

JS 44 (Rev 06/17)

CIVIL COVER SHEET

19-CV-640

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

I. (a) PLAINTIFFS

Barbara Joyce Dale

(b) County of Residence of First Listed Plaintiff Delaware
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Dolores M. Troiani, Esquire Telephone No 610-688-8400
Troiani & Gibney, L.L.P.
1171 Lancaster Avenue, Suite 101, Berwyn, PA 19312

DEFENDANTS

Delaware County Women Against Rape, Inc ;
Juan C. Salcedo; Rina F. Vassallo; Jeanne L. Frantz,
Linda DeMeglio; Osceola Williams; Sheldon Kovach

County of Residence of First Listed Defendant Delaware
(IN U.S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|-------------------------------------|--------------------------|---|--------------------------|-------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 Incorporated or Principal Place of Business In This State | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Citizen of Another State | <input type="checkbox"/> | <input type="checkbox"/> | 2 Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> | <input type="checkbox"/> |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> | <input type="checkbox"/> | 3 Foreign Nation | <input type="checkbox"/> | <input type="checkbox"/> |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for Nature of Suit Code Descriptions

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

Age Discrimination in Employment Act, 29 U.S.C. Section 621, et seq.

Brief description of cause

Plaintiff was discriminated against by Defendants on the basis of her age and retaliation under the ADEA

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

150,000.00

Excess of

CHECK YES only if demanded in complaint

JURY DEMAND:

☒ Yes☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

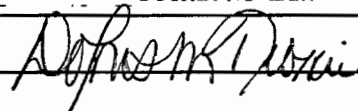
JUDGE

DOCKET NUMBER

DATE

02/13/2019

SIGNATURE OF ATTORNEY OF RECORD



FEB 14 2019

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

19**640****DESIGNATION FORM**

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 356 Scola Road, Brookhaven, PA 19015Address of Defendant: 204 South Avenue, Media, PA 19063Place of Accident, Incident or Transaction: August 31, 2018**RELATED CASE, IF ANY:**

Case Number _____ Judge _____ Date Terminated _____

Civil cases are deemed related when **Yes** is answered to any of the following questions

- | | | | |
|---|---|------------------------------|--|
| 1 | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2 | Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3 | Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4 | Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.DATE 02/13/2019

Dolores M. Troiani
Attorney-at-Law / Pro Se Plaintiff

21283

Attorney I D # (if applicable)

CIVIL: (Place a ✓ in one category only)**A. Federal Question Cases:**

- | | | |
|-------------------------------------|----|--|
| <input type="checkbox"/> | 1 | Indemnity Contract, Marine Contract, and All Other Contracts |
| <input type="checkbox"/> | 2 | FELA |
| <input type="checkbox"/> | 3 | Jones Act-Personal Injury |
| <input type="checkbox"/> | 4 | Antitrust |
| <input type="checkbox"/> | 5 | Patent |
| <input type="checkbox"/> | 6 | Labor-Management Relations |
| <input checked="" type="checkbox"/> | 7 | Civil Rights |
| <input type="checkbox"/> | 8 | Habeas Corpus |
| <input type="checkbox"/> | 9 | Securities Act(s) Cases |
| <input type="checkbox"/> | 10 | Social Security Review Cases |
| <input type="checkbox"/> | 11 | All other Federal Question Cases |

(Please specify) _____

B. Diversity Jurisdiction Cases:

- | | | |
|--------------------------|---|--|
| <input type="checkbox"/> | 1 | Insurance Contract and Other Contracts |
| <input type="checkbox"/> | 2 | Airplane Personal Injury |
| <input type="checkbox"/> | 3 | Assault, Defamation |
| <input type="checkbox"/> | 4 | Marine Personal Injury |
| <input type="checkbox"/> | 5 | Motor Vehicle Personal Injury |
| <input type="checkbox"/> | 6 | Other Personal Injury (Please specify) _____ |
| <input type="checkbox"/> | 7 | Products Liability |
| <input type="checkbox"/> | 8 | Products Liability -- Asbestos |
| <input type="checkbox"/> | 9 | All other Diversity Cases |

(Please specify) _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration)

I, Dolores M. Troiani, Esquire, counsel of record or pro se plaintiff, do hereby certify☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs☒ Relief other than monetary damages is sought.DATE 02/13/2019

Dolores M. Troiani
Attorney-at-Law / Pro Se Plaintiff

FEB 14 2019

21283

Attorney I D # (if applicable)

NOTE A trial de novo will be a trial by jury only if there has been compliance with F R C P 38

RKIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Barbara Joyce Dale

v.

