

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
PENNSYLVANIA HUMAN RELATIONS COMMISSION

CRAIG McCOLLUM,	:	
	:	
Complainant	:	
	:	
v.	:	PHRC Case No. 200500158
	:	EEOC Case No. 17FA562763
CIBA VISION,	:	
	:	
Respondent	:	

STIPULATED FACTS
STIPULATIONS OF FACT
FINDINGS OF FACT
CONCLUSIONS OF LAW
OPINION
RECOMMENDATION OF HEARING PANEL
FINAL ORDER

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
PENNSYLVANIA HUMAN RELATIONS COMMISSION

CRAIG McCOLLUM, :
Complainant :
v. : PHRC No. 200500158
CIBA VISION, :
Respondent :

STIPULATED FACTS AND JOINT EXHIBITS

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

1. The Complainant herein is Craig McCollum, an adult, African American (hereinafter "Complainant").
2. The Respondent herein is CIBA Vision (hereinafter "Respondent").
3. The Respondent, at all times relevant to the case at hand, employed four or more persons within the Commonwealth of Pennsylvania.
4. On or about April 16, 2004, Complainant began his employment with Respondent as a Professional Account Manager. A true and correct copy of his job description is attached as Joint Exhibit 1
5. During the time period from January 1, 2003 to December 31, 2003, Respondent received 70 applications for sales representative positions. Of those 70 applications, 64 (91.4%) applicants were race, White; 3 (4.3%) were race, Hispanic; 2 (2.8%) were race, Asian and 1 (1.4%) was race, African American. A true and correct copy of the Applicant Flow report prepared by Respondent is attached hereto as Joint Exhibit 2



6. At the time of Respondent's September 7, 2004 EEO-1 Report, Respondent employed a total of 2,061 persons. Of the 2,061 persons, 917 (44.5%) were minorities. Of the 917 minorities, 640 (69.8%) were race, African American. A true and correct copy of the Respondent's EEO-1 Report is attached as Joint Exhibit 3.

7. At the time of Respondent's September 7, 2004 EEO-1 Report, it employed 225 persons in sales positions. Of those 225 persons, 207 (92.0%) were race, White; 7 (3.1%) were race, Hispanic; 7 (3.1%) were race, Asian and 4 (1.8%) were race, African American.


8. At the time of Complainant's hire, Respondent employed 125 persons in the same or similar position as Complainant. Of the 125 persons, 115 (92.0%) were race, White; 5 (4.0%) were race, Hispanic; 3 (2.4%) were race, Asian and 1 (0.8%) was race, African American. A true and correct copy of the document prepared by Respondent which details the race of its sales force at that time is attached as Joint Exhibit 4.

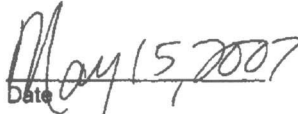
9. Complainant was supervised by Nancy McFadden (hereinafter "McFadden"), Regional Sales Director for the Mid-Atlantic Region, for approximately eight months, from the date of his hire until December 31, 2004.


10. Complainant was supervised by David Saulino (hereinafter "Saulino"), Regional Sales Director for the Philadelphia Region, for approximately three months, from January 1, 2005 until the date of his termination.

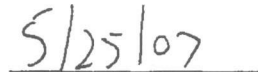
11. Complainant's employment with Respondent was terminated on or about April 12, 2005.

12. From April 1, 2005 through December 31, 2006, Respondent hired 39 persons into the position of Professional Account Manager, nationwide. Of the 39 persons, all were race, White. A true and correct copy of the hiring documentation is attached as Joint Exhibit 5.


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