

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Case Type: Employment

Hani Ali,

Court File No.: _____

Judge: _____

Plaintiff,

vs.

**COMPLAINT AND
DEMAND FOR JURY TRIAL**

**Sun Country, Inc. d/b/a Sun Country
Airlines,**

Defendant.

Plaintiff Hani Ali, through her attorneys, Sara Jane Baldwin and Grace Moore of Gender Justice, 663 University Ave. West, Suite 200, St. Paul, Minnesota 55104 and Kristen Marttila, Rachel Kitze Collins, and Derek Waller of Lockridge Grindal Nauen PLLP, 100 Washington Ave. S., Suite 2200, Minneapolis, MN 55401, for her Complaint against Sun Country, Inc. d/b/a Sun Country Airlines (“Sun Country”), states and alleges as follows.

INTRODUCTION

1. If an employer does not allow a nursing parent to pump and safely store milk at work, the nursing parent will have to choose between continuing to earn an income and producing milk to feed their child. Such treatment contributes to gender-based disparities in employment and pushes parents who have given birth out of the workforce.
2. The Minnesota Human Rights Act (“MHRA”) protects new parents by prohibiting sex discrimination in employment, which includes discrimination based on issues related to pregnancy and childbirth.

3. It is unlawful sex discrimination under the MHRA to refuse to accommodate a nursing employee who needs to pump in the workplace.
4. It is also unlawful for an employer to retaliate or permit co-workers to retaliate against an employee when she asserts her rights to pump while at work.
5. Furthermore, the Women’s Economic Security Act (“WESA”) requires that employers provide accommodations for nursing mothers and prohibits employers from retaliating against nursing employees for asserting their rights to pump while at work.
6. On September 13, 2021, Hani Ali, a nursing mother, began working for Sun Country as a Customer Service Agent at the Minneapolis-St. Paul International Airport (“MSP”).
7. Throughout the tenure of her employment, Sun Country failed to provide Ms. Ali with an appropriate place to accommodate her pumping needs, as is required by the MHRA and WESA.
8. When Ms. Ali asked for assistance and otherwise took it upon herself to take care of her needs as nursing mother, she faced unlawful retaliation from both supervisors and co-workers.
9. Because of the lack of accommodation and retaliation, on March 19, 2022, Ms. Ali was forced to resign her employment.

PARTIES, JURISDICTION & VENUE

10. Plaintiff Hani Ali is a resident and citizen of the state of Minnesota.
11. During all relevant times, Plaintiff was an employee of Defendant Sun Country.
12. During all relevant times, Defendant Sun Country was an “employer” as defined by Minn. Stat. § 363A.03, subd. 16 and Minn. Stat. § 181.939, subd. 1(c) (2014) (amended 2021 and 2023).

13. The District Court in Hennepin County, Minnesota has original jurisdiction over the parties and Plaintiff's claims pursuant to Minn. Stat. § 363A.33 subd. 6 and Minn. Stat. § 484.01, subd. 1.
14. Venue in this Court is proper pursuant to Minn. Stat. § 363A.33 subd. 6 and Minn. Stat. § 542.09, because the cause of action or some part thereof arose in Hennepin County and Defendant is a corporation that resides in Hennepin County with its principal executive address at 2005 Cargo Rd., Minneapolis, MN 55450.
15. On October 27, 2022, Plaintiff filed a charge regarding the events in this complaint with the Minnesota Department of Human Rights. On November 9, 2023, Plaintiff notified the Minnesota Department of Human Rights of her intention to file in court pursuant to Minn. Stat. § 363A.33. This Complaint follows.

FACTUAL ALLEGATIONS

16. On September 13, 2021, Hani Ali began work as a Customer Service Agent for Sun Country.
17. Sun Country flights arrive at and depart from Terminal 2 of the Minneapolis-Saint Paul International Airport ("MSP").
18. At the time of her hire, Ms. Ali had recently given birth and was nursing and pumping¹ to produce milk for her infant.
19. Breastfeeding has numerous health benefits for nursing parents and infants, and the American Association of Pediatrics recommends that all babies are breastfed for at least their first year of life.²

¹ In this Complaint, the terms "pumping milk" or "expressing milk" will be used interchangeably.

