

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
AMY BAEZ,

Plaintiff,

-against-

THE CITY UNIVERSITY OF NEW YORK  
("CUNY") and KRAFINS VALCIN, Individually

Defendants.  
-----X

**SUMMONS**

Jury Trial Demanded

Plaintiff designates New York  
County as the place of trial.

The basis of venue is:  
CPLR § 503

**To the above-named Defendants:**

**You are hereby summoned** to answer the Complaint in this action, and to serve a copy of your answer, or, if the Complaint is not served with this Summons, to serve a notice of appearance on the Plaintiffs' attorney within 20 days after the service of this Summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: NEW YORK, NEW YORK  
September 29, 2026

  
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TO:

THE CITY UNIVERSITY OF NEW YORK ("CUNY")  
395 Hudson Street  
New York, New York

KRAFINS VALCIN  
395 Hudson Street  
New York, New York

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

AMY BAEZ,

Plaintiff,

-against-

THE CITY UNIVERSITY OF NEW YORK  
("CUNY") and KRAFINS VALCIN,  
Individually,

Defendants.

Index No.: \_\_\_\_\_

**COMPLAINT**

**JURY TRIAL DEMANDED**

Plaintiff designates NY County as the place of trial.

Basis of Venue: CPLR § 503

Plaintiff AMY BAEZ, by and through her attorneys, COHEN & FITCH LLP, brings this Complaint against Defendants THE CITY UNIVERSITY OF NEW YORK ("CUNY") and KRAFINS VALCIN, and hereby states and alleges as follows:

**NATURE OF THE ACTION**

1. This is a civil action based upon Defendants' violations of Plaintiff's rights guaranteed by: (i) the anti-discrimination and anti-sexual harassment provisions of the New York State Human Rights Law, Executive Law Section 290 *et seq.* ("NYSHRL"); (ii) the anti-retaliation provisions of the NYSHRL; (iii) the New York Civil Rights Law; (iv) the common law of the State of New York, including the torts of assault and battery and intentional infliction of emotional distress; and (v) Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e *et seq.* ("Title VII"); the Administrative Code of the City of New York § 8-101 *et seq.* ("City Law" or "NYCHRL"); and any other cause(s) of action that can be inferred from the facts set forth herein.

2. Plaintiff Amy Baez is a long-tenured CUNY employee who, after more than a decade of unblemished service, was subjected to egregious sexual harassment and sexual assault by the Senior Director of the CUNY Central Office, Krafins Valcin, the top-ranking supervisor in her office.

3. As set forth in more detail herein, on or about December 2, 2025, Mr. Valcin made lewd and sexually explicit comments to Ms. Baez, groped her, forced her hand onto his clothed and erect penis, exposed his erect penis to her, and thereafter continued to subject her to unwelcome physical contact and humiliating conduct in the workplace during December of 2025.

4. This conduct was well above the level of what a reasonable victim of discrimination with the same protected characteristic or characteristics would consider petty slights or trivial inconveniences.

5. Rather than protect Ms. Baez, Defendant CUNY failed to discipline Mr. Valcin, permitted him to remain in his senior position, and forced Ms. Baez to continue interacting with her harasser, leaving her unable to return to her workplace and relegated to working from home.

6. As a direct and proximate result of Defendants' unlawful conduct, Ms. Baez has suffered and continues to suffer anxiety, panic attacks, sleeplessness, and severe emotional distress, for which she has sought mental health treatment.

#### **JURISDICTION AND VENUE**

7. This Court has jurisdiction over this action pursuant to CPLR Sections 301 and 302. The Court also has jurisdiction under the New York Constitution, Article VI, Section 7, and New York Judiciary Law Section 140-b.

8. Venue is proper in the County of New York pursuant to CPLR Section 503 because a substantial part of the events and omissions giving rise to the claims alleged herein occurred in this County, where Plaintiff was employed at Defendant The City University of New York's Central Office, located at 395 Hudson Street, New York, New York.

