NO. 18-6823

ORIGINAL

SUPREME COURT OF UNITED STATES

JAMES DOUGLAS WILLIAMS, JR.

PLAINTIFF-APPELLANT, PRO SE

V.

COUNTY OF LOS ANGELES; ET'AL.,

COUNTY OF LOS ANGELES, STEPHEN STRATI, ANGIE CHEA, DERRICK ROBINSON, TINA MARTINEZ, DEITRA WHITAKER, TARA WALKER, STEVE CHENG, PATRICIA MOLINA, ERYN K. HOUSTON, JOSE ARIAS PATRICIA ADRIANO- ***DEFENDANTS-RESPONDENT(S)***

ON PETITION FOR A WRIT OF CERTIORARI TO

THE UNITED STATES NINTH DISTRICT COURT OF APPEAL

APPEAL NO.18-55379

THE UNITED STATES CENTRAL DISTRICT OF CALIFORNIA

CASE NO. 2:17-CV-06130-MWF-KS

MICHAEL W. FITZGERALD, DISTRICT JUDGE, PRESIDING

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR A WRIT OF CERTIORARI

JAMES DOUGLAS WILLIAMS, JR- PETITIONER

13801 PARAMOUNT BLVD., 5-109

PARAMOUNT, CALIFORNIA 90723

(424) 205-0976

SIGNATURE James Douglas Williams Jr. **DATE** 10-30-18

QUESTION(S) PRESENTED

Was the Plaintiff, under ***The Fourteenth Amendment (Amendment XIV) to the*** Constitution, and ***The Fair Employment and Housing Act and The Civil Rights Act Title VII compromise or violated?***

Did the Panel's Decision Conflicts with Prior Decisions of this Court and Binding Precedent of the Supreme Court? Constitutional right (Fourteen Amendment) and Title VII Civil rights?

Was the United States Court of Appeals decision in conflict with the Decision of appeal on this important matter; and decided an important Federal Question which in a way that conflicts with a decision by a State Court?

Did the State court depart from the accepted and usual course of judicial proceedings such a departure by a lower court. As to call for an exercise of the Supreme Court supervisory power?

Did the state court or a United States court of Appeals decide an important question of Federal Law that has not been, but should be settled by the Supreme Court or has decided an important federal question in a way that conflict with relevant decisions of the Supreme Court?

Did the Respondent(s) Legal Counsel rush to Dismiss Plaintiff case with Prejudice; with regards to counting 90 Calendar days including weekend(s) Holidays instead 90 working calendar days?

Did the Court dismissal of Plaintiff's case against County of Los Angeles, ET'AL granted on Motion Dismissal on 02/20/2018, stated that Plaintiff did not serve the Respondents with the Petition and Summons, which was mailed on 11/30/2018 in the allocated amount of time 90 days working days, should the case be Dismiss?

Did the Respondent(s) Legal Counsel filed a Motion to Dismiss that plaintiff did filed the Petition within the allotted time of 90 calendar days and holidays were counted, instead of Working days which add up to 69 days, not 90 Calendar days as alleged by Legal Counsel for the Respondent(s)?

Was the Plaintiff disparate impacted?

Was the disparate treatment an intentional decision to treat people differently based on their race or other protected characteristics in United States Labor Law question?

Did the Respondent(s) Legal Counsel purposely forward the Motion to Dismiss, which was filed on 12/21/2017 and Granted 2/20/2018, the Motion to Dismiss was never serve or rec'd by the plaintiff; due to incorrect address which cause a Prejudice outcome of the Plaintiff Petition?

LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☐ All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the whose Judgment is the subject of the Petition is as follows:

PARTIES **CONNECTION/INTREST**

1. *ANGIE CHEA (323) 730-6101 D.P.S.S DIRECTOR- (CONTACTED HER VIA E-MAIL- NO RESPONCE)*
2. *TINA MARTINEZ-INTERNAL AFFAIRS & EMPLOYEE RELATIONS SECTION- MEETING*
3. *ON 1-11-2017 (562) 345-7862 DID NOT ADDRESS MY COMPLAINT WITH ME, MET WITH ME LESS THAN 5-MINUTES.*
4. *TARA WALKER (562) 345-7862 INTERNAL AFFAIRS & EMPLOYEE RELATIONS SECTION- (CONTACTED HER VIA E-MAIL) MS. WALKER IS SUPERVISOR TO MS. MARTINEZ.*
5. *DERRICK ROBINSON (562) 908-8400 INTERNAL AFFAIRS & EMPLOYEE RELATIONS. ON 01/17/2017 INFORMED VIA US MAILED LETTER ME THAT THERE IS NO SUCH THING AS A PAIR ITEM!*
6. *ERYN K. HOUSTON, PRINCIPAL ANALYST, HUMAN RESOURCES (213) 639-6630 (CONTACTED VIA E-MAIL. 4-5-2017(MR. HOUSTON ASKS ME "WHY DID I THINK I WAS ENTITLED?"*
7. *COUNTY INTAKE SPECIALIST UNIT (CISU) (855) 999-2367 OR (213) 974-9868*

   NO ONE CONATACTED ME.
8. *PATRICIA MOLINA (877) 721-4968 -SEIU 721 GRIEVANCE ARBITRATION RECEIVED MY GRIEVANCE 5-3-2017 REFUSE TO ASSIST ("SAID CIVIL MATTER") NO FURTHER CONTACT.*
9. *STEVE CHENG (213) 974-2411 CIVIL SERVICE COMISSION- (CONTACTED VIA CERTIFIED MAIL & PHONE. (REPLIED "WHAT DO YOU WANT ME TO DO" REFUSE TO ASSIST ME SEE LETTER ATTACHED)*
10. *PATRICIA ADRIANO (213) 639-5520 D.H.R ADMINISTRATIVE SERVICES MANAGER I* ***(LETTER REC'D FROM PAYROLL DATED-4-6-2017 (RETALIATION COMPLAINT FILED ON 5-25-2017 WITH DEPT. OF LABOR).***
11. *JOSE ARIAS (213) 639-5647-5520- D.H.R –* ***LETTER REC'D FROM PAYROLL DATED-4-6-2017 GARNISH MY PAYCHECK FOR ALLEGED $350. DEBT. FROM 8-12-2012 AFTER I MADE A FORMAL COMPLAINT 4-5-17 AGAINST DHR (RETALIATION COMPLAINT FILED ON 5-25-2017 WITH DEPT. OF LABOR)***

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Cases (2) may include, in the case of a determination that a violation of subsection (a)(2) of this section has occurred, such remedies as would be appropriate if awarded under section 633a(c) of title 29; and (3) may include punitive damages. (Pub. L. 102–166, title III, §302, Nov. 21, 1991, 105 Stat. 1088; Pub. L. 104–1, title V, §504(a)(1), Jan. 23, 1995, 09 Stat. 40.) **State Laws The Fair Employment and Housing Act** The Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.) is California's primary law prohibiting discrimination in employment, housing, and public accommodation. In enacting the FEHA, the Legislature declared that it is a civil right to seek, obtain, and hold employment without discrimination,15 and that it is the public policy of this state to protect and safe guard such rights and opportunities.

