

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN

ASHANTA BUTLER)	
)	
PLAINTIFF,)	CIVIL ACTION NO.
)	
vs.)	
)	HON.
STATE OF MICHIGAN,)	
DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES,)	
)	
DEFENDANT.)	
_____)	

COMPLAINT

PLAINTIFF, ASHANTA BUTLER, by and through her attorneys, CARLA D. AIKENS, P.L.C., submits her Complaint against STATE OF MICHIGAN, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

JURY DEMAND

COMES NOW PLAINTIFF, ASHANTA BUTLER, and hereby makes her demand for trial by jury.

JURISDICTION

1. At all times relevant to this complaint, Plaintiff Ashanta Butler was a resident of Macomb County in the State of Michigan.

2. Defendant State of Michigan Department of Health and Human Services (“MDHHS”), is a public entity.

3. This action is brought in this Court on the basis of federal question jurisdiction, pursuant to Title VII of the Civil Rights Act of 1964, 42 USC 2000e et seq.

4. Pursuant to 28 U.S.C. §1367, this Court has supplemental jurisdiction over Plaintiff's state law claims.

VENUE

5. Venue is proper in the Eastern District of Michigan pursuant to Section 706(f)(3) of Title VII, 42 U.S.C. § 2000e-5(f)(3), because the unlawful employment discrimination giving rise to Plaintiffs' claims occurred in this District.

STATEMENT OF FACTS

6. Plaintiff, Plaintiff is an African American individual who was employed by the State of Michigan for approximately twenty-three (23) years.

7. During the course of her employment, Plaintiff consistently performed her job duties satisfactorily and had no history of significant discipline prior to the events giving rise to this lawsuit.

8. In or around early 2024, Plaintiff reported concerns to the Office of the Attorney General of the State of Michigan regarding fraudulent activity by State employees who were allegedly conspiring to unlawfully receive public benefits, including food assistance.

9. Plaintiff's report identified that her assigned union steward, Mona Lyndsey, was directly involved in the fraudulent scheme and was aiding another state worker in unlawfully obtaining benefits.

10. Shortly after Plaintiff made the protected report, her supervisor, Rachel Hill, informed her that she had been instructed by Manager Angela Barbee to target and "get rid of" Plaintiff due to her cooperation with the Michigan Department of Corrections and her role as a whistleblower.

11. Angela Barbee, who was later transferred to another office for engaging in similar misconduct, was among the managers implicated in the benefits fraud reported by Plaintiff.

12. Following Plaintiff's participation in an interview with the Michigan Department of Corrections in connection with their investigation, she was subjected to a pattern of escalating retaliation by her employer.

13. The retaliation included being issued baseless and outdated disciplinary actions and enduring near-daily harassment from management and colleagues.

14. On or about April 9, 2024, Suzanne Gralinski, the Human Resources Director, told Plaintiff that "your kind is not welcome in Macomb County," which Plaintiff understood to be a racially discriminatory statement directed at her as a Black woman.

15. During the same meeting, Ms. Gralinski threatened Plaintiff with the denial of unemployment benefits unless she signed a document stating she would never seek or accept employment with the State of Michigan again.

16. Plaintiff refused to sign the document, and was then told by Ms. Gralinski that she would be “blackballed in Lansing” and would never work in Macomb County or any other entity again.

17. On or about April 10, 2024, Plaintiff was terminated from her employment.

18. Plaintiff believes her termination was motivated by unlawful retaliation for her protected whistleblowing activity, and by unlawful discrimination based on her race.

19. Plaintiff has suffered substantial damages as a result of Defendants’ conduct, including lost wages, reputational harm, emotional distress, and diminished future employment opportunities.

20. Plaintiff received her notice of right to sue on March 25, 2025.

COUNT I
DISCRIMINATION ON THE BASIS OF RACE IN VIOLATION OF TITLE
VII OF THE CIVIL RIGHTS ACT OF 1964, 42 U.S.C. 2000e et seq. ("Title
VII")

21. Plaintiff incorporates by reference all allegations in the preceding paragraphs.

22. At all material times, Defendant was an employer and Plaintiff was an employee covered by, and within the meaning of, Title VII, as amended.

23. Defendant's conduct, as alleged herein, violated Title VII of the Civil Rights Act of 1964, which makes it unlawful to harass or discriminate an employee on the basis of that employee's race or association with a particular race.

24. Plaintiff is an African American woman, and, as a result, is a member of a protected class pursuant to Title VII.

25. Plaintiff was subjected to offensive communication and/or conduct on the basis of her membership in this protected class.

