



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

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ARCH A. MOORE, JR.
Governor

October 15, 1986

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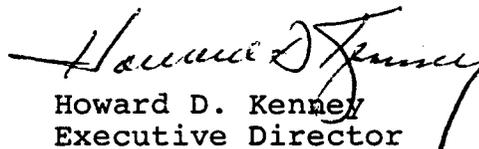
RE: Ritenour v. Capitol Broadcasting Corp. dba
WCAW Radio ES-67-82

Ladies and Gentlemen:

Herewith please find the Order of the WV Human Rights Commission in the above-styled and numbered case.

Pursuant to Article 5, Section 4 of the WV Administrative Procedures Act [WV Code, Chapter 29A, Article 5, Section 4] any party adversely affected by this final Order may file a petition for judicial review in either the Circuit Court of Kanawha County, WV, or the Circuit Court of the county wherein the petitioner resides or does business, or with the judge of either in vacation, within thirty (30) days of receipt of this Order. If no appeal is filed by any party within thirty (30) days, the Order is deemed final.

Sincerely yours,


Howard D. Kenney
Executive Director

HDK/mst
Enclosure

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

MARY B. RITENOUR,

Complainant,

v.

DOCKET NO. ES-67-82

CAPITOL BROADCASTING CORP. d/b/a
WCAW RADIO,

Respondent.

FINAL ORDER

On the 11th day of September, 1986, the Commission reviewed the Recommended Decision on Remand in the above-captioned case, after previously rejecting on November 14, 1985, the Findings of Fact and Conclusions of Law of Hearing Examiner, George Duffield. After consideration of the aforementioned, and exceptions thereto, the Commission does hereby adopt the Recommended Decision on Remand, encompassing Findings of Fact, Conclusions of Law, Discussion of the Evidence and Discussion of Damages, as its own, with the exceptions and amendments set forth below.

Paragraph 13 of said Findings of Fact is amended following the word "employment." by adding the following language:

"13. In March of 1981, the Complainant gave birth to a son."

Paragraph 1 of said Conclusions of Law is modified as follows:

"1. Complainant established a prima facie case of sex discrimination by showing: (1) that she is a member of a protected class, female; (2) that she was discharged; and (3) that she was replaced by a member of a non-protected class, a male and/or that non-members of the protected class

were not subjected to terms and conditions of employment which could result in discharge upon similar grounds."

Paragraph 7 of said Conclusions of Law is modified as follows:

"7. Complainant is entitled to backwages with 10% compounded interest on said backwages in the amount of \$10,966.24 for the period May 15, 1981 through July 31, 1982, inclusive. Complainant is further entitled to prejudgment interest at the compounded annual rate of 10% on her backpay award in the amount of \$5,189.12 for the period August 1, 1982 through September 10, 1986. The former amount is calculated by multiplying Complainant's average monthly earnings of \$787.64 by the 14½ month period she was unemployed, less and offset of 1½ months pay for a six weeks period when she would have been unavailable for work following the birth of her son, plus compounded interest."

The Commission hereby amends the Recommended Decision of the Hearing Examiner by modifying the section entitled Discussion of Damages as follows:

Following the word "months," in the last sentence of the first paragraph, the words "a total of \$11,026.96" should be deleted and the following language should be added:

"1. less six weeks for Complainant's post-partum period, as compounded interest on said amount, that sum is \$10,966.24 in addition the Complainant should receive prejudgment interest at the compounded annual rate of 10% on her backpay award commencing August 1, 1982 through September 10, 1986, this sum is \$5,189.12. The combined total is \$16,155.36."

It is hereby ORDERED that the Recommended Decision on Remand encompassing Findings of Facts, Conclusions of Law, and Discussions of

Evidence and Damages be attached hereto and made a part of this Order except as amended by this Order.

Accordingly, it is hereby ORDERED that:

1. Respondent shall within 30 days of certified receipt of this Order, pay the Complainant the sum of \$16,155.36 as more fully set forth in Conclusions of Law, Paragraph Number 7 as recompense for Respondent's discrimination against Complainant on the basis of her sex in violation of WV Code 5-11-9(a).

2. Respondent is ORDERED to pay to the Complainant within 30 days of certified receipt of this Order, the sum of \$2,594.00 for medical expenses incurred after her discharge which would have been covered by Respondent's insurance.

