

BEFORE THE WEST VIRGINIA HUMAN RIGHTS COMMISSION

CHRISTINE SWAIM,  
JUDY YOUNKER, &  
LINDA VAN GOSEN,

COMPLAINANTS,

v.

Docket Nos. PAS 220-78  
213-78  
215-78

BERKELEY SPRINGS VOLUNTEER  
FIRE DEPARTMENT,

RESPONDENT.

FINDINGS OF FACT &  
CONCLUSIONS OF LAW & ORDER

I.  
PROCEEDINGS

This cause came on for public hearing the 26th day of March 1979, at the Circuit Courtroom of the Morgan County Building, Berkeley Springs, West Virginia, and was concluded the 27th day of March 1979. The Complainants, Christine Swaim, Judy Younker, and Linda Van Gosen, appeared in person and by their counsel, Carter Zerbe, Esquire, and the Respondent, Berkeley Springs Volunteer Fire Department, appeared by its counsel, Richard L. Douglas, Esquire. This hearing was presided over by the Honorable Anne Maxwell, Commissioner of the West Virginia Human Rights Commission and the Honorable William W. Pepper, Esquire, Hearing Examiner for the West Virginia Human Rights Commission. The admissibility and authenticity of certain documents, by stipulation, between counsel for the parties were entered

into the record, pursuant to a pre-hearing conference held on March 16, 1979. Certain other exhibits were offered at the hearing.

After full consideration of the entire testimony, evidence, motions, briefs, and arguments of counsel, and the Hearing Examiner's Recommendations, and exceptions of Respondent thereto, the Commission concludes and decides as follows.

II.

FINDINGS OF FACT

1. The Complainants in this proceeding, Linda Van Gosen, Judy Younker, and Christine Swaim filed complaints with the WV Human Rights Commission on December 12, 13, & 15, 1978, respectively. The basis of the complaints was identical, namely, allegations that the Respondent, Berkeley Springs Volunteer Fire Department had rejected their applications for membership in the Berkeley Springs Volunteer Fire Department because they are females. They therefore, charged the Respondent, Berkeley Springs Volunteer Fire Department, with sex discrimination in a place of public accommodation which is in violation of the WV Human Rights Act, WV Code, Chapter 5, Article 11, Section 9(f)(1).

2. The Respondent is an all-volunteer organization located in Berkeley Springs, WV. The purposes of the Department according to its constitution and certain testimony of its officials (234, 394) are the "prevention and extinguishment of fires and protection of life and property in Berkeley Springs, WV and vicinity." (Exhibits 8 & 12)

3. Chapter 29, Article 3, Section 9 of the Code of West Virginia requires, among other things, that the State Fire Commissioner approve formation of any new volunteer fire department and to develop a method of certification for these departments. Section 11 requires the State Fire Marshall to coordinate safety programs with volunteer and paid fire departments. Chapter 8, Article 15, Sections 1 through 8 sets up rules and regulations applicable to fire fighting organizations including volunteer fire departments. Section 1 of the Chapter states that:

"The governing body of every municipality shall have plenary power and authority to provide for the prevention and extinguishment of fires; and for this purpose, it may among other things, . . . provide for the organization; equipment and government of volunteer fire companies . . ."

Section four of this Chapter further provides that: "

Any number of persons, not less than twenty nor more than sixty-four, residing within the corporate limits of a municipality without a paid fire department, may form themselves into a company for extinguishing fires therein. A writing stating the formation of such company, with the names of the members thereof subscribed thereto, shall be recorded in the office of the clerk of the county court of the county wherein such municipality or the major portion of the territory thereof is located, after which the members of the company shall elect its officers, including a commander, and make rules and regulations for effecting its object consistent with the laws of the State and the ordinances of such municipality. A volunteer fire company shall be subject to the authority of the governing body. (Emphasis supplied)

4. The Berkeley Springs Volunteer Fire Department is subject to the control and direction of the Town Council of Berkeley Springs according to Respondent's 1960 constitution, which was in effect between 1960 and 1978. It provides that the powers of the Department are derived (Exhibit 8):

"from the statutes of West Virginia and the ordinances of the Town of Bath (Berkeley Springs) regulating same, and said Department shall be, and shall remain a depart-

ment of the Town of Bath, and subject to the ordinances of the Town Council of said municipal corporation." (Emphasis added)

The said constitution Article VI, §5 further provides that:

"A list of the nominees (for officers of the Department) and their respective offices shall be presented to the mayor immediately after nominations (as provided in Section 4) are made, and at the next regular meeting of the Council, said list of nominees shall be presented for approval of said Council. In executive session, the Council shall consider said nomination and approve them and strike from the list any nominees not acceptable, returning the list to the Mayor, who shall return it to the President or Vice-President of the Department. If additional nominations are necessary, the Council's approval thereof can be had at its next regular meeting or at a special meeting called for that purpose. In each case as before, any election of officers held by this Department, every nominee or candidate for office must be approved by the Council prior to said election or appointment to office."

