

C O M M O N W E A L T H O F P E N N S Y L V A N I A

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

Priscilla L. Watts, : Docket No. P-1165
Complainant :
: :
: :
: :
: :
vs. :
: :
: :
Loyal Order of Moose, Lodge No. :
410, Robert W. Knisely, Governor, :
Respondent :
: :
: :

CONCILIATION AGREEMENT

WHEREAS, on the 22nd day of October, 1975, a formal Complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against: Loyal Order of Moose, Lodge No. 410, Robert W. Knisely, Governor, 100 Mill Street, Middletown, Pennsylvania

(hereinafter called the "Respondent" whether singular or collective) by: Priscilla L. Watts, 142 A Garden Avenue, New Cumberland, Pennsylvania

(hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section(s) 5(a) 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 allegations 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 employees, either and/or jointly and severally.

5. The execution and implementation of this Agreement shall in no manner or form constitute any waiver or 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.

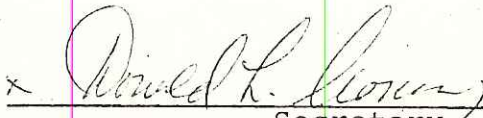
10. The Commission and the Respondent enter into this Agreement with the intent to be legally bound hereby. This Agreement shall not become final and binding upon all parties until approved by the Commission and a Final Order is thereupon issued; and thereafter shall be binding upon and inure to the 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 day of _____, 19 ____.



President Governor

ATTEST:

x 

Secretary



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
19 76 .



Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:



Elizabeth M. Scott, Secretary
Pennsylvania Human Relations Commission

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
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COMPLAINANT'S ALLEGATIONS

The Complainant alleges that on or about to wit October 5, 1975, the Respondent and/or its agents, acting individually and in concert, discriminated against her on the basis of race, black, with regard to the following:

(a) On October 5, 1975, circa 7:30 p.m. Complainant, black female in company of three (3) caucasian females, (namely Ruby Metheny, Georgia Tewmey, and Margaret Targonskis) visited the "Loyal Order of Moose" situated at 100 Mill Street, Middletown, Pennsylvania, 17057, for the purpose of engaging in the game of "Bingo." This was Complainant's first visit.

(b) Complainant alleges upon entering the room preserved for "Bingo" a white male and female, obviously in charge of Bingo, and employees, immediately singled her out by directly pointing at her and proceeded to state, "You, no," whereupon Complainant asked, "why." Said Caucasian female then asked Complainant if she was a member or in possession of a "Moose" card. Complainant stated "no." Complainant was then instructed by said female, "you can't come in." At this point, Georgia Tewmey interjected that they had (Tewmey, Metheny, Targonskis) been coming there for the past six (6) weeks to play Bingo, without a membership card or any hassle which subject female acknowledged. Whereupon subject Caucasian stated to Complainant's companions, "you'll need a card," but at no time were they told they couldn't play or come in. So Complainant and company departed the Moose premises.

(c) On October 5, 1975, circa 8:15 p.m. Georgia Tewmey, Ruby Metheny, and Margaret Targonskis returned to the Moose Club and were in fact, admitted without membership and allowed to play Bingo without further ado. Complainant was not present.

(d) Complainant moreover alleges had she been of the Caucasian race, no such humiliation, embarrassment, etc., would have been heaped upon her.

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Lodge No. 410, Robert W. :
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TERMS OF ADJUSTMENT

(1) Whenever the Respondent's facilities are open to the public use and patronage for any program or purpose including but not limited to games, entertainment or contests of skill or chance, that all people will be admitted and treated equally without regard to their race, sex, color, religious creed, national origin, ancestry, handicap or disability.

(2) Respondent shall tender the Complainant the sum of One Hundred Five Dollars (\$105).

COMMONWEALTH OF PENNSYLVANIA

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RELEASE

Know all persons by these presents that upon the condition that Respondent(s) shall fully comply with all the terms of adjustment set forth in Exhibit "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 Exhibit "A" of this Agreement, including the present action, 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; nor shall this release in any way limit my rights to seek additional relief for the acts complained of herein in a forum having jurisdiction and power to grant additional or greater relief.

Dated: 6 Feb 76 Mrs Priscilla L. Watts
Complainant

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF YORK)

SS:

On the 6th day of FEBRUARY, 1976, the Complainant named above, Priscilla L. Watts 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.

Joanne M. Updegrave
Notary Public

My Commission Expires 4 October 1977

NOTARY PUBLIC
My Commission Expires October 4, 1977
Fairview Twp., Pa. York County

COMMONWEALTH OF PENNSYLVANIA
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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, CHAIRPERSON
PENNSYLVANIA HUMAN RELATIONS COMMISSION

BY



Elizabeth M. Scott, Secretary
PENNSYLVANIA HUMAN RELATIONS COMMISSION