3. Respondent shall pay to the Complainant within 30 days of certified receipt of this Order, the sum of \$5,000.00 as incidental damages for humiliation, embarrassment, emotional anguish and loss of personhood and dignity suffered by Complainant as a result of the Respondent's discriminatory action toward her.

4. Respondent shall immediately cease and desist from discriminating against individuals on the the basis of sex in employment decisions.

5. Respondent shall provide the Commission proof of compliance with said Commission's Order within 35 days of service of said Order by copies of cancelled checks, affidavits or other means calculated to provide such proof.

By this Order, a copy of which shall be sent by certified mail to the parties, the parties are notified that they have ten days to request reconsideration of this Order and that they have the right to judicial review.

Entered this 9th day of October, 1986.

BY Nathaniel D. Johnson
CHAIR/VICE CHAIR
WV HUMAN RIGHTS COMMISSION

RECEIVED

JUN 30 1986

W.V. HUMAN RIGHTS COMM

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

MARY B. RITENOUR,

Complainant,

vs.

Docket No. ES-67-82

CAPITOL BROADCASTING CORP.

d/b/a WCAW RADIO,

Respondent.

RECOMMENDED DECISION ON REMAND
BY THE COMMISSION

I. PROCEDURAL HISTORY

On September 25, 1981, a formal verified complaint was filed by the complainant with the West Virginia Human Rights Commission alleging employment discrimination on the basis of sex. A previous document entitled "Employment Complaint Background Information" was filed on August 12, 1981, within ninety days of the alleged act of discrimination which occurred on May 15, 1981. The complainant alleged that her employment was terminated because of her sex.

A determination of probable cause was made on May 5, 1982, and pursuant to the holding of the West Virginia Supreme Court of Appeals in Allen v. WVHRC, 324 S.E.2d 99 (W.Va. 1984) a hearing was convened on May 24, 1985, before Hearing Examiner George Duffield. The Hearing Examiner issued his Findings of Fact, Conclusions of Law and Recommendations on September 20, 1985, and the complainant filed exceptions to those recommendations.

On November 14, 1985, the Human Rights Commission considered the recommendations of the Hearing Examiner and the exceptions thereto and issued an order rejecting and refusing to adopt those recommendations. The order stated, in part that

. . . a complete review of the evidence, the Findings of Fact and Conclusions of Law, and the objections of counsel for complainant be conducted by such persons as shall be appointed by the Executive Director of the Commission for such purpose and upon completion of said review new Findings of Fact and Conclusions of Law shall be prepared embodying the recommendations of said reviewer(s) as to the disposition of this case.

Pursuant to that Order the undersigned was appointed by the Executive Director of the Commission to conduct the review and to issue a recommended decision.

II FINDINGS OF FACT

1. That complainant, Mary Byrd Ritenour is a white female.
2. The respondent, Capitol Broadcasting Corporation, operates radio station WCAW and has more than twelve employees.
3. On July 1, 1980, complainant was hired by respondent as a salesperson. Her primary duties were to sell advertising for broadcasting on radio station WCAW. Her compensation was specified as a regular draw against commissions of fifteen percent of sales. During her employment complainant became pregnant, which fact was known to respondent.
4. At all times relevant herein, respondent employed Rick Wookey as a sales manager, with the authority to hire, fire and

supervise all sales personnel, including complainant.

5. During the period of her employment the complainant was a competent salesperson and increased her sales from almost nothing to a substantial amount, but did not meet her sales goal.

6. During the latter period of complainant's employment from January, 1981 through May 15, 1981, the respondent employed five male salespersons including sales manager Rick Wookey and three female salespersons including complainant. During this period all female employees failed to meet their sales goals and made a lesser percentage of those goals than any male.

7. Respondent's policy was to assign the better established sales accounts to experienced and proven salespersons and new and inexperienced salespersons were to receive less productive accounts until they proved themselves by increasing their production.

8. Respondent's policy on the assignment of accounts was not consistently followed as inexperienced males Gibson and Haight received established high billing accounts while complainant, Carter and Snyder, all females did not, even though Snyder was experienced.

9. Respondent, through its sales manager, Wookey, provided more assistance to male salespersons in the performance of their jobs.

10. Complainant was discharged on May 15, 1981, and replaced by Skip Haight, a male.

11. Within a few months after complainant's discharge all female salespersons had either resigned or been discharged, leaving an all male sales staff.