Discrimination Prohibited by the FEHA

The FEHA prohibits employment discrimination, harassment and retaliation based upon race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (including pregnancy, childbirth, or related

1 Government Code section 12921, subdivision (a). 2 Government Code section 12920. 3 Government Code sections 12930-12935.

4 Legislation effective January 1, 2000, increased the money damages from $50,000 to $150,000 per aggrieved person per respondent. (Gov. Code, § 12970, subd. (a)(3).)

Federal Equal Pay Act The Federal Fair Labor Standards Act (FLSA) (29 U.S.C. § 201 et seq.) contains a provision commonly referred to as the federal "Equal Pay Act" (EPA) (29 U.S.C. § 206(d)). Like California's Equal Pay Law, the federal EPA prohibits employers from maintaining wage differentials based upon sex. The EPA also prohibits labor organizations from causing or attempting to cause an employer to discriminate in the payment of wages based upon the sex of an employee.

5. Government Code section 12970, subdivision (d).

6. Legislation effective January 1, 2000, added expert witness fees which may be awarded to a prevailing party. However, no attorney's fees, costs or expert witness fees may be awarded to the prevailing party where the action is filed by a public entity or public official, acting in an official capacity. (Gov. Code, § 12965, subd. (b).) 21 Legislation effective January 1, 2000, added sexual orientation as a protected basis under the FEHA.

7. (Gov. Code, §§ 12920, 12926, subd. (q).) Previously, discrimination based on sexual orientation in employment was part of the now-repealed Labor Code section 1102.1, which required employees to file their complaints with the Labor Commissioner within 30 days. Under the FEHA, complainants have one year to file such complaints with the DFEH. (Gov. Code, § 12965, subd. (b).) The FEHA's protections extend to actual as well as perceived sexual orientation, and include persons who are discriminated against because of their association with a person who is or is perceived to be of a particular sexual orientation. (Gov. Code, § 12926, subd. (m).) Under former Labor Code section 1102.1, money damages were limited to back pay only. (Lab. Code, § 1102.1, repealed by Stats. 1999, ch. 592 (AB 1001), § 12.)

8. Government Code sections 12920, 12921, 12926, subdivision (j), 12940.

Though interpreted by some that the FEHA had previously provided for a broad range of disability coverage, legislation effective January 1, 2001, officially expanded the scope of physical and mental impairment to include conditions that are disabling, potentially disabling, or perceived as disabling. (Gov. Code, §12926.1, subds. (b) and (c).) In determining whether an individual has a disability under the FEHA, mitigating measures, such as medication or assistive devices, are not considered.

9.Government Code section 12945. Government Code section 19231, effective January 1, 2001, provides that the definitions in Government Code section 12926 of the FEHA apply to the State Civil Service Act, which prohibits discrimination in civil service employment on the bases of sex, race, religious creed, color, national origin, ancestry, marital status, physical disability, or mental disability.

10. Government Code section 18932 declares that there shall not be established any minimum or maximum age limits for any civil service examination, except in the cases of positions involving public health or safety, or involving the powers and duties of a peace officer. Where minimum and maximum age limits are allowed, they must relate to a "bona fide occupational qualification."

11. Government Code section 19240, effective January 1, 2001, provides that the definition of disability contained in section 12926 of the FEHA applies to the provisions of the Limited Examination and Appointment Program.

12. Government Code section 19701 requires that no person shall be denied state employment because of blindness or color blindness, unless normal eyesight is absolutely necessary for such employment.

13. Government Code section 19702 provides that there is to be no discrimination, retaliation or harassment in state employment based on sex, race, religious creed, color, national origin, ancestry, marital status, or physical or mental disability.

14. Government Code section 19704 prohibits the making of any notation on a state employment application suggesting or pertaining to the applicant's race, color, religion, sex, or marital status. Subsequent to employment, answers to questions regarding an employee's race, color, religion, sex, or marital status may be obtained for research and statistical purposes only.

1991 Civil Rights Act.1995: In *Adarand Constructors v. Pena*, the Supreme Court extended *Croson* to hold that strict scrutiny also applies to federal affirmative action programs. Again, however, the Court refused to reject properly-designed affirmative action. As Justice O'Connor emphasized: "The unhappy persistence of both the practice and the lingering effects of racial discrimination against minorities in this country is an unfortunate reality and government is not disqualified from acting in response to it."**1996:** In an important case for sex-based discrimination, the Court rejected the creation of all-women's military school, as a remedy and comparable program to the Virginia Military Institute's (VMI) male-only admission policy. Because VMI failed to demonstrate that single-sex education enhances educational diversity, and failed to show that the women's program would offer the same benefits as the male academy, the male-only admission policy violated the equal protection guarantees of the Fourteenth Amendment

TABLE OF AUTHORITIES CITED

STATUTES AND RULES:

42 U.S.C. § 1981

In addition to Title VII, 42 U.S.C. §1981 (section 1981), provides a federal remedy for some unlawful employment discrimination. Read literally, section 1981 simply provides that all persons have equal rights to make and enforce contracts. However, as interpreted by the United States Supreme Court, section 1981 includes the right to contract for employment free from racial discrimination.42 Therefore, section 1981 makes it unlawful for an employer to use a person's race as the basis for either interfering with the making of an employment contract or for refusing to enter such a contract.