9. This Court has jurisdiction over Plaintiff's claim under Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e et seq., concurrently with the federal courts.

### **PROCEDURAL REQUIREMENTS**

10. On or about March 12, 2026, Plaintiff filed a Charge of Discrimination (Charge No. 520-2026-04095) with the Equal Employment Opportunity Commission (“EEOC”) against Defendant The City University of New York.

11. Plaintiff has satisfied all conditions precedent to the maintenance of this action. On August 6, 2026, the Equal Employment Opportunity Commission (“EEOC”) issued Plaintiff Amy Baez a Notice of Right to Sue on EEOC Charge No. 520-2026-04095. Plaintiff filed this Complaint within ninety (90) days of receipt of this Notice.

### **THE PARTIES**

12. At all relevant times herein, Plaintiff Amy Baez (“Ms. Baez” or “Plaintiff”) was and is a resident of the State of New Jersey, and was employed by Defendant CUNY in the County of New York, State of New York.

13. Ms. Baez is an “individual” and an “employee” entitled to protection as defined by the NYSHRL and Title VII.

14. At all relevant times herein, Defendant CUNY was and is a public university and an educational institution organized and existing under and by virtue of the laws of the State of New York, with its Central Office located at 395 Hudson Street, New York, New York 10014.

15. At all relevant times herein, CUNY was and is an “employer” within the meaning of the NYSHRL. Pursuant to N.Y. Exec. Law Section 292(5), the State of New York and its subdivisions are expressly considered employers for purposes of the NYSHRL, and CUNY, as a public university, qualifies as an “employer” and an “educational institution” under the statute.

16. At all relevant times herein, CUNY employed more than fifteen (15) employees and was and is an “employer” within the meaning of Title VII.

17. At all relevant times herein, CUNY was responsible for and did set Ms. Baez's rate of pay, work schedule, job duties, and all other terms and conditions of employment.

18. At all relevant times herein, Defendant Krafins Valcin ("Mr. Valcin") was and is the Senior Director of the CUNY Central Office and, in that capacity, held a senior supervisory role over Ms. Baez and other employees within her office.

19. At all relevant times herein, Mr. Valcin, as Senior Director, held authority within Ms. Baez's department and exercised control or influence over the terms, conditions, and privileges of her employment, including her evaluation.

20. Upon information and belief, at all relevant times herein, Mr. Valcin was a resident of the State of New Jersey and was employed by CUNY.

21. Each and all of the acts of Mr. Valcin alleged herein were done by said Defendant while acting within the scope of, and in furtherance of, his employment by Defendant CUNY, and while clothed with the actual and apparent authority of his senior position.

### **FACTUAL ALLEGATIONS**

#### ***Ms. Baez Was a Valued, Long-Tenured CUNY Employee***

22. Ms. Baez has been employed by CUNY for over ten (10) years.

23. Because she was a valued employee in her prior role, Ms. Baez was recruited to serve as an IT Senior Associate in the CUNY Central Office, a clear promotion from her prior position.

24. As of mid-2025, Ms. Baez was the newest staff member on her team at the Central Office, located at 395 Hudson Street, New York, New York.

25. By all accounts, Ms. Baez was an asset to her team and was valued for her performance. In her decade as a CUNY employee, she had never been disciplined, reprimanded, or had any performance issues whatsoever, and was generally happy working for the organization.

26. At all relevant times, Krafins Valcin was the Senior Director of the CUNY Central Office and the top-ranking supervisor in Ms. Baez's office.

***Mr. Valcin Sexually Harasses and Assaults Ms. Baez***

27. On or about December 2, 2025, following a workplace-related happy hour in Manhattan (New York County) attended by Ms. Baez and several colleagues, Mr. Valcin offered to drive Ms. Baez home to New Jersey, since he also lived in New Jersey.

28. Ms. Baez, who was the newest member of the team and understood Mr. Valcin to be one of the highest-ranking people in her office, accepted the ride.

