



Maine Human Rights Commission

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INVESTIGATOR'S REPORT

MHRC No: E14-0459

August 15, 2016

Lorraine Farris (Auburn, ME)

v.

J&S Oil (Manchester, ME)¹, &
Nouria Energy Corp., and the J&S Division of Nouria Energy (Worcester, MA)

I. Complainant's Complaint:

Complainant Lorraine Farris alleged that Respondents J&S Oil, Nouria Energy Corp., and the J&S Division of Nouria Energy discriminated against her based on her sex when they subjected her to sexual harassment in the workplace, retaliated against her for engaging in protected activity, and unlawfully terminated her employment.

II. Respondents' Answer:

J&S Oil denied discriminating against Complainant based on her sex or retaliating against her. Complainant's employment was terminated based on her violation of Respondent's zero-tolerance theft policy. Respondents Nouria Energy Corp. and the J&S Division of Nouria Energy (collectively "Nouria"), alleged to be the successor(s) to J&S Oil, did not respond in any way to Complainant's complaint. Accordingly, Complainant's allegations, as they relate to Nouria, are deemed to be true. References to "Respondent" in this matter refer to Respondent J&S Oil.²

III. Jurisdictional Data:

1) Date of alleged discrimination: March 2013 through March 2014.

¹ Complainant's complaint listed Respondent's name as "J&S Oil". Respondent provided that its legal name is "J&S Oil Company, Inc.". Because Complainant has not amended her complaint to use Respondent's legal name, the name used by Complainant has been retained.

² In April 2016, Complainant amended her complaint to add Respondents Nouria Energy Corp. and the J&S Division of Nouria Energy (collectively "Nouria"), stating that J&S Oil had been sold to Nouria. Respondent J&S Oil's attorney submitted a letter dated June 10, 2016 that stated, "I have been informed that Nouria Energy Corp. did not acquire, never mind merge with the J&S Oil Company, Inc. The shares of J&S Oil Company were sold from one individual to another. A change in the ownership does not affect anything with respect to the company itself. Accordingly, the amendment seeking to add Nouria should be dismissed and J&S Oil Company remains unaffected and the only respondent as it was the employer". Complainant objected to Respondent J&S Oil's dismissal request. The Commission declined to grant the dismissal request, and Nouria remains a party to the complaint and claims here.