

The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024

MAR 20 2003

- DISMISSAL and NOTIFICATION of RIGHTS -

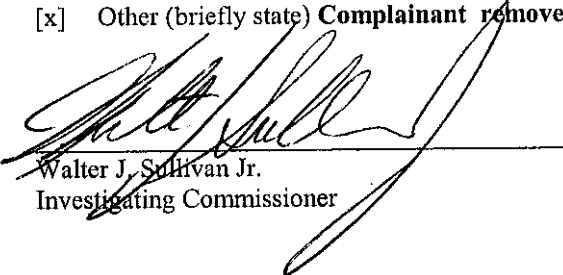
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| <b>To:</b> Arnold Cohen<br>Bass Doherty & Finks<br>40 Soldiers Field Place<br>Boston, MA 02135 | <b>Case:</b> Ricardo Telemaque v. Planned Parenthood et al<br><b>MCAD Docket Number:</b> 02BEM02986<br><b>EEOC Number:</b> 16CA203121<br><b>Investigator:</b> Jessica Thrall |
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Your complaint has been dismissed for the following reasons:

- The facts alleged fail to state a claim under any of the statutes the Commission enforces.
- Respondent employs less than the required number of employees.
- Your complaint was not timely filed with the Commission, i.e. you waited too long after the date(s) of the alleged discrimination to file. Because it was filed outside the time limit prescribed by law, the Commission cannot investigate your allegations.
- You failed to provide requested information, failed or refused to appear or to be available for necessary interviews/conference, or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your complaint. You have had more than 30 days in which to respond to our written request.
- The Commission's efforts to locate you have been unsuccessful. You have had at least 30 days in which to respond to a notice sent to your last known address.
- The Respondent has made a reasonable settlement, offering full relief for the harm you alleged. 30 days have expired since you received actual notice of this settlement offer.
- The Commission issues the following determination. Based upon the Commission's investigation, the Commission is unable to conclude that the information obtained establishes a violation 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 complaint.
- Other (briefly state) **Complainant removed the instant matter to Superior Court**

  
Walter J. Sullivan Jr.  
Investigating Commissioner

  
Date

Cc:

A. Russell Lucid  
224 Webster Street  
Hanover, MA 02339

Anjali Parekh Prakash  
Foley Hoag  
155 Seaport Blvd.  
Boston, MA 02210

**MEMORANDUM**

TO: Telemaque v. Planned Parenthood et al

02-BEM-02986

EEOC NO: 16CA203121

FROM: Jessica P. Thrall

No. of Employees: 25+

RE: RECOMMENDATION FOR DISMISSAL OF COMPLAINT

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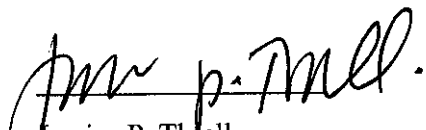
**Issues Investigated:**


Whether Complainant was discriminated against on the basis of his race (Black), national origin (Haitian) and sexual harassment in violation of M.G.L. Chapter 151B, s4, Paragraph 1, 16, Title VII of the Civil Rights Act of 1964.

**Recommendation:**

On 9/12/02, Complainant filed a complaint with this Commission and the Equal Employment Opportunity Commission (EEOC) alleging unlawful discrimination on the basis of race, national origin and sexual harassment.

On 3/13/03 the Commission received Complainant's formal request to dismiss the complaint with both the Commission and the EEOC because the Complainant has chosen to pursue this case in Superior Court, under Chapter 478. Complainant acknowledges that he is aware that it is unlawful for any person to coerce him into requesting this dismissal. Therefore, it is recommended that the Complainant's request be granted.

  
Jessica P. Thrall  
Investigator

  
\_\_\_\_\_  
Jean A. Clanton  
Supervisor

Investigator: Jessica P. Thrall  
Commission Against Discrimination  
One Ashburton Place, Room 601  
Boston, MA 02108

Re: *Telemaque v. Planned Parenthood*  
No: 021302986  
EEOC: 16CA203121

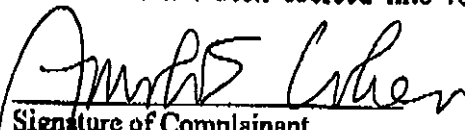
Dear Commissioner:

I hereby request permission from the Investigating Commissioner to voluntarily withdraw the above referenced complaints I filed with this Commission and the Equal Employment Opportunity Commission (if applicable) on 9/12/02, for the following reason(s):

- I no longer wish to pursue this matter.
- I wish to file a civil action on the same matter in Superior Court under Chapter 478.
- The parties in this matter have come to a voluntary resolution.

