

In the Matter of Henry Vance Davis,
Ramapo College of New Jersey
DOP DKT. NO. 2005-2216
OAL DKT. NO. CSV 12220-05
(Merit System Board, decided January 30, 2008)

The appeal of Henry Vance Davis, a Professor with Ramapo College of New Jersey of the determination of the Interim President, Ramapo College of New Jersey which stated that he violated the New Jersey State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace was heard by Administrative Law Judge Joseph A. Paone who rendered his initial decision on December 26, 2007. No exceptions were filed.

Having considered the record and the Administrative Law Judge's initial decision, and having made an independent evaluation of the record, the Merit System Board, at its meeting on January 30, 2008 accepted and adopted the Findings of Fact and Conclusion as contained in the attached Administrative Law Judge's initial decision.

ORDER

The Merit System Board upholds the State's determination that Mr. Davis violated the State Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace. The Board therefore affirms that action and dismisses the appeal of Henry Vance Davis.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSV 12220-05

AGENCY DKT. NO. 2005-2216

HENRY VANCE DAVIS,

Appellant,

v.

RAMAPO COLLEGE OF NEW JERSEY,

Respondent.

Kevin T. Kutyla, Esq., for appellant Henry Vance Davis (Gruber, Colabella, Liuzza, Kutyla, Ullmann & Williams, attorneys)

Henry Vance Davis, pro se

Melissa E. Hager, Deputy Attorney General, for respondent Ramapo College of New Jersey (Anne Milgram, Attorney General of New Jersey, attorney)

Record Closed: December 10, 2007
2007

Decided: December 26,

BEFORE **JOSEPH A. PAONE**, ALJ:

STATEMENT OF THE CASE

A Hispanic female filed a complaint against appellant Henry Vance Davis, an African-American male, and alleged that he discriminated against her based on her race and color when he asked her to leave a meeting. Respondent Ramapo College of New Jersey (the College) determined that appellant violated the New Jersey State Policy Prohibiting Discrimination, Harassment, or Hostile Environments in the Workplace (State policy).¹ Davis responded that he did not violate the State policy, that “it defies logic for him to have done so,” and suggested that the College was motivated by retaliation. The Merit System Board has referred this matter for a hearing in order for the undersigned to properly assess the credibility of the witnesses. In the event that Davis’ position is vindicated, I must recommend an appropriate remedy.

PROCEDURAL HISTORY

On March 1, 2005, a complaint was filed against Davis alleging that he discriminated against Rosa Diaz-Mulryan based on her race and color. On or about July 24, 2004, Davis filed a counter-complaint against Diaz-Mulryan alleging racial harassment. That complaint was dismissed and is not the subject matter of this appeal. On November 10, 2004, W. Sanborn Pfeiffer, the interim president of the College, transmitted a letter to Davis advising him that he concluded that Davis violated the College’s Policy Prohibiting Discrimination, Harassment and Hostile Environments in the Workplace. The letter was intended as a warning. On or about December 9, 2004, Davis appealed that determination to the Merit System Board (Board) for a hearing. On September 22, 2005, the Board issued a decision ordering a hearing. On May 25, 2006, the Board denied the College’s request for reconsideration. The Department of Personnel transmitted the contested case to the Office of Administrative Law,

¹ The determination letter issued by interim president W. Sanborn Pfeiffer concluded that appellant violated the “College Policy on Discrimination, Harassment and Hostile Environment in the Workplace,” which, pursuant to N.J.A.C. 4A:7-3.1, is based on the State policy prohibiting discrimination, harassment or hostile environments in the workplace.

where it was filed on November 10, 2005. *N.J.S.A.* 11A:1-1 through -12.6; *N.J.S.A.* 52:14B-2(b).