29. As they walked from the location of the happy hour toward Mr. Valcin's vehicle that evening, Mr. Valcin lifted Ms. Baez's hand by the fingers and said, "I can tell you have a fat pussy."

30. Utterly shocked by this comment, Ms. Baez admonished Mr. Valcin, made clear she was not interested in him, and attempted to redirect the conversation to a generic topic. Mr. Valcin, however, persisted in turning each topic into a sexual innuendo.

31. When Ms. Baez took a seat in Mr. Valcin's vehicle, he grabbed her inner thigh over her clothing and began moving his hand upward and inward toward her genitals. Ms. Baez immediately pushed his hand away, clearly communicating that his conduct was inappropriate.

32. All of the above-referenced acts occurred while both Plaintiff and Defendant Valcin were in the County, City, and State of New York.

33. Thereafter, during the drive to New Jersey, Mr. Valcin persisted with sexual innuendos, repeatedly asking Ms. Baez, "Can you handle it?" which she continued to shut down. Ms. Baez nonetheless remained respectful, as Mr. Valcin was one of the highest-ranking people in her office and her goal was to make it home safely.

34. As they approached her neighborhood, Ms. Baez asked Mr. Valcin to drop her off at the Branch Brook Park Light Rail entrance in Newark, New Jersey, where her car was parked, rather than at her home.

35. When they arrived at her vehicle, which was parked across from 347 Grafton Avenue, Ms. Baez exited Mr. Valcin's car, told him, "Please keep your thoughts of me clean," and walked toward her vehicle.

36. Anxious to get away from Mr. Valcin, Ms. Baez entered her vehicle and started the engine. Instead of driving off, Mr. Valcin double-parked his vehicle in front of Ms. Baez's car, blocking her from leaving.

37. Mr. Valcin then approached Ms. Baez's driver's side, opened her car door before she could lock it, forcibly grabbed her hand, and pressed it onto his clothed, erect penis, stating, "This is what you do to me."

38. Ms. Baez immediately closed her hand into a fist and struggled to pull her hand back. Mr. Valcin used his other hand to keep her hand in place while he pried her fist open and pressed it harder against his penis.

39. Ms. Baez ultimately managed to free her hand and told Mr. Valcin to go home. Instead, Mr. Valcin reached toward his zipper. Ms. Baez pleaded with him not to expose himself.

40. Mr. Valcin nonetheless exposed his erect penis to Ms. Baez. Upon seeing this, Ms. Baez began honking her car horn continuously in an attempt to draw attention and scare him away.

41. Mr. Valcin eventually composed himself, got into his vehicle, and drove off. Ms. Baez was so shaken by the incident that she nearly caused a collision while attempting to leave.

42. The conduct described above was so traumatic that Ms. Baez reported it to the Newark Police Department, which documented the incident as an aggravated criminal sexual contact under Incident Report No. C26000677.

*Mr. Valcin's Harassment Continues in the Workplace*

43. A few days after the incident, on or about December 8, 2025, Mr. Valcin summoned Ms. Baez to a meeting in his private office at the CUNY Central Office late in the workday, when few people were around. He told her to close the door and stated, "I'm sorry. I don't know why I did what I did," which Ms. Baez understood as an acknowledgment of his conduct.

44. Ms. Baez told Mr. Valcin that what he did was egregious and disrespectful, and demanded that he respect her person and her boundaries. Mr. Valcin responded, "I have more to lose with this than you, Amy."

45. Despite this exchange, the harassment and humiliating conduct continued. On or about December 10, 2025, before a mandatory holiday party, Mr. Valcin approached Ms. Baez at her cubicle and struck her on the head with a stack of papers, which was unwelcome physical contact.

46. Later, at the holiday party, Ms. Baez realized her cell phone was missing from the back pocket of her jeans. Mr. Valcin then raised his hand holding her phone and announced to the table that he had taken it because it was "hanging out," thereby publicly revealing that he had reached into the back pocket of her jeans and touched her person without her awareness or consent. Ms. Baez's supervisor, Rachel Sabb, observed the incident and stated, "I saw him do it."

