

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

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TAMER SERGANY,

Plaintiff,

-against-

CITY OF NEW YORK and CYNTHIA
RODRIGUEZ, Individually,

Defendants.

-----X

Index No.:

Date Purchased:

SUMMONSPlaintiff designates New York
County as the place of trial.The basis of venue is CPLR 503(a)
and (c): Defendant City of New
York is situated in New York
County, and a substantial part of the
events giving rise to the claims
occurred in New York County.

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Verified Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer upon the undersigned attorneys for the Plaintiff within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after service is complete if this Summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the Verified Complaint.

Dated: New York, New York
September 21, 2026

Yours, etc.

By: /s/ John A. Scola
John A. Scola, Esq.
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TO:

THE CITY OF NEW YORK
c/o Corporation Counsel of the City of New
York
100 Church Street
New York, New York 10007

LIEUTENANT CYNTHIA RODRIGUEZ
New York City Police Department
Midtown North Precinct
306 West 54th Street
New York, New York 10019

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

-----X
TAMER SERGANY,

Index No.:

Plaintiff,

VERIFIED COMPLAINT

-against-

JURY TRIAL
DEMANDED

CITY OF NEW YORK and CYNTHIA
RODRIGUEZ, Individually,

Defendants.
-----X

The plaintiff, TAMER SERGANY, by his attorneys, the LAW OFFICE OF JOHN A. SCOLA, PLLC, as and for his verified complaint against Defendants THE CITY OF NEW YORK (hereinafter referred to as "CITY") and Lieutenant CYNTHIA RODRIGUEZ (hereinafter referred to as "RODRIGUEZ"), Individually, alleges as follows.

INTRODUCTION

This is a civil rights action on behalf of the plaintiff TAMER SERGANY (hereinafter referred to as "plaintiff") for injunctive relief and to vindicate his rights for his denial of employment benefits with the New York City Police Department (hereinafter referred to as "NYPD") by Defendants THE CITY OF NEW YORK and RODRIGUEZ as a result of their unlawful conduct. More specifically, plaintiff seeks damages related to the deprivation of his rights secured by New York State Executive Law § 296, and New York City Local Law § 8-101 et seq. Plaintiff was denied employment benefits on the basis of his religion, was denied reasonable accommodation of his religious observance, and was retaliated against for engaging in protected activity, and was forced to work in a hostile work environment while employed with the NYPD.

At all times herein, Plaintiff was a member of a protected class, in that he is an observant Muslim. Plaintiff, at all times, performed his job duties in a satisfactory manner. Plaintiff was subjected to adverse actions as a result of and in retaliation for his membership in that protected class as described below.

PROCEDURAL REQUIREMENTS

1. Plaintiff has filed suit with this Court within the applicable statute of limitations period. Further, this matter is continuous and ongoing at the time of this filing.

PLAINTIFF

2. Plaintiff TAMER SERGANY is a male citizen of the United States of America, over twenty-one (21) years of age, who is a police officer employed by the New York City Police Department.
3. Plaintiff is of Egyptian national origin.
4. Plaintiff is an observant Muslim.
5. Plaintiff is a member of the Muslim Officers Association.

DEFENDANTS

6. Defendant THE CITY OF NEW YORK is a municipal corporation organized and existing under and by virtue of the law of the State of New York.
7. Defendant Lieutenant CYNTHIA RODRIGUEZ is a Lieutenant in the New York City Police Department and is employed by the Defendant CITY OF NEW YORK.
8. Defendant RODRIGUEZ holds the rank of Lieutenant, which is two (2) ranks above Plaintiff, who is a police officer.
9. Defendant RODRIGUEZ, at all times herein, exercised managerial and supervisory authority over Plaintiff.
10. At all times herein, due to their rank as supervisors, the Defendant CITY is strictly liable for the actions of Defendant RODRIGUEZ and of the other supervisors identified herein.

FACTUAL ALLEGATIONS RELATED TO PLAINTIFF

11. Plaintiff joined the New York City Police Department on January 6, 2016 as a police officer.
12. Plaintiff successfully completed the Police Academy.
13. Following the Police Academy, Plaintiff was assigned to the Field Training Unit in the Midtown North Precinct.
14. Plaintiff, at all times herein, performed the duties of his employment in a satisfactory manner.
15. When Plaintiff first arrived at his command, his working relationship with his supervisors was good and he had no issues.
16. Approximately four (4) years after joining the NYPD, Plaintiff became a Field Training Officer.
17. As a Field Training Officer, Plaintiff is responsible for the training, instruction, and evaluation of newly appointed police officers.
18. Plaintiff enjoys training and teaching newly appointed police officers and considers it the most rewarding part of his employment.
19. As a Field Training Officer, Plaintiff trains newly appointed officers in the field, through hands-on instruction and practice, and prepares training materials and exercises for them.
20. Plaintiff has applied to the Police Academy and to the NYPD Training Bureau on at least eight (8) separate occasions, and applied to the Manhattan South Community Affairs Bureau in January 2026, and has never been selected for any of those positions.
21. Plaintiff, as an observant Muslim, is required by his faith to pray at prescribed times each day.

22. The practice of Plaintiff's faith is a sincerely held religious belief.
23. Plaintiff's faith also requires him to attend Jumu'ah, the congregational prayer held every Friday during the early afternoon hours, which is obligatory upon Muslim men.
24. Plaintiff has, over the course of his employment, obtained separate religious accommodations through the NYPD's Office of Equal Employment Opportunity (hereinafter referred to as "OEEO").
25. Those accommodations include an accommodation for facial hair and an accommodation for the observance of the Eid holidays, and Plaintiff's command has honored them.
26. Plaintiff's command has not honored his need for a place to pray or his need to attend Jumu'ah, as set forth below.
27. Until April 2025, Plaintiff had no scheduling accommodation for Jumu'ah and missed it on a regular basis.

THE DEPARTMENT'S OWN WRITTEN POLICY ON PRAYER SPACES

28. On January 3, 2025, the NYPD's Office of Equity and Inclusion issued a Department-wide Administrative Bulletin entitled "Availability of over 100 Prayer/Meditation Spaces."
29. That bulletin announced that "over 100 prayer and/or meditation spaces have been identified across the department for all members for such purposes."
30. That bulletin states that "These spaces are located in all Patrol, Housing, and Transit commands, ensuring accessibility for members in various commands and assignments."

31. That bulletin states that the Office of Equity and Inclusion “surveyed Precincts, Police Service Areas, and Transit Districts and encouraged Commanding Officers to identify locations/shared spaces that are (1) private, (2) in close proximity to the employee’s work area, (3) vacant or shared office, and (4) other areas where privacy can be ensured.”
32. That bulletin states, in terms that could not be clearer: “Additionally, the space is required to be clean and well-lit. Bathrooms, locker rooms, or changing spaces are not allowable as prayer/meditation spaces.”
33. That bulletin directs that members “who need a designated prayer time as part of their workday are reminded to submit a request for a reasonable accommodation in accordance with the procedures outlined in Administrative Guide 332-21, ‘Reasonable Accommodations for Employees and Applicants.’”
34. The bulletin was issued on the “Authority of: Deputy Commissioner Equity and Inclusion.”
35. The Office of Equity and Inclusion also circulated a poster advertising this initiative, which states that “EVERY PATROL, TRANSIT, AND HOUSING COMMAND IS NOW EQUIPPED WITH A SPACE FOR PRAYER AND MEDIATION,” and which describes the more than one hundred spaces as “QUIET,” “CLEAN,” “PRIVATE,” and “DISTRACTION-FREE.”
36. The Defendants therefore committed in writing, Department-wide, that a prayer space would be available in every patrol command, that it would be clean and well-lit, and that certain categories of space were categorically unacceptable.