Delaware County Women Against Rape, Inc.;

Juan C. Salcedo; Rina F. Vassallo; Jeanne L. Frantz;

Linda DeMeglio; Osceola Williams; Sheldon Kovach : NO.

: CIVIL ACTION

19 640

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

February 13, 2019
Date

Dolores M. Troiani, Esquire
Attorney-at-law

Dolores M. Troiani, Esquire
Attorney for Plaintiff
Barbara Joyce Dale

(610) 688-8400
Telephone

(610) 688-8426
FAX Number

dmt@tglawoffice.com
E-Mail Address

FEB 14 2019

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Defendants

[illegible]

19 640

Civil Action No. _____

Jury Trial Demanded

1. Plaintiff Barbara Joyce Dale brings this action against Defendants to recover damages for violation of her rights under the Age Discrimination in Employment Act, 29 U.S.C. §626 et seq. (ADEA), the Pennsylvania Human Relations Act, as amended, 43 P.S. §§951-963 (PHRA), the Pennsylvania Whistleblower Law, 43 P.S. §§1421-1428 (PWL).

2. This Court has original jurisdiction over the subject matter of this civil action pursuant to the Age Discrimination in Employment Act, 29 U.S.C. §626 et seq. (ADEA). The Equal Employment Opportunities Commission (EEOC) issued plaintiff a right to sue letter on November 20, 2018, and plaintiff has filed a complaint in federal court within 90 days of receipt of said letter, a copy of the letter is attached hereto as Exhibit A. Supplemental jurisdiction over plaintiff's Pennsylvania Human Relations Act (PHRA) and Pennsylvania Whistleblower Law (PWL) claims is conferred pursuant to 28 U.S.C. §1367(a).

3. Venue in this judicial district is proper pursuant to 28 U.S.C. §1391 in that

plaintiff's cause of action arose in the County of Delaware in the Eastern District of Pennsylvania.

PARTIES

4. Plaintiff, B. Joyce Dale, resides at 356 Scola Road, Brookhaven, PA 19015. She is over 40 years old, is a citizen of the United States, and was employed as the Executive Director of Delaware County Women Against Rape from 1974 until her termination of employment August 31, 2018. At all times relevant hereto, Plaintiff was an employee of Delaware County Women Against Rape, Inc.

5. Defendant Delaware County Women Against Rape, Inc. (DCWAR), is a PA non-profit tax exempt-corporation headquartered at 204 South Avenue, Media, PA 19063.

6. At all times relevant hereto, DCWAR has resided and conducted business in this judicial district. At all times relevant hereto, DCWAR acted by and through their authorized agents, servants, workmen, and/or employees acting within the course and scope of their employment and in furtherance of Defendant's business.

7. At all times relevant hereto, DCWAR has been an employer within the meaning of the ADEA, the Pennsylvania Human Relations Act, and the Pennsylvania Whistleblower Act.

8. Defendant Juan C. Salcedo resides at 503 Wissfire Way, Wilmington, Delaware 19083. He is being sued here in his individual capacity under PHRA Section 955(e), in that he aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant Salcedo acted for and was authorized by DCWAR to act on its behalf.

9. Defendant Rina F. Vassallo resides at 5 Willow Pond Road, Malvern, PA 19355. She is being sued here in her individual capacity under PHRA Section 955(e), in that she aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant

Vassallo acted for and was authorized by DCWAR to act on its behalf.

10. Defendant Jeanne L. Frantz resides at 308 Constitution Avenue, Ridley Park, PA 19078. She is being sued here in her individual capacity under PHRA Section 955(e), in that she aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant Frantz acted for and was authorized by DCWAR to act on its behalf.

11. Defendant Linda DeMeglio resides at 333 Scola Road, Brookhaven, PA 19015. She is being sued here in her individual capacity under PHRA Section 955(e), in that she aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant DeMeglio acted for and was authorized by DCWAR to act on its behalf.

12. Defendant Osceola Williams resides at 3513 Bethel Road, Upper ChiChester, PA 19061. She is being sued here in her individual capacity under PHRA Section 955(e), in that she aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant Williams acted for and was authorized by DCWAR to act on its behalf.

