

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DOROTHY M. SIERS, :  
Complainant :  
vs. : DOCKET NO. E-4969  
TURKEY HILL MINIT MARKET, \* :  
Respondent :

CONSENT ORDER AND DECREE

WHEREAS, a complaint has been filed by Dorothy M. Siers (hereinafter referred to as the Complainant), 707 Cedar Village Drive, York, Pennsylvania against Turkey Hill Minit Market (hereinafter referred to as the Respondent), 2136 Columbia Avenue, Lancaster, Pennsylvania, alleging that the Respondent is in violation of Section 5(a) of the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended; and,

WHEREAS, for the purpose of avoiding further litigation before the Pennsylvania Human Relations Commission, the Respondent does hereby agree to waive its right to a public hearing under Section 9 of the Pennsylvania Human Relations Act and agrees to the entry of the following Consent Order and Decree which shall have the full force and effect of an Order of the Pennsylvania Human Relations Commission issued after full public hearing; and,

WHEREAS, the Commission and the Respondent enter into this Agreement without duress and without any admission by the Respondent of any violation of the provisions of the Pennsylvania Human Relations Act, and with the intent to be legally bound thereby.

\* Farmland Industries, Inc., trading and doing business as Turkey Hill Minit Market

NOW WHEREFORE, this 26th day of February, 1973, the Respondent and the Complainant stipulate and agree as follows:

1. The Respondent Turkey Hill Minit Market shall fully abide by and comply with all sections of the Pennsylvania Human Relations Act.

2. The Respondent agrees to develop and implement an affirmative action program for the purpose of increasing the employment of Blacks at its stores throughout the Commonwealth. Said program shall be submitted to the Pennsylvania Human Relations Commission within 20 days from the signing of this Agreement and shall be subject to the approval and review of the Executive Director of the Pennsylvania Human Relations Commission.

Said program shall set forth the steps which the Respondent intends to take to increase the employment of Blacks and shall also include projected hiring and promotion goals.

Following approval, the Respondent's affirmative action program shall immediately commence and shall be operative for a two-year period. During this period the Respondent agrees to submit to the Pennsylvania Human Relations Commission written reports every six months which shall specify the racial composition of the Respondent's total work force and the results achieved by the Respondent through its affirmative action program for the period in question.

The Respondent agrees to make good faith efforts to reach the hiring and promotion goals set forth in its affirmative action program and the Pennsylvania Human Relations Commission reserves the right to amend said program in the event these goals are not achieved and/or cite the Respondent for non-compliance with this

Order in the event that the Respondent fails to make the good faith efforts referred to above.

3. Respondent will expunge from all records any indication that Complainant was dismissed and will not write of or discuss this matter with other individuals or employers. Respondent will likewise expunge from its files any notations of disciplinary action taken against Complainant.

4. Complainant hereby waives, releases, and covenants not to sue the undersigned Respondent with respect to any matters which were alleged as charges filed with the Pennsylvania Human Relations Commission or the United States Equal Employment Opportunity Commission, subject to the performance by the Respondent of the promises and representations contained herein.

PENNSYLVANIA HUMAN RELATIONS  
COMMISSION

COMPLAINANT

By Homer C. Floyd  
Homer C. Floyd  
Executive Director

Dorothy M. Siers  
Dorothy M. Siers

Date: 2/9/73

Date: November 27, 1972

Ratified by the Pennsylvania  
Human Relations Commission

RESPONDENT  
TURKEY HILL MINIT MARKET

By E. E. Smith  
E. E. Smith  
Chairman

By David R. Cook  
David R. Cook

ATTEST:

Date: 1/25/73

By Robert Johnson Smith  
Dr. Robert Johnson Smith  
Secretary

## AFFIRMATIVE ACTION PROGRAM

Farmland Industries, Inc. has an established policy of Equal Employment Opportunity with respect to race, religion, color, sex and national origin. All management officials are expected to set an example for the Company. The Personnel Manager and all Area Managers are to review their present personnel policies and practices to assure that Equal Employment Opportunity is being implemented actively and that no employee or applicant for employment shall suffer any form of discrimination because of race, religion, color, sex or national origin. In order to communicate and interpret Farmland Industries, Inc.'s policy effectively to all levels of management and supervision, and to all other employees, and the public generally, the following program will be undertaken immediately:

### 1. Dissemination of Policy

- A. Employees will be reminded of Farmland Industries written statement of policy by:
  - 1) Distribution annually of the policy statement to all management personnel with responsibility for implementation and administration of policy.
  - 2) Distribution annually to all other employees of the company by way of an insert into their pay envelope.
  - 3) Employee handbooks, personnel manuals or similar literature will contain a description of equal employment opportunity policy.
- B. Employment advertisements will contain notice of equal employment opportunity.
- C. Employment and recruiting sources where jobs are listed by Farmland Industries, Inc. will be notified of equal opportunity employment policy.
- D. Notices informing employees of their rights under the Civil Rights Act of 1964, the Executive Order 11246 and the Pennsylvania Human Relations Act of 1955 will be posted in each store and at the main office.

### 2. Responsibility for Implementing the EEO Policy

It is the responsibility of the Personnel Manager to see that these equal employment opportunity notices are posted and/or given out. Nevertheless it is the responsibility of each and every employee to cooperate in seeing that this policy is carried out.

3. Recruiting

Increased emphasis will be given to seeking and encouraging applicants from minority groups where such applicants with the necessary qualifications or potentials are available.

4. Training

All training programs supported or sponsored by Farmland Industries, Inc. will continue to be equally open to minority group employees on the basis of uniformly applied qualifications.

5. Hiring, Placement, Transfer, Promotion, Lay-Off and Recall

Farmland Industries, Inc. recognizes that to accomplish the long-range objectives of its EEO policy, continued affirmative action must be taken to insure that job opportunities of all kinds are offered to members of minority groups on the same basis as all other applicants or employees.

6. Compensation

All employees will receive compensation in accordance with the same standards. Opportunities for performing overtime work or otherwise earning increased compensation, when available, will be offered to qualified employees without discrimination based on race, religion, color, sex or national origin.

7. Specific Goals

Farmland Industries, Inc. shall attempt to achieve an employee composition that racially reflects the population of the areas that it serves. Although only five of its present 39 stores are in the cities of York and Lancaster, with the remainder spread throughout the boroughs and townships of the county, Farmland shall adopt 2.2% black employment as its minimum standard. This percentage being the racial composition of the combined York and Lancaster County population figures as determined by the U. S. Department of Commerce, 1970 Census of Population and Housing.

Farmland Industries, Inc. will make good faith efforts to achieve or exceed these minimum standards and will submit written reports to the Pa. Human Relations Commission every six months for the next two years specifying the racial composition of its work force.

8. Distribution

A copy of this statement will be distributed to all Officers, Staff Management and Area Managers who are responsible for interviewing and recommending people for hire and promotion.