A recent court decision has limited the reach of section 1981 to discriminatory refusal to enter into a contract, holding that section 1981 does not extend to discriminatory conduct after an employee is hired.43 However, in certain circumstances you might still wish to pursue a section 1981 action, such as to receive compensatory and punitive damages or if your complaint is untimely under Title VII

42 USC § 2000e-16b (2011) §2000e–16b. Discriminatory practices prohibited- (a) Practices -All personnel actions affecting the Presidential appointees described in section 1219 [1] of title 2 or the State employees described in section 2000e–16c of this title shall be made free from any discrimination based on— the Civil Rights Act of 1964, generally referred to as Title VII. The two statutes, passed nearly a century apart, approached the issue of employment discrimination very differently:

(1) race, color, religion, sex, or national origin, within the meaning of section 2000e–16 of this title; (2) age, within the meaning of section 633a of title 29; or (3) disability, within the meaning of section 791 of title 29 and sections 12112 to 12114 of this title.

President Bush had used his veto against the more comprehensive Civil Rights Act of 1990. He feared racial quotas would be imposed but later approved the 1991 version of the bill.[3]

(b) Remedies The remedies referred to in sections 1219(a)(1) [1] of title 2 and 2000e–16c(a) of this title—(1) may include, in the case of a determination that a violation of subsection (a)(1) or (a)(3) of this section has occurred, such remedies as would be appropriate if awarded under sections 2000e–5(g), 2000e–5(k), and 2000e–16(d) of this title, and such compensatory damages as would be appropriate if awarded under section 1981 or sections 1981a(a) and 1981a(b)(2) of this title ***Civil Rights Act of 1991***

(c). The **Civil Rights Act of 1991** is a United States labor law, passed in response to United States Supreme Court decisions that limited the rights of employees who had sued their employers for discrimination. The Act represented the first effort since the passage of the Civil Rights Act of 1964 to modify some of the basic procedural and substantive rights provided by federal law in employment discrimination cases. It provided the right to trial by jury on discrimination claims and introduced the possibility of emotional distress damages and limited the amount that a jury could award. ***Griggs v. Duke Power Co.***, 401 U.S. 424 (1971),[1] was a court case argued before the Supreme Court of the United States on December 14, 1970. It concerned employment discrimination and the adverse impact theory, and was decided on March 8, 1971. It is generally considered the first case of its type.[2]

The Supreme Court ruled that the company's employment requirements did not pertain to applicants' ability to perform the job, and so were discriminating against black employees. The judgment famously wrote that "Congress has now provided that tests or criteria for employment or promotion may not provide equality of opportunity merely in the sense of the fabled offer of milk to the stork and the fox."[

TABLE OF AUTHORITIES CITED

CASES-

The Civil Rights Act of 1964 (Pub.L. 88–352, 78 Stat. 241, enacted July 2, 1964) is a landmark civil rights and US labor law in the United States[5] that outlaws discrimination based on race, color, religion, sex, or national origin.[6] It prohibits unequal application of voter registration requirements, racial segregation in schools, employment, and public accommodations. Powers given to enforce the act were initially weak, but were supplemented during later years. Congress asserted its authority to legislate under several different parts of the United States Constitution, principally its power to regulate interstate commerce under Article One (section 8), its duty to guarantee all citizens equal protection of the laws under the Fourteenth Amendment and its duty to protect voting rights under the Fifteenth Amendment. The legislation had been proposed by President John F. Kennedy in June 1963, but opposed by filibuster in the Senate. Thereafter, President Lyndon B. Johnson pushed the bill forward, which in its final form was passed in the U.S. Congress by a Senate vote of 73–27 and House vote of 289–126. The Act was signed into law by President Johnson on July 2, 1964, at the White House.

Discrimination in the Private sector is not directly constrained by the Constitution, but has become subject to a growing body of federal and state law. Federal law prohibits discrimination in a number of areas, including recruiting, hiring, job evaluations, promotion policies, training, compensation and disciplinary action. State laws often extend protection to additional categories or employers. Under Federal law, employers generally cannot discriminate against employees on the basis of: Race[1] Sex[1][2], Pregnancy[3],Religion[1] National origin[1] /Disability (physical or mental status)

1955: In *Brown v. Board II*, the Supreme Court held that school systems must abolish their racially dual systems, but could do so "with all deliberate speed."

1971: In *Griggs v. Duke Power Co.*, the Supreme Court ruled that Title VII of the 1964 Civil Rights Act prohibits not only intentional job discrimination, but also employer practices that have a discriminatory effect on minorities and women. The Court held that tests and other employment practices that disproportionately screened out African American applicants for jobs at the Duke Power Company were prohibited when the tests were not shown to be job-related.

1973: In an important case for women, the Supreme Court struck down in *Frontiero v. Richardson* a law that classified benefits on the basis of gender, though could not agree on whether a strict scrutiny standard or a rational basis standard should apply.

1976: In *Craig v. Boren*, the Supreme Court established the level of intermediate scrutiny for sex based classifications. By prohibiting the sale of "non-intoxicating" beer to men under the age of 21, but allowing women over the age of 18 to purchase it, Oklahoma failed to meet the intermediate standard and demonstrate that the law was "substantially related" to an "important government interest."

1978: In *Regents of the University of California v. Bakke*, the Supreme Court ruled that the medical school's special admission program setting aside a fixed number of seats for minorities violated Title VI of the 1964 Civil Rights Act. At the same time, however, in an opinion written by Justice Powerll, it ruled that race could lawfully be considered as one of several factors in making admissions decisions. In his opinion, Justice Powell noted that lawful affirmative action programs may be based on reasons other than redressing past discrimination — in particular, a university's educational interest in attaining a diverse student body could justify appropriate affirmative action programs. **1986:** The Court emphasized that lawful affirmative action programs cannot require that incumbent white workers be discharged to make way for minority workers. In *Wygant v. Jackson Board of Education*, the Court held that a public employer may not lay off more senior white workers to protect the jobs of less senior black workers. ***"County of Los Angeles Human Resources is protecting Hispanic, Asian employees regarding Promotions, Discrimination Investigations at the work place."***

TABLE OF AUTHORITES CITED

CASES: 1987 In this landmark case for sex-based employment discrimination, the Court ruled in *Oncale v. Sundowner Offshore Serv., Inc.* that the prohibition of sexual harassment applies to all objectively discriminatory conduct regardless of the victim's gender.