12. Assaley, a female, was rehired as a salesperson after respondent had obtained knowledge of this complaint.

13. Complainant was unemployed from May 15, 1981 until August, 1982, a period of 14 months during which she regularly sought employment.

14. During her eleven months as an employee of respondent, complainant earned \$8,664.00 an average of \$787.64 per month as sales commissions.

15. After her discharge complainant expended \$2,594.00 in medical expenses which would have been covered by her medical insurance as an employee of respondent.

16. Complainant had serious financial problems after her discharge which contributed to a marital separation and suffered substantial mental anguish and emotional distress as a result thereof.

III. CONCLUSIONS OF LAW

1. Complainant established a prima facie case of sex discrimination by showing that she was a member of a protected class, female and pregnant; that she was discharged; and that she was replaced by a member of a non-protected class, Haight, a male.

2. Respondent articulated legitimate non-discriminatory

reasons for complainant's discharge by producing evidence that the discharge was for failure to meet her goals, tardiness, failure to attend sales meetings and failure to prepare assignments.

3. Respondent treated complainant and other females in a disparate manner in the assignment of accounts and provisions of assistance, thereby significantly contributing to the failure of complainant and other females in meeting their sales goals.

4. Although respondent's policies as to the assignment of accounts were facially neutral they were applied in a disparate manner to the disadvantage of females.

5. Even if complainant was discharged for the failure to meet her sales goals respondent's discriminatory applications of its policies substantially contributed to that failure and, by virtue thereof, to her discharge, and therefore the reasons proffered by respondent for the discharge are pretextual.

7. Complainant is entitled to back wages in the amount of \$11,026.96 plus pre-judgment interest at the rate of 10% per annum interest from May 15, 1981, until May ^{and 1982} ~~24~~, 1985, the date of hearing in this matter. This sum is calculated by multiplying her average monthly earnings of \$787.64 by the 14 months she was unemployed.

8. Complainant is entitled to be paid \$2,594.00 for medical expenses incurred subsequent to her discharge which would have been covered by respondent's medical insurance.

9. Complainant is entitled to the sum of \$5,000.00 as compensatory damages for mental and emotional anguish and humiliation suffered as a result of her discharge.

IV. DISCUSSION OF THE EVIDENCE

In an action to redress unlawful discriminatory practices in employment the initial burden is on the complainant to establish by a preponderance of the evidence a prima facie case of discrimination. If the complainant is successful in creating this rebuttable presumption of discrimination, the burden then shifts to the respondent who must produce evidence as to some legitimate and non-discriminatory reason for the termination. If this is accomplished then the complainant must show that the reasons offered by the respondent were merely a pretext for unlawful discrimination. McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973); Shepherdstown Volunteer Fire Dept. v. State ex rel. State Human Rights Commission, 309 S.E.2d 342 (W.Va. 1983).

The complainant may establish a prima facie case for discrimination in hiring by showing 1) she was a member of a protected class; 2) she applied and was qualified for the position; 3) that she was rejected despite her qualifications; and 4) that after the rejection the respondent continued to accept the applications of similarly qualified persons. McDonnell Douglas v. Green, Supra; Shepherdstown Volunteer Fire Dept. v. State ex rel. State Human Rights Comm'n, Supra. Although the standard in McDonnell Douglas for establishing a

prima facie case was phrased in terms of hiring discrimination, that standard can be readily extrapolated to situations involving disparate treatment or discriminatory discharge. Lim v. Citizens Savings & Loan Assoc., 430 F. Supp. 802 (DC Cal., 1976). To establish a prima facie case for discriminatory discharge or disparate treatment the complainant must prove by a preponderance of the evidence that 1) the complainant is a member of a group protected by the act; 2) that the complainant was discharged or forced to resign; 3) that a non-member of a protected class was not disciplined, or was disciplined less severely than complainant, although both engaged in similar conduct. State of W.Va. ex rel State Human Rights Commission and Rose Bradsher v. Logan-Mingo Area Mental Health Agency, Inc., 329 S.E.2d 77 (W.Va. 1985). In cases of discharge where the complainant is a member of a protected class a showing that he or she was replaced by a non-member of a protected class of similar qualifications will establish a prima facie case of discrimination. Delesstine v. Fort Wayne State Hospital, 682 F.2d 130 (7th Cir. 1982).