² See, e.g., Carissa M. Rocheleau et al., *Promoting Worker Well-Being through Maternal and Child Health: Breastfeeding Accommodations in the Workplace*, CDC: NIOSH Science Blog (Feb. 11, 2019), <https://blogs.cdc.gov/niosh-science-blog/2019/02/11/breastfeeding-work/>.

20. By the time their infant children are six months old, the majority of mothers have already returned to the workplace.³ Women with children are indeed the fastest-growing segment of the workforce.⁴ Eighty percent of new mothers in the United States begin breastfeeding, and sixty percent of new mothers are in the workforce.⁵
21. Breastfeeding duration is dramatically increased when employers support the choice to do so.⁶
22. In her position as a Customer Service Agent, Ms. Ali could be scheduled to work either downstairs on level one, near check-in and baggage claim, or upstairs on level two, inside security by the airport gates.
23. Many employees, including Ms. Ali, preferred the level two gate assignments where they helped passengers board and exit the aircrafts. This job assignment was less laborious than work at the ticket counter and allowed for some downtime between flights.

SUN COUNTRY'S BAGGAGE SERVICE OFFICE

24. Prior to starting regular shifts, and during a tour of the worksite during her offsite training, a Sun Country manager instructed Ms. Ali to use the “baggage storage office” (“BSO”) when she needed to pump.
25. The BSO is located on level one of the terminal, outside of security.
26. The BSO is not a private location. It has a main room and a back room, the doors and/or walls of which both have windows. Anyone standing outside either the main room or the back room can see inside. Many staff members are given the access code to the BSO.

³ See, e.g., Off. of the Surgeon Gen., CDC & Off. on Women's Health, *The Surgeon General's Call to Action to Support Breastfeeding* (2011), <https://www.ncbi.nlm.nih.gov/books/NBK52691/>.

⁴ See, e.g., Rocheleau et al., *supra* note 2.

⁵ *Supporting Nursing Moms at Work*, Off. on Women's Health, <https://www.womenshealth.gov/supporting-nursing-moms-work> (last accessed Nov. 7, 2023).

⁶ See, e.g., Rocheleau et al., *supra* note 2.

27. Ms. Ali was hesitant to pump in the BSO because of her privacy concerns, but Sun Country management told Ms. Ali that if there was ever someone in the BSO when she needed to pump, she should just “tell them to go.”
28. Ms. Ali was not told if or how other Sun Country employees would be informed of her designated pumping location.
29. While pumping, Ms. Ali would try to situate herself in the corner of the back room of the BSO, away from the windows, to maintain some sense of privacy.
30. The BSO is the only location that Sun Country ever provided for Ms. Ali to pump during her employment. It is the only space that she was ever instructed to use.
31. On information and belief, the supervisors who were aware that Ms. Ali was instructed to use the BSO did not inform other supervisors and employees that Ms. Ali would be using the BSO to pump.

LACK OF A PRIVATE PUMPING SPACE

32. On November 14, 2021, while pumping in the back room of the BSO, Ms. Ali noticed a fellow employee, Dennis Verdeja, looking at her through the window.
33. Ms. Ali, who is Muslim, had removed her hijab when she started pumping.
34. Upon realizing that she was being watched, Ms. Ali had to make the split-second decision whether to cover her head or her breasts; she chose her breasts.
35. Mr. Verdeja remained at the window, watching her. Ms. Ali repeatedly waved for him to go away, but he refused to leave.
36. Finally, Ms. Ali got up, cracked the door, and asked Mr. Verdeja to leave. Instead, he stayed there berating her and telling her that she was not supposed to be in the BSO.
37. Ms. Ali again asked Mr. Verdeja to leave and told him that she had been directed to use the room. After what felt like fifteen minutes, Mr. Verdeja left to find a supervisor.