A hearing commenced on October 13, 2006, and continued on November 13, 2006. In order to accommodate Davis' witness, Rosetta D'Angelo, the case was adjourned to May 14, 2007. On that date, Davis and his attorney failed to appear. I denied the College's request for a dismissal. The matter was rescheduled for November 19, 2007, and the parties and counsel appeared. On that day, I denied the College's alternate request for fees and costs due to Davis' failure to appear on May 14, 2007. Kevin T. Kutyla, attorney for Davis, moved to withdraw as his attorney. Davis joined in Kutyla's application. Davis insisted that he no longer wished Kutyla to represent him, even after I explained to Davis that the withdrawal of counsel would not constitute grounds for an adjournment. Accordingly, I granted Kutyla's motion. Then Davis moved for an adjournment in order to retain new counsel. I denied his application because Davis had concluded almost six months earlier that he no longer wished Kutyla to represent him, but made no effort to retain new counsel. The hearing continued and Davis was provided the opportunity to present D'Angelo's testimony. Davis refused to call her because he did not want D'Angelo subject to the deputy attorney general's cross-examination without counsel. He offered her affidavit in the alternative. Counsel for the College objected. Since ample opportunity had been provided to Davis to produce D'Angelo and there was no reasonable reason why she couldn't testify, I denied the introduction of her affidavit (A-1) into evidence. Thereafter, Davis rested. The parties were provided an opportunity to submit briefs, which were due on December 10, 2007. On that date the record closed.

FINDINGS OF FACT

Davis graduated from Western Michigan University in 1970 with a bachelor's degree in history. He earned a master's degree from the University of Michigan in 1972, and a Ph.D. in 1990. His dissertation was entitled "Black

Newspapers — 1827–1927.” His testimony reflected a keen interest in the issue of race. He attended workshops and lectures on race relations. He organized conferences that related directly to the voice of African professors in predominantly white universities and colleges. He testified that he served as a consultant for the NAACP, the ACLU and the Mexican American Legal Defense and Educational Fund and also as a consultant to “The Black Scholar,” a leading activist black newspaper. Three College professors who were colleagues of Davis, Dr. Milton Gittens, Dr. Sam Rosenberg, and Dr. John Mulhern, testified on behalf of Davis that he had a wonderful reputation for truthfulness.

The College is a thirty-seven-year-old public institution with 6,000 students and 216 full-time faculty. It includes the School of Theoretical and Applied Science, the School of Contemporary Arts, the School of Business, the School of Social Science and Human Services, and the School of American and International Studies. In 1998 Davis joined the College as an associate history professor, and in 2001 he was promoted to dean of the School of Social Science and Human Services. Before his employment with the College he was an associate professor of history at Western Michigan University. He also taught social studies at a public school from 1966 to 1988. From 1988 to 1990 he served as an administrative intern at the University of Michigan, Office of Minority Affairs. He was the first person to serve in that post, which was developed to infuse minority participation at the university.

Eugene Marshall, who testified on behalf of Davis, had been the director of athletics at the College from 1998 until July 31, 2005. He testified that there had been a vote of “no confidence” by a majority of the faculty against Rodney Smith, the president of the College. Smith’s subsequent resignation was of concern to the minority community because he had only been at the College two years and he was the first African-American president of the College. Davis testified that Smith “felt that there was a discomfort in the College that placed him and his family in a situation that was untenable for them; that he had not been

given the same opportunity to be president of” the College as had others. Davis scheduled a meeting to allow the minority community to express and explore the implication of Smith’s resignation. Davis claimed that the minority community had a different perception regarding Smith’s resignation. According to Davis, the board of trustees had challenged Smith in 2003 and Smith was treated differently due to his race, which prompted his resignation. Davis testified that the vote of “no confidence” by the faculty had not included those who occupied positions of less than full professor. Davis, therefore, decided to convene his meeting so that those who were precluded from participating in the confidence-vote meeting could speak. Davis sent an e-mail to nineteen individuals inviting them to attend a meeting that he scheduled for February 4, 2004, at 1:15 p.m. in room 219 of the Student Center. R-1. These individuals were, according to Davis, “people who had a presence in the minority community” and “people . . . [who] could engage in the conversation [and with whom] people could be comfortable.” In his e-mail, Davis wrote that the purpose of the meeting was “to discuss Smith’s announcement that he will not seek continued employment at the College.” He added, “If there are others I have not included [that] those who receive this email feel I should have, please invite them.” *Ibid.* Rosetta D’Angelo, a professor of languages, was the only person who is not black or of African descent listed as an invitee in the e-mail. Davis explained that he invited D’Angelo because, in his view, she had a presence in the minority community. She had been behind the “Study Abroad South Africa Program.” D’Angelo, however, did not attend.

