

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

LUE EDNA MORGAN, also known as and)
doing business as ETTA MORO MORGAN,))
Complainant,))
))
v.))
)) DOCKET NO. E-4686-P
))
WIIC-TV CORPORATION))
J. REINSCH, PRESIDENT,))
))
Respondent,))

CONCILIATION AGREEMENT

WHEREAS, on the 18th day of February, 1972, a formal complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against WIIC-TV Corporation, J. Reinsch, President, c/o C. T. Corporation System, Oliver Building, Mellon Square, Pennsylvania, Pittsburgh, 15222 (hereinafter called the "Respondent" whether singular or collective) by Lue Edna Morgan, also known as and doing business as Etta Moro Morgan, 7524 Elk Road, Pittsburgh, Pennsylvania 15222 (hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section 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 Respondent committed or caused to be committed the acts or actions 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 of the allegations of Exhibit "A" which are contained in the aforementioned complaint, and has found probable cause to credit the pattern allegations of the Complaint, and

WHEREAS, the Commission and the Respondent, to avoid litigation and to fully and finally conciliate and settle all matters related to the charge filed by Complainant and all matters investigated by the Commission, but without admission by the Respondent of any actions violative of the Act, do hereby waive any Public Hearing and do hereby consent to the entry of this Conciliation Agreement (hereinafter this "Agreement")

This Conciliation Agreement shall have the full force and effect of a final adjudication of the Commission following a Public Hearing and enforceable as such under Section 10 of the Act. The waiver of said Public Hearing is made with full knowledge and understanding and with an unqualified intent to be legally bound thereby.

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

1. The foregoing preamble 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 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 Commission shall not initiate a complaint against Respondent regarding the complaint contained in Exhibit "A" for periods prior to the date of this Agreement. Further, the Commission shall not initiate an investigation regarding periods prior to the date of this Agreement unless it does so pursuant to a charge filed against Respondent by an individual or entity other than the Commission.

6. The Respondent shall no longer utilize on its pre-employment application form the inquiries specified in Exhibit "B" hereto and incorporated as an integral part of this Agreement.

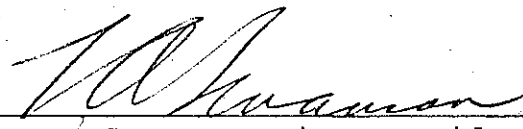
7. The Respondent shall take the affirmative actions expressly set forth in Exhibit "C" which is attached hereto and incorporated as an integral part of this Agreement.

8. The status of the relationship between the Complainant and the Respondent shall be subject to and defined by Exhibit "D" which is attached hereto and incorporated as an integral part of this Agreement.

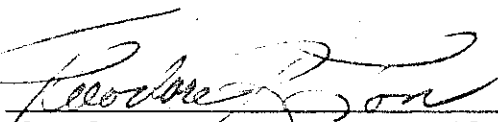
9. If any portion of this Agreement, or the application thereof, to any person or circumstance, should for any reason be adjudged invalid, such judgment shall not affect, impair or invalidate the remaining portion of this Agreement.

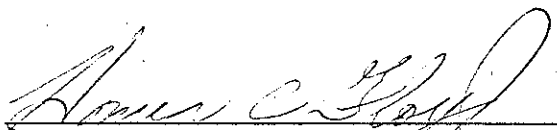
10. The Commission and the Respondent enter into this Agreement intending to be legally bound hereby. Respondent has not been coerced into entering this Agreement and has been advised by its counsel of all of its legal rights. This Agreement shall not become final and binding until approved by the Commission.

IN WITNESS WHEREOF, the Respondent, being duly authorized so to do, has executed the foregoing on May 15, 1974.

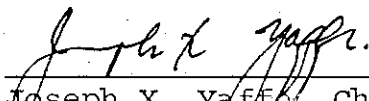

L. A. Swanson, Vice President
WIIC-TV Corporation

ATTEST:

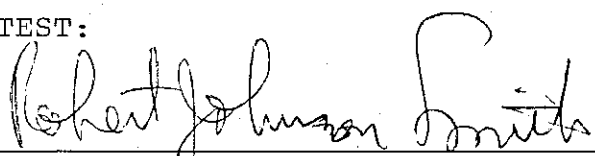

Theodore R. Lon, Controller
WIIC-TV Corporation


Homer C. Floyd, Executive Director
Pennsylvania Human Relations
Commission

Approved and ratified at a meeting of the Pennsylvania Human Relations Commission on the 30th day of June, 1974.


Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations
Commission

ATTEST:


Dr. Robert Johnson Smith, Secretary

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

LUE EDNA MORGAN, also known as and)
doing business as ETTA MORO MORGAN,)

Complainant,)

v.)

DOCKET NO. E-4686-P

WIIC-TV CORPORATION)
J. REINSCH, PRESIDENT,)

Respondent.)

The Complainant alleges that the Respondent maintains discriminatory policies and practices that deny or limit, through a quota system, employment opportunities for Blacks, women and women age forty (40) and over.

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA HUMAN RELATIONS COMMISSION

GOVERNOR'S OFFICE

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DOCKET NO. E-4686-P

WIIC-TV CORPORATION)

J. REINSCH, PRESIDENT,)

Respondent.)

