GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Linda T. Donnelly, Complainant

vs.

Docket No. E-8785

Cloth Keystone Seneca Wire Company, Respondent

CONCILIATION AGREEMENT

WHEREAS, on the 16th day of April , a verified Complaint was filed with the Pennsylvania Human Relations Commission ("Commission") against: Keystone Seneca Wire Company, Factory Street, Hanover, Pennsylvania, 17331 ("Respondent(s)") by:

Linda T. Donnelly, 79 South Street, Hanover, Pennsylvania, 17331

had violated Section(s) 5(a) of the Pennsylvania Human Relations Act, 43 P.S. §§951 et seq, as amended ("Act"), in that Respondent(s) committed or caused to be committed certain acts set out in said Complaint and now contained in Appendix "A", hereof; and ("Complainant(s)"). This Complaint alleged that Respondent(s)

WHEREAS, Respondent(s) do(es) not admit any violation of the Act but wish(es) to avoid litigation; and

WHEREAS, Commission finds that the settlement terms, as set forth in Appendix "B" hereof, are reasonable under the circumstances and finds further that the public interest will be served by settlement of the case; and

WHEREAS, Respondent(s) for the reasons set forth above do(es) hereby waive all rights to a public hearing under Section 9 of the Act and the Regulations promulgated by the Commission, and do(es) hereby consent to the entry of this

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Conciliation Agreement as a Consent Order and Decree of the Commission, which shall have the same force and effect as a Commission Order and Decree following a Public Hearing by the Commission and shall be enforceable as such under Section 10 of the Act:

NOW, THEREFORE, Respondent(s) and Commission hereby agree to be legally bound as follows:

- 1. The foregoing preambles shall be included herein as if fully set forth.
- 2. The Respondent(s) admit(s) the jurisdiction of the Commission in this matter and hereby waive(s) all objections thereto.
- 3. All appendices annexed hereto are incorporated into this Agreement as integral parts hereof, as if fully set forth.
- 4. The term "Respondent(s)" as used herein shall include all agents, servants and employees of the Respondent(s) named above, in addition to the principal(s).
- 5. The execution and implementation of this Agreement shall not constitute any waiver of powers and duties conferred upon the Commission, nor shall this Agreement be deemed a declaration of policy or precedent by the Commission. This Agreement shall in no way affect the intake, processing, adjudication or disposition of future Complaints involving the Respondent(s), except that the Respondent(s) may in the course of any proceedings refer to this Agreement and to its(their) performance thereunder to the extent relevant to such proceedings.
- 6. Respondent(s) shall hereafter fully comply with all of the provisions of the Act and the Regulations promulgated by the Commission and shall fully comply with each of the terms of settlement set forth in Appendix "B" hereof.
- 7. It is expressly understood by the Respondent(s) that any violation of infraction of the terms and conditions set forth herein by Respondent(s) shall constitute a violation of an Order of the Commission pursuant to Section 11 of the Act.
- 8. The relationship between Complainant(s) and Respondent(s) shall be subject to and defined by Appendix "C" if attached hereto.
- 9. If any portion of this Agreement, or the application thereof to any person or circumstance, should for any reason be adjudged by any court of competent jurisdiction to be invalid or unenforceable, in whole or in part, such judgment shall not affect, impair or invalidate any other portion of this Agreement.
- 10. Commission and Respondent(s) enter into this Agreement with the intent to be legally bound hereby. This Agreement shall become final when approved and ratified by the

Commission; and thereafter shall be binding upon and inure to the benefit of each of the parties hereto, and each of their respective heirs, successors and assigns, effective immediately from the date of such approval. If not so approved and ratified, it shall be null and void from its inception.