38. Ms. Ali was in tears and mortified to be intruded upon like this while pumping; she was incredibly distressed that her coworker, Mr. Verdeja, had seen her uncovered breasts and hair.
39. Mr. Verdeja soon returned to the BSO with Sun Country supervisor Joe Gellerman. Mr. Gellerman questioned why Ms. Ali was in the BSO, as no one had informed him that Ms. Ali had been directed to pump there.
40. Mr. Gellerman told Ms. Ali that she should be pumping in the public bathroom.
41. Ms. Ali later learned that the two men, Mr. Gellerman and Mr. Verdeja, subsequently filed a complaint against her with Sun Country's Human Resources ("HR") based on these events.
42. Mr. Verdeja claimed that he kept looking at Ms. Ali even though she was clearly indisposed because Ms. Ali did not have a badge and he needed to verify who she was.
43. Mr. Verdeja and Ms. Ali started working for Sun Country at the same time, and they were in the same training class. It is unlikely that Mr. Verdeja did not know who Ms. Ali was.
44. Following Mr. Verdeja's intrusion on November 14, 2021, Sun Country management told Ms. Ali that she was no longer allowed to use, or even enter, the BSO.
45. Despite banning her from the BSO, Sun Country management did not provide Ms. Ali with an alternative location to pump.
46. Because Sun Country did not have a designated place for employees to pump that was shielded from view and free from intrusion from coworkers and the public, Ms. Ali was humiliated, bombarded with accusations, and subjected to the HR complaint process. This was just the beginning of the hostility and harassment Ms. Ali would face at Sun Country because she was a pumping employee.

LACK OF A PLACE TO STORE BREASTMILK

47. Expressed breast milk must be stored in a properly cooled location, such as a refrigerator, for it to be safely preserved to later be fed to an infant.

48. Prior to November 14, Ms. Ali had used the refrigerator in the BSO to store the milk she expressed while pumping.
49. After Sun Country banned Ms. Ali from the BSO, Ms. Ali was left without a working refrigerator in which to store this milk.
50. After Sun Country banned Ms. Ali from the BSO, the only other refrigerator available to Ms. Ali was in the staff lounge.
51. This refrigerator was malfunctioning, and it could not remain cold enough to hygienically store Ms. Ali's expressed milk.
52. Ms. Ali reported the faulty refrigerator in the staff lounge to HR repeatedly.
53. Despite promises to investigate the issue, the refrigerator was never repaired.
54. When Ms. Ali asked managers if the refrigerator would be repaired she was told that it had been broken for years and that she should not expect it to be fixed.
55. Absent any assistance from Sun Country, Ms. Ali was forced to begin storing her expressed milk in a thermos. Ms. Ali regularly brought a thermos on her shifts and filled it with ice she obtained from Starbucks. Ms. Ali would then stuff her bags of expressed milk inside the thermos to keep her milk safely cold until she returned home after her shift.
56. To keep the milk cold, Ms. Ali would need to return to Starbucks every few hours. Sun Country supervisors grew angry at Ms. Ali for taking the time to go to Starbucks for ice and Ms. Ali was called into the supervisor's office and reprimanded for doing so.

MSP'S PASSENGER LACTATION ROOM

57. After she was banned from the BSO and Sun Country failed to identify another location in which she could pump, Ms. Ali was forced to find a place to pump without Sun Country's support. Ms. Ali had to rely on the airport's public lactation room (MSP Lactation Room).
58. The MSP Lactation Room is a single occupancy stall available to the public.

59. Getting past the security screenings to pump was an onerous and time-consuming process. To get to the MSP Lactation Room from her downstairs workstations, Ms. Ali had to go through airport security. Even though she had an employee badge that allowed her to enter separately from passengers, Ms. Ali was still required to scan her items. Every time she entered, she had to run her breast pump, supplies, and thermos through airport screeners. Moreover, airport security required that she open her thermos to show what was inside and explain why she was taking ice into the terminal.
60. The pumping room in the Terminal was often occupied, and Ms. Ali had to wait to use it. When she was able to access the room, Ms. Ali often faced pressure to hurry up and exit the MSP Lactation Room before she had completed pumping because others wanted to use it. On one occasion, she was startled by the police banging on the door to the room and asking her why she had been in there so long.
61. When she was stationed downstairs, it took Ms. Ali an average of forty-five minutes to an hour to use the MSP Lactation Room to pump. This includes the time it took Ms. Ali to go back and forth through security; enter the Lactation Room; set up, take down, and sterilize her equipment; and express her milk. The length of time it took for Ms. Ali to pump also varied depending on how many other passengers and airport personnel needed to use the MSP Lactation Room on a given day.