The constitution Article IV, §1 also requires that the constitution as well as "all proposed amendments" to it be "submitted to the Town Council for approval" before they can be adopted by the Department. Other sections of the constitution such as Article III, §1 give the Town the authority to monitor and inspect the Department's books and finances.

5. Chapter Thirteen of the ordinances of the Town of Bath (Berkeley Springs) (Exhibit 17) requires the formation of a Bath Fire Department and specifies, among other things, that the Department:

"shall meet and form a proper fire fighting organization, adopting a set of By-Laws for their guidance with provisions therein for membership, the election of officers, their duties and responsibilities, proper care of the apparatus and equipment and generally to insure and perpetuate an efficient fire fighting unit."

6. Respondent's 1978 constitution omitted any reference to the authority of the town to approve the officials of the Department. However, minutes demonstrate that the Respondent's list of officials was

submitted to the Town Council for approval that year as had been done in the preceding four years. (Exhibit 18) Testimony revealed that the Town Council is required to approve Department expenditures over five hundred dollars. The Mayor testified that the Town gives approximately fourteen hundred dollars (1,400.00) to the Department each year and pays for the water the Department uses from the hydrants. (87, 88)

7. From 1975 through 1979, the Respondent received a total of \$6,250.00 from the County Commission of Morgan County (Exhibit 16); it obtained the use of two surplus army trucks through the Commission from the Office of Emergency Services (55); the members of Respondent are covered by Workmen's Compensation (106, 113, 114, 115); the vehicles of the Respondent are exempt from license registration fees (105, 106; see also WV Code 17A-10-8); and the members of the Department periodically receive training in fire fighting practices from the University of Maryland and West Virginia University. (214, 215, 216). The minutes of the Department reflect sundry other ties with local, county, and state governments. (Exhibits 14, 19)

8. Eligibility for active membership in the Department is defined in its 1960 Constitution as follows: (Exhibit 8)

" . . .the applicant must be a male citizen of good repute, in good health, at least eighteen years of age, a resident of Morgan County, WV; familiar with general firefighting practices and the correct operation of this Department's equipment." (Emphasis added)

The Constitution adopted in 1978 only requires the applicant to be at "least eighteen (18) years of age, a resident of Morgan County, in good repute and in good health." (Exhibit 12)

9. The past and present constitution of Respondent requires members to "pledge fidelity and obedience to the Constitution, By-Laws, and officers of the Berkeley Springs Volunteer Fire Department." (Exhibit 8)

10. In practice the membership selection process is, and has been informal. Except for the requirements that a member be over eighteen years of age, a resident of Morgan County, and in good repute and health, there are no conditions to membership that an applicant must meet, except that he or she must be sponsored by at least three current members of the Department. If a prospective applicant meets these conditions, he is considered for membership at one of the Department's regular monthly meetings. A majority vote of the members present is required. Generally if an individual is known to a few of the members and they can attest to his character, or consider him a "good guy," he is selected into membership. (TR 204, 205, 206, 207, 232, 306, 307).

11. At its November 14, 1977, meeting the Respondent amended the constitution and by-laws by deleting the male only restriction. Immediately thereafter the membership considered the women's second applications. They voted to reject the women for membership by the following margins: (Exhibits 14 & 19)

Linda Van Gosen	18 no	2 yes
Christine Swaim	19 no	3 yes
Judy Younker	20 no	2 yes

At the hearing on the complaints thereafter filed by complainants, all of the Respondent witnesses who had voted on the women's applications except one, Gary Silver, refused to disclose their vote and/or the reasons for their vote.