13. Defendant Sheldon Kovach resides at 512 North Chester Road, Swarthmore, PA 19081. He is being sued here in his individual capacity under PHRA Section 955(e), in that he aided and abetted the discriminatory acts of the employer. At all times relevant hereto, defendant Kovach acted for and was authorized by DCWAR to act on its behalf.

STATEMENT OF FACTS

14. Plaintiff was employed as the Executive Director at Delaware County Women Against Rape, from 1974 until her termination from employment as of August 31, 2018. Plaintiff was subjected to discrimination, harassment, a hostile working environment, and retaliation that continued unabated from the time plaintiff returned to work following a five week sick leave in

the spring of 2017.

15. On June 20, 2017 immediately prior to the start of the board of directors meeting, board member Rina Vassallo interrogated plaintiff about the specifics of her illness, including future treatment plans. These questions were asked in the presence of Juan Salcedo, and other board members who were arriving for the meeting.

16. Before the June 20, 2017 meeting commenced, board president Juan Salcedo informed plaintiff that he had been unable to map data items to a computer generated direct services report that he had agreed to do in the fall of 2016 for payment. When plaintiff asked him if the agency should hire a programmer to do the work, he became angry and shouted at plaintiff, saying that to do so would cost \$100,000.

17. During the same meeting, and in the presence of all board members, Juan Salcedo shouted at plaintiff for several minutes, repeatedly saying "What are your plans?" Plaintiff was confused by the question. Finally, Salcedo waved his arms, slammed his hands on the table in a threatening manner, and demanded "When are you going to retire?"

18. Plaintiff responded that the question was a violation of the ADEA, in that it was clearly prompted by her objections to suggestions made by Salcedo.

19. At the same meeting, Plaintiff presented job descriptions, which the board had previously requested, and a proposed succession plan document. The board did not take the documents and did not review them.

20. Thereafter, defendants engaged in pervasive behaviors which altered the terms and conditions of Plaintiff's employment, created a hostile work environment and ultimately terminated plaintiff's employment as Executive Director. Examples of the employer's animus

and retaliation include but are not limited to the actions detailed below:

21. On July 21, 2017 a written directive, authored by Rina Vassallo and signed by Juan Salcedo, Rina Vassallo, Susan Cherner, Jeanne Frantz, Linda DeMeglio, Osceola Williams, and Sheldon Kovach was sent to plaintiff. The directive instructed plaintiff to execute a procurement by noncompetitive proposal that would have violated federal law (2 CFR 200).

22. Plaintiff responded in writing and declined to execute the sole source contract, explaining to all board members that such a contract would not survive scrutiny by the Pennsylvania Commission on Crime and Delinquency (PCCD) or the Pennsylvania Coalition Against Rape (PCAR) due to, *inter alia*, complete lack of any competition. The directive also required that plaintiff execute the contract with the life partner of board member Osceola Williams, which was a conflict of interest and a breach of fiduciary duty on the part of these board members.

23. At the August 1, 2017 board meeting, Juan Salcedo and Rina Vassallo attempted several times to audio tape the plaintiff, without her permission, by placing a cell phone on a plate and shoving it inches away from plaintiff's face.

24. During the August 1, 2017 meeting the board directed plaintiff to obtain proposals for an Internet Technology (IT) "audit" and to hire a Grants and Contracts Manager.

25. Plaintiff notified Salcedo that she had hired the IT person but that Salcedo needed to call the new hire in order to assist him in performing his duties. In that Salcedo had previously handled the IT duties, Salcedo responded that he was happy to surrender those duties and would assist the new person. When contacted by the new employee, Salcedo was willing to give only cursory information regarding the agency IT system, refused to give the new employee his telephone contact information, and took over two weeks to get the new employee further

information. These actions effectively sabotaged the orientation of the new employee, which was one of the job responsibilities of the plaintiff.

26. Prior to the September board meeting, Salcedo instructed plaintiff to “disinvite” the new employee to the board meeting. Salcedo’s actions prompted plaintiff and three board members to send emails declining to attend the September board meeting due to “lack of civility.”

27. Following multiple emails in which Salcedo insisted that plaintiff rescind the invitation for the new employee to appear at the board meeting, on September 7, 2017, plaintiff sent an email to one of the board members stating her intent to file a complaint with the EEOC and PHRC. The board member urged plaintiff to try to maintain peace with Salcedo and plaintiff attended the meeting. Two of the board members did not attend, citing the lack of civility.