To rebut the complainant's prima facie case the employer need only produce evidence that there were legitimate non-discriminatory reasons for the discharge or disparate treatment. Texas Dept. of Community Affairs v. Burdine, 450 U.S. 248 (1981). If the employer produces such evidence the burden then shifts to the complainant to demonstrate that the proffered reason or reasons were not the true reasons for the decision but

were merely a pretext for unlawful discrimination. This burden may be carried directly by showing that a discriminatory reason more likely motivated the employer or indirectly by showing that the employer's proffered explanation is unworthy of credence. Id.

In this case the complainant established a prima facie case by showing by a preponderance of the evidence that she was a member of a protected class, female and pregnant; that she was discharged and was replaced by Haight, a white male. Respondent articulated legitimate non-discriminatory reasons for complainant's discharge. Wookey, respondent's sales manager and complainant's supervisor, testified that complainant was discharged because she failed to meet her sales quotas and because of tardiness, failure to attend sales meetings and failure to prepare her training exercises.

The burden then is on complainant to show by a preponderance of the evidence that these proffered reasons were pretextual. The complainant presented testimony both from herself and other witnesses as well as statistical evidence tending to show that because of respondent's policies or the application thereof she and other females were relegated to a secondary status in that they were treated less favorably than male salespersons with respect to assistance in performing their duties and in the distribution of accounts. According to complainant's evidence the failure to meet her quotas was a result of respondent's

disparate treatment of her and other females in that quotas were unrealistic and males were favored in the distribution of the better sales accounts. [Respondent's evidence tended to indicate that the same amount of time was devoted to the assistance of male and female salespersons and that the better accounts were distributed to salespersons with experience and a productive record whether male or female. It was respondent's policy that new and inexperienced salespersons would have to demonstrate their ability to produce before being assigned more favorable accounts and that they were expected to generate their own accounts and produce revenue.]

The undersigned has reviewed the transcript of the public hearing, the documentary evidence, the recommendations of the Hearing Examiner and the exceptions thereto of counsel for complainant. The problem faced in this situation is the issue of credibility of the witnesses. This is normally a matter to be resolved by the Hearing Examiner for the reason that he ^{is} able to observe the demeanor of the witnesses and determine how that factor affects the weight to be accorded their testimony.

In this case the Hearing Examiner made no specific findings as to the issue of credibility, but it is apparent that substantial credibility was accorded the testimony of Rick Wookey, respondent's station manager, in that the Proposed Findings of Fact reflect that testimony to a great degree.

However, the Hearing Examiner did not make any specific

findings that the testimony of the complainant or her witnesses was not credible. The evidence in this case is so conflicting that the findings must be based on the interpretation of the documentary evidence in conjunction with the supporting testimony. In other words, where testimony is corroborated by documentary evidence then it is entitled to credibility.

Furthermore, it is not necessary to question the credibility as to motivation of Mr. Wookey in order to find that the complainant's termination was discriminatory. It is not a requirement of the law that one intend to discriminate or have knowledge that he has discriminated if the policies followed, while facially neutral, perpetuate established patterns of discrimination against a protected class. Griggs v. Duke Power Co., 401 U.S. 424 (1971); West Virginia Human Rights Commission v. United Transportation Union, Local 655, 280 S.E.2d 653 (W.Va. 1981). Where facially neutral practices have a disparate impact on minorities "absence of discriminatory intent does not redeem employment procedures . . . that operate as built-in headwinds" for minority groups and are unrelated to measuring job capability." Griggs v. Duke Power Co., Supra, 401 U.S. at 432. A pattern and practice of discriminatory decision making may be sufficient to establish a complainant's claim of discrimination even in the absence of specific intent to discriminate against the individual. Sumler v. Winston-Salem, 448 F.Supp 519 (D.C. N.C., 1978). And a pattern and practice of discrimination may be

shown by statistical evidence of an adverse impact of an employer's policy on a protected class. NAACP v. Corinth, 83 F.R.D. 46 (N.D. Miss., 1979).

To summarize the evidence, complainant testified that she was employed by respondent from July, 1980, until May 15, 1981, when she was discharged. Her job consisted of selling advertising. She became pregnant and told this to Wookey. Prior to her discharge she testified she received no warning and the reason given for her discharge was excessive tardiness. She testified that the tardiness was caused by car problems and that other employees were not discharged for tardiness. She testified that she was given bad accounts which did not permit her to produce high income and that Wookey would not give her the help he gave male employees. She understood the station policy was to give the less favorable accounts to the new and inexperienced employees and that when a salesperson leaves that person's accounts are distributed. She believed that, notwithstanding that policy, new male employees got more help and better accounts than she did.