47. After the party, back in the office, Ms. Baez attempted to distance herself from Mr. Valcin. When he joined a conversation she was having, she physically moved away, and he repeatedly moved closer to her.

48. At one point, while Ms. Baez was speaking with a colleague, Aziz Ali, Mr. Valcin inserted himself into the conversation and, looking at Ms. Baez but speaking to others in the third person, stated that she was "weird," "awkward," and "must be afraid of him."

49. After that day, Ms. Baez left the office and, feeling unsafe, informed her supervisor that she did not feel safe coming into the office and began working remotely.

***Ms. Baez Reports the Harassment and CUNY Fails to Protect Her***

50. Due to the holidays and the end-of-year schedule, Ms. Baez was not due to return to the Central Office until January 5, 2026. Ms. Baez hoped the break would ease her distress.

51. Instead, on January 5, 2026, the first day she was due back in the office, Ms. Baez suffered a major panic attack upon waking, her first thought being of the incident and Mr. Valcin. She realized her fear and distress were not going away.

52. That same day, Ms. Baez contacted CUNY seeking the Title IX Coordinator's information and requested immediate supportive measures, including a no-contact directive and changes to her work conditions so that she would not interact with Mr. Valcin. She also informed her supervisor, Rachel Sabb, that she did not feel safe on-site and asked to work remotely.

53. Despite Ms. Baez's explicit and immediate request for a no-contact directive, CUNY did not issue a No Contact Order to Ms. Baez and Mr. Valcin until on or about late February 2026, nearly two months after she first requested one.

54. CUNY never suspended Mr. Valcin, placed him on leave, or removed him from the workplace. Instead, Mr. Valcin was permitted to remain in his senior position and to continue working in the office, with the only accommodation being that he would work remotely one day per week when Ms. Baez was scheduled to be in the office.

55. CUNY has refused to discipline Mr. Valcin for his conduct.

56. Despite Ms. Baez's request for no contact both in person and virtually, CUNY forced Ms. Baez to continue participating in meetings where Mr. Valcin was in attendance. As recently as on or about March 11, 2026, Ms. Baez had no choice but to attend a virtual meeting at which Mr. Valcin was also present.

57. Additionally, rather than remove the harasser, CUNY effectively excluded Ms. Baez from group meetings she was otherwise entitled to attend and relegated her to working from home. When Ms. Baez attempted to return to the office on or about March 9, 2026, the environment CUNY permitted to persist caused her such discomfort that she left early, and she has worked remotely since.

58. Upon information and belief, CUNY's Title IX Coordinator from Human Resources discouraged Ms. Baez from pursuing a formal complaint, encouraging her instead to keep quiet and informally resolve the matter for a quicker and private resolution, by advising her that a formal investigation would take much longer, would likely be public, and would cause her to lose her anonymity.

59. Upon information and belief, this was not the first time Mr. Valcin had engaged in this type of sexually harassing behavior while at work, and CUNY knew or should have known of Mr. Valcin's propensity to solicit and sexually harass employees, including young women, in the office, and took no steps to prevent him from doing so again.

60. As a direct and proximate result of Defendants' conduct, Ms. Baez continues to suffer anxiety, panic attacks, and sleeplessness, and has engaged in mental health treatment. She no longer feels comfortable coming to work and has been relegated to working from home, and as a result of this isolation, her prospects for career advancement have been stymied.

### **STATE / CITY LAW CLAIMS**

#### **FIRST CAUSE OF ACTION**

**(Sexual Harassment and Hostile Work Environment on the Basis of Sex  
in Violation of the NYSHRL, N.Y. Exec. Law Section 296(1)(h))  
(As to All Defendants)**

61. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

62. The NYSHRL prohibits discrimination in the terms, conditions, and privileges of employment on the basis of an individual's sex, including sexual harassment.

