

restroom to advise the male to leave and use the mens' bathroom. The male refused to leave. He later exited the bathroom holding hands with his female companion, and he declared that he "was a female," which was not true.

5. The male who exited the restroom reported to a manager that he was female and he was kicked out of the bathroom. He then met up with three individuals outside the store and engaged in violent behavior.

6. Lula, the Assistant Store Manager, then advised me that certain males can use the ladies' bathroom. I told her that I was never advised of this.

7. A few days later, Sophie, Assistant Security Manager, came to me and asked if I knew that transgendered persons are permitted to use different restrooms. I advised her that I had become aware of that. I also advised her that this was against my religion and contrary to the Bible. I also mentioned that I would not like my young daughters to be in the bathroom with a male inside. At no time did I state that I would refuse to enforce the policy. And respondent did not seek to discipline me at this time.

8. On May 27, 2016, a few days later, Jesse, Human Resources Manager, asked me about this incident with the male inside the ladies' restroom. I asked to be provided with a copy of the new policy concerning who can use the restrooms. She suspended me as a result of this incident, and I was later terminated.

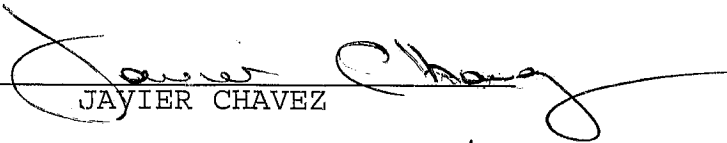
9. After my employer learned that I was a practicing Catholic, with religious concerns about this policy, I was terminated because of my religion, in violation of the New York State Human Rights Law.

WHEREFORE,

Respondent has discriminated against me, and terminated me, in violation of the Human Rights Law.


I have not commenced any other civil or criminal action nor do I have an action pending before any administrative agency under any other law of this State based upon this same unlawful discriminatory practice.

I declare, under penalty of perjury that the foregoing affidavit, consisting of 3 pages (including this page) is true and correct, except to matters stated upon information and belief, and as to those matters, I believe them to be true.


JAVIER CHAVEZ

Sworn to before me this 30th

day of June, 2016


NOTARY PUBLIC

RAYMOND NARDO
Notary Public, State of New York
No. 02NA5012039
Qualified in Nassau
Commission Expires on June 15, 2019