Another decision — *Patterson v. McLean Credit Union* — held that the Civil Rights Act of 1866 covers only job discrimination at the hiring stage and is thus powerless to address racial harassment and other forms of discrimination that take place once a worker is on the job. These and other decisions narrowly interpreting Title VII Civil rights were legislatively overturned by the

Case Reference: Chicago is a town known for its great restaurants, but a popular restaurant group forgot one important ingredient – training employees and managers about race discrimination.

Rosebud Restaurants, Inc., which operates Italian restaurants in the Chicago area, agreed to pay $1.9 million to settle a four-year-old race discrimination lawsuit filed by the US Equal Employment Opportunity (EEOC). The lawsuit alleged that the popular eateries violated civil rights laws by refusing to hire African-American applicants because of their race. Race discrimination in hiring violates Title VII of the Civil Rights Act of 1964.

The EEOC also charged that managers, including Rosebud owner Alex Dana, used racial slurs to refer to African-Americans. At the time the EEOC began investigating the company's hiring practices many of its restaurants had no African-American employees at all. Additionally, the EEOC said that Rosebud violated federal regulations by failing to maintain employment applications for one year and by failing to file employer-information reports that provide employment data by job category, race, ethnicity and gender.

Under the settlement, Rosebud will pay $1.9 million to African-American applicants who were denied jobs. The company also agreed to set hiring goals for qualified black applicants, with the aim that 11% of Rosebud's future workforce will be African-American. The settlement also requires Rosebud to:

- ***Recruit African-American applicants***
- ***Train employees and managers about race discrimination and retaliation***
- ***Provide periodic reports to the EEOC on complying with the decree's terms for four years.***

Workers of color face barriers

EEOC Chicago Regional Attorney Gregory Gochanour said, "African-Americans have faced and still face barriers in being hired at upscale restaurants, especially in visible, and often well-paid, positions such as server. That is why the recruiting and hiring relief in this decree is so important. It will lead directly to qualified blacks being hired for front- and back-of-the-house positions, helping to remedy past discrimination by Rosebud and ensuring equal employment opportunities for future African-American applicants."

A 2014 report by Restaurant Opportunities Centers United found that discrimination and occupational segregation pervades the restaurant industry and prevents many workers of color and women from obtaining the industry's living-wage positions. "Although workers of color account for almost 45% of the restaurant industry's workforce nationwide — compared to 33% of the rest of the economy — they are largely underrepresented in the highest-paid, coveted front-of-the-house positions, known as Tier I positions," according to the report.
Rosebud's $1.9 million settlement and other recent cases (Sealy mattress, discussed in a previous post, and Tesla and Fox News) are strong reminders of the economic and reputational cost organizations face for allowing unlawful racial discrimination and harassment to perpetuate in the workplace which County of Los Angeles Respondent(s) have fail Appellant in securing Appellant Fourteen Amendment Rights and Civil Rights of 1964 Title IIV,

TABLE OF AUTHORITES CITED

CASES:

Preventing workplace discrimination doesn't happen overnight. It's a long-term commitment that starts with management's support for recruiting, hiring and promoting a diverse workforce and investing in anti-discrimination policies, regular training and other resources dedicated to making employees and managers aware of behaviors — including subtle and overt bias— that violate the law.

County of Los Angeles Respondent(s) have violated the Federal Civil Law regarding my Civil Rights to Promote, unfair hiring practices, Promotional testing results as an American, Male, African-American. Title VII of the Act, codified as Subchapter VI of Chapter 21 of title 42 of the United States Code, prohibits discrimination by covered employers on the basis of race, color, religion, sex or national origin (see 42 U.S.C. § 2000e-2[45]). Title VII applies to and covers an employer "who has fifteen (15) or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year" as written in the Definitions section under 42 U.S.C. §2000e(b). Title VII also prohibits discrimination against an individual because of his or her association with another individual of a particular race, color, religion, sex, or national origin, such as by an interracial marriage.[46] The EEO Title VII has also been supplemented with legislation prohibiting pregnancy, age, and disability discrimination.

Case-Mexican Food Maker Charged with Discriminating Against Non-Hispanic Applicants-2017

HR professionals understand that creating a strong anti-discrimination and harassment culture includes eliminating hiring practices that favor some applicants over others because of their race or ethnicity. Such practices violate Title VII of the Civil Rights Act of 1964 and can result in costly lawsuits, fines and penalties. A recent case offers a twist on hiring discrimination. In January, the US Equal Employment Opportunity Commission (EEOC) announced a lawsuit charging a leading maker of Mexican food products with discriminating against non-Hispanic job applicants because of their race. The EEOC alleges that Marquez Brothers International, Inc. violated Title VII by favoring Spanish-speaking Hispanic job applicants in unskilled positions at several of its facilities in California.

According to the lawsuit, the company asked non-Hispanic applicants – including black, white and Asian candidates – if they spoke Spanish,

even though it was not a job requirement, and otherwise turned them away from entry-level positions. "Deterring applicants from applying because of their race flies in the face of federal law,"

TABLE OF AUTHORITES CITED

OTHER: *EEOC's Los Angeles District Office provided a Right to Sue letter to Plaintiff 6/13/2018 . The suit seeks back pay, benefits and compensatory and punitive damages for a class of non-Hispanic applicant(s), as well as other relief intended to prevent further discrimination by cases like the Marquez Brothers and its affiliates who will not hire or promote English speaking only employees Eliminating barriers in recruiting and hiring -One of the six top priorities in the EEOC's strategic enforcement plan in effect through 2021 is eliminating barriers in recruiting and hiring. As such, the agency is focusing its attention on class-based recruitment and hiring practices that discriminate against racial, ethnic and religious groups, older workers and English as a Primary language employee should not be restricted from Promotion for being a Male, African-American and English speaking only American.*

These include exclusionary policies and practices, steering individuals into specific jobs based on their status in a particular Group such as Hispanics and Asians, etc. and Restrictive application processes and screening tools for those who speak two languages. Some ways to minimize conscious or unconscious bias in hiring.

Enforce hiring policies that comply with all local, state and federal regulations and equal employment opportunity laws Ensure that job descriptions and advertisements do not contain language that show bias for or against applicants of a particular national origin; Treat all applicants fairly and apply a consistent criteria to everyone even those who only Speak English as Primary Language; train all employees, managers and supervisors on their responsibilities regarding preventing discrimination and harassment retaliation for English speaking employees. Incorporate diversity and inclusion into anti-discrimination policies, practices and training post your anti-discrimination and harassment policy so it's visible to all employees and visitors.