Rosa Diaz-Mulryan was born in Havana, Cuba, and immigrated to the United States in March 1967. She testified that her first language is Spanish. She is the assistant vice president for institutional relations and events and conferences, and has oversight over marketing and communications. From August 2000 to October 2003, she reported directly to Kathleen Davey. She described her relationship with Davey at the time as antagonistic and she did not feel that Davey was treating her fairly. Thereafter she reported to Smith until

June 2004. After Smith's resignation, she again reported to Davey. In November 2005 she also began reporting to Peter Mercer.

Letizia Gambrell-Boone, special assistant to the president, forwarded Davis' e-mail (R-1) to Diaz-Mulryan. Diaz-Mulryan testified that she earnestly wanted to attend the meeting because Smith had been so supportive of her during her conflict with Davey upon her arrival at the College. He had been her advocate. He later chose Diaz-Mulryan to be his "right-hand person," to replace Gambrell-Boone when she went on maternity leave. Smith had exhibited a great deal of confidence in Diaz-Mulryan, which was meaningful to her, and his resignation upset her. She wanted to be present at the meeting to express her support for Smith.

Diaz-Mulryan testified that when she arrived at Room 219 for the meeting, there were six to eight people present. As she sat down, Davis said to her, "Rosa, you're here?" He then expressed that it wasn't "okay" for her to be present. He said the meeting was only intended for select people who were invited. Diaz-Mulryan responded that she was invited. Davis replied that her presence might make people uncomfortable. Diaz-Mulryan responded, "Does everyone here feel that way?" No one answered. Davis informed Diaz-Mulryan that the only non-black person attending the meeting was Sandy Pfeiffer, the College provost, and that was because the president invited him. Diaz-Mulryan responded, "I'm Hispanic and thought this was a meeting of people who were concerned with Smith's departure." Davis replied, "This is a meeting of black representation, not of all minorities." R-4. Since Davis remarked "that this was a meeting of the Ad Hoc Group of Black Faculty and Administrators, and [she] was not part of that because [she] was not black," and in fact, "was the only white person in the room," Diaz-Mulryan believed that Davis excluded her because she was not black or of African descent.

Even though he did not invite Diaz-Mulryan to the meeting, Davis did not challenge the contention that she had been invited by Gambrell-Boone, whom he had invited. Davis testified, however, that he was not comfortable with Diaz-Mulryan's attendance because she 1) had no presence in the African-American community; 2) was associated with the administration and would dampen discussion; and 3) was not sensitive to the issues confronted by the "community." Davis, in describing his encounter with Diaz-Mulryan, said that he merely asked her to leave. When she objected and said she had been invited, Davis responded that he understood, but said that in his opinion her presence would cast a pall. Davis wanted an environment that would foster a full, free and robust discussion. After he raised his objection to Diaz-Mulryan's presence, a discussion ensued as to who called the meeting. Diaz-Mulryan thought that it was called by the Minority Faculty and Staff Association. Appellant advised her that it was the "Ad Hoc Coalition of Black Faculty and Administrators." Davis explained that this organization was established by people to champion the cause of people not protected. Davis told Diaz-Mulryan that it was in the "best interest of the meeting if she left," and she did.

Davis explained that Diaz-Mulryan was sitting to his right and Dr. Dorothy Echols Tobe was sitting to his left. Echols Tobe was a senior level administrator; according to Davis, she had a presence in the "community." Davis had seen her at the "State of Africana Professoriate Program," which addressed racial issues. Davis denied that he asked Diaz-Mulryan to leave because of race. He testified that two or three individuals in attendance were not African-American. But he did not deny they were black. Diaz-Mulryan is fair-skinned.

Diaz-Mulryan testified that appellant's tone was authoritative and firm. Even though she wanted to be helpful, she felt discriminated against, offended and harassed. Upset, she said, "I won't take up any more of this meeting's time and I will excuse myself," and left the meeting. Marshall passed Diaz-Mulryan as he returned to the room and noticed that she appeared upset. He testified on

direct examination that he asked Davis what had happened and Davis replied that he asked Diaz-Mulryan to leave “because she represented senior administration, and there were folks in the group that really didn’t feel comfortable speaking in front of senior-level administrators that they weren’t familiar with.” On cross-examination, however, Marshall claimed that Davis only told him that he asked Diaz-Mulryan to leave; it was Marshall who assumed the reason was because folks would not be “comfortable speaking with senior officials” in the room. Diaz-Mulryan testified that Davis never stated at the February 4 meeting that administrators were not welcome. “[Davis] specifically said that this was a meeting of the ‘Ad Hoc Group of Black Faculty and Administrators’ and that I was not welcome to attend that, but that I was welcome to attend the ‘Minority Faculty and Staff Association’ meetings.”