12. Very few males have been rejected for membership in the Respondent. (206, 207, 232) Its minutes disclose that during a 3½-year period only five male applicants failed to become members. None of these applicants was rejected by as wide a margin as the women were rejected. (Exhibits 14, 19)

13. All the present members, both inactive and active, are male. (Exhibit 13) There have never been any women members of the Respondent. Its operating policy is that women will not be permitted to become members. (145, 151, 166, 167, 173, 208, 212, 323, 348; Exhibits 8, 14, 19)

14. The Complainants are females who were residents of Morgan County, WV.

15. The Complainants along with two other women applied for membership in the Respondent organization in September and November 1979. On September 26, 1977, at its regular monthly meeting, the Respondent decided not to consider the women's first applications for membership because the Respondent's constitution and by-laws restricted membership to the male sex. (7, 149, 155-156, 166, 167, 207, 208, 228; Exhibit 8)

16. On the day the women were first rejected for membership, a male applicant, newly arrived in town, was made a member of the Respondent. (213, 230, 231; Exhibits 14, 19; Department minutes, November 28, 1977, April 10, 1978, June 25, 1978, July 10, 1978, August 14, 1978, February 12, 1978, and February 26, 1979)

17. The Complainants herein were all qualified to become members of the Berkeley Springs Volunteer Fire Department. (205, 206, 207, 229, 230; Exhibit 8) Testimony from officers and members of other

volunteer fire departments indicated that women comprise a not insubstantial percentage of their departments, are capable of doing the work required of them, and present no problems to the operation of their squads. (35, 36, 37, 38, 39, 40, 41, 42, 43, 44; 133, 134, 135, 136, 139, 140)

18. In the spring of 1978, the women met with several members of the Department, including Daniel Clark and Dave Widmeyer, the President. The women indicated that they thought the matter had gone far enough but would still like membership in the organization and would like to come down to the firehouse to explain why they wanted in. The Department refused the women's request, deciding not to talk with the women and "to go with the lawyer instead." (310, 311, 312, 313; Exhibits 14, 19; Department minutes, May 8, 1978)

19. In December of 1977, the Complainants filed complaints with the WV Human Rights Commission charging the Respondent with sex discrimination in a public accommodation. Following investigation, a finding of Probable Cause was made by the Investigating Commissioner.

20. After unsuccessful conciliation attempts, the case proceeded to public hearing according to the relevant provision of the WV Code.



V.

CONCLUSIONS OF LAW

1. Respondent is a place of public accommodations as defined in WV Code §5-11-3(j) and §5-11-9(f), and the accommodations provided by it are not private in nature as that term appears in WV Code §5-11-9(j).

2. At all pertinent times the Complainants were citizens and residents of West Virginia within the meaning of WV Code §5-11-2.

3. The complaints were timely filed herein by Complainants in accordance with the procedures set forth in WV Code §5-11-1 et. seq. and regulations promulgated thereunder and stated sufficient facts upon which to charge a violation of the WV Human Rights Act under WV Code §5-11-9(f).

4. The WV Human Rights Commission had jurisdiction over the parties and the subject matter involved herein.

5. The Complainants, although qualified, were denied membership in the Respondent because of their sex, which is an unlawful discriminatory practice in violation of WV Code §5-11-9(f) as that term is defined in WV Code §5-11-3(i).

## DISCUSSION

The discussion centers on whether the Respondent denied membership to the Complainants because of their sex and whether such a denial, if it did occur, constituted an "unlawful discriminatory practice" within the meaning of WV Code §5-11-1 et. seq.

### EVALUATION OF EVIDENCE AND DISCUSSION

As the attorney for Complainants points out, there is very little case law in this state that would serve as precedent on this claim before the Commission. Consequently, one has no choice but to look to precedents from other jurisdictions for guidance.

The case cited by Complainants, McDonnell Douglas Corporation vs. Green, 411 U.S. 792, 93 S. Ct. 1817, 36 L. Ed. 2d 668 (1973) does indeed appear to be one of major significance to this case before the Commission. In Green, the United States Supreme Court made a definitive statement on the critical issue of which party has the burden of proof in discrimination cases and when, if at all, the burden of proof shifts to the adverse part. The Court's holding could be summarized as follows: 411 U.S. 802-805.

1. The complainant in a Title VII trial has the burden of establishing a prima facie case of discrimination.

2. A prima facie case in racial discrimination cases is established when the following is shown:

- a. That the claimant belongs to a racial minority; and
- b. That he applied and was qualified for a job for which the employer was seeking applicants; and
- c. That he was rejected despite his qualifications; and

d. That after his rejections, the position remained open and the employer continued to seek applicants from persons of complainant's qualifications.

