

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.	Charge Presented To:	Agency(ies) Charge No(s):
	<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	[Redacted]

**Texas Workforce Commission Civil Rights Division** and EEOC  
*State or local Agency, if any*

Name (indicate Mr., Ms., Mrs.) <b>Ms. Toni A. Marek</b>	Home Phone (Incl. Area Code) [Redacted]	Date of Birth [Redacted]
Street Address [Redacted]		City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name <b>PHI THETA KAPPA</b>	No. Employees, Members <b>15 - 100</b>	Phone No. (include Area Code) <b>(800) 946-9995</b>
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Street Address <b>1625 Eastover Drive, Jackson, MS 39211</b>	City, State and ZIP Code
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Name	No. Employees, Members	Phone No. (include Area Code)
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Street Address	City, State and ZIP Code
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DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)	DATE(S) DISCRIMINATION TOOK PLACE Earliest    Latest <b>01-10-2014    01-11-2014</b> <input type="checkbox"/> CONTINUING ACTION
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THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):

On or about April 6, 2013, I began working for Respondent as International Vice President Division II. On January 11, 2014 Rod Risley, Executive Director of Phi Theta Kappa, discharged my employment.

During a dinner Rod Risley rubbed and touched me inappropriately on my left thigh, right shoulder, and back. I left the dinner table 3-4 times to avoid his behavior, I leaned and scooted away to avoid contact. I made comments about it to another employee. The next morning, Rod Risley called me in his office and told me that he could not believe what kind of person I am, and I needed mental assistance.

I was suspended and forced to resign. I asked to call my advisor but I was told that I could not. I have yet received any information in regards to my resignation. Risley did not give me a reason for my termination.

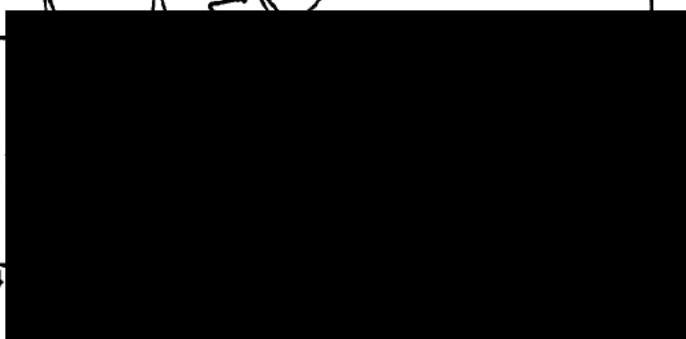
I believe that I have been retaliated against based on my sex, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

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

4/28/2014      [Redacted Signature]  
 Date      Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements



EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Toni A. Marek

From: Houston District Office  
Total Plaza  
1201 Louisiana, Suite 600  
Houston, TX 77002

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

Jeremy Crosble,  
Investigator

(713) 651-4919

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

Other (briefly state) **No Employee/Employer relationship**

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

[Redacted Signature]

R.J. Ruff, Jr.,  
District Director

6-5-14

(Date Mailed)

cc: Deborah Stamps  
Operations & H.R  
PHI THETA KAPPA  
PO Box 13729  
Jackson, MS 39236

Lowell Kelg, Executive Director  
TWC/Civil Rights Division  
101 East 15th Street, Room 144T  
Austin, TX 78778