Outside, Diaz-Mulryan saw Smith and Pfeiffer and informed them that she had just been “kicked out” of the meeting because she didn’t have “the right color skin.” Smith said to her, “Come on in.” Notwithstanding, she left, and at 1:34 p.m. she e-mailed the affirmative action officer, Lorraine Edwards, to advise her that she wished to file a discrimination complaint against Davis. R-2. Since he had received a copy of Diaz-Mulryan’s e-mail, at 2:04 p.m. Smith e-mailed Diaz-Mulryan and informed her that he spoke with Davis and Davis expressed to him that he hoped that she was not offended. R-3. Smith related that the group had “wanted to discuss other matters that related specifically to the African-American population on campus,” and that he didn’t remain at the meeting. *Ibid.* He apologized for Davis’ offensive behavior. Diaz-Mulryan e-mailed Smith and told him that she disagreed with Davis’ characterization of the meeting because it conflicted with his e-mail. She told Smith, “It is absolutely discriminatory to say the meeting was closed to all who are not black.” R-4. Smith responded in an e-mail, “Please do what you feel you must do within your right.” R-6.

Davis testified that upon Smith’s arrival at the meeting, Smith advised the approximately twenty attendees (A-2) that his resignation was not about “race

and not to come out in support of him.” Smith then left and the meeting continued. Davis added that in the end, the meeting was not about Smith, but about the “community.” Davis conceded that he would not have objected to Smith remaining, even though he was in the administration, because he could have offered insight. He explained that based on his personal interactions, he concluded that some in the administration were favorable and some antagonistic toward the “community.” His opinion was derived from conversations, documentation, and event decisions. Davis claimed that Diaz-Mulryan fell into the antagonistic camp, due to her closeness to Cathy Davey, vice president for institutional relations, and Vicki Brunni, vice president for administration and finance.

Diaz-Mulryan testified that she met with Lorraine Edwards on February 5, 2004, at 1:30 p.m. Edwards, who was present at the February 4, 2004, meeting, apologized for not speaking up at the meeting on Diaz-Mulryan’s behalf. Diaz-Mulryan informed Edwards that Davis had approached her earlier and told her that he wanted to speak to her and “wanted to help [her] understand why he did what he did and that he meant no disrespect.” Edwards scheduled a meeting between Diaz-Mulryan and Davis for February 17, 2004, at 11:00 a.m. R-9. At the meeting, Davis apologized for any pain he may have caused Diaz-Mulryan. He explained, however, that some people may have perceived Diaz-Mulryan as a member of the administration, and added that “some people [in the administration] don’t want to see African-Americans move up due to bias.” He said that Diaz-Mulryan could be seen as a “spy for the man.” That comment surprised Diaz-Mulryan because Echols Tobe, who is black, was vice provost and held a higher position in the administration than she did. Diaz-Mulryan was offended by Davis’ judgments about her because they had only had minimal interaction with each other prior to the February 4 meeting. Their attempt at mediation lasted for one-half hour, but because Diaz-Mulryan did not hear Davis give any recognition to the fact that he had done anything incorrectly, the meeting ended without a resolution.