63. N.Y. Exec. Law Section 296(1)(h) makes it an unlawful discriminatory practice for an employer to subject any individual to harassment because of the individual's sex, "regardless of whether such harassment would be considered severe or pervasive under precedent applied to harassment claims." Such harassment is an unlawful discriminatory practice when it subjects an individual to inferior terms, conditions, or privileges of employment because of the individual's membership in a protected category.

64. Mr. Valcin's conduct, as described above, including making lewd and sexually explicit comments to Ms. Baez, touching her fingers to comment on her genitalia, groping her thigh and genital area, forcing her hand onto his clothed and erect penis, exposing his erect penis to her, striking her on the head with a stack of papers, reaching into the back pocket of her jeans to take her phone, and continuing to insert himself near her and disparage her in the workplace, subjected Ms. Baez to a hostile work environment and to inferior terms, conditions, and privileges of employment because of her sex.

65. This conduct was well above the level of what a reasonable victim of discrimination with the same protected characteristic or characteristics would consider petty slights or trivial inconveniences.

66. Because Mr. Valcin was Ms. Baez's senior supervisor and the top-ranking person in her office, and because the harassment culminated in Ms. Baez's inability to return to her workplace, Defendant CUNY is liable for the harassment.

67. As a direct and proximate result of Defendants' discriminatory conduct, Plaintiff has suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to anxiety, panic attacks, sleeplessness, humiliation, embarrassment, and emotional

pain and suffering, as well as monetary and economic damages, for which she is entitled to an award of monetary damages and other relief.

**SECOND CAUSE OF ACTION**

**(Sex Discrimination in Violation of the NYSHRL, N.Y. Exec. Law Section 296(1)(a))  
(As to Defendant CUNY)**

68. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

69. N.Y. Exec. Law Section 296(1)(a) makes it an unlawful discriminatory practice for an employer, because of the sex of any individual, to discriminate against such individual in compensation or in the terms, conditions, or privileges of employment.

70. The sexual harassment to which Mr. Valcin subjected Ms. Baez constitutes discrimination on the basis of her sex, because the unwelcome sexual conduct was inherently based on her sex.

71. As a result of Mr. Valcin's conduct and CUNY's failure to remedy it, Ms. Baez was discriminated against in the terms, conditions, and privileges of her employment, including being effectively excluded from her workplace and from in-office meetings, and relegated to working from home.

72. Defendant CUNY, through its senior supervisor Mr. Valcin, willfully and intentionally violated the NYSHRL by discriminating against Ms. Baez on the basis of her sex.

73. As a direct and proximate result of CUNY's discriminatory conduct, Plaintiff suffered injuries and damages including, but not limited to, mental anguish, emotional distress, humiliation, embarrassment, and compensatory damages, for which she is entitled to an award of monetary damages and other relief.

**THIRD CAUSE OF ACTION**

**(Aiding and Abetting Discrimination in Violation of the NYSHRL,  
N.Y. Exec. Law Section 296(6))  
(As to Defendant Valcin)**

74. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

75. N.Y. Exec. Law Section 296(6) provides that “[i]t shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this article, or to attempt to do so.”

76. A defendant who actually participates in the conduct giving rise to a discrimination claim may be held personally liable under the aiding-and-abetting provision of the NYSHRL, even where that defendant was a primary actor in the discriminatory conduct.

77. Mr. Valcin personally and directly participated in the unlawful sexual harassment and discrimination described herein, and thereby aided, abetted, incited, and compelled the doing of the acts forbidden under the NYSHRL.

78. Mr. Valcin’s actual participation in the discriminatory conduct subjects him to individual liability under N.Y. Exec. Law Section 296(6).

79. As a direct and proximate result of Mr. Valcin’s unlawful conduct, Plaintiff suffered injuries and damages including, but not limited to, mental anguish, emotional distress, humiliation, embarrassment, and compensatory damages, for which she is entitled to an award of monetary damages and other relief.

