

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

VIKKI MACE

Complainant

v.

CACO THREE, INC. d/b/a
MCDERMOTT CONCRETE, INC.

Respondent

PHRC CASE NUMBERS

200101823
&
200209894

FINDINGS OF FACT

CONCLUSIONS OF LAW

OPINION

RECOMMENDATION OF PERMANENT HEARING EXAMINER

FINAL ORDER

FINDINGS OF FACT *

1. The Complainant, Vikki Mace, filed a complaint of employment discrimination against Respondent Caco Three, Inc., with the Pennsylvania Human Relations Commission on or about January 7, 2002. (S.F. 1; N.T.I. 10.)
2. At the time of the filing of the complaint, Complainant's legal name was Vikki Arentz and was an adult female. (S.F. 2; N.T.I. 10.)
3. At the time the Complainant was rehired, Respondent was doing business as McDermitt Concrete, Inc. (S.F. 3; N.T.I. 11.)
4. The initial complaint was amended to reflect the correct legal names of the Complainant and Respondent. (S.F. 4; N.T.I. 11.)
5. The PHRC served Respondent with a copy of the complaint on or about February 7th, 2002. (S.F. 5; N.T.I. 11.)
6. Respondent filed its Answer on or about April 5, 2002. (S.F. 6; N.T.I. 11.)
7. Respondent is an "employer" within the meaning of Section four of the Pennsylvania Human Relations Act. (S.F. 7; N.T.I. 11.)
8. The PHRC served Respondent with a Finding of Probable Cause on or about December 30, 2002. (S.F. 8; N.T.I. 11.)
9. PHRC scheduled a conciliation conference for January 14, 2003. (S.F. 9; N.T.I. 11.)
10. Conciliation was not successful. (S.F. 10; N.T.I. 11.)
11. Complainant filed a second complaint with the PHRC, Case Number 200209894, alleging retaliation on or about June 6th, 2003. (S.F. 11; N.T.I. 12.)
12. PHRC served Respondent with a copy of the second complaint on June 16, 2003. (S.F. 12; N.T.I. 12.)

* To the extent that the Opinion which follows recites facts in addition to those here listed, such facts shall be considered to be additional Findings of Fact. The following abbreviations will be utilized throughout these Findings of Fact for reference purposes:

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| N.T. I | Notes of Testimony – 9/17/2007 |
| N.T. II | Notes of Testimony – 9/18/2007 |
| C.E. | Complainant's Exhibit |
| R.E. | Respondent's Exhibit |