

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse side before completing this form.

ENTER CHARGE NUMBER

X FEPA
X EEOC

Georgia Commission on Equal Opportunity and EEOC (State or local agency, if any)

NAME (Indicate Mr., Ms., or Mrs.)

Ms. Ethel Blackmon

Home Telephone No.

[REDACTED]

STREET ADDRESS (CITY, STATE AND ZIP CODE, COUNTY)

[REDACTED]

NAME 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

State of Georgia - Georgia General Assembly

NO. OF EMPLOYEES/MEMBERS

500+

TELEPHONE NUMBER

404-656-5054

STREET ADDRESS CITY, STATE AND ZIP CODE

434 State Capitol, Atlanta, Georgia 30034

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

RACE COLOR SEX RELIGION NATIONAL ORIGIN
 AGE RETALIATION DISABILITY OTHER

DATE MOST RECENT OR CONTINUING DISCRIMINATION

TOOK PLACE (Month, day, year)

February 10, 2011

- I. My name is Ethel Blackmon. I am African American. Most recently, I worked for the State of Georgia from June 1999 until my termination on February 10, 2011.
- II. From on or about December 2005 until my termination, I held the position of administrative assistant. I worked directly for State Senator John Douglas, a senior Senator, for approximately five years, until December 31, 2010, during which time I received consistently positive feedback and praise for my performance. In this five year period, Senator Douglas never indicated dissatisfaction with my job performance and he never issued to me any performance warnings or reprimands of any type. To the contrary, he routinely expressed his satisfaction with my job performance. Over the course of this five year period, I also provided support to several junior State Senators, including Senator Emanuel Jones, Senator Nancy Schaffer, and Senator Buddy Carter. Like Senator Douglas, none of these Senators ever issued to me a performance warning or reprimand.
- III. Senator Douglas did not seek reelection to the State Senate and Senator Carter elected to share an office suite with another Senator. As is the typical practice at the end of an election cycle when the Senior Senator you support is not reelected, I was placed in a pool to be reassigned.
- IV. During the week of December 20, 2010, I received a call from Senator Douglas. He informed me that my personal belongings had been moved into a conference room and they did not yet know where my office would be located and to which Senators I would be assigned. The following week I learned I would be assigned to office 323. A few days later, I learned I would be assigned to support newly elected Senator Ligon and Senator Loudermilk. At this point, I had never met Senator Ligon in person, but I received a call from him after the assignment had been made. We talked for a few moments, we made brief introductions and he was cordial. Before we ended the conversation, he said he would take me out to lunch on January 9 so we would have an opportunity to get to know one another better.
- V. On or about December 30 or 31, I was on vacation, but went in to the office to set up my office. As part of this process, I put up some family photographs of my children and grandchildren (I am 61 years old and have six grandchildren) in my office area, as well as a couple pieces of artwork (one piece depicting an African American jazz musician and another depicting an African American child next to an open gate). These items had been in my office space for the preceding years without complaint.
- VI. I returned to work on January 4, 2011. This was my first official day to begin supporting Senators Ligon and Loudermilk.
- VII. On or about January 4 or 5, Senator Ligon came to the office and we met for the first time. He looked surprised when he met me and his demeanor was different, and significantly less favorable, than when we spoke on the telephone.
- VIII. During this initial encounter, he gestured to my artwork depicting African Americans and my family photographs and said, "All of

this has to go.” I asked if I could keep the print of the African American child, as it is sentimental to me. He said no, that his interior decorator would not be able to fit that in the décor. As instructed, I removed my personal items – including my family photographs and the artwork.

