



Maine Human Rights Commission

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INVESTIGATOR'S REPORT MHRC Case Number: E16-0204 April 10 2018

Staci O'Leary (Gray)

v.

Maine Department of Public Safety (Augusta)¹

I. Summary of Case:

Complainant, an emergency communications supervisor, alleged that Respondent, a state agency, subjected her to a hostile work environment because a male coworker ("Coworker") harassed her due to her sex and that, after she reported the mistreatment, Respondent retaliated against her by subjecting her to several adverse employment actions. Respondent stated that it took appropriate corrective action to stop the harassment and that it did not retaliate against Complainant. The Investigator conducted a preliminary investigation, which included reviewing all documents submitted by the parties, issuing written requests for additional information, and holding an Issues and Resolution Conference ("IRC"). Based upon this information, the Investigator recommends finding that there are no reasonable grounds to believe that Respondent subjected Complainant to a hostile work environment or unlawfully retaliated against her.

II. Jurisdictional Data:

- 1) Dates of alleged discrimination: January 2008² to November 2016.
- 2) Date complaint filed with the Maine Human Rights Commission ("Commission"): April 15, 2016.
- 3) Respondent is subject to the MHRA, Title VII of the Civil Rights Act of 1964, as amended, and the Maine Whistleblowers' Protection Act ("WPA"), as well as state and federal employment regulations.

¹ Complainant named Respondent as "Maine Department of Public Safety"; Respondent stated that its legal name is "State of Maine, Department of Public Safety". Because Complainant did not amend her complaint, the name she used has been retained.

² The Maine Human Rights Act ("MHRA") provides that complaints must be filed with the Commission "not more than 300 days after the alleged act of unlawful discrimination." See 5 Maine Revised Statutes ("M.R.S.") § 4611. In cases involving discrete acts of discrimination (contrasted with hostile-environment claims), the filing deadline runs from the time that a reasonable person would have become aware of the facts supporting a claim of discrimination. *LePage v. Bath Iron Works Corp.*, 2006 ME 130, ¶ 11. In this case, Complainant filed her sworn complaint on April 15, 2016; thus, the 300-day period in this case is considered to have begun on June 20, 2015. The Investigator did not analyze any discrete allegations of discrimination which occurred before June 20, 2015 in this Report; to the extent the events before that date could support a hostile environment claim, they are analyzed below.