MS. ALI'S LOST WORK OPPORTUNITIES AND HER STRUGGLE TO FIND A PLACE TO PUMP

62. Ms. Ali's supervisors pressured her to take fewer and shorter pumping breaks. For instance, Ms. Ali's most senior manager often reprimanded her for taking too long on her pumping breaks. Despite knowing that Ms. Ali was taking a break to pump, this supervisor would confront Ms. Ali about leaving her workstation. On at least one occasion, the supervisor

taunted Ms. Ali about her pumping, telling Ms. Ali that there was surveillance footage of the long line of people waiting to use the MSP Lactation Room while she used it.

63. The supervisor who was involved in the November 14, 2021 incident in the BSO thereafter avoided Ms. Ali even though he was supposed to be training her on how to use the jet bridge. As a result, Ms. Ali did not receive training on how to use the jet bridge.
64. Eventually, Ms. Ali stopped being notified about bidding opportunities and was not chosen for preferred work assignments, such as working inside the terminal at the gates, which was much closer to the only remaining pumping facility than the other work assignments. Ms. Ali's peers with the same amount of experience continued to be scheduled at the gates, but Ms. Ali was no longer scheduled to work there.
65. Ms. Ali questioned supervisors as to why she was no longer scheduled to work at the gates. A supervisor asked Ms. Ali to have a private meeting to discuss the issue. At this meeting, this supervisor informed Ms. Ali that she would no longer be scheduled at the gates because of her pumping breaks.
66. Further, the MSP Lactation Room—the only location Ms. Ali had found to pump—was inside security on level two of the terminal, close to the gates. If she did not have a gate assignment, Ms. Ali would be stationed to work downstairs. By removing the opportunity for Ms. Ali to be scheduled at the gates, Sun Country forced Ms. Ali to work a significant distance away from the only location she had found to pump.
67. Again, despite having banned her from the BSO, Sun Country never provided a feasible location for Ms. Ali to pump, while simultaneously subjecting her to hostility for the time it took to use the public pumping room inside the terminal.

SUPERVISORS AND COWORKERS TREAT MS. ALI WITH HOSTILITY AND DISRESPECT BECAUSE OF HER NEED TO PUMP

68. Ms. Ali experienced hostility, resentment, and bullying from her co-workers and supervisors because of her need for time and space to pump. This hostility only intensified as Sun Country management made it increasingly difficult for Ms. Ali to pump. Sometimes this hostility resulted in the “silent treatment” and rolled eyes from both supervisors and co-workers. Other times it took the form of verbal complaints and criticisms in front of customers.
69. For example, on December 27, 2021, Ms. Ali used her personal phone to record a public announcement in the airline terminal. The announcement told passengers that all flights were canceled, and Ms. Ali wanted to send the message home to tell her husband she would be working late. Two co-workers who had repeatedly been hostile towards Ms. Ali reported her to a manager. Without asking any questions, the manager confiscated Ms. Ali’s personal phone and gave it to her co-worker. This co-worker called Ms. Ali “stupid” for taking out her phone and recording the message.
70. Later, on December 27, 2021, the same co-worker continued treating Ms. Ali rudely and attempted to forcibly move Ms. Ali away from her own workstation so that she, the co-worker, could restock the supplies. Ms. Ali asked that the co-worker not touch her and not restock her supplies. The situation escalated, and eight to ten other employees gathered around the two of them. The co-worker and other employees started shouting that Ms. Ali “needed a beating.” Sun Country management was aware of but did not intervene in this situation.
71. Ms. Ali reported the December 27, 2021 incident to HR the following day, but Sun County failed to address it.
72. Ms. Ali continuously felt bullied and “gaslighted” and her reasonable pumping needs were embellished to be a big problem. Ms. Ali reported these problems to HR, but speaking up only

exacerbated the problem. Ms. Ali was made out to be “aggressive” while her bullies were treated as the “victims.”