I understand that by making this request no further complaint on the same matter may be brought before the Massachusetts Commission Against Discrimination. I have been advised that it is unlawful for any person covered by Chapter 151B and Title VII to threaten, intimidate or harass me because I have filed a complaint. I have not been coerced into requesting this withdrawal.

3/13/03  
Date

  
Signature of Complainant  
or Complainant's Attorney

The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024

MCAD DOCKET NUMBER: 02BEM02986  
FILING DATE: 09/12/02

EEOC/HUD CHARGE NUMBER: 16CA203121  
VIOLATION DATE: 09/05/02

Name of Aggrieved Person or Organization:

Ricardo Telemaque

G.L. c. 4, § 7(26)(e) privacy

Named is the employer, labor organization, employment agency, or state/local government agency who discriminated against me:

Planned Parenthood League of Massachusetts  
1055 Commonwealth Ave  
Boston, MA 02115  
Primary Phone: (617) 818-1687

Amy Lucid  
Counseling Manager  
Planned Parenthood League of Massachusetts  
1055 Commonwealth Avenue  
Boston, MA 02115  
Primary Phone: (617) 616-1687

Peggy Teale  
Education Coordinator  
Planned Parenthood League of Massachusetts  
1055 Commonwealth Ave  
Boston, MA 02115  
Primary Phone: (617) 616-1687

No. of Employees: 25+

Work Location: Boston

Cause of Discrimination based on:

National Origin (Haitian) Sexual Harassment; Race/ Color ( Black Non-Hispanic).

The particulars are:

I, Ricardo Telemaque, the Complainant believe I was discriminated against by Planned Parenthood League of Massachusetts, Amy Lucid, and Peggy Teale, on the basis of my National Origin, Sex (Sexual Harrassment) and my Race and Color. This is in violation of M.G.L. 151B Section 4 Paragraphs 1, 16A and Title VII of the 1964 Civil Rights Act as amended.

SEE ATTACHED NINE PAGE COMPLAINT

Please check one:

I am represented by an attorney in this matter.

MCAD Docket Number 02BEM02986, Complaint

RT

I am not represented by an attorney in this matter.

I understand that if my situation changes I will notify the Commission immediately. **Please note:** Failure to accurately complete this portion of the form may result in your claim being dismissed.

I swear or affirm that I have read this complaint and that it is true to the best of my knowledge, information and belief.

  
(Signature of Complainant)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS DAY of 9/12/2002.

NOTARY PUBLIC:

SIGNATURE NOTARY PUBLIC:

MY COMMISSION EXPIRES:

*Affected outcome events*

*9/12/02*

Ricardo B. Telemaque BA/MED  
Trained counseling Psychologist/ master's in education  
Doctor of Jurist Candidate

G.L. c. 4, § 7(26)(c) privacy  
[Redacted]

V.

**Peggy Teale, Amy Lucid & Planned Parenthood League of MA**  
1055 Commonwealth Ave  
Boston, MA 02115  
(617) 616-1687

Re: Unfair treatment / Race issue Violation of my civil rights

I have been an employee of PPLM for the past 2 1/2 year starting on 5/15/00. How did get to PPLM as the only Black man for an agency staff of more than 500 employees. While, I was in graduate School, I met a woman by the name of [Redacted] who lives in [Redacted]. She told me that she works for planned in that State. I did a presentation of the importance of Cross-cultural counseling. By the way, I hold an undergraduate degree from University of MA at Boston Majored in Philosophy, Ethics Social, Politics and Biology. In addition, I hold a Mater's degree in education/Counseling Psychology with a concentration in mental health. [Redacted] encouraged me to quit my job to Planned Parenthood. I left my former and joined PPLM on the promises of [Redacted]. First of all, she did not deliver any of the promises.