28. At several times following the August 2017 board meeting, plaintiff complained of the verbal assaults and harassment, hostile working environment, and retaliation she was experiencing. Plaintiff complained in-person, by telephone, and by e-mail to several board members, and also expressed concern about whether to report the incidents to the EEOC and/or other appropriate authorities. No intervention or remedial action was undertaken by the board of directors in response to plaintiff’s complaints.

29. At the September 11, 2017 board meeting, Rina Vassallo submitted a proposal for an IT audit with an estimated cost of approximately \$5,000. Plaintiff objected stating that, potentially, it could be determined to be another sole source procurement infraction if the agency sought government funding for the IT audit proposal without insuring adequate competition. Because Juan Salcedo had prohibited the Grants and Contracts Manager from attending the meeting and presenting the proposal he had drafted, plaintiff reviewed the proposal for board members.

Plaintiff emphasized the fact that an in house audit would be conducted by a paid staff member with credentials to perform the IT audit and would likely cost zero. Plaintiff also gave board members a copy of the job description for the Grants and Contracts Manager position that had been developed in early 2016.

30. Juan Salcedo responded by furiously waving his arms, screaming at plaintiff and pounding his hands on the table. Salcedo shouted that the Grants and Contracts Manager did not meet the criteria for the job, although he had over 20 years of IT experience , and arguing against plaintiff's statements regarding this no-cost alternative. In response in an attempt to defuse the situation, plaintiff suggested that the issue be tabled and she stood in an attempt to encourage the board to leave a threatening and quickly escalating situation. When board members failed to take any action to stop the threatening and harassing behavior, Plaintiff returned to her seat.

31. Juan Salcedo then continued to shout at plaintiff about the lack of qualifications of the staff person, threw all of his papers on the floor, and threw his letter of resignation from the board, dated July 27, 2017, at plaintiff. He then stormed out of the meeting, and the building, while screaming that plaintiff was a "bitch". While Salcedo engaged in this abusive and confrontational behavior, he was supported and accompanied by Rina Vassallo and Jeanne Frantz, who also shouted and said that they agreed with Salcedo and that they were also leaving.

32. From September 11, 2017 to December 11, 2017, there was no functioning board leadership or substantive governance of the agency.

33. In the interim, plaintiff learned that clandestine meetings of board members took place, from which she was excluded. However, there are no minutes of any meeting(s), or documentation of decisions taken, that are contained in the official records of the corporation. Nor

is there any documentation of adherence to corporate bylaws with regard to the required legal notice of such meetings to all board members.

34. Plaintiff continued to function both as an employee and a member of the board. Plaintiff was a member of the board by virtue of her status as an original incorporator of the organization. In those capacities, plaintiff continued arranging for the admission of two new board members in January 2018, and oversaw corporate business, including contract management, staff supervision, and the IT audit that was proposed by the Grants and Contracts Manager in writing at the September 2017 board meeting.

35. At the December 11, 2017 board meeting, Juan Salcedo, Rina Vassallo, and Jeanne Frantz appeared unannounced. A motion was then presented not to accept the resignations of Juan Salcedo, Rina Vassallo, and Jeanne Frantz from the board. Plaintiff voted against the motion because there is no provision in the corporation bylaws regarding acceptance, or non- acceptance, of board resignations. Although the board minutes indicate the three were “reinstated” to the Board, there is nothing in the corporation records of a vote for the office of president or secretary at the December 2017 meeting, or at any subsequent official meeting of the corporation.

36. At the December 11, 2017 meeting, Rina Vassallo stated that the Plaintiff “is not capable of hiring a grants person” and is insubordinate and should be reprimanded and that the board does not agree that the person hired is doing a good job.

37. Plaintiff is qualified to perform the job of Executive Director. Moreover, plaintiff had over 40 years of professional experience in developing grants and contracts, as well as supervision of staff performing those tasks. She has also served as a grant reviewer for the US Department of Justice (by invitation), for the Pennsylvania Commission on Crime and Delinquency,

and for the Pennsylvania Coalition Against Rape. Board members were aware of these credentials, and took no steps to reprimand Vassallo, or to correct the false and defamatory accusations which later appeared in the corporation's December 2017 meeting notes. Corporation meeting minutes are available for public inspection and are regularly submitted to multiple state and federal government agencies.

38. At the same meeting, Vassallo stated that the Grants and Contract Manager was not doing a good job, although she had never met him, nor had she reviewed any of his work product. These statements are contained in the corporation meeting minutes, which are also available for public inspection and distributed to state and federal government agencies. These false statements also maligned the integrity, competence and professionalism of the plaintiff, who had hired the employee.

