



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PITTSBURGH AREA OFFICE
1000 LIBERTY AVENUE
ROOM 2038 A
PITTSBURGH, PENNSYLVANIA 15222

Dr. Helene Z. Hill
3 Silver Spring Road
West Orange, New Jersey 07052

Marshall University
School of Medicine
Huntington, West Virginia 25701

Charge Number: 034-820007

TITLE VII DETERMINATION AND EQUAL PAY ACT LETTER OF VIOLATION

By the authority vested in me by the Commission's procedural regulations, I issue the following determination as to the merits of the subject Title VII charges and findings regarding violations of the Equal Pay Act. Respondent is an employer within the meaning of Title VII and the timeliness and all other jurisdictional requirements have been met. Respondent is also subject to the Equal Pay Act as an employer having employees who are covered by Section 6 of the Fair Labor Standards Act.

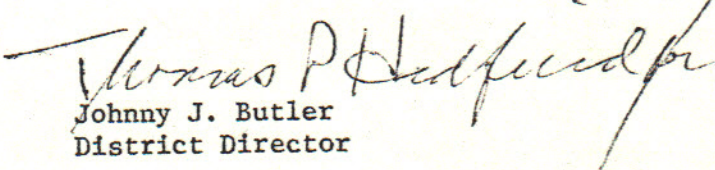
I find that the Charging Party, a full Professor, was paid a lesser salary than both Drs. Kenneth E. Guyer and Richard A. Gilmore, Associate Professors. Having found cause to believe Title VII has been violated, I hereby invite the parties to attempt voluntary resolution of this matter through conciliation and persuasion, pursuant to Section 706(b) of Title VII.

I also find that there has been an EPA violation. Unlike Title VII, the Equal Pay Act contains no conciliation requirements. The Commission hereby informs the Respondent that in order to come into compliance with the Equal Pay Act, he must pay Charging Party the difference of \$3,705 between her salary and Dr. Guyer's since the 1979-1980 school year, plus the \$4,446 difference between her salary and Dr. Guyer's for the 1980-1982 school year, for the total sum of \$8,151. Failure to come into compliance with the Equal Pay Act may result in immediate suit by the Commission.

Through this letter, the Commission also advises complainants of their rights, under Section 16(b) of the Fair Labor Standards Act, to file a private lawsuit to recover from Respondent amounts owing in back wages as a result of the violations uncovered.

In the event that Respondent is interested in attempting voluntary resolution of the Equal Pay Act violations outlined herein, he should contact the undersigned within ten (10) days of receipt of this determination.

On behalf of the Commission,


Johnny J. Butler
District Director

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
 Office of Federal Contract Compliance
 Washington, D. C. 20210

COMPLAINT OF DISCRIMINATION
IN EMPLOYMENT UNDER
GOVERNMENT CONTRACTS

INSTRUCTIONS: Only complaints of discrimination in employment by companies working under Government contracts are filed on this form. The act of discrimination must be based on RACE, COLOR, RELIGION, SEX, or NATIONAL ORIGIN, and the complaint must be filed within 180 days of the discriminatory act. Other types of discrimination are not handled by this office. Fill in the form, making one copy for yourself and one official copy. The official copy of the form must be typed or printed legibly and signed by you.

| | | |
|---------------------------------------|---|------------------------------------|
| YOUR NAME Helene Z. Hill, Ph.D. | TELEPHONE NO. 201-736-0738 <i>home work</i> 201-456-3421 | SOCIAL SECURITY NO. 011-28-8632 |
| STREET ADDRESS 3 Silver Spring Rd. | CITY West Orange | STATE NJ |
| | | ZIP CODE 07052 |

MAIL THIS FORM TO:

NAME, ADDRESS & ZIP CODE OF THE COMPANY INVOLVED
 Marshall University School of Medicine
 Huntington, WV 25701

FOR WHICH GOVERNMENT AGENCY IS THE COMPANY UNDER CONTRACT? VA, USPHS

GIVE THE EXACT DATE OF THIS DISCRIMINATION
 July 15, 1976 - September 30, 1981

| | |
|--|--|
| DISCRIMINATION FOR | WHAT DID IT INVOLVE? (Check only the most apparent factor) |
| <input type="checkbox"/> RACE OR COLOR <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> SEX <input type="checkbox"/> NATIONAL ORIGIN | <input checked="" type="checkbox"/> HIRING <input checked="" type="checkbox"/> PROMOTION <input checked="" type="checkbox"/> DOWNGRADING <input type="checkbox"/> LAYOFF OR RECALL <input type="checkbox"/> TRANSFER <input type="checkbox"/> JOB ASSIGNMENT <input checked="" type="checkbox"/> EMPLOYEE BENEFITS <input checked="" type="checkbox"/> WAGES <input type="checkbox"/> SEGREGATED FACILITIES <input type="checkbox"/> DISCHARGE <input type="checkbox"/> TRAINING OR APPRENTICESHIP <input type="checkbox"/> OTHER (Explain below) |

THE COMPLAINT: Tell the full story of this act of discrimination. Show all dates, places, and the names and titles of persons involved.