SUN COUNTRY NEVER ADDRESSES MS. ALI'S CONCERNS

73. On February 8, 2022, Ms. Ali wrote to HR to follow up on her unaddressed complaints about the broken refrigerator and scheduling concerns. She stated that she needed a working refrigerator to store her milk. She also expressed concerns about being scheduled on a Saturday for a double shift, as she could not store her milk safely for this length of time without a properly functioning refrigerator.
74. On the same day, an HR representative inexplicably responded to Ms. Ali's concerns by stating that he was under the impression Ms. Ali was no longer pumping. Ms. Ali had never indicated to Sun Country that she was no longer pumping. The HR representative said that he was “still working on” the refrigerator and pumping room “situation,” but that it “will take some time.”
75. Further, the HR representative insinuated that Ms. Ali might consider resigning her employment, writing “[i]f the position will not work out for you any longer please communicate that with us as soon as possible as well” and told her that addressing her concerns about a pumping location and a place to store milk will “take some time.”
76. Ms. Ali responded to HR within minutes to clarify: “I never said I don't pump anymore, I have to pump for my child, that is a necessity...I have no intentions of leaving my job, I love my job even with these inconveniences....”
77. Ms. Ali had also inquired in her initial message to HR regarding scheduling and the bidding process, but those questions continued to go unanswered.
78. It was not until March 4, 2022, that Sun Country responded to Ms. Ali's concerns about the incident that took place on November 14, 2021. At that time, they determined that they needed to identify a different place for nursing mothers to pump. They also determined that

they needed to discuss storage options for pumped milk. At the time of these determinations, Ms. Ali had been a nursing and pumping mother at Sun Country for nearly six months, and she had repeatedly asked that Sun Country address these issues.

79. The March 4 communication from Sun Country did not actually identify any solutions regarding pumping locations or safe milk storage, it merely agreed that these were problems that needed to be fixed at some point in the future.
80. Without any support from Sun Country management, Ms. Ali was left to defend herself from hostile co-workers. On March 18, 2022, Ms. Ali and a co-worker got into an argument. The co-worker had lied to take Ms. Ali's walkie-talkie from her. Ms. Ali needed the walkie-talkie to perform her job. When Ms. Ali realized that the co-worker had lied to her, she was frustrated that management was continuing to allow the co-worker to treat her in a hostile and harassing manner. It became clear that no matter what the situation, management would not support Ms. Ali or address the bullying and disrespect she continued to experience at work.
81. The next day, March 19, 2022, Ms. Ali and that same co-worker were in the breakroom arguing about the walkie-talkie disagreement. The co-worker called Ms. Ali a "bitch." Supervisors were present but did not intervene. One supervisor later accused Ms. Ali of "going upstairs to fight" the co-worker, even though the supervisor was well-aware that Ms. Ali was going upstairs to pump.
82. After months of having no support from management regarding the bullying and harassment she faced because of her pumping breaks, as well as no assistance accommodating her pumping needs and lost access to preferable work assignments, Ms. Ali could not take any more mistreatment. She took off her badge and resigned her employment.
83. Ms. Ali was never provided with an appropriate or reasonable place for pumping or for safely storing her milk. This was despite her continued reminders and requests for accommodation

and despite Sun Country hiring her with the knowledge that she was a nursing and pumping mother.

84. Ms. Ali was forced to take it upon herself to try to find solutions to attend to her need to express milk for her infant. Ms. Ali made every effort to follow the protocol set by Sun Country, advocate for her needs, and report the bullying that was taking place. At every turn, whether from co-workers or supervisors, Ms. Ali was made to feel like her need to pump was the problem.
85. Throughout the tenure of her employment with Sun Country, Ms. Ali experienced an invasion of her privacy, harassment, and hostile treatment due to internal miscommunication and misdirection from management. Additionally, Ms. Ali was harmed due to management's failure to address her needs for accommodation and her mistreatment by colleagues.
86. On March 19, 2022, Hani Ali felt that she had no choice but to terminate her employment with Sun County.

