



Maine Human Rights Commission

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INVESTIGATOR'S REPORT

E15-0135

February 22, 2017

Kayla Butcher (Turner)

v.

K & R Autosales, Inc. (Auburn)

Summary of Case:

Complainant, who worked for Respondent as an office assistant, alleges that after her relationship with a supervisor for Respondent ended, she was subjected to a hostile work environment and less favorable terms and conditions of employment because of her sex. She also alleges that she was subjected to retaliation (hours and pay cut, termination of her employment) after reporting ongoing sex discrimination to the company's owner. Respondent, an auto seller, denied discrimination or retaliation and claims that Complainant's position was eliminated for financial reasons. The Investigator conducted a preliminary investigation, which included reviewing all the documents submitted by the parties and holding a Fact Finding Conference ("FFC"). Based on all of this information, the Investigator recommends that the Commission find reasonable grounds to believe that Respondent unlawfully retaliated against Complainant for reporting unlawful activity in the workplace and that the Commission find no reasonable grounds to believe unlawful discrimination occurred on the grounds of sex in Complainant's terms and conditions of employment. based on sex.

Jurisdictional Data:

- 1) Dates of alleged discrimination: 6/9/2014.
- 2) Date complaint filed with the Maine Human Rights Commission ("Commission"): 3/19/2015.
- 3) Respondent employs a number of individuals¹ in excess of the jurisdictional requirements of state and federal law and is subject to the s required to abide by the non-discrimination provisions of the Maine Human Rights Act ("MHRA"), Title VII of the Civil Rights Act of 1964, as amended, the Maine Whistleblowers' Protection Act ("WPA") and state and federal employment regulations.
- 4) Complainant is represented by Sally Morris, Esq. Respondent is represented by Rebecca Webber, Esq.

¹ Complainant asserted that Respondent has between 15-20 employees. Respondent claims that it employs less than 15 employees. Since resolution of this issue is not relevant to other issues in the case, no finding is made regarding the number of employees.