PLAINTIFF’S APRIL 2025 REQUEST FOR FRIDAY AND SATURDAY REGULAR DAYS OFF

37. On April 2, 2025, Plaintiff submitted a written Reasonable Accommodation Request on Department form PD 407-015B to the Deputy Commissioner of Equity and Inclusion.
38. On that form Plaintiff identified the basis of his request as “Religious” and identified his religion as “Islam,” and identified the condition as permanent.
39. Plaintiff requested that his steady regular days off be changed to Friday and Saturday so that he could attend Jumu’ah.
40. In his covering email Plaintiff wrote that he was “humbly requesting that my steady RDO’s be changed to Friday/Saturday due to strongly held Islamic religious beliefs,” and that “Our congregational prayer is held on Friday, where in fact Friday is the most Islamically religious day.”
41. Plaintiff submitted a written explanation with his request in which he sought “a religious accommodation pursuant to Title VII of the Civil Rights Act of 1964, as well as the Equal Employment Opportunity (EEO) policies of the New York City Police Department, which support and protect the religious observances of all members.”
42. In that explanation Plaintiff advised the Defendants that “Attendance at Jumu’ah is obligatory upon Muslim men and is traditionally held during early afternoon hours, making regular attendance difficult without being scheduled off on Fridays.”
43. In that same explanation, Plaintiff advised the Defendants that “It is important to note that officers of the Jewish faith have historically been granted the accommodation of having Fridays and Saturdays off in observance of Shabbat,” and that “This precedent illustrates the department’s long-standing commitment to upholding religious equity and honoring sincerely held beliefs across faith traditions.”

44. Members of service at the Midtown North Precinct have in fact been accommodated with regular days off for religious observance, including Police Officer Benzion Cohen, who was granted Friday and Saturday regular days off in observance of his Jewish faith, and Police Officer Cidney Thompson, who was granted Sunday and Monday regular days off so that she could attend church.
45. Both officers were assigned to the Midtown North Precinct when their regular days off were accommodated.
46. Plaintiff, a Muslim member of service at the same command, was denied the same form of accommodation that the command had granted to members of service of the Jewish and Christian faiths.
47. Police Officer Cohen and Police Officer Thompson were similarly situated to Plaintiff in every material way. Each was a police officer assigned to the Midtown North Precinct, subject to the same command, the same Department scheduling rules, and the same reasonable accommodation procedures, and each sought steady regular days off in order to observe his or her religion.
48. The only material difference between Plaintiff and Police Officers Cohen and Thompson is religion. Plaintiff is Muslim, and he was denied what they were granted.
49. Plaintiff was treated less well than Police Officer Cohen and Police Officer Thompson because of his religion.
50. Plaintiff expressly offered to engage in a cooperative dialogue, writing that he was “committed to working collaboratively with my command to ensure operational needs are fully met,” and that he was “more than willing to meet to explain this request in greater detail and assist in developing a schedule that aligns with both department needs and my religious obligations.”

51. Plaintiff also submitted supporting documentation from his religious institution, a letter dated April 2, 2025 from Imran Hassan, Communications Secretary of the Middletown Islamic Center, which asked the Deputy Commissioner of Equity and Inclusion to accommodate Plaintiff and suggested that “Adjustments such as providing a designated time during lunch breaks or slightly modifying schedules would greatly enable us to participate in Jumu’ah prayers without compromising work or other responsibilities.”
52. Plaintiff’s request was assigned to Sergeant Aml Elsokary of the Reasonable Accommodation Unit.
53. Sergeant Elsokary contacted Lieutenant Robert Murray, the Administrative Lieutenant Special Assignment and Operations Coordinator of the Midtown North Precinct, regarding the request.
54. Lieutenant Murray advised that because Plaintiff was a Field Training Officer, Plaintiff was needed at work on the days on which the newly appointed officers of the Field Training Unit were working.
55. On April 22, 2025, Sergeant Elsokary wrote to Plaintiff “to follow up on our recent interactive dialogue regarding your request for reasonable accommodation with the Reasonable Accommodations Unit.”
56. That same day, Plaintiff answered in writing that he was “not the only certified field training officer in my precinct and am not and should not be chained to such position.”
57. Plaintiff wrote that he “would happily go back to patrol or wherever I’m needed in the command given the right tour with Friday as one of my RDOs.”

58. Plaintiff further proposed that “Worst case, even just allowing me to take lost time every Friday upfront (since my current tour is 1300x2135) before I come in for work would be substantially helpful.”
59. The next day, April 23, 2025, OEE0 issued a letter under OEE0 RA # 2025-1316, over the name of Jordan A. Farnham, Executive Director, denying Plaintiff’s request.
60. That letter stated: “After careful consideration and a thorough review of your request, we regret to inform you that we are unable to fulfill your request, as originally stated, as it would cause an undue hardship to the operations of your command.”
61. That letter instead granted “an alternative reasonable accommodation to wit: you will be provided a 1600 start time on FRIDAYS, unless exceptional circumstances require your presence at the workplace.”
62. That letter identified Plaintiff’s command as the “Manhattan North Precinct,” rather than the Midtown North Precinct to which Plaintiff is assigned.
63. The only basis for the claimed undue hardship was Lieutenant Murray’s statement that Plaintiff was needed as a Field Training Officer on Fridays and Saturdays.
64. The Defendants therefore denied Plaintiff a religious accommodation on the ground that his own duties as a Field Training Officer made him too useful to accommodate.
65. No undue hardship existed. The Defendants had at least three alternatives available to them, none of which was considered: Plaintiff could have performed his Field Training Officer duties on days other than Friday and Saturday; Plaintiff could have relinquished his Field Training Officer designation and returned to patrol; or the

Midtown North Precinct could have assigned another certified Field Training Officer, or trained another officer, to take over that position.

66. Plaintiff offered in writing to relinquish his Field Training Officer designation and return to patrol, and the Defendants ignored that offer.
67. Plaintiff would have relinquished his designation as a Field Training Officer without hesitation in order to fulfill his Friday prayer obligation.
68. The restructuring of a member of service's duties is itself a form of reasonable accommodation, and the Defendants never considered it, never offered it, and never discussed it with Plaintiff.
69. Plaintiff was not granted the Friday and Saturday regular days off he requested.
70. Granting Plaintiff those regular days off would have made no difference to the operations of the unit.
71. At the Midtown North Precinct, the day tour Q-Team has Friday and Saturday as its regular days off.
72. Historically, special operations units at the Midtown North Precinct have had steady Friday and Saturday regular days off.
73. There was no legitimate operational reason to deny Plaintiff the regular days off set forth in his accommodation.
74. Accommodating Plaintiff would not have caused the Defendants to suffer any hardship, let alone an undue hardship.
75. Plaintiff made clear to the Reasonable Accommodation Unit that the alternative did not meet his need, and accepted the 1600 Friday start time under protest, because he believed that if he continued to press his request he would receive nothing at all.

- 76. OEEA accepted the command's claim of hardship without addressing any of the alternatives Plaintiff proposed.
- 77. Plaintiff could have been accommodated and continued to perform his duties as a Field Training Officer.