Sally Snyder testified that she worked for respondent for about five years and left because she was "tired" and had no place to go in radio. She testified that, although she had five years experience, males had better accounts, the regular billing accounts, while hers were sporadic and required more service. She testified that when Plantz left, Findley and Hafey, both

males, got several of his accounts while she and Byrd (Ritenour) got none. She testified that Ritenour increased her billing from nothing to something substantial during her tenure. She felt she had been neglected by management and that men were given better accounts but recognized that the policy was to give rookies the less favorable accounts.

Muriel Carter testified that she felt unwelcome to discuss her job with Wookey and that Wookey and Steve Morris, a male salesperson would hang out together, but that she did not have any reason to believe she was treated differently because of her sex. She also testified however, that she asked for the FAD account, a high billing account, when the person who previously had the account, Assaley, left, but the account was given to Assaley's replacement, Gibson, a male without experience.

Rick Wookey testified that complainant was frequently late, did not attend sales meetings, or prepare training exercises and had low production making only 57% of her goal. He denied any discrimination due to complainant's sex in the distribution of accounts or otherwise. He stated he was concerned about getting the most production out of all salespersons and pointed out the high production of Assaley, a female. He testified that the goals were set jointly by management and the individual not by the station alone (which was denied by complainant who stated she had no input into the goals set for her). He testified that complainant's production had decreased at the time she was

discharged until she barely covered her draw.

The complainant introduced a substantial amount of statistical evidence, a great deal of which was compiled by her own calculations. However, she also introduced documents which were regular business records of the respondent which are more persuasive. The statistical evidence from respondent's records reveals that in the five months prior to complainant's discharge there were five male salespersons including Wookey and three females including the complainant. During that period all five males made a higher percentage of their assigned goals than any of the females including Assaley who respondent points out as an example of a successful female salesperson. During that same period four out of five males had higher total sales than any female. Assaley had a slightly higher total than Miles, a male. The statistical evidence also shows that within six months of Ritenour's discharge the sales personnel had become all male.

In construing the statistical evidence and the testimony, assuming that Wookey had no specific intent to discriminate against complainant or other females, the clear inference is that females were treated in a disparate manner. Although actual sales figures are suspect because the disparity does not allow for consideration of previous accounts or experience, percentage of goal is not subject to those skewing factors. The fact that all females, including Assaley, made lower percentages than any male, when considered in light of the testimony of complainant

and her witnesses produces the inescapable conclusion that respondent engaged in a pattern and practice of disparate treatment.

It is not reasonable to assume and the evidence does not show that all the females were inferior salespersons. Assaley was considered superior by respondent and after leaving her job was later rehired. Therefore either the goals for the females were being set too high in comparison with the males or respondent made greater efforts to provide support or better accounts to the males, or both. Either of these explanations shows disparate treatment against the females. This evidence is buttressed by the fact that all females had either quit or been discharged within a few months after complainant's discharge.

In fact, the evidence clearly shows certain instances of discrimination leading to this pattern. The testimony of complainant and respondent indicated that the station policy was to provide "rookies" with lesser accounts. Ostensibly this policy applied equally to males and females. Yet Gibson, a male without experience, was given the FAD and B & B Loan accounts when Assaley left. Both of these were regular high-billing accounts. Carter testified that she requested the FAD account but it was left on Assaley's list and given to Gibson when he was hired to replace her. Similarly, Haight, the male "rookie" who replaced complainant, received all her successful accounts as well as some that had been Carter's when he was hired.

Respondent's proffered reasons for discharging complainant were rebutted by her testimony as well as that of Snyder as to complainant's energy and competence. Despite respondent's assertions of other reasons the key factor among those asserted for her discharge was low production. If complainant's production had been high it is difficult to believe she would have been discharged for tardiness. Low production, however, even without the other proffered reasons, would be a legitimate reason for discharge. But in this case the low production was caused by respondent's own discriminatory policies.

