



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE  
PENNSYLVANIA HUMAN RELATIONS COMMISSION

Tracy Dixon, Complainant	:	
	:	
v.	:	PHRC Case No. 200002677
	:	
Circle Bolt & Nut Company, Respondent	:	
	:	
	:	
	:	
	:	
	:	

**STIPULATIONS OF FACT**

The parties hereby stipulate that the following facts are true and no additional proof thereof is required:

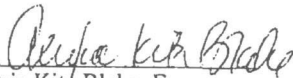
1. Complainant Tracy L. Dixon is an adult female.
2. At all times relevant, Respondent Circle Bolt & Nut Co., Inc. was an employer within the meaning of section 4 of the Pennsylvania Human Relations Act, 43 P.S. § 954.
3. Respondent hired Complainant on or about June 18, 2000 as an order inspector at its facility located in Pittston, Pennsylvania.
4. Complainant's employment with Respondent ended on or about September 1, 2000.
5. Complainant filed the captioned verified complaint with the Pennsylvania Human Relations Commission ("PHRC") on February 9, 2001.
6. A PHRC representative served a copy of the complaint on Respondent on April 30, 2001.
7. Respondent filed a timely verified answer to the complaint.
8. On or about December 6, 2005, the PHRC notified Respondent that it believed probable cause existed to credit the allegations of the complaint.
9. PHRC scheduled a conciliation conference for February 15, 2006.

10. Conciliation was not successful.
11. Complainant was employed by Respondent for eleven weeks.
12. During her eleven weeks of employment with Respondent, Complainant worked 391.5 regular hours and one overtime hour. That period included one unpaid holiday (July 4).
13. Complainant's final hourly rate of pay was \$8.50.
14. During the year 2000, Complainant received \$2424.00 in unemployment compensation benefits.
15. During the year 2001, Complainant received \$1878.00 in unemployment compensation benefits.
16. During the year 2002, Complainant received \$3356.00 in unemployment compensation benefits.
17. Beginning June 1, 2002, Complainant began to fully mitigate for any damages resulting from the termination of her employment with Respondent and Complainant does not seek any damages for the period June 1, 2002 to the present.
18. From October 19 through October 30, 2000, Complainant was employed by U.S. Metal Forms at an hourly rate of \$7.50.
19. Complainant had no other earned income between September 1 and December 31, 2000.
20. During the year 2001, Complainant had earned income in the amount of \$5,841.
21. During the year 2002, through May 31, 2002, Complainant had no earned income.
22. Complainant makes no claim for out-of-pocket expenses related to any loss of health insurance coverage.
23. Respondent paid discretionary monthly bonuses in varying amounts to warehouse employees, none of whom were guaranteed a bonus.

24. The following sets forth the number of employees eligible for the bonus and the total amount of bonuses paid to the employees in the corresponding month:

September 2000	21 employees	3025.00 bonuses
October 2000	21	2675.00
November 2000	20	2450.00
December 2000	20	2450.00
January 2001	18	2450.00
February 2001	18	2600.00
March 2001	18	2475.00
May 2001	17	2465.00
July 2001	17	2475.00
September 2001	17	2475.00
October 2001	16	2275.00
November 2001	15	2325.00
December 2001	15	2400.00
January 2002	15	2350.00
February 2002	15	2440.00
March 2002	15	2175.00
April 2002	15	2300.00
May 2002	12	2150.00

25. During her employment with Respondent, Complainant did not receive any such bonus payments.

  
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Alexia Kita Blake, Esq.  
For Respondent

  
\_\_\_\_\_  
Joseph Bednarik, Esq.  
For Commission Staff

8/16/07  
\_\_\_\_\_  
Date

8/16/07  
\_\_\_\_\_  
Date