39. The January 2018 meeting was the first meeting attended by the two new board members, who had been recruited by plaintiff. Near the end of the board meeting, Juan Salcedo screamed at plaintiff several times "Are you going to sue me?" Plaintiff urged him to calm down, but he nevertheless continued the verbal harassment until plaintiff replied "Juan, I am putting you on notice that you need to stop harassing me." This was observed by the board members present who, again took no remedial action to end the harassment.

40. Salcedo and the above named individual board members continued to engage in similar behaviors and harassment of the plaintiff sufficient to create a hostile working environment, as well as retaliation for complaining of the harassment and for raising legal compliance issues, continued throughout the winter and spring of 2018 at board meetings and via e-mail communications.

41. This harassment was also well-documented in e-mails to board members authored by new board member, Dr. June Messam, who expressed serious concern regarding the behavior she had observed since assuming her position as a member of the board of directors. Representative copies of Dr. Messam's emails are attached hereto as Exhibit B and incorporated herein as if fully set forth herein.

42. In late May 2018, as part of an evaluation process, the board instructed plaintiff to prepare a self assessment. She promptly complied, and at the conclusion of the assessment, plaintiff wrote:

Observations, Concerns and Recommendations

Observations

1. There was an absence of board leadership from September 2017 to December 2017 of the fiscal year.
2. There has been no substantive review of several important agenda items including review of the succession plan, and discussion of development/updating of strategic plan since June 2017.

Concerns

1. In July 2017, all but one of the then existing board members signed a directive ("Executive Director must") which *inter alia*: ordered me to execute a contract which would have violated federal law/regulations with regard to non-competitive procurement; ordered me to fill a position of "Grant Writer/Chief Financial Officer" which was not in the agency budget and has never been a position in the agency; directed me to develop a succession plan that had already been presented to the board a month earlier; and to "digitize" client records which would have been in violation of PCAR contract requirements.
2. Since June 2017, I have been subjected to continuing abuse and harassment as an employee by some board members. This harassment has included being shouted at, called foul names, and being subjected to hostile and angry e-mails. This is wholly inappropriate, time-consuming, and it has interfered with my ability to perform my job as I would like. Board members have observed this and been aware of the

behavior since June 2017.

3. There is no evidence of any reprimand or directive to stop the harassment. This harassment must cease so that we are all able to work collaboratively and contribute our best to support this important organization.

43. In addition, plaintiff urged the board to move forward with professionalism and to work together in furtherance of the mission of the agency. Plaintiff's self assessment was forwarded timely to all board members at the beginning of June 2018.

44. Board members responsible for completing the evaluation of plaintiff by June 30, 2018 failed to complete the task, although they had been required to do so by the Pennsylvania Coalition Against Rape (PCAR), a major agency funder, as part of its 2018 monitoring report.

45. Instead, at the June 11, 2018 board meeting, Juan Salcedo, Rina Vassallo, and Jeanne Frantz voted not to give plaintiff the \$1,000 bonus that was to be given to all other staff at the end of the fiscal year. The reason given for their vote not to give the bonus to plaintiff was the fact that there had been no evaluation. Their reason was pretextual, however, since there had been no evaluation of other staff to whom they voted to give the \$1,000 bonus.

46. In addition, at the June 11, 2018 board meeting, bylaws amendments were proposed. They had been drafted by Juan Salcedo and Rina Vassallo, without consultation with an attorney with expertise in non-profit bylaws assessment. Plaintiff expressed concern about the advisability of board acceptance of bylaws revisions that had been prepared without consultation with an attorney. This concern was stated in plaintiff's dissent from the minutes of the June 11, 2018 board meeting.

47. Plaintiff also raised specific concerns about two of the proposed changes to the

bylaws. The first proposed change provided that no staff member could be a member of the board. It was clearly designed by the drafters to eliminate plaintiff from the board.

48. Following the June 11, 2018 board meeting, Plaintiff received a copy of an e-mail sent by Juan Salcedo to a Ms. Otten from LaSalle. In the e-mail, Salcedo falsely stated that plaintiff told the board of directors that the organization could lose its IRS tax exempt status if a “founding” member was not on the board.

49. Juan Salcedo called for a second board meeting on June 26, 2018. Proper notice of the meeting and a proposed agenda were not distributed timely as required by the corporation bylaws and PA Non Profit Corporation Law. The meeting lasted only 12 minutes according to the recorded minutes of the meeting. Plaintiff was unable to attend the meeting. Dr. June Messam was also unable to attend. Plaintiff later expressed her objections and concerns to board members about how board members could possibly vote on substantive changes to corporation bylaws provisions in 12 minutes and be in compliance with their fiduciary duties.

