

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LESLIE SHIPLEY  
Complainant

vs

COMMONWEALTH OF PENNSYLVANIA  
BUREAU OF EMPLOYMENT SECURITY  
Respondent

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Docket No. E-8385-D

CONCILIATION AGREEMENT

WHEREAS, on the 31st day of January, 1975, a formal Complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against: Commonwealth of Pennsylvania Bureau of Employment Security (hereinafter called the "Respondent" whether singular or collective by: Leslie Shipley (hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section(s) 5 (a) and (b) of the Act of October 27, 1955, P.L. 744, more commonly known as the Pennsylvania Human Relations Act, Tit. 43, Pa. Stat. Ann. §§ 951 et seq., as amended (hereinafter called the "Act"), in that the Respondent committed or caused to be committed the acts or actions more specifically referred to as contained in Exhibit "A" which is attached hereto and incorporated herein as an integral part of this Agreement.

WHEREAS, the Commission has advised the Respondent formally after investigation that it has found probable cause to credit the allegation of Exhibit "A" which are contained in the aforementioned Complaint, to which the Respondent has objected as being unsupported in fact and/or law, and

WHEREAS, the Commission and the Respondent, to avoid litigation, but without admission by the Respondent of any actions violative of the Act do hereby waive a Public Hearing under Section 9 of the Act and the Regulations promulgated by the Commission, and do hereby consent to the entry of this Conciliation Agreement as a Consent Order and Decree of the Commission.



This Consent Order and Decree shall have the full force of a Commission Order and Decree following a Public Hearing by the Commission and shall be enforceable as such under Section 10 of the Act. The waiver of said Public Hearing is made knowingly, understandingly and voluntarily with an unqualified intent to be legally bound hereby.

NOW, THEREFORE, the Respondent and the Commission do hereby agree to be legally bound as follows:

1. The foregoing preambles shall be included herein as fully set forth.
2. The Respondent admits the jurisdiction of the Commission in this matter and hereby waives all objections thereto.
3. All exhibits annexed hereto are to be incorporated into this Agreement as an integral part thereof.
4. The term "Respondent" as used in this Conciliation Agreement shall include the Respondent, its successors and assigns, agents, servants and employes, either and/or jointly and severally.
5. The execution and implementation of this Agreement shall in no manner or form constitute any waiver of powers and duties conferred upon the Commission, nor shall this Agreement be deemed as a declaration of policy or precedent by the Commission. This Agreement shall in no manner or form affect the intake, processing, adjudication and disposition of future complaints involving the Respondent, except that the Respondent may in the course of any proceedings refer to the same and to its performance thereunder to the extent relevant to such proceedings.
6. The Respondent shall fully comply with all of the provisions of the Act and the Regulations promulgated by the Commission and shall follow the terms of adjustment set forth in Exhibit "B."
7. It is expressly understood by the Respondent that any violation or infraction of the terms and conditions set forth herein by the Respondent, shall constitute a violation of an Order of the Commission pursuant to Section 11 of the Act.
8. The status of the relationship between the Complainant and the Respondent shall be subject to and defined by Exhibit "C" if attached hereto, and which in such event, is incorporated as an integral part of this Agreement.
9. If any portion of this Agreement, or the application thereof, to any person or circumstance, should for any reason be adjudged invalid, such judgment shall not affect, impair or invalidate the remaining portion of said Agreement.
10. The Commission and the Respondent enter into this Agreement with the intent to be legally bound hereby. This Agreement shall not become final and binding upon all parties until approved by the Commission and a Final Order is thereupon issued; and thereafter shall be binding upon and inure to the benefit of the parties hereto, their and each of their respective heirs, legal representatives, successors and assigns.

In Witness Whereof, the Respondent, being duly authorized so to do, has executed the foregoing on the 26<sup>th</sup> day of February, 1976.

by: [Signature]  
BUREAU OF EMPLOYMENT SECURITY

ATTEST:

by: [Signature]  
BUREAU OF EMPLOYMENT SECURITY

NOTARY PUBLIC  
My Commission Expires August 11, 1979  
Harrisburg, Pa.      Dauphin County

[Signature]  
Homer C. Floyd, Executive Director  
Pennsylvania Human Relations Commission

Approved and ratified at a meeting of the Pennsylvania Human Relations Commission on the 28th day of March, 1976.