**FOURTH CAUSE OF ACTION**

**(Retaliation in Violation of the NYSHRL, N.Y. Exec. Law Section 296(7))  
(As to All Defendants)**

80. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

81. N.Y. Exec. Law Section 296(7) makes it an unlawful discriminatory practice to retaliate or discriminate against any person because he or she has opposed any practices forbidden under the NYSHRL or because he or she has filed a complaint under the NYSHRL.

82. Ms. Baez engaged in protected activity when she opposed Mr. Valcin's sexual harassment, demanded that he respect her boundaries, reported the harassment to CUNY, requested a no-contact directive and changes to her work conditions, and filed a Charge of Discrimination with the EEOC.

83. After Ms. Baez engaged in protected activity, Defendants subjected her to adverse and materially disadvantageous treatment, including forcing her to continue attending meetings with Mr. Valcin in attendance, excluding her from in-office group meetings she was otherwise entitled to attend, permitting her harasser to remain in his senior position while Ms. Baez was relegated to working from home, and discouraging her from pursuing a formal complaint.

84. Such retaliatory treatment would dissuade a reasonable employee from making or supporting a similar complaint of discrimination.

85. Defendants intentionally and willfully violated the NYSHRL by retaliating against Ms. Baez because of her protected activity.

86. As a direct and proximate result of Defendants' unlawful retaliation, Plaintiff suffered injuries and damages including, but not limited to, mental anguish, emotional distress, humiliation, embarrassment, and compensatory damages, for which she is entitled to an award of monetary damages and other relief.

**FIFTH CAUSE OF ACTION**

**(Sex Discrimination in Violation of the New York Civil Rights Law Section 40-c)  
(As to Defendant CUNY)**

87. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

88. New York Civil Rights Law Section 40-c provides that no person shall be subjected to any discrimination in his or her civil rights, or be discriminated against, by any other person or by any firm, corporation, or institution, or by the State or any agency or subdivision of the State, because of, among other things, sex.

89. As a State agency and instrumentality, CUNY is subject to Civil Rights Law Section 40-c.

90. The sexual harassment and discrimination to which Ms. Baez was subjected, as described above, constitutes discrimination against her in her civil rights on account of her sex.

91. As a direct and proximate result of the foregoing, Plaintiff sustained injuries and damages including, but not limited to, mental anguish, emotional distress, humiliation, and embarrassment, for which she is entitled to an award of monetary damages and other relief.

**SIXTH CAUSE OF ACTION**  
**(Aiding and Abetting Discrimination in Violation of the NYCHRL,**  
**NYC Admin Code § 8-107(6))**  
**(As to Defendant Valcin)**

92. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

93. The Administrative Code of the City of New York Section 8-107(6) provides that “[i]t shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this article, or to attempt to do so.”

94. A defendant who actually participates in the conduct giving rise to a discrimination claim may be held personally liable under the aiding-and-abetting provision of the NYCHRL, even where that defendant was a primary actor in the discriminatory conduct.

95. Mr. Valcin personally and directly participated in the unlawful sexual harassment and discrimination described herein, and thereby aided, abetted, incited, and compelled the doing of the acts forbidden under the NYCHRL.

96. Mr. Valcin's actual participation in the discriminatory conduct subjects him to individual liability under the NYCHRL.

97. As a direct and proximate result of Mr. Valcin's unlawful conduct, Plaintiff suffered injuries and damages including, but not limited to, mental anguish, emotional distress, humiliation, embarrassment, and compensatory damages, for which she is entitled to an award of monetary damages and other relief.

**SEVENTH CAUSE OF ACTION**

**(Sexual Harassment / Hostile Work Environment in Violation of the NYCHRL, NYC  
Admin. Code § 8-107(1)(a))  
(As to Defendant Valcin)**

98. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

99. The NYCHRL prohibits discrimination in the terms, conditions, and privileges of employment on the basis of an individual's gender, including sexual harassment.

