

CHARGE OF DISCRIMINATION

2590

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER
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Florida Commission on Human Relations
State or local Agency, if any

07 JUL and EEOC
DIVISION 2:07

NAME (Indicate Mr., Ms., Mrs.) Ms. Margo Ann Christie	HOME TELEPHONE (Include Area Code) (727) 869-0865
STREET ADDRESS 8210 Reynolds Drive, Hudson, Florida 34667	CITY, STATE AND ZIP CODE
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)	

NAME Home-Depot	NUMBER OF EMPLOYEES, MEMBERS more than 100	TELEPHONE (Include Area Code) (727) 869-2711
STREET ADDRESS 10017 U.S. 19 North, Port Richey, Florida 34668	CITY, STATE AND ZIP CODE	COUNTY Pasco
NAME	TELEPHONE NUMBER (Include Area Code)	COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))	DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)	/ / 89 present <input checked="" type="checkbox"/> CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. Personal Harm:

I was hired as an Assistant Manager by Home Depot on May 22, 1989, in Largo, Florida. I am currently working at Home Depot as an Assistant Manager/Administrative Assistant in the Port Richey Store, #238. Although I have sought and am qualified for the position of store manager, I have never been considered for the position. During the 10 years I have been employed by Home Depot as an assistant manager, I have worked with and even trained numerous individuals who were promoted to the position of store manager while I was not even considered for the available position. All of the available positions I sought were filled by individuals who were substantially younger than I and most of them were male. I believe that the reason I have not been promoted while other less-qualified individuals were promoted is my age and/or my gender. Home Depot sets up barriers for people over the age of 40 and women to become store managers. I believe that the problems and treatment I experienced are widespread throughout the company.

II. Respondent's Reason for Adverse Action:

No reason was given for the adverse action, although Del Stuck, the present human resources manager for Home Depot, said that I was passed up for a manager position because of my age.

III. Discrimination Statement:

I believe I have been discriminated against because of my age and/or my gender in violation of the Age Discrimination in Employment Act of 1967, as amended, Title VII of the Civil Rights Act of 1964, as amended, and the Florida Civil Rights Act of 1992. I also believe that Home Depot discriminates against people over the age of 40 and women on a classwide basis.

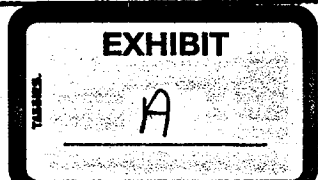
<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - (When necessary for State and Local Requirements)
I declare under penalty of perjury that the foregoing is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Margo A. Christie

SIGNATURE OF COMPLAINANT
Margo A. Christie
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year) 12/29/89
M. Susann Stienecker
MY COMMISSION EXPIRES
February 22, 2002
BONDED THRU TROY FAIR INSURANCE INC.

Date 12/29/89
EEOC FORM 5 (Rev. 08/92)

Charging Party (Signature)



FILED

01 2 PM 07

DIVISION OF ADMINISTRATIVE HEARINGS

CHARGE OF DISCRIMINATION		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER
THIS FORM IS AFFECTED BY THE PRIVACY ACT OF 1974; See Privacy Act Statement Before Submitting This Form.			
Florida Commission on Human Relations <i>State or local Agency, if any</i>		AND EEOC	
NAME (Indicate Mr., Ms., Mrs.) Ms. Margo Ann Christie		HOME TELEPHONE (Include Area Code) (727) 869-0865	
STREET ADDRESS 8210 Reynolds Drive		CITY, STATE AND ZIP CODE Hudson, FL 34667	DATE OF BIRTH 10/19/45
NAMED AS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME Home Depot		NUMBER OF EMPLOYEES, MEMBERS more than 100	TELEPHONE (Include Area Code)
STREET ADDRESS 1315 U.S. Highway 19		CITY, STATE AND ZIP CODE Holiday, FL 34691	COUNTY Pasco
NAME		CITY, STATE AND ZIP CODE	COUNTY
STREET ADDRESS		CITY, STATE AND ZIP CODE	COUNTY
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST LATEST	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		12/19/00 / /	
		<input type="checkbox"/> CONTINUING ACTION	

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. Personal Harm

I have worked as an assistant manager for Home Depot since May 22, 1989. On December 29, 1999, I filed a charge of discrimination against Home Depot, Charge No. 151 A0 0532. In that charge I alleged that Home Depot discriminated against me because of my age and/or gender by not promoting me to store manager. A Right to Sue letter was mailed on May 3, 2000, and I filed suit on July 20, 2000. On December 19, 2000, Home Depot demoted me from an assistant manager position to an hourly associate position. I believe that Home Depot has retaliated against me for filing the charge of discrimination referenced earlier and for filing a lawsuit against it.