1. The Respondent shall delete from its pre-employment application form the following questions:

- a. "Height"
- b. "Weight"
- c. "Are you married?"
- d. "Full name of wife/husband"
- e. "Does wife/husband work?"
- f. "If yes where employed?"
- g. "Number of depend including yourself"

2. The inquiry "Date of birth" shall be changed to "Are you more than 17 years of age? Are you less than 65 years of age?"

3. The inquiry "Were you ever arrested? _____ If yes, give details:" shall be changed to "Have you ever pled guilty to or been convicted of any crime other than a misdemeanor or summary offense? Yes _____ No _____. If yes, explain fully."

4. Respondent intends to use the inquiries "How long have you lived at the above address?" and "Previous Address" solely for the purposes of identification and background information verifications.

5. Respondent intends to use the inquiry "List any friends or relatives working for us:" solely as a source of personal reference.

6. Respondent intends to use the inquiries "Rank" and "Type of discharge", which appear under the "Military Service Record" section of the application, as employment history.

EXHIBIT B (cont.)

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION
GOVERNOR'S OFFICE

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WIIC-TV CORPORATION)
J. REINSCH, PRESIDENT,)

Respondent.)

DOCKET NO. E-4686-P

1. Within sixty days of this Agreement Respondent shall add a reference to age in its equal employment opportunity legend whenever that legend is used on Respondent's employment application or in television advertisements for employment with Respondent.

2. Respondent shall place advertisements in a manner which is consistent with the purposes of the Human Relations Act and applicable regulations of the Commission.

3. Respondent shall make a good faith effort to provide that all future union agreements to which it is a party contain anti-discrimination clauses regarding race, color, sex, age, national origin, ancestry and religious creed.

4. Respondent shall delete from its job descriptions, as well as from other descriptions or classifications of jobs, any sexually biased language.

5. It is Respondent's intention to provide equal employment opportunities to minorities and females. Respondent will make a good faith effort to increase the utilization of

minorities and females without limitations as to job classification.

6. For two years from the date of this Agreement Respondent will maintain a log of all minority and female applicants for employment. For two years from the date of this Agreement Respondent will retain a file of any critiques of tapes and/or auditions of minority and female applicants who apply for on-the-air positions.

7. Respondent will deliver to the Commission one report on Federal Communications Commission Form 395 applicable to 1973 and reports on said Form 395 twice during or applicable to 1974.

8. Respondent shall periodically inform each female and minority employee that Respondent's policy is to permit and encourage upgrading of all employees. Respondent shall interview each of those females and minority members who are presently employed by Respondent should they apply for another position with Respondent in the two years following the date of this Agreement.

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
PENNSYLVANIA HUMAN RELATIONS COMMISSION

LUE EDNA MORGAN, also known as and)
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Complainant,)
v.)
WIIC-TV CORPORATION)
J. REINSCH, PRESIDENT,)
Respondent.)

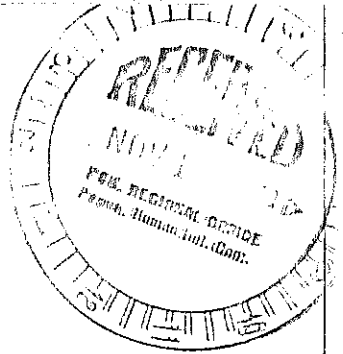
DOCKET NO. E-4686-P

1. Respondent will in no way take any action against the Complainant as a result of her having filed a charge of discrimination against it.
2. When considering employment candidates for positions as to which the Complainant has filed an application which is active, Respondent will give the Complainant consideration for said positions.

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION



LUE EDNA MORGAN, also known as and
doing business as ETTA MORO MORGAN

Complainant

Docket No. E-4688-P

vs.

WESTINGHOUSE BROADCASTING COMPANY, INC.
KDKA TELEVISION and RADIO and
D. H. McGANON

Respondent

CONCILIATION AGREEMENT

WHEREAS, on the 18th day of February, 1972, a formal Complaint was filed before the Pennsylvania Human Relations Commission (hereinafter called the "Commission") against:

Westinghouse Broadcasting Company, Inc., KDKA, Television and Radio, D. H. McGanon, President and Chairman of the Board, 3 Gateway Center, P. O. Box 2778, Pittsburgh, Pennsylvania 15222 (hereinafter called the "Respondent" whether singular or collective) by:

Lue Edna Morgan, also known as and doing business as Etta Moro Morgan, 7524 Elk Road, Pittsburgh, Pennsylvania 15235 (hereinafter called the "Complainant" whether singular or collective) alleging that the Respondent had violated Section 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, it is agreed that there were insufficient facts to credit the allegations of the Complaint as it refers to the Complainant individually, the Commission has advised the Respondent formally after investigation that it has found probable cause to credit some but not all of the pattern allegations of Exhibit "A" which are contained in the aforementioned Complaint, to which the Respondent has objected as being unsupported in fact 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 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 thereby.

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 this 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 jointly or 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 all lawful Regulations promulgated by the Commission and shall follow the guidelines 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" which is attached hereto and incorporated as an integral part of this Agreement.

