

Reprinted from <https://www.law.com/dailybusinessreview/2019/02/06/bank-teller-sues-wells-fargo-over-alleged-bullying-sexual-harassment/>

Bank Teller Sues Wells Fargo Over Alleged Bullying, Sexual Harassment

Surveillance footage, body odor rumors and vagina drawings, South Florida lawyer Chad E. Levy said he's never seen an unlawful retaliation case like it.

By Raychel Lean | February 06, 2019 at 01:59 PM



Broward bank teller Melissa Barrios has struck financial giant Wells Fargo Bank N.A. with a lawsuit that claims co-workers sexually harassed and bullied her until she became an outcast in her own district.

It began when a co-worker allegedly spread rumors he'd had sex with Barrios and drew pictures of her vagina to show to colleagues, according to the complaint, filed by attorneys Chad E. Levy and David M. Cozad of the Law Offices of Levy & Levy in Sunrise.

According to the lawsuit, bank managers retaliated against Barrios when she complained about the lurid drawings and rumors, leaving her with no choice but to quit her job in October 2017.

The case landed in Broward Circuit Court in December but was [removed to the Southern District of Florida](#) on Monday at Wells Fargo's request.

Barrios claims she submitted an online complaint to human resources, which forwarded the information to the alleged harasser's managers. They initially did nothing, the complaint said, then later began churning the rumor mill against Barrios.

The complaint alleges one manager uploaded a YouTube recording claiming the plaintiff would go to a Publix supermarket across the street from the bank to defecate in the restroom. Another manager allegedly spread rumors that she had body odor.

Reprinted from <https://www.law.com/dailybusinessreview/2019/02/06/bank-teller-sues-wells-fargo-over-alleged-bullying-sexual-harassment/>

The lawsuit also points the finger at a former service manager who allegedly convinced HR to pull years-old video footage that he claimed showed Barrios breaking wind and depicted co-workers moving away from her because she smelled.

"Plaintiff never actually saw the videos, but everyone in her branch and district made a commotion about them and were constantly talking about the footage and the YouTube page," the complaint said.

[Click here to read the complaint](#)

Defense counsel Alex Drummond of Seyfarth Shaw in Georgia, did not respond to requests for comment before deadline.

Wells Fargo spokeswoman Michelle Palomino said in a statement, "While Wells Fargo disputes the facts as presented, we take these allegations seriously. We do not believe the applicable law supports Ms. Barrios' claims, and Wells Fargo will defend itself vigorously against these allegations in court."

Levy, lead counsel for the plaintiff, has worked on numerous retaliation cases but says he's never seen one like this.

"The allegations that [Barrios] is raising are demonstrating, really, a conscientious effort by the company to make it extremely difficult for her to either continue working there or really feel that her complaints will be taken seriously," Levy said. "I've never seen something that, in this manner, was trying to just embarrass somebody."

Though discovery hasn't started yet, Levy said he's seen no reason to doubt the veracity of the plaintiff's claims.

"It was really embarrassing for [Barrios], it was really difficult for her and she struggled with the idea of doing this because it was going to make it more of a public matter," Levy said. "But it was something that I think anyone in her position would have felt was inappropriate and would have taken the same action she did."

Barrios is also an aspiring singer, according to the complaint, which pointed out that the alleged YouTube footage could affect her future.

The lawsuit asks for punitive damages, attorney fees and costs for Wells Fargo's alleged unlawful retaliation and constructive discharge, since Barrios allegedly felt she had to resign. Punitive damages are capped at \$300,000 under Title VII of the Civil Rights Act of 1964 and \$100,000 under the Florida Civil Rights Act of 1992.