26. Defendant and its agents' unlawful actions were intentional, willful, malicious and/or done with reckless disregard for Plaintiff's rights.

27. The unwelcomed conduct and communication was intended to and in fact did substantially interfere with Plaintiff's employment and created an intimidating, hostile, and/or offensive work environment as alleged in the statement of facts.

28. As a proximate result of the Defendant's discriminatory actions, Plaintiff has suffered losses in compensation, earning capacity, humiliation, mental anguish, and emotional distress.

29. As a result of those actions and consequent harms, Plaintiff has suffered such damages in an amount to be proven at trial.

30. Plaintiff requests relief as described in the Prayer for Relief below.

COUNT II
DISCRIMINATION ON THE BASIS OF RACE IN VIOLATION OF THE
MICHIGAN ELLIOTT-LARSEN CIVIL RIGHTS ACT, MCL 37.2101 et
seq. (“ELCRA”)

31. Plaintiff incorporates by reference all allegations in the preceding paragraphs.

32. At all material times, Defendant was an employer and Plaintiff was an employee covered by, and within the meaning of, ELCRA.

33. Defendant’s conduct, as alleged herein, violated the ELCRA, which makes it unlawful to harass or discriminate an employee on the basis of that employee’s race or skin color, or association with a particular race.

34. Plaintiff is an African American woman, and, as a result, is a member of a protected class pursuant to ELCRA.

35. Plaintiff was subjected to offensive communication and/or conduct on the basis of her membership in this protected class.

36. Defendant and its agents’ unlawful actions were intentional, willful, malicious and/or done with reckless disregard for Plaintiff’s rights.

37. The unwelcomed conduct and communication was intended to and in fact did substantially interfere with Plaintiff’s employment and created an

intimidating, hostile, and/or offensive work environment as alleged in the statement of facts.

38. As a direct and proximate result of the Defendant's wrongful acts and omissions, Plaintiffs have sustained loss of earnings, earning capacity, and fringe benefits and have suffered mental anguish, emotional distress, humiliation and embarrassment, and loss of professional reputation.

39. Plaintiff requests relief as described in the Prayer for Relief below.

COUNT III
RETALIATION IN VIOLATION OF TITLE VII

40. Plaintiff incorporates by reference all allegations in the preceding paragraphs.

41. At all material times, Defendant was an employer and Plaintiff was an employee covered by, and within the meaning of, Title VII, as amended.

42. A respondeat superior relationship existed because agents of Defendant had the ability to undertake or recommend tangible decisions affecting Plaintiff and the authority to direct all of Plaintiff's daily work activity.

43. Defendant's conduct, as alleged herein, violated Title VII which makes it unlawful to harass or retaliate against an employee for engaging in protected activity.

44. Plaintiff engaged in protected activity, as more fully laid out in the statement of facts, including, but not limited to when Plaintiff made complaints regarding coworkers violating the law.

45. Defendant, through its agents, had knowledge that Plaintiff engaged in protected behavior because she spoke directly with agents of Defendant.

46. After Plaintiff engaged in protected activity, Defendant's agents thereafter took adverse employment actions against Plaintiff, as alleged in the statement of facts, and terminated her position.

47. Defendant and its agents' unlawful actions were intentional, willful, malicious and/or done with reckless disregard of Plaintiff's rights.

48. Plaintiff notified Defendant and its agents of the unwelcomed conduct and communication; however, Defendant failed to remedy the same.

49. As a proximate result of Defendant's discriminatory and retaliatory actions, Plaintiff has suffered losses in compensation, earning capacity, humiliation, mental anguish, and emotional distress.

50. As a result of those actions and consequent harms, Plaintiff has suffered such damages in an amount to be proved at trial.

51. Plaintiff requests relief as described in the Prayer for Relief below.

COUNT IV
RETALIATION IN VIOLATION OF THE ELCRA

52. Plaintiff incorporates by reference all allegations in the preceding paragraphs.

53. At all material times, Plaintiff was an employee, and Defendant was her employer covered by, and within the meaning of, the ELCRA.

54. A respondeat superior relationship existed because agents of Defendant had the ability to undertake or recommend tangible decisions affecting Plaintiff and the authority to direct all of Plaintiff's daily work activity.

55. Defendant's conduct, as alleged herein, violated the ELCRA which makes it unlawful to retaliate against an employee who has engaged in protected activity.