COUNT I

Sex Discrimination Minnesota Human Rights Act

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

87. Sun Country discriminated against Hani Ali with respect to the terms, conditions, facilities, and privileges of her employment because of her sex in violation of Minnesota Statutes section 363A.08, subd. 2.
88. The MHRA protects persons from discrimination in employment based on their sex. Minn. Stat. §§ 363A.02, subd. 1(a)(1); 363A.08 subd. 2. Under the MHRA, sex discrimination includes discrimination related to pregnancy and childbirth. Minn. Stat. § 363A.03, subd. 42.

89. The MHRA prohibits an employer from engaging in discrimination against an employee based on their status in a protected class, including sex discrimination and one's status as a nursing mother. Minn. Stat. § 363A.08, subd. 2(2)-(3); *see Minn. Min. and Mfg. Co. vs. State*, 289 N.W. 2d 396, 398 (Minn. 1979) (explaining that sex discrimination under the MHRA includes women affected by pregnancy, childbirth, and related conditions).
90. During her employment with Sun Country, Ms. Ali was a member of a protected class, sex, based on her status as a nursing mother who needed to pump milk while away from her infant child. Ms. Ali was therefore entitled protections from sex discrimination under the MHRA.
91. The MHRA does not require that an employee serve a minimum tenure with an employer to be eligible for these protections.
92. Sun Country engaged in unlawful discriminatory practices by refusing to accommodate Ms. Ali's pumping needs; constructively discharging Ms. Ali because she is a pumping mother; and failing to correct the hostile work environment created by harassment based on Ms. Ali's status as a nursing mother and need to pump.
93. Sun Country's unlawful employment practices were intentional and performed with malice and/or reckless indifference to Ms. Ali's rights.
94. As a direct and proximate cause of Sun Country's unlawful conduct, Ms. Ali suffered harms including emotional distress, humiliation, inconvenience, and mental anguish entitling her to compensatory damages, the exact amount to be proven at trial.
95. As a direct and proximate cause of Sun Country's unlawful conduct, Ms. Ali has suffered economic damages, including front pay and back pay, the exact amount to be proven at trial.
96. As a direct and proximate cause of Sun Country's unlawful conduct, Ms. Ali has incurred attorney's fees, costs, and expenses.

COUNT II**Reprisal
Minnesota Human Rights Act**

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

97. It is an unfair discriminatory practice for an employer to “engage in any reprisal against any person “because that person (1) opposed a practice forbidden under [the MHRA].” Minn. Stat. § 363A.15. This includes “any form of intimidation, retaliation or harassment.”
98. Sun Country engaged in an unfair discriminatory practice in violation of Minnesota Statutes section 363A.15 by engaging in reprisal in the form of intimidation, retaliation, harassment, and constructive discharge against plaintiff after plaintiff asserted her rights under Minnesota Statutes section 363A.08, Subd. 2.
99. Sun Country’s unlawful retaliation was intentional and performed with malice and/or reckless indifference to Ms. Ali’s rights.
100. As a direct and proximate cause of Sun Country’s unlawful reprisal, Ms. Ali suffered harms including emotional distress, humiliation, inconvenience, and mental anguish entitling her to compensatory damages, the exact amount to be proven at trial.
101. As a direct and proximate cause of Sun Country’s unlawful reprisal, Ms. Ali has suffered economic damages, including front pay and back pay, the exact amount to be proven at trial.
102. As a direct and proximate cause of Sun Country’s unlawful reprisal, Ms. Ali has incurred attorney’s fees, costs, and expenses.

COUNT III**Nursing Mother Accommodation Violation
Women’s Economic Security Act**