100. NYC Admin. Code § 8-107(1)(a) makes it unlawful to discriminate on account of an individual's gender or sex.

101. The sexual harassment to which Mr. Valcin subjected Ms. Baez constitutes discrimination on the basis of her gender, because the unwelcome sexual conduct was inherently based on her gender

102. Mr. Valcin's conduct, as described above, including making lewd and sexually explicit comments to Ms. Baez, touching her fingers to comment on her genitalia, groping her thigh and genital area, forcing her hand onto his clothed and erect penis, exposing his erect penis

to her, striking her on the head with a stack of papers, reaching into the back pocket of her jeans to take her phone, and continuing to insert himself near her and disparage her in the workplace, subjected Ms. Baez to a hostile work environment and to inferior terms, conditions, and privileges of employment because of her sex.

103. This conduct was well above the level of what a reasonable victim of discrimination with the same protected characteristic or characteristics would consider petty slights or trivial inconveniences.

104. Because Mr. Valcin was Ms. Baez's senior supervisor and the top-ranking person in her office, and because the harassment culminated in Ms. Baez's inability to return to her workplace, Defendant Valcin is individually liable for the harassment.

105. As a direct and proximate result of Defendants' discriminatory conduct, Plaintiff has suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to anxiety, panic attacks, sleeplessness, humiliation, embarrassment, and emotional pain and suffering, as well as monetary and economic damages, for which she is entitled to an award of monetary damages and other relief.

**COMMON LAW CLAIMS**

**EIGHTH CAUSE OF ACTION**

**(Assault)**

**(As to Defendant Valcin)**

106. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

107. By the conduct described above, including grabbing at Ms. Baez inside the confined space of her vehicle, reaching toward and unzipping his pants, and exposing his erect penis to her, Mr. Valcin intentionally placed Ms. Baez in apprehension of imminent harmful and offensive bodily contact.

108. Mr. Valcin's conduct was without privilege or consent.

109. As a result of Mr. Valcin's conduct, Plaintiff has suffered physical apprehension, mental anguish, and emotional distress, together with shock, fright, humiliation, and embarrassment, for which she is entitled to an award of monetary damages and other relief.

**NINTH CAUSE OF ACTION**

**(Battery)**

**(As to Defendant Valcin)**

110. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

111. By the conduct described above, including touching Ms. Baez's fingers to make a derogatory comment about her genitalia, grabbing her inner thigh, forcibly grabbing her hand and pressing it onto his clothed, erect penis while prying open her fist, striking her on the head with a stack of papers, and reaching into the back pocket of her jeans, Mr. Valcin intentionally touched Ms. Baez in a harmful and offensive manner.

112. Mr. Valcin did so without privilege or consent from Ms. Baez.

113. As a result of Mr. Valcin's conduct, Plaintiff has suffered physical pain, mental anguish, and emotional distress, together with shock, fright, humiliation, and embarrassment, for which she is entitled to an award of monetary damages and other relief.

**TENTH CAUSE OF ACTION**

**(Intentional Infliction of Emotional Distress)**

**(As to Defendant Valcin)**

114. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

115. Mr. Valcin's conduct, including making lewd sexual comments, groping Ms. Baez, forcing her hand onto his erect penis in a confined vehicle from which she could not escape, exposing his erect penis to her, and continuing to subject her to unwelcome physical contact and

humiliation in the workplace, was extreme, outrageous, and utterly intolerable in a civilized society.

116. Mr. Valcin engaged in this conduct intentionally, or with reckless disregard of the substantial probability of causing Ms. Baez severe emotional distress.

117. There is a direct causal connection between Mr. Valcin's conduct and the severe emotional distress suffered by Ms. Baez.

118. As a direct and proximate result of Mr. Valcin's conduct, Ms. Baez has suffered and continues to suffer severe emotional distress, including anxiety, panic attacks, sleeplessness, humiliation, and embarrassment, for which she is entitled to an award of monetary damages and other relief.