3. Once a prima facie case is proven, the burden shifts to the employer "to articulate some legitimate, non-discriminatory reason for the employee's rejection."

4. The employer, by articulating a legitimate, non-discriminatory justification for its alleged action, discharges its burden of proof and meets the prima facie case of discrimination.

5. The inquiry, however, does not end there. The Complainants are next entitled to prove that the stated justification or reason is a mere pretext or coverup for a discriminatory practice. Useful and relevant to that inquiry, the Court states, is among other things, evidence of defendant's general policy and practice with respect to minority employment and statistics as to its employment policy and practice.

The Court adopted this allocation of proof after concluding that one of the purposes of Congress in enacting Title VII was to "assure equality of employment opportunities and to eliminate those discriminatory practices. . ." Id. at 800. WV Code §5-11-2 contains a "strong," see State Human Rights Commission vs. Pauley, \_\_\_\_\_ WV \_\_\_\_\_, 212 SE 2d77 (1975), declaration of policy by the Legislature of this State:

It is the public policy of the State of West Virginia to provide all of its citizens equal opportunity for employment, equal access to places of public accommodations, and equal opportunity in the sale, purchase, lease, rental and financing of housing accommodations or real property. Equal opportunity in the areas of employment and public accommodations is hereby declared to be a human right or civil right of all persons without regard to race, religion, color, national origin, ancestry, sex, age or blindness. Equal opportunity in housing accommodations or real property is hereby declared to be a human right or civil right of all persons without regard to race, religion, color, national origin, ancestry, sex, age or blindness.

The denial of these rights to properly qualified persons by reason of race, religion, color, national origin, ancestry, sex, age or blindness is contrary to the principles of freedom and equality of opportunity and is destructive to a free and democratic society.

WV Code §5-11-4 further states the purpose of the WV Human Rights Commission to be as follows:

The WV Human Rights Commission, heretofore created, is hereby continued. The Commission shall have the power and authority and shall perform the functions and services as in this article prescribed and as otherwise provided by law. The Commission shall encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the State and shall strive to eliminate all discrimination in employment and places of public accommodations by virtue of race, religion, color, national origin, ancestry, sex, age or blindness and shall strive to eliminate all discrimination in the sale, purchase, lease, rental or financing of housing and other real property by virtue of race, religion, color, national origin, ancestry, sex or blindness.

Finally, WV Code §5-11-15 says that the provisions of that article "are to be liberally construed to accomplish its objectives and purposes."

Therefore the Commission feels that the analysis of the United States Supreme Court in Green, as set forth above, would be applicable to the instant case. It is further submitted that if and when the issue is before the WV Supreme Court of Appeals, it, too, would adopt such an analysis or at least an analysis that would lead to the same result. Accordingly, the Commission next applies the Green analysis to the record in the instant case.

The record clearly shows that the Complainants were women and, thus, were members of a protected group under law; that they applied for membership in the Fire Department at a time when members were being accepted; that they were qualified and able to meet the duties

imposed on members but were nevertheless rejected; and that membership in the organization remained open and the Respondent continued to accept new members. Thus, Complainants established a prima facie case in support of their claims, thereby shifting the onus to Respondent to show some justification for its actions.

A close review of the record herein reveals very little evidence that could support a finding that the sex discrimination with regard to membership in the Respondent was justified.

One witness testified that he did not believe that women could "keep their cool on a fire scene." (323)

Another testified that he did not think "the husband and wife relationship is going to work in our fire department" and that it might cause problems. (348) He elaborated as follows: (349)

"I just can't picture myself with someone's wife out at the creek somewhere for maybe half a night trying to draw water and I come back and her husband wants to know why I didn't prime the pump the first time and be back in an hour?"

The bulk of the Respondent's witnesses merely identified themselves, refused to disclose how they voted on the Complainants' membership applications, then said over objection that they would not have voted on the issue of their membership solely on the base of the applicant's sex.

It is submitted that Respondent failed to meet the prima facie case of Complainants and that, as a result, the Commission should rule on behalf of the Complainants. WV Code §5-11-9 and its progenitor, 42 U.S.C. §2000(e)(2), however, provide a legitimate bases for discrimination in employment if it is found that a "bona fide occupational qualification" exists that is reasonably necessary for the normal operation of the particular enterprise.