- 1) I was told that my job would involve proving counseling to high-risk youth, with clinical supervision that would help me get my license (LMHC).
- 2) The salary quoted was \$37,500.
- 3) I met with [Redacted] the program coordinator and discussed with her the offer.

G.L. c. 4, § 7(26)(c) privacy

- 4) I left without accepting the job, but [REDACTED] called and affirmed her commitment to have me as a member of the group. And She even promised a promotion as assistant Director. She told me that only her and I hold a master 's degree in the department, so promotion will not be a problem.

After three months on the Job, [REDACTED] was still Director of Education. I went to her and discussed the salary issue and I was told that " Wait for a new fiscal year budget to go into effect and your salary will be changed". Within a few weeks, [REDACTED] was fired and we were not told anything about the firing. Before she was fired [REDACTED] took me to see AMY LUCID who hold a social work Degree and has license to practice and provide clinical supervision to others.

- 5) I met with Amy Lucid and she trained me to do Abortion counseling (a Copy of the record will be available for review)
- 6) She put me in payroll separately from Education Department on May 2000, Amy Lucid asked, if I was married and I told her " no".
- 7) The next day I met with Amy Lucid for Clinical supervision after I conducted two abortion-counseling sessions. She invited me to Brown Sugar Restaurant of Commonwealth. After the dinner, she told me to call her at home and she gave me her home number.
- 8) I called her at home and She began to tell me many personal things, about PPLM and her interested in me. Amy Lucid was my Clinical supervisor. We went to Foxboro stadium and we ate on numerous occasions while continued to discuss work, supervision and licensure and it great advantage
- 9) I believe in July, she invited me again over her house on [REDACTED]. I spent the night and we had sex and she performed oral sex on me.

- 10) The next day, she contacted me upstairs and we went to eat at an Indian restaurant on Commonwealth Ave, the deal was to discuss clinical supervision and to decrease the possibility for staff to know we had a sexual relationship. She did not want people to see us to close. But one of her friend who works at PPLM knew of the relationship.
- 11) Four days, she called me in her cell phone and requested that I attended a friend party with her. I declined due other obligation.
- 12) When she got home, she asked me to come over we had sex again. I decided not to stay over night because she had two cats and I am allergic to cat.
- 13) She got mad and calls my house and began to raise many issues.
- 14) After that call, I sent her an e-mail detailing the reasons, could not go.
- 15) She replied I do not believe you, " I found out that you had lunch with G.L. c. 4, § 7(26)  
(c) privacy who work downstairs.
- 16) I replied, yes, we are just friend and nothing more. She same day, I went downstairs to meet with AMY LUCID. One of the female employer, a nurse downstairs told me" What are you doing here, I thought it was a women clinic things have changed". I reported the statement to Amy Lucid and she said " The philosophy here is that " the clinic belongs to women, but never mind, I am in charge".
- 17) Amy Lucid called me back from her office and told that she will no longer provide me clinical supervision. After she had sex with me my supervisor the date of the e- mail was 10/05/02. She was just upset that I went to eat with G.L. c. 4, § 7(26)  
(c) privacy G.L. c. 4, § 7(26)  
(c) privacy was fired for some unknown reason sometime later.
- 18) G.L. c. 4, § 7(26)(c)  
privacy got fired and G.L. c. 4, § 7(26)(c) privacy took over as acting Director. She began to implement new policies, rewrite Job description. She put me to work on more than three project/ Male involvement/HIV prevention / teaching.



- 19) I discussed with [GL c. 4, § 7(26)(c)] my promised salary and she told me that she couldn't do anything, but to see [GL c. 4, § 7(26)(c)] (CEO). I scheduled a meeting with [GL c. 4, § 7(26)(c)] and she told to work hard on the Male involvement program and she would take care of me. I work hard on the male Involvement. We got fund to start, but [GL c. 4, § 7(26)(c)] Pull the plug on the program. Thus, I did not get my expected salary.
- 20) [GL c. 4, § 7(26)(c)] conducted my annual evaluation and she gave a 4% raise. Soon after, things got ugly. She made a comment, "I told that you were going to leave after [GL c. 4, § 7(26)(c)] got fired. I replied, "I am committed to PPLM, not [GL c. 4, § 7(26)(c)] [REDACTED]
- 21) [GL c. 4, § 7(26)(c)] became more demanding asking me to expand program left to right, making connection to other communities and conducted more and more HIV groups education. I was so busy and on many occasions, I forget to sing my own time sheet at time.
- 22) At point, she told me that, "I believe in number: that is what DPH and funders want.
- 23) For two years at PPLM, they paid for me only once to get professional training and development. They hired only the person they wanted and I asked them to hire another Haitian who was well qualified, but was passed over for another female candidate less qualified.
- 24) [GL c. 4, § 7(26)(c)] would say things, you are lacking the expertise and at the same time, I got great review (see attached record)
- 25) [GL c. 4, § 7(26)(c)] requested that she observe me in a class setting. I accepted and she went there. After the observation, she claimed, "My language is the biggest problem". **The issue of accent was a problem and then, she claimed that other educator has more training in sexuality education than me.**