[Signature]  
Joseph X. Yaffe, Chairperson  
Pennsylvania Human Relations Commission

ATTEST:

[Signature]  
Elizabeth M. Scott, Secretary  
Pennsylvania Human Relations Commission



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The Complainant alleges that the Respondent refused her the opportunity of going on an interview for an available job position as "Doorman" at the Stanley Theater because of her sex, female. The Complainant further alleges that the Respondent advertised the position by the use of the word "Doorman," thereby indicating a preference based on sex.

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LESLIE SHIPLEY, )  
Complainant )  
vs. ) Docket No. E-8385-D  
COMMONWEALTH OF PENNSYLVANIA )  
BUREAU OF EMPLOYMENT SECURITY, )  
Respondent. )

1. In accordance with its established policy, the Respondent shall not accept any job orders from any employer, public or private, that contain sexually classified job titles.

2. In accordance with its established policy, the Respondent shall inform all employers, both public and private, as the occasions arise, that job orders containing sexually classified job titles are illegal and will no longer be accepted by the Respondent.

3. The Respondent shall reaffirm its established policy and by written notice, shall remind all personnel involved in the acceptance, recording and listing of job orders that job orders containing sexually classified job titles are illegal and unacceptable and any such job orders on file shall be deleted from all listings; and that the employers, both public and private, who placed or attempt to place such job orders are to be notified of these refusals and deletions and the reasons for such actions.

4. The Respondent shall reaffirm its policy and by written notice shall remind all personnel involved in the counseling of job seekers, that all job seekers are to be referred to any job openings for which they are qualified regardless of their sex and especially regardless of any present or prior convictions of the counseling personnel as to the appropriateness of referring any job seeker, male or female, to jobs that are or have been traditionally exclusive to one sex or the other.

5. The Respondent will furnish the Commission with copies of those written notices described in No. 3 and No. 4 above within thirty (30) days of its execution of this Conciliation Agreement.



COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LESLIE SHIPLEY  
Complainant

vs

COMMONWEALTH OF PENNSYLVANIA  
BUREAU OF EMPLOYMENT SECURITY  
Respondent

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Docket No. E-8385-D

GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that I Leslie Shipley, for and in consideration of the Respondent's compliance with all of the terms and conditions set forth in the Conciliation Agreement herein of which this is a part thereof do hereby remise, release and forever discharge Commonwealth of Pennsylvania Bureau of Employment Security, its successors and assigns of and from all and in all manner of actions and causes of actions, suits, debts, claims and demands whatsoever in law or equity arising from the transaction which is the subject matter of the Complaint filed with the Pennsylvania Human Relations Commission captioned and docketed as above, including any arising from any violations of the Pennsylvania Human Relations Act, Tit., 43, Pa. Stat. Ann ss 951 et seq., which I have ever had, now have, or which I or my heirs, executors, administrators, successors or assigns, or any of them, hereafter can, shall or may have.

IN WITNESS WHEREOF, I have executed the foregoing this 1st day of November, 1975.

*Leslie Shipley*  
Complainant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Allegheny

SS:

On the 1st day of November, 1975, before me, the subscriber, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared the above named Leslie Shipley, known to me to be the person whose name is subscribed to the foregoing Release to be a free act and deed.

WITNESS my hand and notarial seal the day and year aforesaid.

DAVID F. HUSTON, NOTARY PUBLIC  
PITTSBURGH, ALLEGHENY COUNTY  
MY COMMISSION EXPIRES FEB. 2, 1977  
Member, Pennsylvania Association of Notaries

*David F. Huston*  
Notary Public

EXHIBIT "C"

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA HUMAN RELATIONS COMMISSION  
GOVERNOR'S OFFICE

Leslie Shipley : Docket No. E-8385-D  
Complainant :  
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 vs. :  
 Commonwealth of Pennsylvania :  
 Bureau Of Employment Security :  
 Respondent :  
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FINAL ORDER AND DECREE

AND NOW, this 28th day of March, 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  
hearing.

BY Joseph X. Yaffe  
JOSEPH X. YAFFE, CHAIRPERSON  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY Elizabeth M. Scott  
Elizabeth M. Scott, Secretary  
PENNSYLVANIA HUMAN RELATIONS COMMISSION