THE PRAYER ROOM

- 78. Separately from, and before, his request for Friday and Saturday regular days off, Plaintiff requested in the summer of 2023 that a prayer room be designated at the Midtown North Precinct.
- 79. On July 14, 2023, Deputy Inspector John O'Connell, the Commanding Officer of the Midtown North Precinct, issued a written departmental order to all supervisors of the Midtown North Precinct entitled "MIDTOWN NORTH PRECINCT PRAYER ROOM."
- 80. That order states that "[a]s per the Deputy Commissioner of Equity & Inclusion and in conformance of NYPD guidelines, the Midtown Precinct North has designated a prayer room."
- 81. That order designates room number A103, which is adjacent to the Commanding Officer's office, as the prayer room, states that the room "is for all religious denominations," and states that it "may be utilized by any member of the precinct to pray."
- 82. That order directs that when a member of service requests to use the prayer room, the Desk Officer "will in turn put them in the Interrupted Patrol Log as 62A," and that "[t]he MOS should be given a reasonable amount of time to pray approximately (10 minutes)."

83. That order further directs that “[t]he Desk Officer will open the prayer room if locked and advise the MOS to report to the desk when finished,” and that “[t]he Desk Officer will ensure the key to the prayer room is retained at the Desk at all times.”
84. That order concludes, “For your information and compliance.”
85. By issuing that order, the Defendants determined that designating a prayer room within the Midtown North Precinct was operationally feasible.
86. By issuing that order, the Defendants determined that a member of service going out of service for approximately ten (10) minutes in order to pray imposed no hardship on the Department.
87. By issuing that order, the Defendants placed responsibility for the prayer room key on the Desk Officer and required that the key be retained at the Desk at all times.
88. Room A103 was made available to Plaintiff for approximately two (2) weeks.
89. The prayer room was then taken away.
90. No supervisor rescinded the Commanding Officer’s written order.
91. Contrary to the Defendants’ own written order, the key to the prayer room was not retained at the Desk at all times.
92. Contrary to the Defendants’ own written order, no Desk Officer opened the prayer room for Plaintiff when it was locked.
93. Plaintiff was never given a key to the room.
94. Plaintiff was repeatedly unable to obtain the key to unlock the door.
95. As a result, it became very difficult for Plaintiff to pray at all.
96. Plaintiff was forced to pray in hallways, in stairwells, and in the men’s locker room.

97. None of those places was quiet, clean, or private, and the Defendants' own written policy expressly provides that locker rooms "are not allowable as prayer/meditation spaces."
98. Plaintiff asked the Defendants what had happened to the assigned Midtown North Precinct prayer room.
99. Plaintiff's request that the prayer room be restored was ignored.

PLAINTIFF'S SECOND REQUEST AND THE ELECTRICAL CLOSET

100. On January 4, 2026, Plaintiff submitted a second written Reasonable Accommodation Request on Department form PD 407-015B to the Reasonable Accommodation Unit and the Office of Equity and Inclusion.
101. OEEO received the request on January 6, 2026, and assigned it OEEO RA # 2026-0024.
102. Plaintiff is Muslim. Because he made the request on behalf of all members of the precinct who wished to have a place to pray, Plaintiff wrote "Islam & all other religions" in the religion field of the form, and described the accommodation sought as "Requesting for a second time, a designated INTERFAITH prayer room in MTN."
103. Plaintiff listed his immediate supervisor, Sergeant Constantine Angelopoulos of the 018 Precinct, in the supervisor contact section of the form.
104. In his covering email Plaintiff wrote that he had made the request "once before in summer 2023 and it was graciously accommodated for about 2 months and was sadly quickly dissipated."
105. In fact, Room A103 had been available to Plaintiff for approximately two (2) weeks.

106. Plaintiff wrote that this was his “second time requesting a designated prayer area not just for my faith of Islam, but for all faiths and spiritual denominations here in the North.”
107. Plaintiff attached to that request the Office of Equity and Inclusion poster and the July 14, 2023 order of the Commanding Officer.
108. Plaintiff went out of his way to accommodate the Department, writing, “I know space is tight, and I understand the department has more pressing matters, but any consideration to this request would be greatly appreciated.”
109. Plaintiff asked for nothing that the Defendants had not already promised every member of service in writing one year earlier.
110. The filing of a request or complaint with OEEO is protected activity.
111. Lieutenant Murray, the Operations Coordinator of the Midtown North Precinct, did not deliver the Department’s response to Plaintiff himself.
112. Lieutenant Murray instead sent Police Officer John Anger to Plaintiff.
113. On January 12, 2026, Police Officer Anger sent Plaintiff a text message: “Give me a call when you got the chance.”
114. By telephone, and again in person, Police Officer Anger told Plaintiff that Lieutenant Murray said Plaintiff should go through him rather than reaching out to EEO.
115. Police Officer Anger walked Plaintiff to the basement electrical room and showed it to him as the designated prayer area.
116. Police Officer Anger told Plaintiff that he would have to fix the room from locking, because the electrical room locks from the inside.

117. Police Officer Anger then delivered Lieutenant Murray's message, telling Plaintiff in substance: listen, Lieutenant Murray said not to call EEO any more, and just go through the precinct and the administrative office if you need anything with your prayers.
118. Plaintiff was therefore instructed, through an intermediary, to stop contacting the Department's equal employment opportunity office and to route his requests back through the very command that had refused them.
119. That instruction had no legitimate purpose.
120. That instruction was given in order to dissuade Plaintiff from engaging in further protected activity.
121. Upon information and belief, the instruction was delivered through Police Officer Anger rather than by Lieutenant Murray directly so that no supervisor would be recorded as having given it.
122. A supervisor who learns that a member of service has complained of discrimination is required to report and to remedy that complaint, not to instruct the member of service to stop complaining.
123. Directing a member of service not to contact the Department's equal employment opportunity office is retaliation, and it is designed to conceal discrimination from the only office charged with correcting it.
124. That same day, January 12, 2026, OEEO issued a letter under OEEO RA # 2026-0024, over the name of Jordan A. Farnham, Executive Director, administratively closing Plaintiff's request.
125. That letter stated that "your command informed this office that the basement electrical room is designated as your command prayer space."

126. That letter stated that “Your command has provided you with an accommodation that addresses your religious needs and obligations, thus making further accommodations unnecessary at this time.”
127. That letter stated that “this office will be administratively closing your file.”
128. On the same day that the command told Plaintiff, through Police Officer Anger, to stop contacting EEO, OEEO closed his file on the command’s word.
129. No one from OEEO spoke with Plaintiff about whether the electrical room met his needs before closing his request, and upon information and belief, no one from OEEO inspected the room.
130. The basement electrical room became the designated interfaith prayer room of the Midtown North Precinct in January 2026, and it remains so.
131. The electrical closet was filled with cockroaches.
132. The electrical closet contained pornographic magazines.
133. The electrical closet was being used to store unused floor tiles and pallets of cement powder.
134. The electrical closet was so full of cobwebs and dust that Plaintiff had difficulty breathing inside it.
135. The walls of the electrical room are lined with electrical panels, switches, and high-voltage electrical switchboards serving the entire precinct.
136. A room housing the high-voltage electrical equipment for an entire police precinct is not a suitable or safe place for members of service to kneel and pray.
137. Plaintiff and his partner cleaned the entire room themselves, from top to bottom, so that it could be used to pray.