56. Plaintiff engaged in protected activity, as more fully laid out in the statement of facts, including but not limited to when Plaintiff made complaints regarding coworkers violating the law.

57. Defendant, through its agents, had knowledge that Plaintiff engaged in protected behavior because she spoke directly to agents of Defendant.

58. After Plaintiff engaged in protected activity, Defendant's agents thereafter took adverse employment actions against Plaintiff, as alleged in the statement of facts, which included terminating her.

59. Defendant and its agents' unlawful actions were intentional, willful, malicious and/or done with reckless disregard of Plaintiff's rights.

60. Plaintiff notified Defendant and its agents of the unwelcomed conduct and communication; however, Defendant failed to remedy the same.

61. As a proximate result of Defendant's discriminatory and retaliatory actions, Plaintiff has suffered losses in compensation, earning capacity, humiliation, mental anguish, and emotional distress.

62. As a result of those actions and consequent harms, Plaintiff has suffered such damages in an amount to be proved at trial.

63. Plaintiff requests relief as described in the Prayer for Relief below.

COUNT V
DISCRIMINATION IN VIOLATION OF 42 USC § 1981

64. Plaintiff hereby incorporates by reference the preceding paragraphs of this Complaint, as if fully set forth herein.

65. 42 USC § 1981 prohibits individuals from intentionally discriminating and retaliating against persons who engage in protected activity, including opposing unlawful acts.

66. Defendant's discrimination against Plaintiff as described above is in violation of the rights of Plaintiff afforded him by the First Amendment and the Civil Rights Act of 1866, 42 USC § 1981, as amended by the Civil Rights Act of 1991.

67. By the conduct described above, Defendant intentionally deprived Plaintiff of the same rights as are enjoyed by individuals who are non-African American, to the creation, performance, enjoyment, and all benefits and privileges of their contractual employment relationship with Defendant, in violation of 42 USC § 1981.

68. Plaintiff engaged in activity protected by 42 USC § 1981 when she made complaints regarding coworkers violating the law..

69. The intentional discrimination and retaliation by Defendant that Plaintiff experienced included wrongfully terminating her.

70. The actions of Defendant and its agents were willful, intentional, in deliberate disregard of and with reckless indifference to the rights and sensibilities of Plaintiff.

71. As a direct and proximate result of those actions, the terms, conditions, and privileges of Plaintiff's employment were adversely affected, and Plaintiff was wrongfully terminated.

72. But for Defendant's unlawful discrimination against Plaintiff, Plaintiff would not have suffered damages as set forth herein including his termination.

73. As a direct and proximate result of Defendant's wrongful acts, Plaintiff sustained injuries and damages including, but not limited to, loss of earnings and earning capacity, loss of career opportunities, loss of fringe and pension benefits,

outrage and humiliation, mental anguish, anxiety about their future, physical and emotional distress, loss of professional reputation and loss of the ordinary pleasures of everyday life.

COUNT VI
**WRONGFUL DISCHARGE IN VIOLATION OF MICHIGAN PUBLIC
POLICY**

74. Plaintiff incorporates by reference all allegations in the preceding paragraphs.

75. It is the longstanding public policy of the State of Michigan that there are three exceptions to the employment at-will doctrine, and an employer can be found to be liable for wrongful discharge. They are:

- a. explicit legislative statements prohibiting the discharge, discipline or other adverse treatment of employees who act in accordance with a statutory right or duty;
- b. where the alleged reason for the discharge was the failure or refusal of the employee to violate a law in the course or employment; and
- c. where the reason for the discharge was the employee's exercise of a right conferred by a well-established legislative enactment.

76. Here, Plaintiff was terminated for refusing to standby and allow colleagues to break the law.

77. As a result of Defendant's actions, and consequent harms caused, Plaintiff has suffered such damages in an amount to be proven at trial.

78. Plaintiff requests relief as described in the Prayer for Relief below.

RELIEF REQUESTED

PLAINTIFF, Ashanta Butler, respectfully requests that this Honorable Court enter judgment against Defendant as follows:

1. Compensatory damages in whatever amount to which Plaintiff is entitled;
2. Exemplary damages in whatever amount which Plaintiff is entitled;
3. An award of lost wages and the value of fringe benefits, past and future;
4. An award of interest, costs, and reasonable attorney fees; and
5. An order awarding whatever other equitable relief appears appropriate at the time of final judgment.

Dated: July 25, 2025

Respectfully Submitted,

/s/ Carla D. Aikens

Carla D. Aikens (P69530)

Rejanae M. Thurman (P85701)

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