



PALES JULAGRI 14 1007

COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY

THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

July 1, 2011

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

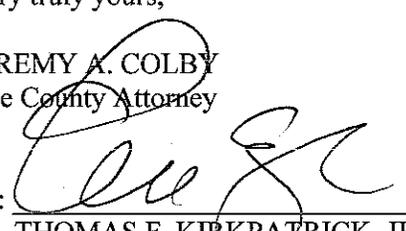
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Boyce, Melissa J. vs Erie County Department of Social Services</i>
Document Received:	Div of Human Rights Charge of Discrim
Name of Claimant:	Melissa J. Boyce 1092 Four Rod Road Alden, New York 14004
Claimant's attorney:	Tasha E. Moore New York State Division of Human Rights - Buffalo 65 Court Street, Suite 506 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.



ANDREW M. CUOMO
GOVERNOR

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF
HUMAN RIGHTS on the Complaint of

MELISSA J. BOYCE,

Complainant,

v.

ERIE COUNTY, DEPARTMENT OF SOCIAL
SERVICES,

Respondent.

VERIFIED COMPLAINT
Pursuant to Executive
Law, Article 15

Case No.
10149184

Federal Charge No. 16GB103588

I, Melissa J. Boyce, residing at 1092 Four Rod Road, Alden, NY, 14004, charge the above named respondent, whose address is 95 Franklin St., Buffalo, NY, 14202 with an unlawful discriminatory practice relating to employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of sex.

Date most recent or continuing discrimination took place is 9/29/2010.

The allegations are:

1. I am female. Because of this, I have been subject to unlawful discriminatory actions.
2. I was hired on or about April 9, 2001 and currently hold the position of Child & Protective Services Team Leader.
3. I had taken the Civil Service exam for the position of CPS Coordinator position and was placed on the list. In August 2010 I was interviewed for the position of CPS Coordinator by Robert Deisz, Neno D'Orazio and Vastye Gillespie.
4. In or around mid August 2010 Neno D'Orazio, Administrative Director, informed me that I had been selected

for the position. I was notified by the Personnel Office that I would start the position on September 27, 2010. Subsequently I was informed by Robert Deisz, CPS Administrative Director, that my start date would be October 12, 2010.

5. On September 29, 2010 Neno D'Orazio told me that Vastye Gillespie, Second Department Commissioner, had changed her mind and I would not receive the promotion. The position was filled by a male, Chris Anderson.

Based on the foregoing, I charge respondent with an unlawful discriminatory practice relating to employment because of sex, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296.

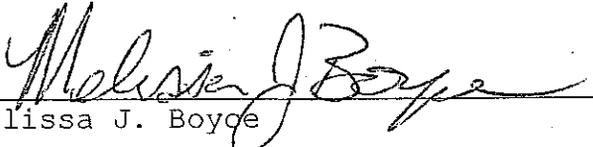
I also charge the above-named respondent with violating Title VII of the Civil Rights Act of 1964, as amended (covers race, color, creed, national origin, sex relating to employment). I hereby authorize SDHR to accept this verified complaint on behalf of the U.S. Equal Employment Opportunity Commission (EEOC) subject to the statutory limitations contained in the aforementioned law(s).

I have not commenced any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice.

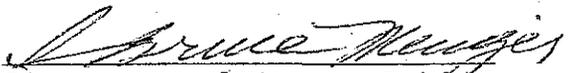

Melissa J. Boyce

STATE OF NEW YORK)
COUNTY OF) SS:

Melissa J. Boyce, being duly sworn, deposes and says: that he/she is the complainant herein; that he/she has read (or had read to him or her) the foregoing complaint and knows the content thereof; that the same is true of his/her own knowledge except as to the matters therein stated on information and belief; and that as to those matters, he/she believes the same to be true.


Melissa J. Boyce

Subscribed and sworn to
before me this 20 day
of JUNE, 20 11


Signature of Notary Public

I. BRUCE MESSINGER
Notary Public, State of New York
Qualified in Erie County
My Commission Expires June 30, ~~2014~~ 2015