138. The Defendants' own written policy required that a prayer space be "clean and well-lit."
139. The Defendants' own written policy provided that "Bathrooms, locker rooms, or changing spaces are not allowable as prayer/meditation spaces."
140. An electrical closet filled with cockroaches, pornography, construction materials, cobwebs and dust is not clean, is not well-lit, and is not a space the Defendants' own policy would permit.
141. The Defendants' poster advertised more than one hundred prayer spaces that were "QUIET," "CLEAN," "PRIVATE," and "DISTRACTION-FREE." What Plaintiff was given was none of those things.
142. Offering a member of service an electrical closet full of pornography and vermin as the answer to a religious accommodation request is not an accommodation. It is an insult, and it was understood as one.
143. The electrical room door locks from the inside, and when it was locked no key could be found.
144. On January 14, 2026, Police Officer Anger wrote to Plaintiff that he had "Tried cracking the door open," and that he was "gonna research a way to get it open or find the key."
145. On January 20, 2026, Police Officer Anger wrote to Plaintiff: "Just. Don't lock the door. I'll have to pick it again."
146. The Department's designated prayer room for an entire precinct has had to be opened by picking its lock.

THE POLICE COMMISSIONER'S EEO POLICY STATEMENT

147. On October 3, 2025, Police Commissioner Jessica Tisch issued an Equal Employment Opportunity Policy Statement, circulated Department-wide by administrative bulletin on October 8, 2025.
148. In that statement the Police Commissioner wrote, “As the Police Commissioner of the New York Police Department, I firmly believe in fostering a department free from discrimination that ensures equal treatment and makes every person feel welcome in the workplace.”
149. That statement provides that “All managers and supervisors are responsible for ensuring a safe, equitable, and inclusive environment for employees and delivering fair and impartial service to the public.”
150. That statement identifies “religion or creed” among the characteristics upon which employment discrimination is prohibited by federal, state and city law and by Department policy.
151. The Defendants issued that statement to every member of service at a time when Plaintiff had no place to pray in his own precinct and was praying in hallways, stairwells, and a locker room.
152. The Defendants’ written policies are not the issue in this case. The Defendants’ refusal to follow them is.
153. In or about January 2026, Defendant RODRIGUEZ was assigned to Plaintiff’s command.
154. Defendant RODRIGUEZ has been rude and disrespectful to Plaintiff since her arrival.
155. On April 15, 2026, Defendant RODRIGUEZ asked Plaintiff, “Why do you have to pray?”

156. On that same date, Defendant RODRIGUEZ told Plaintiff that praying in front of her is a personal attack against her.
157. Defendant RODRIGUEZ further asked Plaintiff, “Why do you do that in front of me?”
158. Plaintiff was praying in accordance with the Department’s own written policies permitting members of service to take time to pray.
159. Defendant RODRIGUEZ objects to Muslims practicing their faith and makes that objection known.
160. Defendant RODRIGUEZ’s statements to Plaintiff were made because of Plaintiff’s religion.
161. Non-Muslim officers under Defendant RODRIGUEZ’s supervision, who are similarly situated to Plaintiff in every material way, are not asked by Defendant RODRIGUEZ to justify the practice of their faith.
162. Non-Muslim officers under Defendant RODRIGUEZ’s supervision are not told by Defendant RODRIGUEZ that the practice of their faith is a personal attack against her, and Plaintiff was treated less well than those officers because of his religion.
163. On February 28, 2026, during the holy month of Ramadan, while Plaintiff was fasting, Defendant RODRIGUEZ changed Plaintiff’s tour in the middle of his shift.
164. Plaintiff’s tour that day was 1500 to 2335 hours.
165. Plaintiff had obtained the approval of his immediate supervisors, Sergeant Wallace and Sergeant Lee, to take up-front lost time for prayer and because he was fasting.
166. At approximately 2220 hours, Sergeant Wallace called Plaintiff and told him that Defendant RODRIGUEZ was not accepting his up-front lost time and that Plaintiff would be doing a tour change from the time he came in.

167. Plaintiff's tour was changed, after the fact, to 1940 to 0415 hours.
168. Upon information and belief, a supervisor may not change a member of service's tour midway through the tour, and particularly not after the member of service has obtained approval to take up-front lost time.
169. Plaintiff's memo book documents the events of that day.
170. On May 7, 2026, Defendant RODRIGUEZ assigned Plaintiff a late non-DAT arrest, which required Plaintiff to perform a court tour of 0800 to 1635 hours in place of his regular tour of 1600 to 0035 hours.
171. By doing so, Defendant RODRIGUEZ changed Plaintiff's tour indirectly and forced Plaintiff to miss Jumu'ah, despite his active reasonable accommodation under OEEA RA # 2025-1316.
172. Defendant RODRIGUEZ took these actions as punishment for Plaintiff's practice of his faith.
173. Defendant RODRIGUEZ does not permit Plaintiff to train newly appointed police officers.
174. Training newly appointed police officers is the assignment and the job function of a Field Training Officer.
175. Defendant RODRIGUEZ instead placed Plaintiff on patrol.
176. By placing Plaintiff on patrol, Defendant RODRIGUEZ prevented Plaintiff from performing his specialized duties as a Field Training Officer.
177. Plaintiff has never been removed from his position as a Field Training Officer.
178. Plaintiff remains designated as a Field Training Officer, and is simply not permitted by Defendant RODRIGUEZ to perform the duties of that assignment.

179. Defendant RODRIGUEZ gives Plaintiff assignments that prevent him from conducting field training with newly appointed officers and from completing their Daily Observation Reports.
180. Plaintiff is required by the borough to complete training forms for each officer he trains.
181. Plaintiff is required to complete approximately twenty (20) forms per trainee.
182. As a result of Defendant RODRIGUEZ's actions, Plaintiff has fallen behind on the training forms he is required to complete.
183. Plaintiff has been set up to fail in the performance of his own assignment.
184. On August 1, 2026, at approximately 1715 hours, Plaintiff was assigned to Sector David 2.
185. Plaintiff transmitted over the air that he was returning to base. Plaintiff did not state the reason over the air, but he was returning to pray the Asr prayer and to pick up lidar equipment from the desk.
186. Defendant RODRIGUEZ, the platoon commander, heard Plaintiff's transmission and denied his return to base.
187. Defendant RODRIGUEZ instead directed that Plaintiff be rerouted to a non-priority disorderly job.
188. Defendant RODRIGUEZ knows that Plaintiff uses his time at base to pray, and she rerouted him in order to prevent him from praying.
189. Plaintiff handled the job Defendant RODRIGUEZ assigned to him and thereafter returned to base, prayed, and picked up the lidar equipment.

190. On August 19, 2026, at approximately 2145 hours, while Police Officer Heslin was driving Defendant RODRIGUEZ as her operator, Defendant RODRIGUEZ said of Plaintiff that “he has a problem, he is always going out of service to pray.”
191. Defendant RODRIGUEZ made that statement about Plaintiff to another member of service.
192. Going out of service in order to pray is conduct the Defendants expressly authorized in writing, and it is logged by the Desk Officer as a 62A.
193. On August 27, 2026, at approximately 2015 hours, Defendant RODRIGUEZ telephoned Plaintiff twice while Plaintiff was praying, and had her driver telephone Plaintiff as well, interrupting Plaintiff’s prayer.
194. Defendant RODRIGUEZ knew that Plaintiff was at base, because Plaintiff had notified Central that he was administrative at the command, and she knows that Plaintiff uses his time at base to pray.
195. The calls were made intentionally, with knowledge that Plaintiff was at base to pray. Plaintiff has preserved the call logs.
196. When Plaintiff returned the call, Defendant RODRIGUEZ asked Plaintiff why he was back at the precinct again.
197. Plaintiff explained to Defendant RODRIGUEZ that his partner was correcting reports as directed by Sergeant Lacerenza and Sergeant Wallace, and that he was praying.
198. Defendant RODRIGUEZ told Plaintiff to hurry up with his prayers and to go back out on patrol.
199. As a result of Defendant RODRIGUEZ’s conduct, Plaintiff was unable to focus on or to complete his Maghreb prayer.