Implement a procedure for reporting complaints of discrimination and harassment and communicate it among all employees; Promptly investigate all complaints of recruiting and hiring discrimination Conduct compliance training regularly to increase employee awareness of behavior that may discriminate against individuals based on their national origin and race. As we see in the Marquez Brothers case, expecting employees to speak only in Spanish (or only in English) can be a form of discrimination, if the job doesn't require it.

Organizations can reduce the risk of workplace discrimination and harassment claims by reviewing all aspects of the employment process, from recruiting, screening, interviewing, onboarding, promotions and terminations when suspected of bias treatment for Speaking English as Primary and only Language.

Civil Rights Act IIV of 1964	An act to enforce the constitutional right of all Americans, to confer jurisdiction upon the district courts of the United States of America to provide injunctive relief against Discrimination in public accommodations, to authorize the Attorney General to institute suits to protect "Constitutional Rights" in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

OTHER- Supreme Court, FRAP35(a)(b)

Appellant James Douglas Williams, Jr. Hopes and Pray, and Request the Supreme Court of United States Grant Appellant underlying merits determination presents the most hotly contested Constitutional Right
(Fourteen Amendment) and Title IIV Civil Rights issues for decades. The Constitutional question presented by the under-lining Appeal Court Judgment invalidating state law the administer conflicts with the Supreme Court, FRAP35(a)(b),
(a) I am request a *Petition In Forma Pauperis and Motion For A Writ Of Certiorari* May Be Ordered. A majority of the circuit judges who are in regular active service and who are not disqualified may order that an Appeal or other proceeding be heard or reheard by the court of appeals en banc. An en banc hearing or rehearing is not favored and ordinarily will not be ordered unless: **(1)** en banc consideration is necessary to secure or maintain uniformity of the Court's decisions; or

(2) the proceeding involves a question of exceptional importance. I as the Appellant due to an act to enforce the Constitutional Right of all Americans (Fourteen Amendment) I plea that my case be granted a Hearing or Rehearing En Banc be heard by the Supreme Court of United States of America.

(b) *Petition In Forma Pauperis and Motion For A Writ Of Certiorari.* A party may ***Petition In Forma Pauperis and Motion For A Writ Of Certiorari.*** **(1)** The petition must begin with a statement that either: **(A)** the panel decision conflicts with a decision of the United States Supreme Court or of the court to which the petition is addressed (with citation to the conflicting case or cases) and consideration by the full court is therefore necessary to secure and maintain uniformity of the court's decisions; or

(c) I the Appellant in this proceeding involves one or more questions of exceptional importance my Constitutional Right the Fourteen Amendment, each of which must be concisely stated; for example, a petition may assert that a proceeding presents a question of exceptional importance if it involves an issue on which the panel decision conflicts with the authoritative decisions of other United States Courts of Appeals that have addressed the issue.

(d) For purposes of the limits in Rule 35(b)(2), if a party files both a petition for panel rehearing and a petition for rehearing en banc, they are considered a single document even if they are filed separately, unless separate filing is required by local rule.

(e) Time for Petition for Hearing or Rehearing En Banc. A petition that an appeal be heard initially en banc must be filed by the date when the appellee's brief is due. A petition for a rehearing en banc must be filed within the time prescribed by Rule 40 for filing a petition for rehearing. FRAP 35
-148- **(f) Response.** No response may be filed to a petition for an en banc consideration unless the court orders a response. (f) Call for a Vote- A vote need not be taken to determine whether the case will be heard or reheard En Banc unless a judge calls for a vote.
(As amended Apr. 1, 1979, eff. Aug. 1, 1979; Apr. 29, 1994, eff. Dec. 1, 1994; Apr. 24, 1998, eff. Dec. 1, 1998; Apr. 25, 2005, eff. Dec. 1, 2005; Apr. 28, 2016, eff. Dec. 1, 2016.)
CIRCUIT RULE 35-1. *Petition In Forma Pauperis and Motion For A Writ Of Certiorari*
Where a petition for rehearing en banc is made pursuant to FRAP 35(b) in conjunction with a petition for panel rehearing, a reference to the petition for rehearing en banc, as well as to the petition for panel rehearing, shall appear on the cover of the petition. *(Rev. 12/1/09)*
The opinion of the Appeal panel directly conflicts with an existing opinion by another court and substantially affects a rule of national application in which there is an overriding need for national uniformity, the existence of such conflict is an appropriate ground for ***Petition In Forma Pauperis and Motion For A Writ Of Certiorari.***

NO. _____

SUPREME COURT OF UNITED STATES COURT

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully Prays that a Writ issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of Appeals appears at Appendix to the petition and is

[ ] reported at; or, [ ] has been designated for publication but is not yet reported; or, [**X**] is unpublished.

The opinion of the United States district court appears at Appendix to the petition and is

[ ] reported at ; or, [ ] has been designated for publication but is not yet reported; or, [**X**] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix to the petition and is

[ ] reported at ; or, [ ] has been designated for publication but is not yet reported; or, [**X**] is unpublished.

The opinion of the court appears at Appendix to the petition and is

[ ] reported at ; or, [ ] has been designated for publication but is not yet reported; or, [**X**] is unpublished.

JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was August 20, 2018.

[ ] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date:8/20/2018 , and a copy of the order denying rehearing appears at Appendix **A**

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including (date) on (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[**X**] For cases from **state courts**: **February 20, 2018 and March 29, 2018**
United States District Court Central District of California
CASE NO. 2:17-CV-06130-MWF-KS

MICHAEL W. FITZGERALD, DISTRICT JUDGE, PRESIDING

The date on which the highest state court decided my case was **August 20, 2018 United States Court of Appeals for the Ninth Circuit**.

A copy of that decision appears at Appendix **A**

[ ] A timely Petition for rehearing was thereafter denied on the following date: and a copy of the order denying rehearing appears at Appendix.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including (date) on (date) in Application No.- N/A

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment (Amendment XIV) to the United States Constitution was adopted on July 9, 1868, as one of the Reconstruction Amendments. The amendment addresses citizenship Rights and Equal protection of the laws and was proposed in response to issues related to former slaves following the American Civil War. The amendment was bitterly contested, particularly by the states of the defeated Confederacy, which were forced to ratify it in order to regain representation in Congress.