Since October 1980 Dr. Dorothy Echols Tobe has been employed by the College, and she is presently the chief planning officer. Before that she was the vice provost for planning and accreditation. She presently holds the third highest ranking position at the College. When Smith was president of the College, Echols Tobe reported to Vicki Brunni. Echols Tobe testified that she attended the February 4 meeting at Davis' invitation. She was present during the interchange between Davis and Diaz-Mulryan. She confirmed that upon Diaz-Mulryan's arrival Davis informed her that she could not remain because it "would be chilling to folks who were in the room." Echols Tobe said that Davis informed Diaz-Mulryan that he called the meeting on behalf of "an ad hoc coalition of black faculty and some administrators." Echols Tobe added that Diaz-Mulryan did not belong to the group. Echols Tobe testified that after Diaz-Mulryan left the room, Edwards had expressed her concern to Davis that Diaz-Mulryan was asked to leave. Echols Tobe offered during that discussion that D'Angelo had also been invited. Davis reiterated that Diaz-Mulryan's "presence there would be chilling to the discussion [and] that people wouldn't feel free to talk." During the hearing, Echols Tobe disputed that Diaz-Mulryan would pose a chilling effect. She was unaware of any such sentiment among staff at the College. Echols Tobe was "mortified" and "upset" by Davis' conduct. Moreover, she didn't agree with Davis' decision because she believed that all views should be considered at an academic institution. The day after the meeting Echols Tobe apologized to Diaz-Mulryan.

Other than Pfeiffer, who accompanied Smith, Diaz-Mulryan was the only non-black person who attended the February 4 meeting. Davis claims that he excluded Diaz-Mulryan because she was a member of the administration and her attendance might chill the free expression of those attending the meeting. Davis' explanation is shallow. The evidence adduced at the hearing does not support his contention. Others associated with the administration attended, specifically, Echols Tobe and Edwards. Echols Tobe even held a higher position in the

administration than Diaz-Mulryan. And although Smith, the president of the College, was the subject of the meeting, Davis testified that there would not have been any problem had he remained during the meeting. Moreover, even Davis' assumptions about Diaz-Mulryan are suspect. He testified that Diaz-Mulryan's association with Cathy Davey and Vicki Brunni concerned him. Yet, Diaz-Mulryan was not reporting to Davey at the time, and, in fact, endured a hostile relationship with her. And Echols Tobe reported to Brunni. I have discounted Marshall's testimony relating to any discomfort that folks might have had in speaking in the presence of "senior officials" because it appeared contrived, and I regard his testimony as biased.

Davis also contended that Diaz-Mulryan had no presence in the African-American community and was not sensitive to the issues confronted by that community. But Davis hardly knew Diaz-Mulryan. In fact, an invitee, Gambrell-Boone, apparently believed that Diaz-Mulryan had a presence in the "community" because she forwarded Davis' invitation to her pursuant to Davis' instruction in his e-mail. Davis formed subjective assumptions about Diaz-Mulryan's standing and sensitivity and placed before her a hurdle that he hadn't with the non-white attendees. An inference may be drawn that Davis treated Diaz-Mulryan differently merely because she is not black.

Davis' statements to Diaz-Mulryan at the meeting betray his motivation. He informed Diaz-Mulryan that "the only non-black person attending this meeting is Sandy Pfeiffer." When Diaz-Mulryan said "I'm Hispanic and thought this was a meeting of people of who were concerned with Smith's departure," Davis replied, "this is a meeting of black representation, not of all minorities." And he emphasized that the meeting was a gathering of the "Ad Hoc Coalition of Black Faculty and Administrators." The tone and context of his conversation with Diaz-Mulryan make it clear that Davis excluded her because she is not black. Davis' reliance on the fact that he invited a non-black woman, D'Angelo, to the meeting does not insulate him against the accusation that he used race as a factor when

he excluded Diaz-Mulryan from the meeting. Therefore, I **FIND** that Davis convened a meeting on February 4, 2004, and excluded Diaz-Mulryan from that meeting due, at least in part, to her race or color.

CONCLUSIONS OF LAW

“Prohibited discrimination/harassment undermines the integrity of the employment relationship, compromises equal employment opportunity, debilitates morale and interferes with work productivity.” *N.J.A.C. 4A:7-3.1(a)(1)*. Accordingly, “[t]he State of New Jersey is committed to providing every State employee . . . with a work environment free from prohibited discrimination or harassment.” *N.J.A.C. 4A:7-3.1(a)*. All forms of employment discrimination based upon race or color are prohibited. *Ibid.* The State policy may be violated even if the conduct does not satisfy the legal definition of discrimination or harassment. *Ibid.*

The State policy applies to all employees in State departments, including State colleges or universities. *N.J.A.C. 4A:7-3.1(a)(1)*. “[H]arassment or discrimination by anyone in the workplace[,] including supervisors, co-workers, or persons doing business with the State,” is not tolerated. *Ibid.*