200. For the Isha prayer that same evening, Plaintiff was afraid to return to the precinct to pray, because Defendant RODRIGUEZ was there and because he feared being reprimanded for fulfilling his prayer obligation.
201. Plaintiff instead performed his ablution in the Ink48 hotel and prayed on the sidewalk of West 48th Street and 11th Avenue, while his partner, Police Officer Stephanie Alvarez, safeguarded him.
202. Plaintiff, a uniformed police officer of the City of New York, was reduced to praying on a public sidewalk because he was afraid to pray inside his own precinct.
203. Defendant RODRIGUEZ's interference with Plaintiff's prayer is continuous and ongoing.
204. Defendant RODRIGUEZ engaged in the same course of conduct toward another police officer assigned to the Midtown North Precinct who complained of discrimination.
205. That officer was subjected to punishment posts, confinement to particular sectors, increased scrutiny of his activity, and the assignment of defective police vehicles, including a police vehicle with no air conditioning.
206. On August 26, 2026, that officer asked Defendant RODRIGUEZ directly whether she was retaliating against him, and Defendant RODRIGUEZ answered, "Yes, I am."
207. Defendant RODRIGUEZ's answer was recorded on that officer's body-worn camera.
208. Defendant RODRIGUEZ therefore admitted that she retaliates against members of service at the Midtown North Precinct who complain of discrimination.

209. Defendant RODRIGUEZ's retaliation against members of service who complain of discrimination is open, notorious, and well known within the command.
210. The Defendant CITY had actual and constructive notice of Defendant RODRIGUEZ's conduct and failed to take any corrective action.
211. Plaintiff has twice complained to the Internal Affairs Bureau about Defendant RODRIGUEZ, both times anonymously.
212. On August 28, 2026, Plaintiff spoke with Detective Polanco of the Internal Affairs Bureau and was assigned log number 2026-30808.
213. The filing of a complaint with the Internal Affairs Bureau is protected activity.
214. Immediately after Plaintiff's anonymous complaint to the Internal Affairs Bureau, Defendant RODRIGUEZ corrected the specific conduct that Plaintiff had described in that complaint.
215. Upon information and belief, Defendant RODRIGUEZ learned that Plaintiff had complained about her.

THE FABRICATED NEGATIVE CRAFT

216. The NYPD maintains a system known as CRAFT, which is used to document a member of service's notable accomplishments and to instruct a member of service on deficiencies in performance.
217. A negative CRAFT is removed from a member of service's current profile one (1) year after it is written.
218. A negative CRAFT nevertheless remains permanently in the member of service's records under the evaluations section, and can be retrieved by pulling up that member's evaluations month by month long after the year has run.

219. A negative CRAFT is therefore a permanent mark on a member of service's employment record, and it is available to any supervisor considering that member of service for an assignment, a transfer, or a promotion.
220. Approximately one (1) week after Plaintiff complained about Defendant RODRIGUEZ to the Internal Affairs Bureau, Defendant RODRIGUEZ issued Plaintiff a negative CRAFT.
221. The CRAFT identifies the assessor as "LT RODRIGUEZ (933274)" and the assessed member of service as "PO SERGANY, TAMER (961271)."
222. The CRAFT gives the date of occurrence as "09/03/2026 2000 hrs" and the date submitted as "09/05/2026 0007 hrs."
223. The CRAFT assigns Plaintiff an assessment rating of "Needs Improvement" in the area of "Application of Law & Procedures."
224. Defendant RODRIGUEZ submitted the CRAFT on the first day of Plaintiff's annual vacation.
225. Upon information and belief, Defendant RODRIGUEZ timed the CRAFT to spoil Plaintiff's time off, or in the expectation that Plaintiff would not see it in time to rebut it.
226. The supporting narrative of the CRAFT states: "AT t/p/o PO Sergany did transport and lodge arrest # M26646655. PO Sergany failed to conduct a proper prisoner search in regard to the arrest. The prisoner was found to be in possession of contraband."
227. That narrative is false, and Defendant RODRIGUEZ knew it was false when she wrote it, because she was standing there.
228. Defendant RODRIGUEZ was the patrol supervisor at the scene of that arrest.

229. Defendant RODRIGUEZ needed a unit to come to her location at a CVS for a prisoner transport.
230. No unit came over the air to assist Defendant RODRIGUEZ, although multiple units were available and able to respond.
231. Plaintiff volunteered to assist Defendant RODRIGUEZ and his fellow officers with the transport.
232. The prisoner had a mobility disability and was confined to a wheelchair.
233. Neither Defendant RODRIGUEZ nor her operator conducted any preliminary search of the prisoner before Plaintiff arrived.
234. Upon information and belief, the night before that arrest, Defendant RODRIGUEZ and a different operator likewise had a man in handcuffs and conducted no preliminary search before Plaintiff arrived to assist with the transport.
235. Upon information and belief, Defendant RODRIGUEZ, as the patrol supervisor, was required to request a Department ADA compliant van to the scene of that arrest, and to have the prisoner brought to the 9th Precinct as the centralized location for arrestees with mobility disabilities, pursuant to NYPD Patrol Guide 210-19.
236. Neither of those things happened under Defendant RODRIGUEZ's supervision.
237. Plaintiff asked Defendant RODRIGUEZ whether she minded if the prisoner were wheeled back to the precinct, and Defendant RODRIGUEZ replied that was what she wanted.
238. Plaintiff and his partner carried the prisoner and his wheelchair up the steps at the precinct.
239. At the precinct, the prisoner was searched under the direct guidance of Lieutenant Javed and of Defendant RODRIGUEZ herself.

240. On Lieutenant Javed's guidance the prisoner was wanded with a hand-held metal detector, and on Defendant RODRIGUEZ's guidance the prisoner was placed on a different chair so that Plaintiff could go through the components of the wheelchair.
241. Plaintiff found the contraband.
242. Plaintiff found the contraband because he followed Defendant RODRIGUEZ's instructions exactly.
243. Plaintiff thanked Defendant RODRIGUEZ at the time for her tactical advice and for the reminder to ensure wheelchair safety.
244. Defendant RODRIGUEZ then issued Plaintiff a negative CRAFT for failing to properly search the prisoner.
245. Defendant RODRIGUEZ disciplined Plaintiff for successfully carrying out her own instructions.
246. Whatever deficiencies attended that arrest were Defendant RODRIGUEZ's own, and she recorded them against Plaintiff instead.
247. Plaintiff contested the CRAFT in writing to Defendant RODRIGUEZ on September 5, 2026.
248. In that reply Plaintiff wrote, "What I don't understand, is why I am receiving a negative craft when I literally followed exactly what you told me to do."
249. Plaintiff wrote that "The search never ended, and I even thanked you for your excellent tactical advise and reminder to ensure wheelchair safety."
250. Plaintiff wrote that it was "a bit confusing as to why I am getting negative craft when I followed your instructions to a tee and SUCCESSFULLY found the contraband."