50. At the July 30, 2018 meeting plaintiff was dismissed from her position as Executive Director through a vote of “no confidence”, with three board members either abstaining or voting no. No reason other than “no confidence” was given for the termination. The termination was effective August 31, 2018. Plaintiff filed an objection to the board action in a dissent for the July 30, 2018 board minutes.

51. Plaintiff was retaliated against for complaining of age discrimination, harassment, and a hostile working environment. Plaintiff was also retaliated against for refusing to follow board directives that would have violated federal law regarding the sole sourcing of contracts, and for raising issues of board conflicts of interest as well as board failures to properly govern

according to Pennsylvania Non-Profit Corporation Law.

52. On July 30, 2018, plaintiff filed a complaint with the EEOC against the above named defendants. The board of directors retaliated against plaintiff for filing a complaint with the EEOC, removing plaintiff from the board of directors of the corporation, and directives to remove plaintiff's dissents from corporation minutes in violation of Pennsylvania Non-Profit Corporation Law.

COUNT I: VIOLATION OF THE ADEA

53. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

54. Plaintiff is over 40 years old and was over 40 years old at all time relevant to this complaint, and as such is a member of a class protected by the ADEA.

55. The actions of the employer as more fully described above constitute violations of the ADEA, in that the employer created a hostile and abusive work environment, terminated and discriminated against Plaintiff in whole or in part due to her age.

56. As a direct and proximate result of the discriminatory acts and conduct perpetrated against Plaintiff by Defendants, Plaintiff has suffered and will continue to suffer irreparable harm, so that she is entitled to relief requested below.

COUNT II: VIOLATION OF THE PENNSYLVANIA HUMAN RELATIONS ACT

57. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

58. Plaintiff is over 40 years old and as such a member of a class protected by the PHRA.

59. The actions of the employer as more fully described above constitute violations of the PHRA, in that the employer discriminated against Plaintiff in whole or in part due to her age.

60. As a direct and proximate result of the discriminatory acts and conduct perpetrated against Plaintiff by Defendants, Plaintiff has suffered and will continue to suffer irreparable harm, so that she is entitled to relief requested below.

COUNT III: RETALIATION-PHRC

61. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

62. Plaintiff is a member of a class protected by the PHRA.

63. Plaintiff was subjected to adverse employment actions, including but not limited to termination due to her assertion of her rights protected by the PHRA.

64. As a direct and proximate result of the discriminatory acts and conduct perpetrated against Plaintiff by Defendant, Plaintiff has suffered and will continue to suffer irreparable harm, so that she is entitled to relief requested below.

COUNT IV: RETALIATION-ADEA

65. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

66. Plaintiff is a member of a class protected by the ADEA.

67. Plaintiff was subjected to adverse employment actions, including but not limited to termination due to her assertion of her rights protected by the ADEA.

68. As a direct and proximate result of the discriminatory acts and conduct perpetrated against Plaintiff by Defendant, Plaintiff has suffered and will continue to suffer irreparable harm, so

that she is entitled to relief requested below.

COUNT V: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

69. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

70. Defendants actions, and failures to act, as alleged herein, constituted intentional, extreme and outrageous conduct with reckless disregard for the likelihood of causing severe emotional distress to plaintiff.

71. As a direct and proximate result of the acts and conduct perpetrated against Plaintiff by Defendants, Plaintiff has suffered and will continue to suffer irreparable harm, and serious emotional distress so that she is entitled to relief requested below.

COUNT VI: VIOLATION OF THE PENNSYLVANIA WHISTLEBLOWER LAW

72. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

73. The Pennsylvania Whistleblower Law prohibited defendants from retaliating against plaintiff for engaging in activities protected by law.

74. The defendant's conduct as alleged herein constitutes retaliation against the Plaintiff because she engaged in activities protected by the Pennsylvania Whistleblower Law (PLA). The stated reasons for termination were not the true reasons, but instead were pretextual.

75. As a direct and proximate result of the acts and conduct perpetrated against Plaintiff by Defendants, Plaintiff has suffered and will continue to suffer irreparable harm, and serious emotional distress so that she is entitled to relief requested below.