I believe that Marshall University School of Medicine discriminated against me personally because I am a woman, and discriminates against women as a class in its Basic Science departments. This complaint does not extend to the clinical departments in the medical school or to the University as a whole. It is confined to the Basic Science departments, including the following departments: Anatomy, Biochemistry, Pharmacology, Microbiology, ~~Neurology~~ and Physiology.

Personal descrimination: I was a member of the Biochemistry department from July 15, 1976 to ~~August~~ September 30, 1981.

1.) I was hired and maintained at a salary that was considerably lower than that of Dr. Kenneth Guyer whose qualifications and performance were far below the standard that I set.

2.) My department chairman, Dr. Frederick Lotspeich made frequent jokes at my expense and in front of others about my inferior status because I was a woman. He often boasted of being a chauvinist male pig.

3.) My teaching responsibilities were greater than those of other members of my department, even though I was engaged in research and the others were not. Although I was the coursemaster for the Medical Genetics course, which I developed and ran for 3 years, on a number of occasions ~~he~~ ^{my chairman} told other faculty members that Dr. Richard Gilmore was the coursemaster although Dr. Gilmore was only a participant. These lapses went so far that one year, the student list actually came to Dr. Gilmore from the Registrar's office.

4.) Although I should have out-ranked the other faculty members in my department because of my superior credentials and more rapid advancement before coming to Marshall, I was assigned as my principal office a ~~reconverted~~ utility room which was smaller than the offices assigned to other members of my department and which I had to share with

Continued on the other side.

a technician even though I was on the Admissions Committee and had to conduct interviews in these unpleasant quarters.

5.) I was never assigned a laboratory of my own, although other members of my department were assigned laboratories. This, in spite of the fact that, for 3 years I was the only member of my department who conducted productive research. During my 5 years at Marshall, I had to conduct my research in space assigned to my husband in the Department of Surgery. I was the first scientist in the medical school to receive national recognition for research by being awarded a research grant by the American Cancer Society. Receipt of this award was not acknowledged in any favorable way by either the Dean, ~~or~~ Dr. Robert Coon, or my department chairman, Dr. Lotspeich.

6.) I requested promotion from Associate Professor ^{to Professor} 3 times before finally succeeding. I believe my promotion was delayed because of prejudice and jealousy on the part of my department chairman. A member of the department of Surgery was promoted to Professor the year before I was even though his publication record, the usual criterion for promotion at other medical schools, was not as outstanding as mine.

7.) The letter of recommendation that my department chairman sent to my present employer was not usable ~~for~~ when my credentials were presented to the Faculty Council because of negative biased comments made about my teaching. I have reason to believe that letters written on behalf of a male ~~xxx~~ colleague who left at the same time were quite complimentary although he, Dr. Richard Gilmore, did not have credentials that were as good as mine.

Class Discrimination:

1.) Marshall University School of Medicine is a new school that was founded in 1974. I became a member of its faculty in July, 1976. There are 5 basic science departments with a faculty of approximately 25. ~~There are 5 basic science departments with a faculty of approximately 25. There are 5 basic science departments with a faculty of approximately 25.~~ During my 5 years at Marshall, there were only 2 women on the Basic Science faculty, myself and Dr. Susan De Mesquita in the department of Physiology. To my knowledge, there is now only one, since I am no longer employed by Marshall.

2.) During my 5 years at Marshall, to my knowledge, no woman ~~xxx~~ ever came to give a seminar as part of the recruiting process. This would be standard procedure at other Medical Schools in the country and indicates that no serious effort was made to recruit women for the many vacancies that needed to be filled during the first few years of the school. To my knowledge, no women ~~xxx~~ gave seminars as invited speakers during my time at Marshall.

I did not charge Marshall University School of Medicine with sex discrimination while I was there because I feared it would jeopardize my career and that of my husband who was, at that time, Chairman of the department of Surgery.

Additional pages may be attached to this form. Please put your name and S.S. No. at the top of each page.

I certify that the information given above is true and correct to the best of my knowledge or belief. (A willful false statement is punishable by law: U.S. Code, Title 18, Sec. 1001)

YOUR SIGNATURE

Helen Z Hill

DATE

Dec. 15, 1981

DO NOT WRITE BELOW THIS LINE

The complainant has reaffirmed this complaint in my presence.

This complaint is now the basis of an investigation under EXECUTIVE ORDER 11246 and/or EXECUTIVE ORDER 11375.

| | | |
|---|-------|----------------------------|
| NAME OF INVESTIGATOR | TITLE | SIGNATURE |
| AGENCY OR DEPARTMENT CONDUCTING INVESTIGATION | | DATE INVESTIGATION STARTED |