The amendment XIV, particularly its first section, is one of the most litigated parts of the Constitution, forming the basis for landmark decisions such as Brown v. Board of Education (1954) regarding racial segregation, ***Plessy v. Ferguson, 163 U.S. 537 (1896),[2] was a landmark decision of the U.S. Supreme Court issued in 1896. It upheld the constitutionality of racial segregation*** *laws for public facilities as long as the segregated facilities were equal in quality – a doctrine that came to be known as "separate but equal".[3] This legitimized the many state laws re-establishing racial segregation that had been passed in the American South after the end of the Reconstruction Era (1865–1877).* ***The decision was handed down by a vote of 7 to 1, with the majority opinion written by Justice Henry Billings Brown and the lone dissent written by Justice John Marshall Harlan.***

Plessy* and *Brown*-** The *U.S. Supreme Court Building opened in 1935, inscribed with the words "**Equal Justice Under Law**"* ***which were inspired by the Equal Protection Clause. The Plessy decision was not all bad for civil rights. For example, in *Missouri ex rel. Gaines v. Canada (1938), Lloyd Gaines was a black student at Lincoln University of Missouri, one of the historically black colleges in Missouri. He applied for admission to the law school at the all-white University of Missouri, since Lincoln did not have a law school, but was denied admission due solely to his race. The Supreme Court, applying the separate-but-equal principle of Plessy, held that a State offering a legal education to whites but not to blacks violated the Equal Protection Clause. The companion cases Sweatt v. Painter and McLaurin v. Oklahoma State Regents, both decided in 1950, paved the way for a series of school integration cases. In McLaurin, the University of Oklahoma had admitted McLaurin, an African-American, but had restricted his activities there: he had to sit apart from the rest of the students in the classrooms and library, and could eat in the cafeteria only at a designated table. A unanimous Court, through Chief Justice Fred M. Vinson, said that Oklahoma had deprived McLaurin of the equal protection of the laws: Complaints of Employment Discrimination involving a Group*

or Class of Individuals: ***California and Federal Law***

This handbook discusses both California and federal laws which protect your civil rights. California and federal law should be examined together to get a complete picture of the law on a particular topic.

***Statutes and Cases*:** "The law" usually consists of a combination of statutes and cases. Statutes are laws passed by either Congress or the California State Legislature. Examples of citations to federal and state statutes are: • 42 U.S.C. § 3601 et seq.

• Civil Code section 51.7.Case law is created when disputes go to court and judges issue opinions which resolve these disputes. Examples of citations to federal and state cases are:

• *Jones v. Alfred H. Mayer Co.* (1968) 392 U.S. 409.

.Fourteen Amendment and Title VII of the Civil Rights Act of 1964 prohibits discrimination, including harassment and retaliation, based on race, sex, color, religion, and national origin. ***Under Title VII, the Attorney General has authority to bring suit against a state or local government employer where there is reason to believe that a "pattern or practice" of discrimination exists. Generally, these are factually and legally complex cases that seek to alter an employment practice, such as recruitment, hiring, assignment and promotions, which have the purpose or effect of denying employment or promotional opportunities to a class of individuals.***

If you have reason to believe that a state or local government employer has unlawfully denied an employment opportunity or otherwise discriminated against a class of individuals by creating a "pattern or practice" of discrimination in violation of Title VII, you should contact the Department of Justice (DOJ). The DOJ & FBI will be contacted regarding my Complaint!

STATEMENT OF THE CASE

I James Douglas Williams, Jr, declare as follows:

On November 17, Order to show cause Re: Dismiss for Lack of Prosecution. "The Order to show cause gave Plaintiff a deadline date of 12/8/2017(order attached; to provide Proof of Service, Answer by the Respondent(s). Plaintiff met Court Order deadline; filing all documents On November 30, 2017, 69 total work days, all documents were forwarded via Certified U.S. Mail to Respondents. "Federal Rules of Civil Procedure 12(b)(5) permits dismissal of an action based on insufficient service process". ***Plessy*** **and** ***Brown-*** The *U.S. Supreme Court Building opened in 1935, inscribed with the words "**Equal Justice Under Law**" **which were inspired by the Equal Protection Clause. The Plessy decision was not all bad for civil rights. For example, in** Missouri ex rel. Gaines v. Canada (1938).* On December 21, 2018 a Motion for Dismissal was filed claiming deadline for Serving the Summons 90-day filing deadline period had expired and filed a Motion to Dismiss! However, Plaintiff was counting Court working calendar days, which added up to a **total of 69-days working calendar days: (August 18, 2017-9-days, September 2017 20-days, October 2017 21-days and November 30, 2017 19-days excluding Weekend and Legal Holidays equaling a total of 69-work calendar days.** I the plaintiff was never serve the Motion to Dismiss; On February 20, 2018 the Honorable Michael W, Fitzgerald, U.S. Judge, Order the case be Dismiss due insufficient service of Process. The 90-days to server Respondent(s) deadline had not expire! I can and will prove the Respondent(s) attorney did not serve the Plaintiff copy of the Motion to Dismiss! The name & address were incorrect on the Motion to Dismiss which I had to request for the Federal Central Court Clerk, rec'd a Copy of the Dismissal (3/19/2018) from the Federal Clerk (receipt attached) causing Prejudice to the Plaintiff regarding file under Civil Rights 1964 Title VII filing. I am the Appellant in this action **Civil Rights 1964 Title VII**. If called as a witness, I could and would competently testify thereto; I am the Plaintiff in this *to demonstrate good cause or excusable neglect, as the plaintiff I have shown the respondent(s) Under Local Rule 26* (A) *In General.* In addition to the disclosures required by Rule 26(a) (1) and (2), a party must provide to the other parties and promptly filing the following information about the evidence that it may present at trial other than solely for impeachment: *Respondent Counsel did not served nor the plaintiff received a Copy of the Motion to Dismiss-(12/21/2018) respondent would suffer no prejudice; and I as the plaintiff would be severely prejudice if Plaintiff complaint were dismissed was to Stay (Oyama, 253 F/3d at 512). On 03/19/2018 Plaintiff requested a copy of the Respondent(s) Counsel Motion to Dismiss from the Federal Central District Clerk. (Order attached).* ***On 03/19/2018 the first and only time I review the Motion to Dismiss. Respondent stated that the plaintiff fails to properly serve are Respondent(s) within the 90-days. Due Diligence was not a concern for Respondent(s) Legal Counsel, My Fourteen Amendment and Civil Rights of 1964 were never Address by County of Los Angeles and violated by County of Los Angeles Human Resources Department.*** **No formal Investigation was performed** hiring practices that discriminate against racial, ethnic and religious groups, older workers, women and people with disabilities. These include exclusionary policies and practices, steering individuals into specific jobs based on their status in a particular group and restrictive application processes and screening tools; Some ways to minimize conscious or unconscious bias in hiring is to: Enforce hiring policies that comply with all Local, ***State and Federal regulations and Equal Employment opportunity laws Title VII; Ensure that work force and Human Resources do not show bias for or against applicants of a particular national origin and whom don't speak Spanish!*** *Treat all applicants fairly and apply consistent criteria to everyone. Train all employees, managers and supervisors on their responsibilities regarding preventing discrimination and harassment Incorporate diversity and inclusion into anti-discrimination policies, practices.*