II. Respondent's Reason for Adverse Action

Respondent's purported reasons for the adverse action are contained in the Associate Performance Notice attached hereto.

III. Discrimination Statement

I believe I have been retaliated against because I filed a charge of discrimination and a lawsuit against Home Depot.

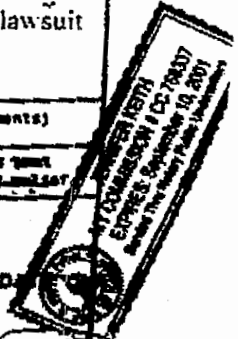
I want this charge filed with both the EEOC and the State or Local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (when necessary for State and Local Requirements)
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

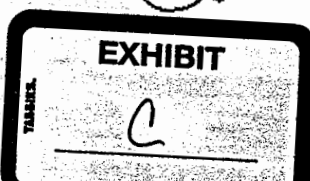
Margo Ann Christie
Date: _____ Charging Party (Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF
(Day, Month, and Year) Jan. 26, 2001

Carmel Ketch



13



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

FILED
01 JUL -2 PM 2:07
DIVISION OF
ADMINISTRATIVE
HEARINGS

DISMISSAL AND NOTICE OF RIGHTS

To: Ms. Margo Ann Christie
8210 Reynolds Drive
Hudson Florida 34667

From: U. S. Equal Employment Opportunity Commission
Tampa Area Office
501 E. Polk Street, Room 1020
Tampa, Florida 33602

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No. 151 A0 0532	EEOC Representative Julie E. Diaz, Investigator	Telephone No. (813) 228-2310
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THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- [] The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- [] Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- [] The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- [] We cannot investigate your charge because it was not filed within the time limit required by law.
- [] Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- [] While reasonable efforts were made to locate you, we were not able to do so.
- [] You had 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.
- [x] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- [] The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- [] Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may pursue this matter further by bringing suit in federal or state court against the respondent(s) named in the charge. If you decide to sue, you must sue WITHIN 90 DAYS from your receipt of this Notice. Otherwise your right to sue based on the above-numbered charge will be lost.

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible. (If you file suit, please send a copy of your court complaint to this office.)

On behalf of the Commission

Manuel Zyrta
Manuel Zyrta, Area Director

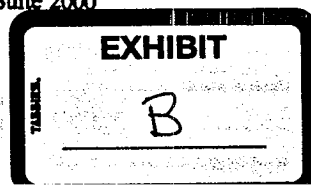
5/3/2000
(Date Mailed)

Enclosure
Copy of Charge

cc:

Home Depot
Trenam, Kemker, Scharf, et.al.
Dinita L. James, For the Firm
2700 Barnett Plaza
101 East Kennedy Boulevard
Tampa, Florida 33602-5150

Alpert, Barker & Rodems, Attorneys At Law
Scott J. Flint, Esquire
100 South Ashley Drive, Suite 2000
Tampa, Florida 33602



NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To:

Margo Ann Christie
8210 Reynolds Drive
Hudson, FL 34667

From:

U. S. Equal Employment Opportunity Commission
Tampa Area Office
501 E. Polk Street, Room 1020
Tampa, Florida 33602

FILED
01 JUL 2001
DIVISION OF
ADMINISTRATIVE
HEARINGS
PH 2:07

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.
151A10727

EEOC Representative
Ted Bonstedt, Senior Investigator

Telephone No.
(813) 225-7027

NOTICE TO THE PERSON AGGRIEVED:

(See also the additional information attached to this form.)

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue, issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your suit under Title VII or the ADA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

- [] More than 180 days have passed since the filing of this charge.
- [X] Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- [X] The EEOC is terminating its processing of this charge.
- [] The EEOC will continue to process this charge.

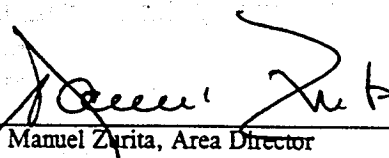
Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- [] The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- [] The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required). EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit based this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Manuel Zurita, Area Director

4/18/01
(Date Mailed)

Enclosure(s)
Copy of Charge

cc: Scott J. Flint
Alpert & Ferrentino, P.A.
100 South Ashley Drive
Suite 2000
Tampa, FL 33602

Steve Messana, Sr. Vice President
Home Depot USA, Inc.
2727 Paces Ferry Road, NW
Atlanta, GA 30339

