



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

WV HUMAN RIGHTS COMMISSION

1321 Plaza East

Room 104/106

Charleston, WV 25301-1400

TELEPHONE 304-348-2616

GASTON CAPERTON
GOVERNOR

Quewanncoii C. Stephens
Executive Director

May 9, 1990

Paula R. Arietta
322 Gallatin St. NW
Washington, DC 20011

WV University/WV Board of
Regents
1018 Kanawha Blvd.
Charleston, WV 25301

Paul E. Jordan
WV Board of Regents
1018 Kanawha Blvd.
Charleston, WV 25301

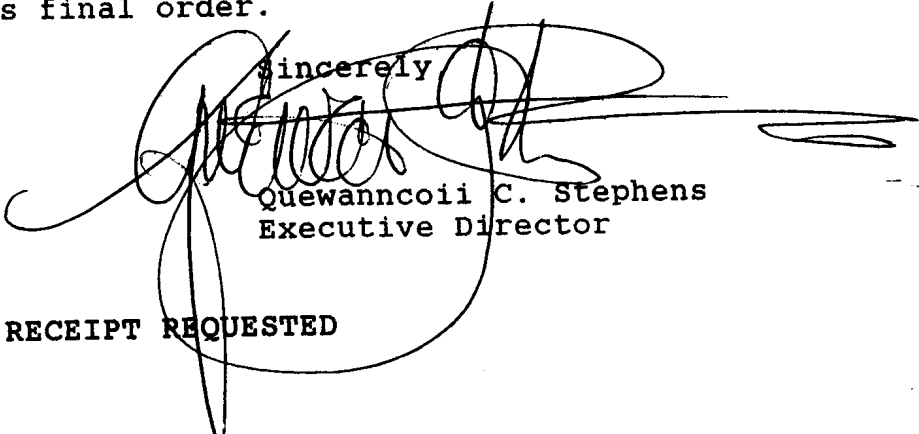
Mike Kelly
Deputy Attorney General
812 Quarrier St.
L & S Bldg. - 5th Floor
Charleston, WV 25301

Re: Arietta v. WV University Medical School/WV Board of
Regents EH-398-87, ES-339-87, ER-400-87 and REP-564-87

Dear Parties:

Herewith, please find the final order of the WV Human Rights Commission in the above-styled and numbered case. Pursuant to WV Code, Chapter 5, Article 11, Section 11, amended and effective July 1, 1989, any party adversely affected by this final order may file a petition for review with the WV Supreme Court of Appeals within 30 days of receipt of this final order.

Sincerely


Quewanncoii C. Stephens
Executive Director

Enclosures
CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF RIGHT TO APPEAL

If you are dissatisfied with this order, you have a right to appeal it to the West Virginia Supreme Court of Appeals. This must be done within 30 days from the day you receive this order. If your case has been presented by an assistant attorney general, he or she will not file the appeal for you; you must either do so yourself or have an attorney do so for you. In order to appeal you must file a petition for appeal with the clerk of the West Virginia Supreme Court naming the Human Rights Commission and the adverse party as respondents. The employer or the landlord, etc., against whom a complaint was filed is the adverse party if you are the complainant; and the complainant is the adverse party if you are the employer, landlord, etc., against whom a complaint was filed. If the appeal is granted to a non-resident of this state, the non-resident may be required to file a bond with the clerk of the supreme court.

In some cases the appeal may be filed in the Circuit Court of Kanawha County, but only in: (1) cases in which the commission awards damages other than back pay exceeding \$5,000.00; (2) cases in which the commission awards back pay exceeding \$30,000.00; and (3) cases in which the parties agree that the appeal should be prosecuted in circuit court. Appeals to Kanawha County Circuit Court must also be filed within 30 days from the date of receipt of this order.

For a more complete description of the appeal process see West Virginia Code Section 5-11-11, and the West Virginia Rules of Appellate Procedure.

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

PAULA R. ARIETTA,

Complainant,

vs.

DOCKET NOS. EH-398-87,
ES-399-87, ER-400-87, and
REP-564-87

WEST VIRGINIA UNIVERSITY MEDICAL
SCHOOL AND BOARD OF REGENTS,

Respondents.

