

**THE HOSPITAL OF CENTRAL
CONNECTICUT AT NEW
BRITAIN AND BRADLEY
MEMORIAL; HARTFORD
HEALTHCARE, INC.,**

Defendant.

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December 15, 2021

Jury Trial Demanded

COMPLAINT

Plaintiff, Chanuvanh Douangpaphanh, by and through her attorneys, Sabatini and Associates, LLC, complaining of the defendants, respectfully alleges:

PARTIES

1. Plaintiff is a citizen of the State of Connecticut.
2. Defendant The Hospital of Central Connecticut at New Britain and Bradley Memorial was and is a Connecticut special chartered corporation with a principal place of business located at 100 Grand Street, 1st Floor, New Britain, Connecticut 06052.
3. Defendant Hartford Healthcare, Inc. was and is a Connecticut corporation with a principal place of business located at 1 State Street, Suite 19, Hartford, Connecticut 06103. Defendant Hartford Healthcare, Inc. controls defendant The Hospital of Central Connecticut at New Britain and Bradley Memorial.
4. At all times material, plaintiff was an eligible employee as that term is defined by the FMLA.

6. The Court has jurisdiction pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1343 and this action is brought pursuant to: the Family Medical Leave Act of 1993 (FMLA).

7. This Court has personal jurisdiction over the Parties and venue is proper under 28 U.S.C. §1391(b).

GENERAL ALLEGATIONS

8. Defendants employed plaintiff.
9. Plaintiff worked for the defendants as a Certified Pharmacy Technician at their pharmacy located at The Hospital of Central Connecticut.
10. Plaintiff developed a serious health condition within the meaning of the FMLA.
11. Plaintiff notified defendants that she needed to take a medical leave of absence to undergo surgery.
12. Plaintiff requested FMLA leave.
13. Defendants approved her request for FMLA leave.
14. Plaintiff relied on defendants' approval of FMLA leave.
15. Plaintiff went out on leave and underwent surgery.
16. Plaintiff returned to work following the surgery.
17. While working one day, a nurse sent plaintiff home for the day because the nurse believed that plaintiff was experiencing post-operative complications.
18. Defendants then terminated plaintiff for attendance.

1. Plaintiff repeats and re-alleges the allegations set forth above as though fully set forth herein.

21. Plaintiff invoked her right to FMLA-qualifying leave.

22. Defendants retaliated against the plaintiff for exercising her rights under the FMLA by terminating her employment.

23. As a result of defendant's retaliation/discrimination, plaintiff suffered and sustained harms and losses including but not limited to: lost wages, lost employee/retirement benefits, and other expenses and financial losses that would not otherwise have been incurred.

24. Defendants' actions have been willful.

SECOND COUNT
(Interference with the Exercise of Rights under the FMLA)

1. Plaintiff repeats and re-alleges the allegations set forth above as though fully set forth herein.

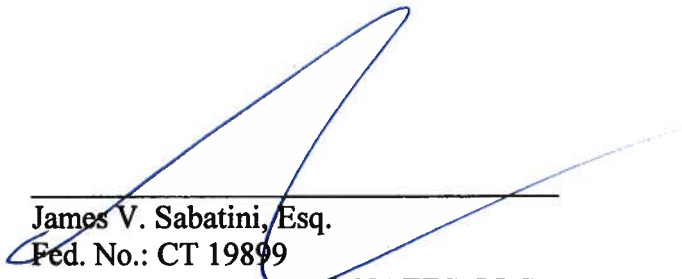
25. Defendants interfered with plaintiff's rights under the FMLA by failing to designate her absences as job-protected.

26. As a result of defendants' interference, plaintiff suffered and sustained harms and losses, including but not limited to: lost wages, lost employee and/or retirement benefits, and other expenses and financial losses that would not otherwise have been incurred.

27. Defendants' interference have been willful.

damages; damages for back pay; front pay; bonuses; personal; vacation; holiday and sick days; liquidated damages; reasonable attorneys' fees; costs; interest; job restoration; prejudgment interest; post judgment interest; damages for extra taxes; for an injunction requiring the removal of any and all adverse information contained in plaintiff's personnel file; for a trial by jury; and for all other just and proper relief.

DATE: December 15, 2021



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