

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION

DORIS I. HOPKINS,)

Complainant)

-vs-

) DOCKET NO. E - 3920

MONTOUR MOTOR INN, INC.,)
and THOMAS McCLEARY,)

Respondents)

FINDINGS OF FACT, CONCLUSIONS
OF LAW, COMMISSION'S DECISION
AND FINAL ORDER

FINDINGS OF FACT

1. Complainant herein is Doris I. Hopkins, residing at 135 Delaware Drive, Coraopolis, Pennsylvania 15108.

2. Respondents herein are Montour Motor Inn, Inc., a Pennsylvania corporation, and Thomas McCleary, individually and as Vice President of Montour Motor Inn, Inc., both situate at 13th Floor Fulton Building, Pittsburgh, Pennsylvania 15222.

3. Complainant was hired by Respondent corporation as a barmaid in January of 1969 at a salary of \$1.60 per hour.

4. Respondent made Complainant a salaried employee in January, 1970 at the rate of \$90.00 per week.

5. Complainant was released from her employment with Respondent at the end of September, 1970.

6. The person hired to replace Complainant was a male who was hired at the salary of \$110.00 per week and the person who, in turn, replaced Complainant's replacement was also a male hired at the salary of \$110.00 per week.

7. The duties of Complainant's replacement involved a lesser degree of responsibility and were not as extensive as were Complainant's duties and responsibilities.

8. Complainant's performance of her assigned duties was performed in a satisfactory manner.

9. Complainant did not receive a salary of \$110.00 per week because of her female sex.

CONCLUSIONS OF LAW

Upon all the evidence in the public hearing and in consideration of the foregoing Findings of Fact, the Pennsylvania Human Relations Commission makes the following Conclusions of Law:

1. At all times herein mentioned, the Pennsylvania Human Relations Commission had and still has jurisdiction over Complainant and Respondents and the subject matter of the Complaint herein under the Pennsylvania Human Relations Act, 43 P. S. Section 951 et seq.
2. The employment by Respondent of Complainant at a salary of \$20.00 per week less than her male replacement was an unlawful discriminatory practice in violation of Section 5 (a) of the Pennsylvania Human Relations Act, cited Supra.
3. There being no indication from the record that Ernest Stern was involved in the discriminatory practice in any manner whatsoever, he is herewith and hereby deleted from this matter and from the Commission's decision and Final Order.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HUMAN RELATIONS COMMISSION

DORIS I. HOPKINS,)

Complainant)

-vs-

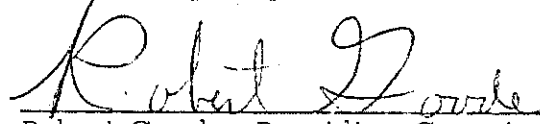
) DOCKET NO. E - 3920

MONTOUR MOTOR INN, INC.,)
and THOMAS McCLEARY,

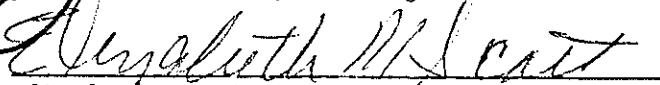
Respondents)

COMMISSION'S DECISION

AND NOW this 27th day of November, 1972, upon the recommendation of the Hearing Commissioners and upon and in consideration of the Findings of Fact and Conclusions of Law, the Pennsylvania Human Relations Commission finds and determines that Respondents, Montour Motor Inn, Inc. and Thomas McCleary, have committed an unlawful discriminatory practice in violation of Section 5(a) of the Pennsylvania Human Relations Act, cited supra, in that they failed to pay Complainant a salary of at least \$110.00 per week because of her female sex. It is, therefore, recommended that the Commission enter an Order against Respondents requiring them to remedy the defect in the salary so paid.


Robert Goode, Presiding Commissioner


John Wisniewski, Hearing Commissioner


Elizabeth M. Scott, Hearing Commissioner

COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DORIS I. HOPKINS,)

Complainant)

-vs-

DOCKET NO. E - 3920

MONTOUR MOTOR INN, INC., and)

THOMAS McCLEARY,)

Respondents)

FINAL ORDER

AND NOW, this 20th day of December, 1972, upon consideration of the foregoing Findings of Fact and Conclusions of Law, and pursuant to Section 9 of the Pennsylvania Human Relations Act, cited supra, the Pennsylvania Human Relations Commission

ORDERS:

1. Respondents shall pay Complainant the sum of \$780.00, representing the difference between what she was paid from January, 1970, through September, 1970 and what she should have been paid for the same period, being a difference of \$20.00 per week.
2. Respondents shall pay to Complainant the additional sum of \$780.00 as damages for the discriminating action itself, causing pain, mental suffering, anguish and humiliation.
3. The Respondents shall be required to post Pennsylvania Human Relations Act Employment Provisions in the office of the Respondent, the several locations comprising Respondent's business, and all other places where prospective employees are interviewed or make application for employment with the Respondent. This poster shall be placed in a well-lighted location where it can be easily read by applicants and employees. The Respondent corporation shall be further required to maintain Public Accommodation

posters at the registration desk, the bar, and in the dining room of the Montour Motor Inn, in locations where they can be easily read by patrons or potential patrons of the establishment.

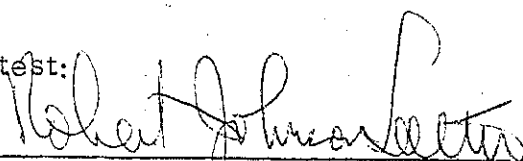
4. Respondent is required to furnish a statement of policy that shall comply with all of the applicable provisions of the Pennsylvania Human Relations Act.

5. The total amount of the instant award will bear interest at the rate of six (6%) per cent per annum, said interest beginning thirty (30) days from the date of this Order, if the Order has not been complied with by that time.

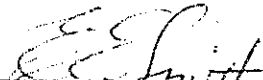
6. Respondents shall cease and desist from discriminating in employment in any of their businesses against any persons.

PENNSYLVANIA HUMAN RELATIONS
COMMISSION

Attest:


Dr. Robert Johnson Smith,
Secretary

By:


E. E. Smith, Chairman