251. Plaintiff wrote, “A negative craft would make sense if, for instance, you were NOT present to remind us to thoroughly search his wheelchair and it was completely overlooked and later on after we left, contraband was found.”
252. Plaintiff copied his union delegates on that reply and asked whether the parties could “come to a mutual agreement about this incorrect and unmerited craft.”
253. Plaintiff closed that reply, as he closes his correspondence, by writing “May Allah bless you, guide you, and protect you.”
254. Plaintiff copied nine (9) other members of service on that reply, including supervisors, so that the record of what actually happened would not depend on Defendant RODRIGUEZ.
255. The negative CRAFT was issued because Plaintiff complained about Defendant RODRIGUEZ, and for no other reason.
256. The negative CRAFT is fabricated discipline.
257. Fabricated discipline is more dangerous to a police officer than an insult, because it follows him permanently, it is invisible to him after a year, and it can be produced years later by any supervisor who wants a reason to deny him something.
258. Upon information and belief, Defendant RODRIGUEZ has issued fabricated negative CRAFTs to more than one member of service at the Midtown North Precinct who complained of discrimination.
259. Upon information and belief, Defendant RODRIGUEZ issued a negative CRAFT in the same manner to the other officer described above who complained of discrimination, for following her instructions.
260. Defendant RODRIGUEZ is now manufacturing a documentary record of incompetence against the members of service who complain about her.

261. On September 15, 2026, after receiving the negative CRAFT, Plaintiff again complained to the Internal Affairs Bureau, spoke with Police Officer Everett, and was assigned log number 2026-33209.

262. That complaint is protected activity.

THE DEFENDANTS' FAILURE TO ACCOMMODATE AND THE CITY'S NOTICE

263. The treatment of Plaintiff described herein is continuous and ongoing as of the date of this filing.

264. Plaintiff, at all times herein, was treated less well than his non-Muslim colleagues, who were similarly situated to him in every material way, because of his religion.

265. Plaintiff, at all times herein, was able to perform every essential function of his employment with a reasonable accommodation.

266. The Defendants never engaged Plaintiff in a meaningful cooperative dialogue as to how best to accommodate his religious observance.

267. The Reasonable Accommodation Unit consulted Plaintiff's command about his April 2025 request, but no one addressed any of the alternatives Plaintiff proposed in writing, and his request was denied the day after he proposed them.

268. No one engaged Plaintiff in any dialogue before OEEO closed his January 2026 request on the command's representation that an electrical room was an adequate prayer space.

269. In failing to accommodate Plaintiff and in failing to engage in a cooperative dialogue, the Defendants violated their own policy, namely, NYPD Patrol Guide 205-36 entitled Employment Discrimination.

270. In Section D of the aforementioned Patrol Guide Section, the NYPD states explicitly that it is prohibited conduct to engage in a "Failure to make a reasonable

accommodation for or failure to timely engage in cooperative dialogue with individuals with disabilities, religious observances/practices, those who are pregnant, recovering from childbirth or a related medical condition, and victims of domestic violence, stalking and/or sexual offenses. An accommodation may not be required if such accommodation would impose undue hardship on the Department, but a cooperative dialogue must still occur.”

- 271. No such cooperative dialogue occurred here and as such the Defendants violated the law and their own policy.
- 272. Despite violating their own policy, no action was taken against the Defendants for violating this policy.
- 273. The Defendant CITY, as a matter of practice, fails to train, supervise, or discipline its employees to ensure that they are in compliance with the law or with their own internal regulations which require a cooperative dialogue and a reasonable accommodation.
- 274. The Defendants, at all times herein, owed a duty of care towards Plaintiff.
- 275. The Defendants have a duty to ensure that Plaintiff’s employment is free from unlawful conduct, discrimination, and retaliation.
- 276. The Defendants breached that duty of care owed to Plaintiff.
- 277. As a result of the Defendant CITY’s negligence in training, supervising, and disciplining their employees, they were the proximate cause of the harm caused to Plaintiff.
- 278. More specifically, through the negligence of the Defendants, Plaintiff was subjected to unlawful, discriminatory, and retaliatory conduct.
- 279. This harm could have been avoided but for the Defendants’ negligence.

280. The Defendant CITY knew, or should have known, that its supervisors were denying Plaintiff's requests without considering available alternatives, and that the command had designated an electrical room as the precinct's prayer space, because OEE0 itself was told so and closed Plaintiff's file on that basis.
281. The Defendant CITY had actual notice of the improper, illegal, and negligent actions of its employees yet failed to take corrective action to train said employees.
282. The Defendant CITY had actual notice of the improper, illegal, and negligent actions of its employees yet failed to take corrective action to discipline said employees.
283. The inaction of the Defendant CITY was the proximate cause of Plaintiff's harm.
284. The inactions of the Defendants constitute a deliberate indifference towards Plaintiff's rights.
285. The conduct described herein, namely the denial of Friday and Saturday regular days off that the command had granted to members of service of other faiths, the taking away of a prayer room the Defendants had designated in writing, forcing Plaintiff to pray in hallways, stairwells, and a locker room, designating an electrical room lined with high-voltage switchboards as the precinct's prayer room, being told that his prayer is a personal attack, changing his tour in the middle of his shift during Ramadan, forcing him to miss Jumu'ah, being rerouted on patrol to prevent him from praying, being telephoned twice during prayer and told to hurry up, being spoken of to another officer as having a problem because he goes out of service to pray, being left so afraid to pray in his own precinct that he prayed on a public sidewalk, being kept from performing the duties of his own assignment as a Field Training Officer, and being issued a fabricated negative CRAFT, rises well past

trivial inconveniences and petty slights and is sufficiently severe and pervasive to constitute a hostile work environment.

286. Plaintiff was subjected to a hostile work environment as a result of the Defendants' conduct.
287. Plaintiff engaged in protected activity when he complained to OEEEO regarding the denial of his religious accommodation.
288. Plaintiff engaged in protected activity when he submitted his April 2, 2025 and January 4, 2026 requests for reasonable accommodation.
289. Plaintiff engaged in protected activity when he complained to his supervisors and to the Reasonable Accommodation Unit that his requests were being denied.
290. Plaintiff engaged in protected activity when he complained to the Internal Affairs Bureau concerning Defendant RODRIGUEZ on August 28, 2026 and September 15, 2026.
291. Following Plaintiff's protected activity, and after he had already been denied a prayer room, Plaintiff was told to stop contacting EEO after he made a second request, was given an electrical room as a prayer room, had his tour changed in the middle of his shift, was forced to miss Jumu'ah, was kept from performing the duties of his assignment as a Field Training Officer, was placed on patrol, was rerouted on patrol to prevent him from praying, and was issued a fabricated negative CRAFT approximately one (1) week after he complained to the Internal Affairs Bureau.
292. These actions were reasonably likely to deter a person from engaging in protected activity.
293. The adverse actions taken against Plaintiff followed closely upon his protected activity.