“It is a violation of this policy to engage in any employment practice or procedure that treats an individual less favorably based upon” the individual’s race or color. *N.J.A.C. 4A:7-3.1(a)(3)*. Such employment practices include “recruitment, selection, hiring, training, promotion, transfer, assignment, layoff, return from layoff, termination, demotion, discipline, compensation, fringe benefits, working conditions and career development.” *Ibid.* “Treating an individual differently because of the individual’s race [or] color” may also constitute a violation of the policy. *N.J.A.C. 4A:7-3.1(b)(1)(ii)*. Even though the conduct that constitutes “treating an individual differently” is not defined by the regulation and no examples are provided, the regulation should be subject to a

broad interpretation in order to further the zero-tolerance policy and goal of maintaining “a work environment free from prohibited discrimination or harassment” as demanded by the State policy. *N.J.A.C. 4A:7-3.1(a)*; see also 33 *N.J.R. 3281(a)* (Sept. 17, 2001). Therefore, when race or color is a factor in the exclusion of an employee from a meeting on a State college campus convened to discuss race, such conduct is deemed to be in violation of the State policy.

The burden of proof in this case lies with Davis. *N.J.A.C. 4A:7-3.2(n)(1)*. Since he has failed to demonstrate by a preponderance of the competent and credible evidence that he did not, at least in part, exclude Diaz-Mulryan based on her race or color from the February 4, 2004, meeting, I am compelled to **CONCLUDE** that the College’s determination that Davis violated the State policy may not be disturbed.

ORDER

Accordingly, I hereby **ORDER** that Davis’ appeal be **DISMISSED**.

I hereby **FILE** my initial decision with the **MERIT SYSTEM BOARD** for consideration.

This recommended decision may be adopted, modified or rejected by the **MERIT SYSTEM BOARD**, which by law is authorized to make a final decision in this matter. If the Merit System Board does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with *N.J.S.A. 52:14B-10*.

Within thirteen (13) days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, MERIT SYSTEM PRACTICES AND LABOR RELATIONS, UNIT H, DEPARTMENT OF PERSONNEL, 44 South Clinton Avenue, P.O. Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

December 26, 2007



DATE

JOSEPH A. PAONE, ALJ

December 26, 2007

Date Received by Agency:

Mailed to Parties:

DATE

OFFICE OF ADMINISTRATIVE

LAW

lr

EXHIBITS

For Appellant:

- A-1 Affidavit of Rosetta D'Angelo (for identification only)
- A-2 Sign-in list

For Respondent:

- R-1 Copy of Davis' e-mail, forwarded by Gambrell-Boone, dated February 4, 2004
- R-2 Copy of Diaz-Mulryan's e-mail to Edwards, dated February 4, 2004
- R-3 Copy of Smith's e-mail to Diaz-Mulryan, dated February 4, 2004
- R-4 Copy of Diaz-Mulryan's e-mail to Edwards, dated February 4, 2004
- R-5 Copy of Edwards' e-mail to Diaz-Mulryan, dated February 4, 2004
- R-6 Copy of Smith's e-mail to Diaz-Mulryan, dated February 4, 2004
- R-7 Copy of Edwards' e-mail to Diaz-Mulryan, dated February 4, 2004
- R-8 Copy of Edwards' e-mail to Diaz-Mulryan, dated February 5, 2004
- R-9 Copy of Edwards' e-mail to Diaz-Mulryan, dated February 6, 2004
- R-10 Copy of Edwards' e-mail to Diaz-Mulryan, dated February 17, 2004
- R-11 Copy of Davis' e-mail, forwarded by Gambrell-Boone, dated February 4, 2004, with Diaz-Mulryan's notes
- R-12 Copy of Interim State of New Jersey Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace (policy)
- R-13 Copy of Interim State of New Jersey Policy Prohibiting Discrimination, Harassment or Hostile Environments in the Workplace (model procedure)
- R-14 Sketch of meeting room
- R-15 Davis' memorandum advising Edwards of his desire to file racial harassment complaint against Diaz-Mulryan
- R-16 Sketch of meeting room

WITNESSES

For Appellant:

- Eugene Marshall
- Milton Gittens
- Sam Rosenberg

John Mulhern
Henry Vance Davis

For Respondent:

Rosa Diaz-Mulryan
Dorothy Echols Tobe