By the Respondent(s):	
Kilp love Senere liline com co.	
By the Respondent(s): Kieg tone Senece brieve Cloth Co. trulliam B. Knobs IN.P. Title:	Cipril 13, 1976
Title:	april 13, 1976 Date
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	Date
ATTEST:	
Title:	
COMMONWEALTH OF PENNSYLVANIA)	
COUNTY OF SS	
COUNTY OF	•
On the 13th day of the persons who have signed their name	ul 1976 each of
the persons who have signed their name	es above personally appears
before me and, if not already known to	ne satisfactorily proved
identity as the persons whose names an	ce signed above. Each of
them signed this agreement freely and	with full intent to be
legally bound thereby, and clearly und	derstanding that they are
waiving their rights to a hearing by	signing this agreement.
•	
In testimony whereof, I have	e hereunto set my hand and
seal on the day last above written.	/
	al 3 Cal
	10 Grand
	Notary Public
My Commission Expires:	
JOHN B. KREDS = Notary Public	
acrough of Hanover, County of Yara	
愛 身 Commission Lipinos Danos P	
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Recommended for approval by	the Commission:
1/32 · 10 + 1	
Homer C. Floyd, Executive	Director
Pennsylvania Human Relati	The state of the s
Approved and ratified at a Human Relations Commission on the 23rd	
19 76	, day or May
· · · · · · · · · · · · · · · · · · ·	

Joseph X. Yaffe, Wairperson Pennsylvania Human Relations Commission

Elizabeth M. Scott, Secretary Pennsylvania Human Relations Commission

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GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

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Keystone Seneca Wire Company, Respondent

COMPLAINANT(S) ALLEGATIONS

The Complainant alleges that the respondent indefinitely suspended her from the position as a weaver on March 7, 1975, for failure to follow instructions after prior warnings. Complainant alleges that this action was taken against her because of her handicap or disability, that of a recovering alcoholic.

Appendix "A"

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GOVERNOR'S OFFICE

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TERMS OF SETTLEMENT

Within ten (10) days after approval of this order and receipt by respondent, respondent shall send a check for five hundred dollars (\$500) as a lump cash settlement made payable to the Complainant. Said check shall be sent to the care of the Pennsylvania Human Relations Commission, 301 Muench Street, Harrisburg, Pennsylvania, 17102.

Complainant agrees that she will not be reinstated with respondent.

Appendix "B"

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GOVERNOR'S OFFICE PENNSYLVANIA HUMAN RELATIONS COMMISSION

Linda T. Donnelly, Complainant

PHRC Docket No. E-8785

vs.

Cloth Keystone Seneca Wire Company, Respondent

EEOC Deferral Case No. 031-51015-9

RELEASE

Know all persons by these presents that upon the condition that Respondent(s) shall fully comply with all the Terms of Settlement set forth in Appendix "B" of this Agreement, I do hereby release and forever discharge Respondent(s) from all manner of actions and causes of action and all suits, debts, claims and demands whatsoever based upon the allegations set forth in Appendix "A" of this Agreement, including the present actions, except as described below. This release shall in no way discharge, release or absolve Respondent(s) from liability for any violation of Section 5(d) of the Act (relating to retaliation) which may occur after execution of this Agreement, nor in any way limit my rights to bring suits or actions or file Complaints based in whole or in part on any violation of the Act or other applicable law which may occur in the future.

Dated:		
		Complainant
COMMONWEALTH OF PENNSY	TLVANIA)	

On the day of , 19, the Complainant named above, personally appeared before me. He/she is known to me or proved his/her identity as the person who signed this release. He/she acknowledged that the release was freely signed, with full understanding of its contents and legal effect, and solely for the consideration and upon the conditions expressed therein.

Witness my hand and seal the day and year written above.

Notary Public

My Commission Expires

COUNTY OF

Appendix "C"

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PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

Linda T. Donnelly, Complainant

Docket No. E-8785

VS.

Keystone Seneca Wire Cloth Company, Respondent

FINAL ORDER AND DECREE

AND NOW, this 23rd day of May , 1976, upon consideration of the Conciliation Agreement submitted in the above captioned case it is hereby ORDERED AND DECREED that said Conciliation Agreement be entered into the official record of the Pennsylvania Human Relations Commission as a Final Order, to be given the same force and effect as if entered after a public 1976 , hearing.

JOSEPH X. YAFFE CHAIRPERSON PENNSYLVANIA HUMAN RELATIONS COMMISSION

ELIZABETH M. SCOTT, SECRETARY PENNSYLVANIA HUMAN RELATIONS COMMISSION