294. The Defendants' stated reasons for their treatment of Plaintiff, if any, are pretext for discrimination and retaliation.
295. As a result of the Defendants' discriminatory and retaliatory actions, Plaintiff has been denied the assignment he holds, denied the ability to perform the specialized duties of a Field Training Officer, denied upward mobility within the NYPD, and has suffered significant economic and emotional distress damages.
296. The hostile treatment of Plaintiff, the interference with the practice of his faith, and the refusal to accommodate him have caused Plaintiff to suffer severe emotional distress.
297. Plaintiff suffered economic damages, pain and suffering, and psychological injuries by reason of the discrimination, negligence, recklessness, carelessness, and retaliation of the Defendant CITY, its agents, servants, employees and/or licensees in the control, supervision, hiring, and training of the individuals who discriminated against the Plaintiff.

**COUNT I
RELIGIOUS DISCRIMINATION
IN VIOLATION OF NEW YORK
STATE EXECUTIVE LAW § 296**

298. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
299. Plaintiff alleges that New York State Executive Law § 296 prohibits discrimination, harassment, and disparate treatment on the basis of religion and creed in employment.
300. Plaintiff was treated less well than similarly situated non-Muslim members of service because of his religion, including Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way.

301. Plaintiff performed his job duties satisfactorily. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof, because of Plaintiff's religion, by the conduct of Defendants THE CITY OF NEW YORK and RODRIGUEZ and those within its employ and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
302. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
303. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
304. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT II
RELIGIOUS DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK
STATE EXECUTIVE LAW § 296**

305. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.

306. Plaintiff alleges that New York State Executive Law § 296 prohibits discrimination, harassment, and disparate treatment on the basis of religion and creed in employment.
307. Plaintiff was treated less well than similarly situated non-Muslim members of service because of his religion, including Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way.
308. Defendants subjected Plaintiff to a materially adverse and hostile work environment by subjecting him, month after month, without supervisory intervention, to discrimination and retaliation based on his religion.
309. The actions of the Defendants towards Plaintiff were severe and pervasive.
310. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
311. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
312. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices, including subjecting Plaintiff to a hostile work environment, of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT III
FAILURE TO PROVIDE A REASONABLE ACCOMMODATION
IN VIOLATION OF NEW YORK
STATE EXECUTIVE LAW § 296**

313. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
314. Plaintiff alleges that New York State Executive Law § 296(10) requires an employer to permit an employee to observe his sincerely held religious practices and to reasonably accommodate those practices absent undue hardship.
315. Plaintiff holds a sincerely held religious belief which requires him to pray at prescribed times.
316. Plaintiff was treated less well than Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way and whose requests for regular days off for religious observance were granted, while Plaintiff's was denied.
317. The Defendants had actual knowledge of Plaintiff's religious practice and of his need for an accommodation, having received his written requests for accommodation.
318. The Defendants failed to provide Plaintiff with a reasonable accommodation, denied his request for Friday and Saturday regular days off without considering the available alternatives, and designated an electrical room as his prayer space.
319. The Defendants failed to engage Plaintiff in a cooperative dialogue regarding his accommodation.
320. Accommodating Plaintiff would not have imposed an undue hardship on the Defendants.
321. By reason thereof, the Defendants have violated New York State Executive Law § 296 et seq. and Plaintiff has been damaged in an amount to be determined at trial.

**COUNT IV
RETALIATION**

**IN VIOLATION OF NEW YORK
STATE EXECUTIVE LAW § 296**

322. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
323. Plaintiff alleges that New York State Executive Law § 296 makes it unlawful to retaliate against an employee for engaging in protected activity.
324. Plaintiff engaged in protected activity when he complained of religious discrimination and of the denial of his religious accommodation to OEEO and to his supervisors.
325. Plaintiff was retaliated against by Defendants THE CITY OF NEW YORK and RODRIGUEZ as a result of his engagement in protected activity.
326. Plaintiff was treated less well because he engaged in protected activity.
327. Defendants' actions were taken under circumstances giving rise to an inference of retaliation.
328. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
329. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT V
RELIGIOUS DISCRIMINATION**

**IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107**

330. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
331. Plaintiff alleges that New York City Administrative Code § 8-107 makes it unlawful to deny employment benefits on the basis of religion and creed.
332. Plaintiff performed his job duties satisfactorily. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof, because of Plaintiff's religion, by the conduct of Defendants THE CITY OF NEW YORK and RODRIGUEZ. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
333. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
334. Plaintiff was treated less well than similarly situated non-Muslim members of service because of his religion, including Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way and whose requests for regular days off for religious observance were granted.
335. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
336. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages,

punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT VI
RELIGIOUS DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107**

337. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
338. Plaintiff alleges that New York City Administrative Code § 8-107 makes it unlawful to deny employment benefits on the basis of religion and creed.
339. Defendants subjected Plaintiff to a materially adverse and hostile work environment by subjecting him, day after day and month after month, without supervisory intervention, to discrimination and retaliation based on his religion.
340. Plaintiff was treated less well than similarly situated non-Muslim members of service because of his religion, including Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way and whose requests for regular days off for religious observance were granted.
341. The conduct described herein rises above the level of petty slights and trivial inconveniences.
342. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
343. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.

344. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices, including subjecting Plaintiff to a hostile work environment, of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT VII
FAILURE TO PROVIDE A REASONABLE ACCOMMODATION AND
FAILURE TO ENGAGE IN COOPERATIVE DIALOGUE
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107(3) AND § 8-107(28)**

345. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
346. Plaintiff alleges that New York City Administrative Code § 8-107(3) requires an employer to make reasonable accommodation to enable a person to satisfy the essential requisites of a job while observing his religious practices.
347. Plaintiff alleges that New York City Administrative Code § 8-107(28) requires an employer, upon learning directly or indirectly that an employee may require a reasonable accommodation for his religious needs, to engage that employee in a cooperative dialogue.
348. Plaintiff holds a sincerely held religious belief which requires him to pray at prescribed times.
349. Plaintiff was treated less well than Police Officer Cohen and Police Officer Thompson, who were similarly situated to Plaintiff in every material way and whose requests for regular days off for religious observance were granted, while Plaintiff's was denied.

350. The Defendants had actual knowledge of Plaintiff's religious practice and of his need for an accommodation, having received his written requests for accommodation.
351. The Defendants designated a prayer room in writing and then took it away, denied Plaintiff's request for Friday and Saturday regular days off although the command had granted regular days off for religious observance to members of service of other faiths, and designated an electrical room as the precinct's prayer space.
352. The Defendants failed to engage Plaintiff in a cooperative dialogue. The April 23, 2025 determination issued the day after Plaintiff proposed alternatives in writing, without addressing any of them, and the January 12, 2026 determination issued without any dialogue with Plaintiff at all.
353. OEEO accepted the command's representations without inquiry.
354. Under the New York City Human Rights Law, the burden is on the employer to show the unavailability of any safe and reasonable accommodation and to show that any proposed accommodation would place an undue hardship on its business.
355. The Defendants cannot meet that burden. Their own Commanding Officer determined in writing on July 14, 2023 that a designated prayer room and ten (10) minutes out of service to pray were consistent with the needs of the Department, their own Office of Equity and Inclusion committed in writing to a clean, private prayer space in every patrol command, and the command had already granted regular days off for religious observance to members of service of other faiths.
356. By reason thereof, the Defendants have violated New York City Administrative Code § 8-101 et seq. and Plaintiff has been damaged in an amount to be determined at trial.