- IX. Senator Ligon did not take me to lunch on the 9th as planned in the telephone conversation held before we first met in person.
- X. Senator Loudermilk first reported to the new office on or about January 10. I assisted him with some tasks for his committee. He never raised any concerns or complaints about my performance.
- XI. Senator Ligon never raised any specific concerns complaints about my job performance. He was, however, condescending in his tone when addressing me – from the first moment we met until my termination on February 10, 2011.
- XII. On February 10, 2011, Jason Fleury, Human Resources, asked to meet with me. In the meeting, he told me that it was not working out with the senators. I asked what specifically was the issue and what did I need to do to correct any concerns. I explained that neither Senator Ligon nor Loudermilk had raised any specific performance concerns with me.
- XIII. Mr. Fleury replied, there is nothing you can do, it is just not working out. He provided no specific reasons and no specific performance related concerns. He did not even claim there was a problem with my performance. He just said that our personalities are not a good fit. He said that I was perfect for Senator Douglas, but not for the new senators.
- XIV. I explained that I was always cordial and professional with Senator Ligon and Senator Loudermilk, and that if there were any performance or personality issues or concerns, I was certainly willing to address them and correct any problems. I then asked if I was being moved.
- XV. Mr. Fleury said he could not move me because there were no openings for administrative assistants and that he could not budget the funds to pay for both me and the new administrative assistant they were hiring to replace me (supporting Senator Ligon and Loudermilk). Mr. Fleury told me it was my last day at the Senate.
- XVI. I asked why I was not given the opportunity to correct any issues or concerns of Senator Ligon and Loudermilk. After all, I had successfully performed my job as an administrative assistant in the legislature over the course of five years supporting several other senators. At this point, because of budget week, I had only worked for the Senator Ligon and Senator Loudermilk for approximately three weeks.
- XVII. Mr. Fleury responded – “**just face it, you are not the face they want representing them to their constituency.**”
- XVIII. In response to Mr. Fleury’s statement about my face not being the face the senators wanted to present to their constituents, I asked directly if they were replacing me with a young white candidate. Mr. Fleury claimed the “leading candidate” was middle aged and African American. (I later learned that a young Caucasian woman was hired to replace me.)
- XIX. I asked again if I had done anything wrong. Mr. Fleury was unable to identify anything I had done wrong. He then claimed, for the first time, that there were some little things. I asked what they were. He had no answers. He told me the reasons for my termination would be explained in the letter Robyn was preparing to be sent to me concerning my separation. Approximately two weeks later, I received the letter referenced by Mr. Fleury along with a copy of my separation notice signed by Robyn Underwood.
- XX. The letter provided no explanation or reason to support my termination, and neither did the separation notice, which simply stated “termination.”
- XXI. I believe that I have been discriminated against based upon my race, African American, in violation of Title VII of the Civil Rights Act of 1964.

I declare under penalty of perjury that the foregoing is true and correct.

Date Charging Party (Signature)



PRIVACY ACT STATEMENT

(This form is covered by the Privacy Act of 1974, Public Law 93-579: Authority for requesting the personal data and the uses are given below.)

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, CHARGE OF DISCRIMINATION, March 1984.
2. AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626.
3. PRINCIPAL PURPOSE (S). The purpose of the charge, whether recorded initially on this form or in some other way reduced to writing and later recorded on this form, is to invoke the jurisdiction of the Commission.
4. ROUTINE USES. This form is used to determine the existence of facts which fall within the Commission's jurisdiction to investigate, determine, conciliate and litigate charges of unlawful employment practice. Information provided on this form will be used by Commission employees to guide the Commission's investigatory activities. This form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. A copy of this charge will ordinarily be served upon the person against whom the charge is made.
5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Charges must be in writing and should identify the parties and action or policy complained of. Failure to have a charge which identifies the parties in writing may result in the Commission not accepting the charge. Charges under Title VII must be sworn to or affirmed. Charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to provide the requested information.
6. Under Section 706 of Title VII of the Civil Rights Act of 1964, as amended, this charge will be deferred to and will be processed by the State or local agency indicated. Upon completion of the agency's processing, you will be notified of its final resolution in your case. If you wish EEOC to give Substantial Weight Review to the agency's findings, you must send us a request to do so, in writing, within fifteen (15) days of your receipt of the agency's finding. Otherwise, we will adopt the agency's finding as EEOC's and close your case.

NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, state:

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed a practice made an unlawful employment practice by this title or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or bearing under this title.

The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.