REASONS FOR GRANTING THE PETITION

Plaintiff Prays my Petition for Rehearing/ Rehearing En Banc Be Granted; The Panel's Decision Conflicts with Prior Decisions of this Court and Binding Precedent of the Supreme Court.

A Petition Rehearing may assert that a proceeding presents a question of exceptional importance if it involves an issue on which the panel decision conflicts with the authoritative decisions of other United States Courts of Appeals that have addressed the issue.

Constitutional Right the Fourteen Amendment and Title VII Civil rights; include the ensuring of peoples' physical and mental integrity, life, and safety; protection from discrimination on grounds such as race, gender, sexual orientation, gender identity, national origin, color, age, political affiliation, ethnicity, religion, and disability; and individual rights such as privacy and the freedoms of thought, speech, religion, press, assembly, and movement. Supreme Court and substantially affects a rule of national application in which there is an overriding need for national uniformity.

The Fourteenth Amendment (Amendment XIV) to the United States Constitution was adopted on July 9, 1868, as one of the Reconstruction Amendments. The amendment addresses Citizenship Rights and Equal protection of the laws and was proposed in response to issues related to former slaves following the American Civil War. The amendment was bitterly contested, particularly by the states of the defeated Confederacy, which were forced to ratify it in order to regain representation in Congress.

Plaintiff priorities is EEOC's, Attorney General, Department of Justice to strategic ensure enforcement of Fourteen Amendment Right and Civil Rights Act of 1964 for any Minority whom is being discriminated against, be address as Constitution Right!

The Fair Employment and Housing Act and The Civil Rights Act:
The California Legislature has declared that discrimination against African-American(s) violates public policy of the State of California.
Moreover, the Legislature has recognized that your right to seek, obtain, and hold housing without discrimination on any of the bases specified in the Fair Employment and Housing Act or on any other basis prohibited by the Unruh Civil Rights Act is a civil right.
The Fair Employment and Housing Act (FEHA), Government Code section 12900 et seq., specifically prohibits housing discrimination on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, disability, or source of income.49
The Unruh Civil Rights Act, Civil Code section 51 (hereafter the Unruh Act or the Act) prohibits discrimination in "all business establishments of every kind whatsoever." This provision has been interpreted to include all Government Agency (County of Los Angeles) businesses and persons, employment of Americans.ccommodations.

While the Title IIV Civil Act specifically prohibits only discrimination on the basis of Race, Color, religion, sex, national origin, ancestry, or disability, its language, unlike the FEHA's, has been judicially and statutorily construed to apply to arbitrary discrimination based on personal traits, beliefs, or characteristics similar to those specifically listed.52 The Act, for example, has been held to prohibit discrimination against families with children and against persons based upon their sexual orientation or their age.53 Accordingly, the Act does not apply only to those bases which are specifically listed, but may also apply to other, unlisted but similar bases, as well.

49 Government Code section 12955.
50Although violations of the Unruh Act are also violations of the FEHA (see Civil Code, § 52, subd. (f), and Gov. Code, §§ 12948, 12955, subd. (d)), for ease of reference the two acts will be described separately.
51*Burks* v. *Poppy Construction Co.* (1962) 57 Cal.2d 463.
52*Harris v. Capital Growth Investors XIV* (1991) 52 Cal.3d 1142.
53See Civil Code section 51.2, subdivision (a), (age); *Marina Point, Ltd. v. Wolfson*

CONCLUSION

JURISDICTION- – CONSTITUTIONAL RIGHTS & TITLE VII CIVIL RIGHTS ACT 1964- DISCRIMINATION – *Plaintiff* in this case for Rehearing, has proven the proceeding involves a question of exceptional importance; or this case presents issues of importance beyond the particular Facts and Parties involved.

1. The Panel's Decision Conflicts with Prior Decisions of this Court and Binding Precedent of the Supreme Court. Constitutional right (Fourteen Amendment) and Title VII Civil rights include the ensuring of peoples' physical and mental integrity, life, and safety; protection from discrimination on grounds such as race, gender, sexual orientation, gender identity, national origin, color, age, political affiliation, ethnicity, religion, and disability; and individual rights such as privacy and the freedoms of thought, speech, religion, press, assembly, and movement. Supreme Court and substantially affects a rule of national application in which there is an overriding need for national uniformity. A petition rehearing may assert that a proceeding presents a question of exceptional importance if it involves an issue on which the panel decision conflicts with the authoritative decisions of other United States Courts of Appeals that have addressed the issue. The Fourteen Amendment and Civil Rights Act Title VII

An apparent conflict with another decision of the Court was not addressed in the opinion.
Consideration by the full Court is necessary to secure or maintain uniformity of the Court's decisions; or United States Courts of Appeals that have addressed the issue.

The proceeding involves a question of exceptional importance; or this case presents issues of importance beyond the particular Facts and Parties involved.
The opinion directly conflicts with an existing opinion by another court of appeals or the United States Courts of Appeals that have addressed the issue.

*U.S. Supreme Court Building opened in 1935, inscribed with the words "**Equal Justice Under Law**" which were inspired by the Equal Protection Clause; Plaintiff Pleads that my Civil Rights be restored by the American Justice system as Quoted in the Fourteen Amendment and Title IIV.*

The proceeding involves a question of Exceptional Importance; or this case presents issues of importance beyond the particular Facts and Parties involved.
The opinion directly conflicts with an existing opinion by another court of appeals or the United States Courts of Appeals that have addressed the issue.