COUNT VIII

**RETALIATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107**

357. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
358. Plaintiff alleges that New York City Administrative Code § 8-107 makes it unlawful to retaliate against an employee for engaging in protected activity.
359. Plaintiff engaged in protected activity when he complained of religious discrimination and of the denial of his religious accommodation to OEEO and to his supervisors.
360. Plaintiff was retaliated against by Defendants THE CITY OF NEW YORK and RODRIGUEZ as a result of his engagement in protected activity.
361. Plaintiff was treated less well because he engaged in protected activity.
362. The conduct complained of was reasonably likely to deter a person from engaging in protected activity.
363. Defendants' actions were taken under circumstances giving rise to an inference of retaliation.
364. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff suffered lost past and future wages, lost other valuable benefits and emoluments of employment, lost career and business opportunities, suffered severe damage to his good name and reputation, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
365. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants THE CITY OF NEW YORK and RODRIGUEZ, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages,

punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

**COUNT IX
RELIGIOUS DISCRIMINATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)**

- 366. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
- 367. Plaintiff alleges that New York City Administrative Code § 8-107(13)(b) makes a Defendant strictly liable for the discriminatory acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
- 368. Defendant RODRIGUEZ and Lieutenant Murray, at all times herein, exercised managerial and supervisory responsibility over Plaintiff.
- 369. Plaintiff was subjected to repeated religious discrimination following the lawful complaints made by Plaintiff.
- 370. The Defendant CITY was aware of the actions of its managers and supervisors but failed to take corrective remedial action, which forced Plaintiff to be subjected to future discrimination.
- 371. The Defendant CITY failed to exercise reasonable diligence to prevent such discriminatory conduct.
- 372. The Defendant CITY OF NEW YORK is vicariously liable for the actions of its employees as described herein as they held a supervisory position to Plaintiff wherein they exercised managerial and supervisory responsibility.
- 373. The Defendant CITY OF NEW YORK is vicariously liable for the actions of its employees as described herein as it had actual and constructive notice of the

discriminatory conduct described herein yet failed to exercise reasonable diligence to prevent it.

374. As a result of Defendants' willful actions, they are strictly liable to Plaintiff for their actions.

**COUNT X
RETALIATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)**

375. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
376. Plaintiff alleges that New York City Administrative Code § 8-107(13)(b) makes a Defendant strictly liable for the acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
377. Plaintiff was subjected to repeated retaliatory acts following the lawful complaints made by Plaintiff regarding religious discrimination and the denial of his religious accommodation.
378. The Defendant CITY was aware of the actions of its managers and supervisors but failed to take corrective remedial action, which forced Plaintiff to be subjected to future retaliation.
379. The Defendant CITY failed to exercise reasonable diligence to prevent such retaliatory conduct.
380. The Defendant CITY OF NEW YORK is vicariously liable for the actions of its employees as described herein as they held a supervisory position to Plaintiff wherein they exercised managerial and supervisory responsibility.
381. The Defendant CITY OF NEW YORK is vicariously liable for the actions of its employees as described herein as it had actual and constructive notice of the

retaliatory conduct described herein yet failed to exercise reasonable diligence to prevent it.

382. As a result of Defendants' willful actions, they are strictly liable to Plaintiff for their actions.

**COUNT XI
NEGLIGENT FAILURE TO TRAIN**

383. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
384. Plaintiff alleges Defendant CITY OF NEW YORK through its agents knows to a moral certainty that its employees will confront a given situation.
385. Plaintiff alleges the situation presents the employee with a difficult choice of the sort either that training will make less difficult or that there is a history of employees mishandling the situation.
386. Plaintiff alleges mishandling those situations will frequently cause the deprivation of an employee's statutory rights.
387. Plaintiff alleges because of Defendant CITY OF NEW YORK's failure, through its agents, to train its employees regarding religious discrimination, religious accommodation, and retaliation in the workplace, he sustained statutory injuries.

**COUNT XII
NEGLIGENT FAILURE TO SUPERVISE**

388. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
389. Plaintiff alleges Defendant CITY OF NEW YORK through its agents knows to a moral certainty that its employees will confront a given situation.

390. Plaintiff alleges the situation presents the employee with a difficult choice of the sort either that supervision will make less difficult or that there is a history of employees mishandling the situation.
391. Defendant CITY OF NEW YORK failed to properly supervise its employees, causing Plaintiff to suffer significant economic and psychological injuries.
392. Plaintiff alleges because of Defendant CITY OF NEW YORK's failure, through its agents, to supervise its employees, he sustained statutory injuries.

**COUNT XIII
NEGLIGENT FAILURE TO DISCIPLINE**

393. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
394. Plaintiff alleges Defendant CITY OF NEW YORK through its agents deprived him of statutory rights by failing to discipline those within its employ.
395. Plaintiff alleges Defendant CITY OF NEW YORK's failure, through its agents, to discipline those within its employ reflects a deliberate indifference to the risk that a violation of a statutory right would follow.
396. The Defendant CITY OF NEW YORK's failure to discipline Defendant RODRIGUEZ and the supervisors who denied Plaintiff's requests without considering the available alternatives led to harm to Plaintiff.
397. Plaintiff alleges because of the inaction of Defendant CITY OF NEW YORK he sustained statutory injuries.

**COUNT XIV
NEW YORK CITY ADMINISTRATIVE CODE § 8-502**

398. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.

399. By reason thereof, Defendants have violated New York City Administrative Code § 8-502(a), and Plaintiff has been damaged in an amount to be determined at trial.

JURY TRIAL

400. Plaintiff demands a trial by jury of all issues in this action that are so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- a. Injunctive relief directing the Defendants to reasonably accommodate Plaintiff's religious observance, including by providing Friday and Saturday regular days off and a clean, private prayer space at the Midtown North Precinct that complies with the Department's own written standards, in accordance with New York City Human Rights Law § 8-107;
- b. Injunctive relief restoring Plaintiff to the duties of his assignment as a Field Training Officer;
- c. Award compensatory damages for the back pay, front pay, pain, suffering, emotional distress, loss of dignity, humiliation, and damages to reputation and livelihood endured by Plaintiff and all other damages afforded to Plaintiff by statute or otherwise in an amount to be determined at trial;
- d. Award Plaintiff punitive damages in an amount to be determined at trial pursuant to New York City Human Rights Law Administrative Code § 8-502(a);
- e. Find Defendants strictly liable pursuant to New York City Human Rights Law Administrative Code § 8-107(13)(b);
- f. Award Plaintiff costs for this action and reasonable attorneys' fees, as provided for in New York City Human Rights Law Administrative Code § 8-502(f);

- g. All defendants herein are jointly and severally liable for the actions of any and all of the named Defendants herein;
- h. Grant Plaintiff such other and further relief as may be required in the interest of justice.

Dated: September 21, 2026
New York, New York

Respectfully submitted,

By: /s/ John A. Scola
John A. Scola, Esq.

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(917) 423-1445
jscola@johnscolalaw.com

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, the undersigned, an attorney duly admitted to practice law in the State of New York, under penalties of perjury do affirm;

That I am the attorney of record for the plaintiff in the within matter and make this affirmation in accordance with CPLR 3020. I have read the within VERIFIED COMPLAINT and know the contents thereof to be true to your affirmant's own knowledge, with the exception of those matters therein stated to be alleged upon information and belief. Your affirmant bases his belief regarding those matters upon the contents of the file and conversation with witnesses and the claimant.

This verification is made by your affirmant and not by the claimant for the following reason: The claimant resides in a different County than where your affirmant maintains an office.

Dated: New York, New York
September 21, 2026

_____/s/_____
JOHN A. SCOLA