

Good Work If You Can Get It

By Reg P. Wydeven
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Many attorneys enjoy practicing in a particular area of the law, so they focus their career in that area. After several years of practicing in a narrow field, the attorney may see hundreds of clients in similar circumstances. Every once in a while, however, the attorney will see something a little out of the ordinary.

Two such examples have recently occurred in the employment law area. First of all, Debrahlee Lorenzana claims she was fired from her job at Citibank because she was just too sexy.

Citibank, of course, views the situation differently. Lorenzana was hired in September of 2008 to solicit and open new accounts. Citibank claims that in April of 2009, Lorenzana's quarterly report reflected that she was behind her colleagues in monthly sales credit and, in June of the same year, she received a final notice that she wasn't bringing in enough business. Accordingly, Citibank fired her in August of 2009.

Lorenzana has filed suit against her former employer for lost wages and emotional distress and has even asked State of New York human-rights officials to investigate her claims against Citibank. Lorenzana is not the first woman to take legal action over workplace dress requirements, however, most suits involve women who are asked to look more sexy, not less. For example, a Nevada casino bartender unsuccessfully sued her employer after she was fired for refusing to wear makeup.

According to Lorenzana's lawsuit, her superiors couldn't concentrate because her appearance was too distracting. Specifically, she was informed by her bosses that her pants were too tight and that she was not to wear turtlenecks or pencil skirts because they drew too much attention.

Lorenzana further alleges in her lawsuit that she was told her "body type was very different than my other colleagues and because of that, they were able to wear a list of clothing items, but I wasn't." She has told interviewers that she was fired for something beyond her control – her appearance.

Interestingly, Lorenzana was featured in a 2003 Discovery Channel series titled "Plastic Surgery New York Style," where she received liposuction, a tummy tuck and her fourth breast enlargement, to a size 32-DD. She says she went under the knife because she knows, "men have a fantasy of having a Playboy Playmate – that's what I want to be."

Along those same lines, a second unusual employment law case has emerged. Christina Gamble, a forty-three year old Quakertown, Pennsylvania woman, has been accused of illegally accepting workers' compensation payments while working as an exotic dancer.

According to prosecutors, Gamble visited the unemployment office claiming she hurt her back at her waitressing job and could not work. A judge granted her \$360 per week in benefits in October of 2008.

The insurance company for the restaurant she worked at hired private investigators to see if they could uncover the truth. The investigators stated the evidence that she was lying practically fell into their laps as they taped her dancing at C.R. Fanny's Gentlemen's Club and Sports Bar in Wilson later that year. The investigators have purportedly also said that this was their most pleasant assignment and volunteered to collect more evidence, if necessary.

Gamble has been charged with two counts of workers' compensation fraud and one count of theft. She also has been stripped of her workers' compensation benefits. Gamble waived her appearance at a preliminary hearing as she plans on revealing everything at her trial next month.

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