Plaintiff concludes that Counsel for the Respondent(s) Motion for Dismissal Granted 02/20/2018 should be over turn due to it was not clearly express as to 90-Working days or Calendar 90-days? If Plaintiff had been allowing to move forward with the United States Central Federal Court MICHAEL W. FITZGERALD, DISTRICT JUDGE, PRESIDING; Plaintiff could have challenge and question the define term of 90 Working calendar days excluding Weekend and Holidays or 90 days Respondents Legal Counsel included Weekends and Holidays!

Plaintiff in this case has ***demonstrated good cause or excusable neglect, as the plaintiff I have shown the Defendant(s) Under Local Rule 26*** (A) *In General.* In addition to the disclosures required by Rule 26(a) (1) and (2), a party must provide to the other parties and promptly file the following information about the evidence that it may present at trial other than solely for impeachment: ***Defendants counsel did not served nor the plaintiff received a Copy of the Motion to Dismiss Defendants would suffer no prejudice; and I as the plaintiff would be severely prejudice if Plaintiff complaint is fail to be adjudicated and dismissed (Oyama, 253 F/3d at 512). On 03/19/2018 Plaintiff requested a copy of the Defense Counsel Motion to Dismiss from the Federal Central District Clerk. (Receipt attached). On 03/19/2018 the first and only time I review the Motion to Dismiss***

CONCLUSION

The suit seeks back pay, benefits and Compensatory and Punitive damages for a class of non-Hispanic applicant/Plaintiff, as well as other relief intended to prevent further Discrimination by County of Los Angeles and its affiliates Human Resources (Eryn Houston- Respondent(s)ET,AL. Eliminating barriers in recruiting and hiring qualify of all Americans, Males, African-America.

Plaintiff invoke my Fourteen Amendment Right and my Civil Rights Title VII and plead that my case be Re-Hearing/ Re-Hearing Be Granted.

Plaintiff request under Legislation effective January 1, 2000, increased the money damages from $50,000 to $150,000 per Aggrieved Person per Respondent. (Gov. Code, § 12970, subd. (a)(3).) (Be Granted)

1. Government Code section 12970, subdivision (d).

2. Legislation effective January 1, 2000, added expert witness fees which may be awarded to a prevailing party. However, no attorney's fees, costs or expert witness fees may be awarded to the prevailing party where the action is filed by a public entity or public official, acting in an official capacity. (Gov. Code, § 12965, subd. (b).)
39 California Constitution, Article I, section 31, added by California Civil Rights Initiative, Primary Election (Prop. 209) (Nov. 5, 1996).

In closing Plaintiff pleads **Writ Certiorari be Granted.**

Legal Counsel for the Respondent(s) on June 26, 2018 file a Motion for Late Filing of Respondent(s) Opening Brief with the United States District Court of Appeals for The Ninth Circuit.

Respondents(s) Legal Counsel file a pleading with the U.S. District Court of for relief for missing the filing Deadline for the Appeal Brief due on June 18, 2018.

Respondent(s) Legal Counsel states "Legal Counsel fully intended to file their Brief by the deadline; Legal Counsel for the Respondent(s) stating mistake in the Calendaring to the Answer the Brief due on 06/18/2018".

Legal Counsel also stated in Respondent(s) Motion for Late Filing of Respondent(s) Opening Brief dated June 26, 2018; The Court can "extent the time prescribed by the rules.... Or may permit an act to be done after that time Expires", provided that "Good Cause is shown for the requested relief. Fed R. App. P. 26(b). Legal Counsel further state "Good Cause is a Non- Rigorous standard that had been construed broadly across procedural and statutory contexts." Ahanchian vs. Xenon Pictures, Inc. 624 F. 3d 1253, 1259 (9th Cir. 2010).

Legal Counsel for the Respondents file a Motion to Dismiss on December 21, 2017 which was Granted, for the very argument the Legal Counsel is seeking relief for the Respondent(s) in the Appeal Case. Rehearing should be Granted.

Respondent(s) file a Motion to Dismiss; Stating Plaintiff Petition filing miss the Deadline for Appeal Brief; Plaintiff argument is Federal Rule(s) did not make the 90-days deadline clear as stated Plaintiff on Statement Page of Petition for Supreme Court for Rehearing.

If Legal Counsel for the Respondents Motion for Late Brief is Granted; Plaintiff case is Prejudice, if not allow to be Adjudicated for the violation of Plaintiffs Fourteen Amendment Right and Civil Rights 1964 Title VII. Plaintiff also fears Retailiation, Intimidation, and Plaintiff will never Promote under Bias treated received by County of Los Angeles, ET'AL. respondents for being Male, African-American. English speaking only as Primary Language.

CONCLUSION

Plaintiff Pleads and Pray that Petition for a Writ of Certiorari Be Granted and Retro for Promotions, Discrimatory Practices, Punitive Damages- Legislation effective January 1, 2000, increased the money damages from $50,000 to
$150,000 per aggrieved person per Respondent. (Gov. Code, § 12970, subd. (a)(3).)
Federal Equal Pay Act the Federal Fair Labor Standards Act (FLSA) (29 U.S.C. § 201 et seq.) contains a provision commonly referred to as the federal "Equal Pay Act" (EPA) (29 U.S.C. § 206(d)). Like California's Equal Pay Law, the federal EPA prohibits employers from maintaining wage differentials based upon sex. The EPA also prohibits labor organizations from causing or attempting to cause an employer to discriminate in the payment of wages based upon the ***RACE, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN, COLOR, AGE, POLITICAL AFFILIATION, ETHNICITY, RELIGION, AND DISABILITY; AND INDIVIDUAL RIGHTS OF AN EMPLOYEE.***

Under Federal Law I will be contacting the D.O.J AND F.B.I. regarding the bias treatment Plaintiff receive from County of Los Angeles Human Resources, Department of Social Services.

As an American Citizen I should not be denied Promotion for Written Test Plaintiff Pass, because plaintiff does not Speak Spanish for Primary language.

The Petition for Writ of Certiorari should be Granted.

James Douglas Williams, Jr.

Signature: James Douglas Williams Jr. **Date:** 10-30-18