

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Russel E. Handy, :
 :
 Complainant :
 :
 v. : PHRC Case No. 200401428
 :
 Harsco Corporation d/b/a Taylor Wharton, :
 :
 Respondent :

STIPULATIONS OF FACT

The following facts are admitted by all parties to the above-captioned case and no further proof thereof should be required.

1. The Complainant herein is Russel E. Handy (hereinafter "Complainant"), who is an adult individual residing in Harrisburg, Pennsylvania.
2. The Respondent herein is Harsco Corporation d/b/a Taylor Wharton (hereinafter "Respondent") with a mailing address of 1001 Herr Street, Harrisburg, Pennsylvania 17105.
3. The Complainant is African American.
4. The Respondent, at all times relevant to the case at hand, employed four or more persons within the Commonwealth of Pennsylvania.
5. On or about September 1, 2004, the Complainant filed a verified complaint with the Pennsylvania Human Relations Commission (hereinafter "Commission") against the Respondent at Commission Case No. 200401428. A copy of the complaint will be included as a docket entry in this case at time of hearing.
6. The employment actions challenged in the complaint allegedly occurred in Dauphin County.

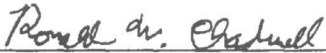
7. On or about October 25, 2004, Respondent filed a verified answer to the complaint. A copy of the answer will be included as a docket entry in this case at the time of hearing.

8. In correspondence dated February 8, 2006, Commission staff notified the Complainant and Respondent that probable cause existed to credit the allegations found in the complaint.

9. Subsequent to the determination of probable cause, Commission staff attempted to resolve the matter in dispute between the parties by conference, conciliation and persuasion but was unable to do so.

10. In correspondence dated January 5, 2007, Commission Permanent Hearing Examiner Carl H. Summerson notified the Complainant and Respondent that a public hearing had been approved.

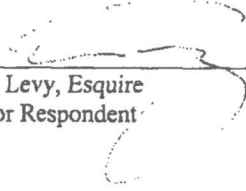
11. All jurisdictional prerequisites for a public hearing have been satisfied.



Ronald W. Chadwell, Esquire
Assistant Chief Counsel
(Counsel for the Commission
in support of the complaint)

2/5/07

Date



Andrew L. Levy, Esquire
Attorney for Respondent

2/5/07

Date