An extremely liberal and strained interpretation of Respondent's evidence might conceivably allow the gratuitous holding that Respondent met the Complainants' prima facie case by raising the defense of bona fide occupational qualifications. The evidence, however, was overwhelming that women generally and the Complainants specifically were capable and qualified to perform the duties required of members in the Respondent organization. And, of course, the defense of "bona fide occupational qualifications" is not established by the assumption or stereotyped characterization that very few women could perform a particular job. Ridinger vs. General Motors Corp., 325 F. Supp. 1089 (D.C. Ohio 1971), rev'd on other grounds, 747 F. 2d 949.

Furthermore, it is noteworthy that the Respondent has never had a female member. Statistics, as alluded to in the Green case, are often of critical importance in such cases. Accordingly, the Courts have relied upon statistics in discrimination cases involving membership in fire departments.

For example, in Arnold vs. Ballard, 5 E.P.D. ¶8630 (D.C. Ohio 1973) the Court found that the fact that none of the 313 fire department personnel were Negroes while the city population was 17.5% Negro indicated that the department's hiring procedures were racially biased.

In Vulcan Society vs. Civil Service Commission, 6 E.P.D. ¶8904 (D.C. NY 1973) aff'd. 490 F. 2d 387 (2d Cir. 1973) the Court emphasized that bias was indicated where the fire department minority representation was 5% as opposed to 32% minority representation in the general city population within the age group eligible for appointment. See also, Commonwealth of Pennsylvania vs. Glickman, 370 F. Supp. 724 (D.C. PA 1974); Boston Chapter NAACP, Inc. vs. Beecher, 371 F.

Supp. 507 (D.C. MA 1974); and EEOC Decision No. 74-25 September 10, 1973 for similar holdings.

Thus, even if one would hold that a legitimate justification for discrimination was articulated by Respondent, the evidence would seem to support a finding that such articulated justification was mere pretext.

Respondent submitted orally at the hearing that its actions do not constitute an "unlawful discriminatory practice" as that term is used in WV Code §5-11-3(i) and §5-11-9(f) and that the Respondent organization is not "a place of public accommodations" as that term is defined in WV Code §5-11-3(j).

The Commission is of the opinion that the arguments and authorities therein appearing support a finding that the actions of Respondent are within the jurisdiction of the WV Human Rights Commission. This conclusion is based on the following:

1. The term "place of public accommodations" is defined to include "any establishment. . . which offers its services. . . to the general public. . . ." WV Code §5-11-3(j). Respondent's purposes are to serve the public and, inferentially, to allow its members the opportunity to serve the public. (See Findings of Fact 1)

2. The activities of the Respondent are regulated by state law and by the ordinances of the Town of Bath (Berkeley Springs). (See Findings of Fact 2, 3, 4, and 5)

3. The Respondent receives monies and properties from various governments and/or subdivisions and agencies and its vehicles are exempt by law from license regulation fees. (See Findings of Fact 6)

4. The members of the Respondent are covered by Workmen's Compensation and received fire fighting training as a result of their membership. (See Findings of Fact 6)



## REMEDY

Given a finding of discrimination by the Respondents against the Complainants, the Commission is faced with the responsibility of fashioning an order that will effectuate the purposes and objectives of the Human Rights Act, i.e. "to eliminate all discrimination in places of public accommodation. . .by virtue of. . .sex. . ." WV Code 5-11-4.

In construing the Commission's remedial power, the WV Supreme Court of Appeals has stated:

"It is readily discernible that the Legislature, by its recent enactments in the field of human rights, intended to and did provide the Commission the means with which to effectively enforce the law and meaningfully implement the legislative declaration of policy. If our society and government seriously desire to stamp out the evil of unbridled bigotry, and we believe they do, then it is imperative that the duty of enforcement be accompanied by an effective and meaningful means of enforcement. .  
"

State of West Virginia Human Rights Commission vs. Pauley, 212 S. E. 2d 77 (WV 1975)

In creating the order, the Commission will be guided by the principles of preventing a recurrence of discrimination by the Respondents in the future, and of making whole the victim of the past discrimination, the Complainants.

Under Section 10 of the WV Human Rights Act, WV Code 5-11-10, after a finding that a Respondent has engaged or is engaging in an unlawful discriminatory practice, "the Commission shall issue and cause to be served on such Respondent an order to cease and desist from such unlawful discriminatory practice and to take such affirmative action, including but not limited to hiring, reinstatement or upgrading of employees, with or without backpay.