26) But she never sent to training to get better skills. I had to rely on free training that I checked locally to receive. I know a lot of people who were sent to get training to increase their skills, but I was not one of them, but only ONCE.

27) **GL c. 4, s. 7(26)** **Speaks only English, and she asked to observe me again teaching a class in Creole.**

28) After the class, she said that she would give me feedback. How can you give me feedback when you do not speak the language that I was talking in class?

29) She gave me some strong criticism on things she thought I said in class well she does speak Creole.

30) She promoted a group of individual who got their job after I was hired all of them are white.

31) I mentioned above I have the highest degree in the department.

32) I was sent to Brookline High School to conduct a series of sessions. Classes went well and I received many letter from Staffs and student (documents are available upon request).

33) The next day we had a guest speaker who came to class. One of the students asked him a question, he could not answer, and the guest asked me to answer the question. Having answered the question, the speaker felt bad that I answered the question that was addressed to him. Afraid that I was going to report him, she calls **GL c. 4, s. 7(26)** and said that I answered his personal question.

34) **GL c. 4, s. 7(26)** was so mad, call me to her office and began to yell at me. " Your action is subject for dismissal.

35) I told **GL c. 4, s. 7(26)** that Due process required that you hear from both parties.

36) The next day she went to the school and spoke the teacher who was present and told **GL c. 4, s. 7(26)** what had happened.

37) **GL c. 4, s. 7(26)** recanted her words and told me she had to do what she has to do, which I did not understand what she meant by that.

- 38) Even t #38 was the hardest one. [G.L. c. 4, § 7(26)(c)] screamed at me saying that I left the garage door open. The door has some electrical problem beyond my end.
- 39) She threatened to fire if the garage is left open again. Because of that I was forced to park out, leaving my inside parking space.
- 40) Since there was no ground to fire me, [G.L. c. 4, § 7(26)(c)] told me that Peggy Teale would become my supervisor effective July 1, 2002
- 41) On June 28, 2002, I had a meeting with [G.L. c. 4, § 7(26)(c) privacy] Peggy Teale.
- 42) June 30, 2002, I received an annual review from [G.L. c. 4, § 7(26)(c)] (see record)
- 43) July 2, 2002, I received a note from Peggy
- 44) July 3, I received another note saying "Time for supervision"
- 45) July 6, 2002, Peggy sent me a note to meet with me.
- 46) July 7, 2002, I met with Peggy. She said that "I know you like working with [G.L. c. 4, § 7(26)(c)] but I am not [G.L. c. 4, § 7(26)(c)] I am tough. I replied, what do you mean. You should be treated with respect and dignity and that all I am asking
- 47) The following, Peggy asked to meet with me. She began to talk me down. She said do you understand Planned Parenthood Philosophy. I said, May you, please tell of the philosophy, I have been here for two years and now you are asking for PPLM philosophy.
- 48) Two days later, she asked, if I had sometimes, she wanted to discuss some activities with me. I said, activities are things that I do to benefit the department, it should not be part of development. She "yes" you are right.
- 49) The next day, she approached and said, "No I hold you on activities write up." This is not democracy and you can have your way. I replied no I am not asking to have it my way, but with fairness.
- 50) By the week of July 16<sup>th</sup>, Peggy had met with me more than five times for no reasons. At the end of the meeting, I told Peggy (my supervisor), please be gentle with me. You are hurting me. She replied, I told I was tough.