The policy of providing "rookies" with lesser accounts while giving experienced salespersons the better accounts is clearly neutral on its face. But this policy was applied in a discriminatory manner and this reinforced established patterns of gender-based discrimination. The pattern of females not being thought to be able or permitted to compete with males in the business world is precisely the type of stereotypical attitude the Human Rights Act is designed to eradicate. Griggs v. Duke Power, Supra; W.V.H.R.C. v. Untied Transportation Union, Local 655, Supra. In such a case specific intent to discriminate is not a prerequisite to a finding of discrimination. Moreover, discrimination need not be the sole reason for the disparate treatment or discharge if it is a substantial contributing factor. Barnes v. Costle, 561 F.2d 983 (D.C. Cir., 1977); Burdette v. F.M.C. Corp., 556 F.Supp. 808 (S.D. W.Va., 1983).

The discriminatory pattern of application of respondent's facially neutral policies was a significant contributory cause complainant's failure to meet her sales goals. This disparate treatment in turn led to her discharge for not meeting those goals. As a result respondent's proffered reasons for the discharge must be found to be pretextual.

V. DISCUSSION OF DAMAGES

The complainant seeks an award for back wages in this case. She testified that she was out of work from May 15, 1981 until August 1982, when she became employed. Complainant has established that she attempted to seek employment during that period and there is no question of mitigation. However, complainant is attempting to base her back pay award on the amount earned by her replacement during this period. Since the pay was based on commissions this is highly speculative and not a sufficient basis for an award. The complainant established that she earned \$8,664.00 during her employment of eleven months duration, an average of \$787.64 per month. This is the only realistic figure on which to base the award. Even though it might be argued that complainant would have been expected to increase her earnings during that period, such is mere speculation. Therefore the complainant should receive back wages in the amount of \$787.64 for 14 months, a total of \$11,026.96.

Complainant established that she incurred medical expenses as a result of losing her medical insurance when she was

discharged in the amount of \$2,594.74. This is calculated from complainant's exhibits of medical bills which were incurred after the date of her discharge. Medical expenses incurred prior to discharge are not included.

In addition complainant is entitled to compensatory damages for humiliation, embarrassment, emotional and mental distress, and loss of personal dignity as a result of her termination. State Human Rights Commission v. Pearlman Realty, 239 S.E.2d 145 (W.Va. 1977). Complainant testified that because of the financial distress she and her husband separated for a period of time causing her substantial emotional problems. The complainant is therefore entitled to an award of \$5,000.00 as compensation for her mental and emotional distress.

VI. PROPOSED ORDER

1. The respondent is ORDERED to pay to the complainant the sum of \$11,026.96 plus pre-judgment interest at the rate of 10% per annum from May 15, 1981, to May 24, 1985.

2. The respondent is ORDERED to pay to the complainant the sum of \$2,594.00 for medical expenses incurred after her discharge which would have been covered by respondent's insurance.

3. The respondent is ORDERED to pay to complainant the sum of \$5,000.00 as compensatory damages for mental and emotional anguish and humiliation.

4. The respondent is ORDERED to cease and desist

discriminating against employees on the basis of sex.

Dated this 27th day of June, 1986.

Frederick G. Barkus

FREDERICK G. BARKUS
Attorney at Law
823 Charleston National Plaza
Charleston, WV 25301

CERTIFICATE OF SERVICE

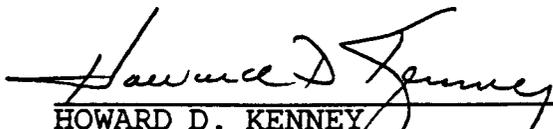
I, Howard D. Kenney, Executive Director of the West Virginia Human Rights Commission, hereby certify that, on the 29th day of July, 1986, I served a true copy of the attached RECOMMENDED DECISION ON REMAND BY THE COMMISSION upon counsel for the parties by mailing the same, postage prepaid, to:

Mary Rich Maloy, Esq.
Assistant Attorney General
Room E-36
State Capitol Bldg.
Charleston, WV 25305

Mary B. Ritenour
Star Rt. Box 27-13
Poca, WV 25159

Fred F. Holroyd, Esq.
209 W. Washington St.
Charleston, WV 25302

Pursuant to Rule 7.22(c) of the Administrative Regulations of the West Virginia Human Rights Commission, the parties shall have fifteen (15) days to file written exceptions to the said Recommended Decision and arguments in support thereof.


HOWARD D. KENNEY
Executive Director
WV Human Rights Commission
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1036 Quarrier St.
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