9. If any portion of this Agreement, or the application thereof, to any person or circumstances, should for any reason be adjudged invalid, such judgment shall not affect, impair or invalidate the remainant portion of said Agreement.

10. The Commission and the Respondent enter into this Agreement intending to be legally bound thereby. This Agreement shall become final and binding when approved by the Commission and a Final Order is thereupon issued.

IN WITNESS WHEREOF, the Respondent, being duly authorized so to do, has executed the foregoing on August 19, 1974.

WESTINGHOUSE BROADCASTING COMPANY, INC.

by, Edward Wallis
Edward Wallis, Vice President
Westinghouse Broadcasting Company, Inc.
KDKA Television and Radio

ATTEST:

S. H. Kimatian
S. H. Kimatian, Secretary

Homer C. Floyd
Homer C. Floyd, Executive Director
Pennsylvania Human Relations Commission

Approved and ratified at a meeting of the Pennsylvania Human Relations Commission on the 4th day of November, 1974.

Joseph X. Yaffe
Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

ATTEST:

Dr. Robert Johnson Smith
Dr. Robert Johnson Smith, Secretary

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LUE EDNA MORGAN, also known as and
doing business as ETTA MORO MORGAN
Complainant

vs.

Docket No. E-4688-P

WESTINGHOUSE BROADCASTING COMPANY, INC.
KDKA TELEVISION AND RADIO and
D. H. McGANON
Respondent

The Complainant alleges that the Respondent maintains discriminatory employment policies and practices that deny or limit, through a quota system, employment opportunities for Blacks, women, and women age forty (40) and over.

EXHIBIT "A"

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LUE EDNA MORGAN, also known as and
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Complainant

vs.

Docket No. E-4688-P

WESTINGHOUSE BROADCASTING COMPANY, INC.
KDKA TELEVISION AND RADIO, and
D. H. McGANON

Respondent

1. Though there has been no evidence of discrimination from the use of the pre-employment application forms presently used by the Respondent, Respondent will delete the following from the pre-employment application form:

- a. Birth date.
- b. Sex
- c. Height.
- d. Weight.
- e. Single, married, divorced, separated or widowed.
- f. Children, list ages.
- g. Former Westinghouse employee.
- h. Relative or friends working for Westinghouse, names and relationships.
- i. Final rank under U.S. Military History.

(Note: This would not include information obtained in interviews so long as the interviewer did not insist upon the area or inquiry nor would the employer be precluded from obtaining such information after hiring.)

2. Respondent shall on a semi-annual basis for a period of three (3) years, furnish to the Commission the information filed with the Federal Communications Commission on Form 395 or such other form as the Federal Communications Commission may, from time to time, adopt for this purpose.
3. Respondent will periodically inform each female and minority employee that Respondent's policy is to permit and encourage upgrading of all employees.
4. Respondent will establish an affirmative action file of all minority and female applicants. If tapes are received with the application or resume and if the general written qualifications meet the standards for on-the-air personnel as developed pursuant to Paragraph 6 of this exhibit, (It is understood that such standards are being prepared and will be furnished to the Commission.), a critique of such tapes of all such minority and female applicants desiring on-the-air positions shall be included in the file. When an applicant files an application or resume with the station, that person will be notified that the application will be kept on file a minimum of 120 days and that it will be disposed of at the end of the designated period if he or she has not seen fit to up-date the application and/or resume.
5. Respondent will pursue salary adjustments where employees are doing the same or similar work with the same or similar skill and seniority and are being paid at different rates.
6. Respondent will develop and maintain complete job descriptions for all job classifications.

EXHIBIT "B"

7. Respondent will continue to make every effort in accordance with the spirit of this Agreement to increase the utilization of minorities and women in all job classifications. Such effort will be pursued as positions open and new personnel are hired.
8. Respondent will designate an individual as an Equal Employment Opportunity Officer.
9. Respondent will post the Fair Employment Practices Poster issued by the Pennsylvania Human Relations Commission in a well-lighted, accessible area for all employees and applicants to see.

EXHIBIT "B"

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LUE EDNA MORGAN, also known as and
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Complainant

vs.

Docket No. E-4688-P

WESTINGHOUSE BROADCASTING COMPANY, INC.
KDKA TELEVISION AND RADIO, and
D. H. McGANON

Respondent

1. Respondent will in no way take any retaliatory action against the Complainant for having filed a charge of discrimination against the Respondent.

EXHIBIT "C"

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

LUE EDNA MORGAN, also known as and
doing business as ETTA MORO MORGAN
Complainant

vs.

Docket No. E-4688-P

WESTINGHOUSE BROADCASTING COMPANY, INC.
KDKA TELEVISION AND RADIO and
D. H. McGANON
Respondent

FINAL ORDER AND DECREE

AND NOW, this 4th day of November,
19 74, 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.

By Joseph X. Yaffe
Joseph X. Yaffe, Chairperson
Pennsylvania Human Relations Commission

By Robert Johnson Smith
Dr. Robert Johnson Smith, Secretary
Pennsylvania Human Relations Commission