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

103. WESA entitles nursing parents to accommodations in order to express breast milk for an infant child while at work. Minn. Stat. § 181.939, subd. 1(a), (b) (2014). It is unlawful for an employer to fail to provide a room in which a nursing employee can pump that meets the requirements of WESA.
104. During her employment with Sun Country, Hani Ali was a “nursing mother” within the meaning of Minnesota Statutes § 181.939. Ms. Ali therefore qualified for accommodations under WESA. WESA does not require that an employee serve a minimum tenure with an employer to be eligible for these protections. *See Hinrichs-Cady v. Hennepin Cnty.*, 943 N.W.2d 417, 420-21 (Minn. Ct. App. 2020).
105. Sun Country violated Minnesota Statutes § 181.939, Subd. 1 by failing to accommodate plaintiff’s needs as a nursing mother. Sun Country did not make reasonable efforts to provide Ms. Ali with a private room that meets the requirements of WESA in which she could pump.
106. As a direct and proximate cause of Sun Country’s unlawful conduct, Ms. Ali suffered harms including emotional distress, humiliation, inconvenience, and mental anguish entitling her to compensatory damages, the exact amount to be proven at trial.
107. As a direct and proximate cause of Sun Country’s unlawful conduct, Ms. Ali has suffered economic damages, including front pay and back pay, the exact amount to be proven at trial.
108. As a direct and proximate cause of Sun Country’s unlawful conduct, Ms. Ali has incurred attorney’s fees, costs, and expenses.

COUNT IV

Reprisal Women’s Economic Security Act

Plaintiff realleges the above allegations of this Complaint and alleges as follows:

109. WESA prohibits employers from retaliating against nursing mothers for asserting their rights to proper accommodations in order to express milk, privately, at work. Minn. Stat. § 181.939, subd. 1(d) (2014).
110. Sun Country retaliated against Hani Ali in violation of Minnesota Statutes § 181.939, subd. 1(d) of WESA after Ms. Ali asserted her rights to accommodations as a nursing mother.
111. As a direct and proximate cause of Sun Country's unlawful reprisal, Ms. Ali suffered harms including emotional distress, humiliation, inconvenience, and mental anguish entitling her to compensatory damages, the exact amount to be proven at trial.
112. As a direct and proximate cause of Sun Country's unlawful reprisal, Ms. Ali has suffered economic damages, including front pay and back pay, the exact amount to be proven at trial.
113. As a direct and proximate cause of Sun Country's unlawful reprisal, Ms. Ali has incurred attorney's fees, costs, and expenses.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the following relief:

- A. That the practices of Defendant Sun Country complained of herein be adjudged, decreed, and declared to violate the rights secured to Hani Ali by the Minnesota Human Rights Act, Minn. Stat. § 363A.01 *et seq.*
- B. That the practices of Sun Country complained of herein be adjudged, decreed, and declared to violate the rights secured to Ms. Ali by the Women's Economic Security Act, Minn. Stat. § 181.939, Subd. 1 (2014).
- C. That the Court order Sun Country to pay a civil penalty to the State of Minnesota pursuant to Minn. Stat. § 363A.29.

- D. That Ms. Ali be awarded compensatory damages in an amount to be established at trial, including but not limited to back pay and front pay, and treble damages pursuant to Minn. Stat. §§ 363A.29, 363A.33.
- E. The Ms. Ali be awarded punitive damages pursuant to Minn. Stat. § 363A.29 in an amount to be established at trial.
- F. That Ms. Ali be awarded any and all damages pursuant to Minn. Stat. § 181.944 in an amount to be established at trial.
- G. That the Court order Sun Country to pay counsel for Ms. Ali her reasonable attorneys' fees and the costs and expenses of this action.
- H. That Ms. Ali be awarded pre- and post-judgment interest on any monetary damages awarded, pursuant to Minn. Stat. § 549.09 (2013).
- I. Pursuant to Minn. R. Civ. P. 8.01, notice is provided that reasonable damages may be greater than \$50,000.
- J. That Ms. Ali be awarded such other and further legal and equitable relief as may be found appropriate, just, and equitable.

DEMAND FOR JURY TRIAL

Plaintiff Hani Ali demands a jury trial in this action.

Dated: November 9, 2023

GENDER JUSTICE

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ACKNOWLEDGMENT

The undersigned acknowledges that pursuant to Minn. Stat. § 549.211, subd. 2, that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party or parties in this litigation if the Court should find that the undersigned acted in bad faith, asserted a claim or defense that is frivolous and that is costly to the other party, asserted an unfounded position solely to delay the ordinary course of the proceedings or to harass, or committed a fraud upon the Court.

Dated: November 9, 2023

s/ Sara Jane Baldwin