did not apply to him.

Nurse was represented by Thompson Wigdor & Gilly LLP.

The defendants were represented by Gordon & Rees LLP.

The case is Nurse v. Concepts in Staffing Inc. et al., case number 1:06-cv-13500, in the U.S. District Court for the Southern District of New York.