The Complainants in the present action do not seek compensatory damages because of the voluntary nature of respondent Fire Department.

Considering the evidence in the record as a whole, the Commission concludes that the Complainants are entitled to be installed as members of the Berkeley Springs Fire Department at its next regular meeting. Thereafter each Complainant is to enjoy the full rights of a member as if her application had been approved by vote at the September 26, 1977, regular monthly meeting of Respondent.

## ORDER

Therefore, pursuant to the above Findings of Fact, Conclusions of Law, and Discussion of Remedy, it is hereby ORDERED as follows:

1. The Respondent, Berkeley Springs Fire Department, its officers, members, successors, and all persons and organizations in active concert or participation with them, are hereby permanently ordered to immediately CEASE AND DESIST in its place of operation located in Berkeley Springs, WV, from engaging in any activities which deny full and equal access, advantage and privilege and rights thereto attached to any individual, or otherwise to discriminate against any individual, on the basis of race, sex, religion, color, national origin or age with respect to tenure, terms and conditions of membership, or any other matter directly or indirectly related to accommodations, advantages, facilities, privilege or service of such place of public accommodation.

2. It is further ORDERED that the Respondent shall forthwith adopt and implement the following affirmative action program to eliminate the effects of any discriminatory practices:

A. Within thirty (30) days of the effective date of this ORDER, Respondent shall prepare and distribute a written statement of non-discriminatory policies to all of its present full-time and part-time members and agents. Such statement shall include, but is not necessarily limited to, a specific statement that neither Respondent, nor its members, shall discriminate against any individual with respect to terms, conditions or

privileges of membership because of race, color, religion, national origin, ancestry, sex, or age as provided in Chapter 5, Article 11, WV Code, and that no direct or indirect means such as harassment or reprisal may be utilized to contravene such policy;

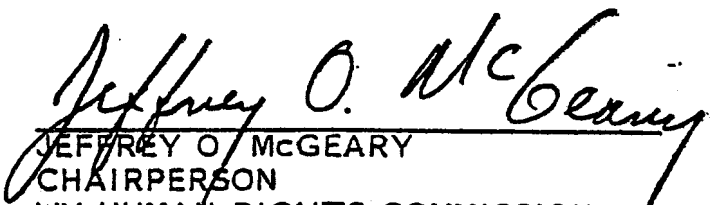
- B. For a period of three (3) years from the effective date of this ORDER, Respondent shall, within five days of installing any new member, or within five days of admitting any new member, provide each such member with a copy of this statement prepared in compliance with paragraph 2(A) of this ORDER, generally explaining its contents to him or to her and directing him or her to read it;
- C. Within thirty (30) days of the effective date of this ORDER, each present full-time or part-time official or supervisory member shall sign a statement indicating that he or she has been advised of the Respondent's non-discriminatory policies, that he or she has read and is familiar with the statement prepared in compliance with paragraph 2(A) of this ORDER, and that he or she is aware that any such official or supervisory member who fails or refuses to conform to these policies and practices shall be subject to discipline, including demotion, suspension, or dismissal by the Respondent.
- D. As set forth in Chapter 5, Article 11, Section 17, WV Code, the Respondent shall post and maintain in all its offices or places of business, in a prominent place where it is clearly visible, the poster of the WV Human Rights Commission advising the public of their rights under the WV Human Rights Act.

3. It is further ORDERED that within one hundred and eighty (180) days of the effective date of this ORDER, and thereafter, within one hundred and eighty-(180) day intervals for a period of two (2) years, the Mayor, the Town Council of Berkeley Springs, or other responsible officer or representative of the Respondent shall file with the Commission a sworn statement affirming that Respondent has fully and completely complied with this ORDER.

4. More specifically, it is further ORDERED, that Respondent shall install as members of the Berkeley Springs Volunteer Fire Department, the Complainants, Christine Swaim, Judy Younker, and Linda Van Gosen, at its next regular meeting. Thereafter, each Complainant is to enjoy the full rights and dignity of a member as if her application had been approved by vote at the September 26, 1977, regular monthly meeting of Respondent.

It is so ORDERED.

Entered this 7<sup>th</sup> day of March, 1980.

  
JEFFREY O. McGEARY  
CHAIRPERSON  
WV HUMAN RIGHTS COMMISSION