COUNT VII: AIDING AND ABETTING- PHRA

76. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

77. Plaintiff is a member of a class protected by the PHRA.

78. Plaintiff was subjected to adverse employment actions, including but not limited to termination due to her assertion of her rights protected by the PHRA.

79. PHRA. Section 955(e) prohibits, "any person, employer, employment agency, labor organization or employee, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory practice."

80. As described above, individual defendants aided and abetted the employer's unlawful and discriminatory acts.

81. As a direct and proximate result of the discriminatory acts and conduct perpetrated against Plaintiff by Defendant, Plaintiff has suffered and will continue to suffer irreparable harm, so that she is entitled to relief requested below.

PRAYER FOR RELIEF

82. Plaintiff incorporates by reference the averments of the preceding paragraphs as if fully set forth herein.

83. As a result of Defendant's actions, Plaintiff has suffered mental anguish, emotional distress, a loss of dignity, and self-respect, humiliation, deprivation of income and benefits, loss of job opportunities and assignments and been subjected to unwelcomed notoriety. In that Defendant's actions were outrageous and malicious, Plaintiff requests both compensatory and punitive damages in an amount in excess of One Hundred Fifty Thousand (\$150,000.00)

Dollars and all relief to which she is entitled by statute including injunctive relief to prevent continued deprivation of her rights, costs and attorney's fees.

WHEREFORE, Plaintiff specifically requests the following relief be granted as against the Defendant, jointly and severally:

a. That she be awarded back pay, front pay, pre-judgment interest, reinstatement to her position, and reinstatement and/or restoration of all job benefits and other compensation, including compensatory, liquidated and punitive damages, as allowed by law, which damages exceed the arbitration limits;

b. That the Defendant be required to eliminate all unlawful discriminatory practices and procedures including all gender, age and disability-directed terminations/ and discipline and remedy all discriminatory effects of past practices and procedures;

c. That the Court order that the Plaintiff's attorney's fees, costs and expenses of this litigation be paid by the Defendants;

d. That the Court enter a declaratory judgment and finding that Defendant violated the ADEA and/or the PHRA;

e. That the Defendant institute procedures to insure Plaintiff's safety when she is returned to employment;

f. That Defendant compensate Plaintiff for past and future pain, suffering, mental anguish, emotional distress, harm to reputation, embarrassment, humiliation, loss of enjoyment of life and all consequential damages resulting from their conduct,

g. That this Honorable Court enter judgment in her favor and against

Defendants, jointly and severally, in an amount in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) plus attorneys' fees, interest, costs, punitive damages, and such other additional relief as this Court deems just and proper, and

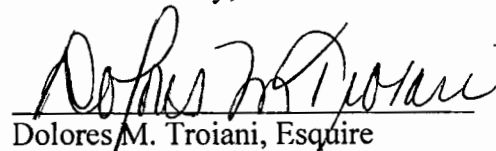
h. To provide such further relief to the Plaintiff as the Court and jury deem necessary, just, equitable and appropriate.

JURY DEMAND

Plaintiff hereby demands a trial by jury in this matter.

Respectfully submitted,

Troiani & Gibney, LLP



Dolores M. Troiani, Esquire

I.D. Nos. 21283

1171 Lancaster Avenue, Suite 101

Berwyn, PA 19312

(610) 688-8400

(610) 688-8426 fax

dmt@tglawoffice.com

Attorneys for Plaintiff

Dated:

12/13/19

EXHIBIT “A”

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Barbara J. Dale**
356 Scola Road
Brookhaven, PA 19015

From: **Philadelphia District Office**
801 Market Street
Suite 1300
Philadelphia, PA 19107



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

EEOC Charge No.

EEOC Representative

Telephone No.

530-2019-00098

Legal Unit,
Legal Technician

(215) 440-2828

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)

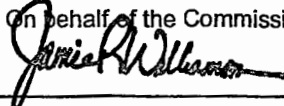
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

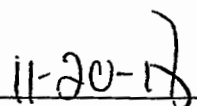
Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based 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.**

On behalf of the Commission



Jamie R. Williamson,
District Director



(Date Mailed)

Enclosures(s)

cc:

Candice Linehan
Acting Executive Director
DELAWARE COUNTY WOMEN AGAINST RAPE
204 South Avenue
Media, PA 19063



U.S. Equal Employment Opportunity Commission

[Login](#) | [Register](#)

Below is the current status and information about the charge you have filed with the EEOC. Placing your cursor over any of the status boxes or the individual listed entries, will provide additional information about each item that will display in a text box. Additionally, for an overview of the charge process, select the "Show Full Process" button below.

