

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO.:

)
WILLARD PERKINS,)
Plaintiff,)
)
v.)
)
COMMONWEALTH OF)
MASSACHUSETTS,)
Defendant.)
_____)

COMPLAINT

PARTIES

1. The plaintiff, Willard Perkins, is an individual who resides at 14 Rennie Drive, Town of Andover, County of Essex, Commonwealth of Massachusetts.
2. The defendant, Commonwealth of Massachusetts has a usual place of business at 1 Ashburton Place, City of Boston, County of Suffolk, Commonwealth of Massachusetts.

FACTS

3. The Massachusetts Office of the Attorney General granted the plaintiff, Willard Perkins, an Authorization for Immediate Private Suit, as permitted by Massachusetts General Laws chapter 151.
4. The defendant, Commonwealth of Massachusetts, oversees the Commonwealth of Massachusetts Designer Selection Board (hereinafter “Designer Selection Board”), which is an autonomous eleven-member board that selects designers for state building projects and Commonwealth charter school projects, with a usual place of business at 1 Ashburton Place, Room 1018A, Boston, Massachusetts.
5. The plaintiff, Willard Perkins, was employed, as the Executive Director of the Designer Selection Board, from January 2017 until November 17, 2021
6. In November of 2021, the plaintiff, Willard Perkins, applied for exemption of a Covid-19 vaccine mandate due to his religious beliefs.

7. The plaintiff, Willard Perkins's, exemption application for a religious exemption to the Covid-19 vaccine mandate was denied by the defendant Commonwealth of Massachusetts.
8. On November 17, 2021, the plaintiff, Willard Perkins's, employment with the Designer Selection Board was terminated due to his religious beliefs in refusing the Covid-19 vaccine.
9. At the time of his termination, the plaintiff, Willard Perkins, was owed \$9,743.23 in accrued vacation time and \$782.41 in accrued personal time.
10. The defendant, the Commonwealth of Massachusetts, and/or its subsidiary, the Designer Selection Board, has, to date, failed to pay the plaintiff, Willard Perkins, the \$9,743.23 he is owed in accrued vacation time or the \$782.41 he is owed in accrued personal time.
11. The conduct of the defendant, the Commonwealth of Massachusetts, and/or its subsidiary, the Designer Selection Board, as aforesaid, constitutes a breach of the plaintiff, Willard Perkins's, contract of employment resulting in a loss of \$10,525.64 in unpaid wages.
12. The defendant, the Commonwealth of Massachusetts, and/or its subsidiary, the Designer Selection Board's, decision to terminate the plaintiff, Willard Perkins, due to his refusal to receive a Covid-19 vaccine because of his religious beliefs constitutes a violation of the Free Exercise Clause of the First Amendment, a violation of the Equal Protection Clause of the Fourteenth Amendment, a violation of Title VII of the Civil Rights Act of 1964, a violation of G.L. c. 151B § 4, and a violation of Article II of the Declaration of Rights of the Inhabitants of the Commonwealth of Massachusetts, all of which have caused the plaintiff, Willard Perkins, to suffer damages including, but not limited to, the loss of his livelihood.
13. The conduct of the defendant, the Commonwealth of Massachusetts, and/or its subsidiary, the Designer Selection Board, as aforesaid, constitutes violations of G.L. c. 149, § 148 with regard to the plaintiff Willard Perkins, resulting in damages to the plaintiff in the amount of \$10,525.64 together with the costs and attorneys' fees associated with being forced to bring this action to collect the wages which are rightfully his.

CAUSES OF ACTION

FIRST CAUSE OF ACTION

14. This is a cause of action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violation of the Free Exercise Clause of the First Amendment.

SECOND CAUSE OF ACTION

15. This is a cause of action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violation of the Equal Protection Clause of the Fourteenth Amendment.

THIRD CAUSE OF ACTION

16. This is a cause of action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violation of Title VII of the Civil Rights Act of 1964.

FOURTH CAUSE OF ACTION

17. This is a cause of action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violation of G.L. c. 151B § 4.

FIFTH CAUSE OF ACTION

18. This is a cause of action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violation of Article II of the Declaration of Rights of the Inhabitants of the Commonwealth of Massachusetts.

SIXTH CAUSE OF ACTION

19. This is a Cause of Action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for breach of contract.

SEVENTH CAUSE OF ACTION

20. This is a Cause of Action by the plaintiff, Willard Perkins, against the defendant, the Commonwealth of Massachusetts, for violations of G.L. c. 149 § 148.

DEMANDS FOR RELIEF

- A. As to the First Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages as provided in 42 U.S.C. § 1983, together with the interest and costs of this action and such other relief as this court deems just and equitable.
- B. As to the Second Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages as provided in 42 U.S.C. § 1983, together with the interest and costs of this action and such other relief as this court deems just and equitable.
- C. As to the Third Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages as provided in 42 U.S.C. § 1983, together with the interest and costs of this action and such other relief as this court deems just and equitable.
- D. As to the Fourth Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages together

with the interest and costs of this action and such other relief as this court seems just and equitable.

- E. As to the Fifth Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages together with the interest and costs of this action and such other relief as this court seems just and equitable.
- F. As to the Sixth Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his damages together with interest and the costs of this action and such other relief as he court deems just and equitable.
- G. As to the Seventh Cause of Action, the plaintiff, Willard Perkins, demands judgment against the defendant, the Commonwealth of Massachusetts, in the amount of his trebled damages as provided in G.L. c. 149, § 150, together with interest and the costs of this action and such other relief as this court deems just and equitable.

JURY CLAIM

The plaintiff claims a trial by jury on all issues so triable.

The Plaintiff,
By His Attorneys:

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