

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Trent v. Allegheny Airlines, Inc.

431 F. Supp. 345 (W.D. Pa. 1977) · No. Civ. A. No. 76-1536 · Decided May 6, 1977

SUMMARY

The court addresses Title VII claims alleging race and sex discrimination by Allegheny Airlines and a labor union. It holds that the allegations sufficiently pleaded continuing discrimination and that the union was effectively identified for purposes of EEOC exhaustion, but dismisses the complaint without prejudice because the plaintiffs did not allege or demonstrate exhaustion of the Pennsylvania state administrative remedy.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Snyder, District Judge
JURISDICTION	Pennsylvania
DECIDED	May 6, 1977
DOCKET	Civ. A. No. 76-1536
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought a Title VII action alleging race and sex discrimination in hiring, job classification, compensation, and employment conditions. Defendants moved to dismiss for lack of subject matter jurisdiction based on allegedly untimely EEOC charges and the Union's omission from the EEOC charge. The court also considered, sua sponte, whether plaintiffs had exhausted the Pennsylvania state administrative remedy.
STANDARD OF REVIEW	The court independently determined its subject-matter jurisdiction rather than deferring to the EEOC's jurisdictional conclusion.
PRECEDENTIAL VALUE	published federal district court opinion
PARTIES	Clarence Trent et al. v. Allegheny Airlines, Inc., International Association of Machinists and Aerospace Workers, Local 1976

TOPICS

title vii

racial discrimination

employment discrimination

subject matter jurisdiction

exhaustion of remedies

PRACTICE AREAS

employment law

civil rights

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the EEOC charges were timely when the supporting affidavit alleged a continuing pattern of discrimination involving past acts and present effects.
2. Whether the federal court could hear the Title VII claim against the Union even though the Union was not expressly named as a respondent in the EEOC charge or right-to-sue notice.
3. Whether the complaint adequately established exhaustion or deferral of Pennsylvania's state administrative remedy before the EEOC filing.

HOLDINGS

1. The supporting affidavit and complaint adequately alleged a continuing discriminatory system, so the plaintiffs sufficiently pleaded that the EEOC charges were filed within the applicable 300-day period. The EEOC's contrary jurisdictional determination did not control the federal court's jurisdiction.
2. The Union was a proper defendant even though it was not expressly named in the EEOC charge because the factual allegations reasonably identified and implicated the Union and should have prompted an EEOC investigation of its role.
3. The complaint had to be dismissed without prejudice because it neither alleged exhaustion of the Pennsylvania Human Relations Commission remedy nor included documents showing that the charges had been filed with or deferred to the state agency.

KEY QUOTATIONS

“While the EEOC's expertise in Title VII cases may entitle its interpretations of the Act to deference by the courts, its findings do not determine the scope of federal court jurisdiction. The court must determine its jurisdiction.” (348)

“When the charge alleges such a pattern of discrimination continuing to the date of filing, the charges are timely filed.” (350)

“For these reasons, we conclude that a plaintiff has “named” all parties who were reasonably identified in the factual allegations and who should have been the object of an EEOC investigation which would reasonably arise out of charges timely filed with the Commission.” (351)

“Under these circumstances, we must dismiss the Complaint without prejudice to renew in order to show state exhaustion or to renew the suit upon first exhausting the state remedy and then properly presenting the charges to the EEOC for conciliation and investigation.” (351-352)

FACTUAL BACKGROUND

The plaintiffs, all Black individuals and one woman, alleged that Allegheny Airlines discriminated in hiring, job classification, compensation, seniority, and working conditions. Clarence Trent alleged that he was denied mechanic opportunities, demoted to cleaner, lost seniority, and was denied premium jobs and shifts because of race; he also alleged that the Union failed to assist him. The court treated the allegations and supporting affidavit as asserting a continuing discriminatory system involving both the employer and the Union.

PROCEDURAL HISTORY

Plaintiffs filed suit in federal district court on December 9, 1976, within 90 days after Clarence Trent received an EEOC right-to-sue letter. The defendants moved to dismiss, arguing that the EEOC charges were untimely and that the Union had not been named as a respondent. The court rejected those grounds, but dismissed the complaint without prejudice because it did not allege or document exhaustion or deferral of the required Pennsylvania state remedy.

DISPOSITION

dismissed

CASES CITED

- Alexander v. Gardner-Denver Co., 415 U.S. 36 (1974)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
- Belt v. Johnson Motor Lines, Inc., 458 F.2d 443 (5th Cir. 1972)
- Macklin v. Spector Freight Systems, Inc., 156 U.S. App. D.C. 69, 478 F.2d 979 (1973)
- Evans v. United Airlines, Inc., 534 F.2d 1247 (7th Cir. 1976)
- Bartmess v. Drewrys U.S.A., Inc., 444 F.2d 1186 (7th Cir. 1971), cert. denied, 404 U.S. 939 (1971)
- Cox v. U.S. Gypsum Co., 409 F.2d 289 (7th Cir. 1969)
- Ostapowicz v. Johnson Bronze Co., 541 F.2d 394 (3d Cir. 1976)
- Tipler v. E. I. duPont deNemours & Co., 443 F.2d 125 (6th Cir. 1971)
- Sanchez v. Standard Brands, Inc., 431 F.2d 455 (5th Cir. 1970)
- EEOC v. Detroit Edison Co., 515 F.2d 301 (6th Cir. 1975)
- Steele v. Louisville & Nashville Railroad Co., 323 U.S. 192 (1944)
- Johnson v. Goodyear Tire & Rubber Co., 491 F.2d 1364 (5th Cir. 1974)
- Love v. Pullman, 404 U.S. 522 (1972)
- Baker v. California Land Title Co., 507 F.2d 895 (9th Cir. 1974), cert. denied, 422 U.S. 1046 (1975)

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