51) On July 27<sup>th</sup>, 2002, Peggy requested a meeting, I met with Peggy. From the beginning you could tell that something was wrong. She said to me. I have issues to discuss with you. I said go head. She said, first of all, you need to slow down, I do not understand Haitian and I barely understand a word you said to me last week and I think I want to go for that on today.

52) I said, Peggy if you do not like me, just let me know. She replied well, I do not think you possess the skills to be part of this department. I replied Peggy did you read my evaluation. She replied, that was G.L.  
C.4  
S evaluation and I am now the supervisor. I said Peggy; you are putting me down, why and why. She replied you can either accept or reject my criticism. She told that she was not there to teach me English. I began to cry and I was so hurt and I put my head down. **She said do you want to continue “DUDE”, I said you are the boss, do as you please. At the point I said, Peggy “ You are wrong, I will file a grievance with Human Resources. She replied tough luck. A Job is a Job not a family issue.**

53) Since, I was crying, I could not speak clearly, “ she said to me, what language are you speaking now”. What are you saying” DUDE”. You are not speaking English. Try again. May be Haitians do not get. This is a job, not what you think.

54) She got up and said you kwon what,” I told you last week that I would go to observe you in a class in three weeks, I do not care what you think, I will observe you when you return from vacation.

55) I left the country on 8/28/02 and I return to work on 9/3/02.

56) On 9/3/02, Peggy and I were at the office around 8:10AM; she came to me and said, what you are planning to do at the place you are going. I told exactly what I would do, topics that I would discuss.

- 57) She left the building and when I got there, I saw Peggy there.
- 58) She took a chair and sat down, with a notebook and began to write.
- 59) The group ended at 11:12AM, but Peggy put down the class ended at 11:30AM, which was not the truth and she recanted her story.
- 60) After the group she suppose to give feedback, but she told me to meet with her the office.
- 61) I waited for her and she never showed up. After two hours, she came and said to me that she had other meeting; she would talk to me the next day.
- 62) Next day, she told me to wait until 9/5/02. Peggy action is motivated by the fact that I am a foreigner and she has issue with my color and nationality.
- 63) On 9/5/02, I prepared to receive the feedback from her. She walked to me and said, I went you to go the conference room. When I got there I saw Bill Noland (Human resources Director) and G.L. c. 4, § 7(26)(c) privacy Education Director.
- 64) Peggy Never told that these individuals would there. I just receive a review on June and a month later another. I asked what is going and she began to read from a sheet.
- 65) She asked me to sign and questioned her. There was no reason, she is upset because I questioned the way she treated and all the comment she made about me.
- 66) After three hours of dialogue and tears. Bill Noland, asked me to go home and Come back on 9/6/02. I told him that I had an important meeting to go to (work related) I will go and then go home. I went to the meeting and I left the meeting around 3:30PM on 9/5/02**
- 67) Around 6:50PM, on 9/5/02, I received a call from someone at PPLM and I was told that “ they had cancel all my teaching assignments:**
- 68) At 7:00PM, 9/5/02, Bill Noland from Humans resources calls my house and my cell phone and left a message for me to call at work or home.**

**69) I called his house and spoke to him for fifteen minutes. He told me not to report to work and he will call by Wednesday.**

70) On 9/10/02, I got a message from Bill Noland from my cell to call him. I placed the call and I was told " We do not have a job for you". This matter causes to be depressed and have thought of hurting myself. Discrimination is painful. I was not given an opportunity to go to pick up my belongings left at PPLM. After hours of negotiation, I was told to that I will be escorted with a police officer to enter the premises.

I strongly believe that I was discharged from my duties because of my race, national origin and language. Peggy Teale made several comments that are in violation of my civil rights. Moreover, Amy Lucid my superior should not have engaged in sexual relationship with me and turned around and to punish me for talking to another female whom they fired month later. I am asking that Planned Parenthood League of Massachusetts and all parties involved be liable for violating my constitutional given rights. I pray the honorable attorney General bring this matter to a closure. These events have been documented throughout my days at PPLM. I wrote down each event as it occurs. I was fired on the Phone. I received a call and the message said" we no longer have a job for you. No verbal warning, but solely firing. PPLM is not a black friendly agency.

Sign under pain and penalty

  
Ricardo B. Telemaque

G.L.c. 4, § 7(26)(c) privacy