FINAL ORDER

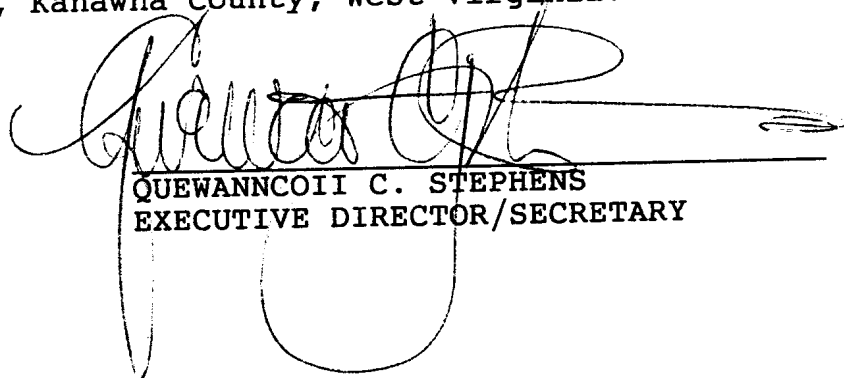
It appearing from the record herein that the complainant, Paula R. Arietta, was, on 1 March 1990 served by certified mail, return receipt requested, with a copy of the conciliation agreement entered into by the West Virginia Human Rights Commission and the above-named respondents; and it further appearing that more than fifteen (15) days have passed since said day of service and the complainant has failed to object to such terms within said time period; the West Virginia Human Rights Commission, pursuant to authority granted it by W. Va. Code § 5-11-8 does hereby issue this Order embodying such conciliation agreement as the final order of the Commission. A copy of the conciliation agreement is attached hereto and made a part hereof.

By this Final Order, a copy of which shall be sent by certified mail to the parties or their counsel, the parties are hereby notified that they have ten (10) days to request a reconsideration of this Final Order or they may seek judicial review in accord with the notice of right to appeal which is attached hereto.

It is so ORDERED.

WEST VIRGINIA HUMAN RIGHTS COMMISSION

Entered for and at the direction of the West Virginia Human Rights Commission this 30th day of March, 1990 in Charleston, Kanawha County, West Virginia.



QUEWANNCOII C. STEPHENS
EXECUTIVE DIRECTOR/SECRETARY

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

PAULA R. ARIETTA,

Complainant,

vs.

DOCKET NOS. EH-398-87,
ES-399-87, ER-400-87, and
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WEST VIRGINIA UNIVERSITY MEDICAL
SCHOOL AND BOARD OF REGENTS,

Respondents.

CONCILIATION AGREEMENT

The above-styled and numbered complaints having been filed under the West Virginia Human Rights Act with the West Virginia Human Rights Commission by Paula R. Arietta (hereinafter referred to as "complainant") against West Virginia University Medical School and the Board of Regents (hereinafter referred to as "respondents"), and are now pending before the West Virginia Human Rights Commission; and respondent having denied and continuing to deny the allegations set forth in the complaints, and the Commission and respondents now desiring to conciliate and resolve in full these matters by providing for the dismissal with prejudice of these administrative proceedings, the Commission and respondents hereby agree to the following:

1. No findings of fact or conclusions have been made by any administrative agency or court concerning the merit or lack of merit of the allegations made by the complainant in

the administrative proceedings noted above, and the making of this agreement is not intended to and shall not constitute an admission by respondent as to the merits of such allegations.

2. The respondent agrees not to engage in the commission of unlawful discriminatory practices in the future and further agrees to abide by or continue to abide by the provisions of the West Virginia Human Rights Act, and accompanying regulations, in the implementation of its employment practices and procedures. This paragraph is not to be construed as an admission that the respondent committed an unlawful discriminatory practice in these matters and the Human Rights Commission admits that no such finding of fact was made herein.

3. It is further agreed that if the complainant agrees to the terms of this agreement or fails to object to such terms within fifteen (15) days after its service upon her, the Commission shall issue a dismissal order embodying this conciliation agreement.

FOR THE WEST VIRGINIA
HUMAN RIGHTS COMMISSION

By: 

QUEWANNCOTT C. STEPHENS
Executive Director

January 30, 1990

FOR WEST VIRGINIA
UNIVERSITY and THE
BOARD OF REGENTS

By: 

ASSISTANT ATTORNEY GENERAL

FEBRUARY 13, 1990