### **FEDERAL CLAIMS**

#### **ELEVENTH CAUSE OF ACTION**

**(Sexual Harassment and Hostile Work Environment in Violation of  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e et seq.)  
(As to Defendant CUNY)**

119. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

120. Title VII prohibits an employer from discriminating against any individual with respect to the terms, conditions, or privileges of employment because of such individual's sex, including by subjecting the individual to a hostile work environment based on sex.

121. Mr. Valcin, CUNY's Senior Director and the top-ranking supervisor in Ms. Baez's office, subjected Ms. Baez to severe and pervasive sexual harassment because of her sex, as described above, which altered the terms and conditions of her employment and created an abusive working environment.

122. Upon information and belief, CUNY was aware, or should have been aware, of prior complaints against Mr. Valcin and of his propensity to solicit employees for sex and to sexually harass women in the office, and CUNY failed to take reasonable steps to prevent Mr. Valcin from engaging in such conduct again.

123. CUNY failed to exercise reasonable care to prevent and promptly correct the sexually harassing behavior, including by failing to discipline or remove Mr. Valcin, by permitting him to remain in his senior position, and by forcing Ms. Baez to continue interacting with him.

124. CUNY is liable for the hostile work environment created by its senior supervisor, Mr. Valcin.

125. As a direct and proximate result of CUNY's unlawful conduct in violation of Title VII, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, as well as monetary and economic damages, for which she is entitled to an award of compensatory and other damages and other relief.

**TWELFTH CAUSE OF ACTION**  
**(Retaliation in Violation of Title VII of the Civil Rights Act of 1964,**  
**42 U.S.C. Section 2000e et seq.)**  
**(As to Defendant CUNY)**

126. Plaintiff repeats, reiterates, and realleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.

127. Title VII prohibits an employer from discriminating against any employee because the employee has opposed an unlawful employment practice or because the employee has made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing under Title VII.

128. Ms. Baez engaged in protected activity when she opposed Mr. Valcin's sexual harassment, reported the harassment to CUNY, requested a no-contact directive and changes to her work conditions, and filed a Charge of Discrimination with the EEOC.

129. After Ms. Baez engaged in protected activity, CUNY subjected her to materially adverse treatment, including forcing her to continue attending meetings with Mr. Valcin in attendance, excluding her from in-office group meetings, permitting her harasser to remain in his senior position while Ms. Baez was relegated to working from home, and discouraging her from pursuing a formal complaint.

130. Such retaliatory treatment would dissuade a reasonable employee from making or supporting a charge of discrimination.

131. As a direct and proximate result of CUNY's unlawful retaliation in violation of Title VII, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, as well as monetary and economic damages, for which she is entitled to an award of compensatory and other damages and other relief.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff Amy Baez respectfully demands judgment against Defendants as follows:

- A. Issuing a judgment declaring that the practices complained of herein are unlawful and in violation of the NYSHRL, the New York Civil Rights Law, the common law of the State of New York, and Title VII;
- B. Awarding Plaintiff compensatory damages for mental and emotional injury, distress, pain and suffering, and injury to her reputation, in an amount to be determined at trial;
- C. Awarding Plaintiff damages for all lost wages, benefits, and other economic losses resulting from Defendants' unlawful conduct, and otherwise making her whole;

- D. Awarding Plaintiff punitive damages to the extent authorized by law;
- E. Awarding Plaintiff reasonable attorneys' fees, costs, and disbursements incurred in the prosecution of this action to the extent authorized by law;
- F. Awarding Plaintiff pre-judgment and post-judgment interest as provided by law; and
- G. Granting such other and further legal and equitable relief as this Court deems just and proper.

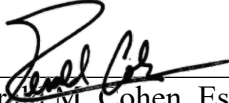
**JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable.

Dated: New York, New York  
September 29, 2026

Respectfully submitted,

**COHEN & FITCH LLP**

  
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