Status of the charge is	Contact Information	Office Information
CLOSED	Patricia Carrasco patricia.carrasco@eeoc.gov	EEOC Philadelphia District Office 801 Market Street Philadelphia, PA 19107

INTAKE

INVESTIGATION

[1] 09/25/2018 Charge is filed

[2] 11/20/2018 Your charge has been transferred to the investigation division

[3] 11/20/2018 Your charge has been assigned to an investigator

[4] 11/20/2018 Determination of no reasonable cause issued

[Show Full Process](#)

[Logout](#)

EXHIBIT “B”

From: messamj763 <messamj763@aol.com>

To: delcowarjd <delcowarjd@aol.com>

Subject: FYI

Date: Sun, Apr 29, 2018 12:54 pm

Joyce, Juan has been sending around emails and excluding you from them. I just sent everyone an email telling them that I am going to forward you everything. I'm so sorry that this is happening. Unfortunately, this is going to mean that he will exclude me and you from his email chain. I just wanted you to know

June

Media Pediatrics

June E. Elcock-Messam, M.D.

401 Moore Road

Wallingford, PA 19086

Phone: 610-565-3336

Fax: 484-361-5938

email: messamj763@aol.com

-----Original Message-----

From: messamj763 <messamj763@aol.com>

To: jeanridleyqueen <jeanridleyqueen@gmail.com>; salcedo.j.c <salcedo.j.c@gmail.com>

Cc: ldm6569 <ldm6569@gmail.com>; dsplain <dsplain@netherprovidence.org>; kovachs

<kovachs@co.delaware.pa.us>; ociecoladvm <ociecoladvm@gmail.com>; rinav818 <rinav818@gmail.com>

Sent: Sun, Apr 29, 2018 12:50 pm

Subject: Re: Information

Hello everyone. As a business owner -- that is -- as someone who has started both a non-profit and a for-profit organization, I am offended by this kind of correspondence. I am offended on multiple different levels. Truthfully, if I was a founding member of the DCWAR organization, I would NOT retire at this time, knowing whose hands this organization would fall into. So let's be clear, as a board member, it is in poor taste and it is absolutely unprofessional and offensive to exclude a current sitting member of the board from correspondence that is being sent out to most members of the board. As such, I will be reaching out to Joyce and sharing all of the previous emails with her. People who have nothing to hide, hide nothing.

I am disturbed and annoyed by people (who have no idea what strength, ingenuity and grit it takes to start a successful organization from scratch) who jump in after everything is up and running and try to take over. Frankly, I kick them out of my office. I will not participate in any behavior that I find unprofessional and/or abusive. However, that does not mean that I am planning on resigning from the board. Quite the opposite, I plan on standing my ground and fighting for my victims and for the staff at DCWAR who stand by my side and fight tooth and nail with me every day. I am very disturbed by what I have been observing and will no longer sit by quietly and tolerate it. DCWAR is an organization that provides a SAFE place for victims to come, knowing that they will be supported and treated with respect. Yet, every board meeting, and intervening emails, I see excellent examples of chronic negativity, abuse and intimidation. FYI: Joyce is NOT the only person on the board living in the past. When you live in the past, there is no way to move into the future and no, don't twist this statement, this is not just about computers and emails. Our board room is NOT a safe place for the Executive Director of DCWAR and it is painful to watch as her achievements are being diminished and her current accomplishments are being ignored and actually, not even being acknowledged. Our board meetings are all about being negative and being right fighters. Guess what, there are so many wonderful things happening with this organization as we speak, and none of this comes up in the board meetings. I'm exhausted by the negativity.

Whether you realize it or not, many of you are isolated from the day to day workings of this organization and that puts you at a great disadvantage. While some of you have time to surf the internet looking for information

to suit your position, some of us are working are behinds off to save victims' lives. In the last two weeks, DCWAR has assisted me in providing two children who were being sex-trafficked and several more who were being sexually abused. There were two deaths of infants whose family/loved ones will be receiving services through DCWAR. Despite this, I found the time to assist with the fund raiser by the Law Project and actually attend it. **You should have been there.** You missed an awesome opportunity to interact with DCWAR staff, multiple members of the District Attorney's office, multiple Judges etc etc. **Such a positive event! So many showed up to thank DCWAR for the incredible services that they provide 7 days per week, 24 hours a day.** Then I open my email to this crushing negativity. Please STOP!! And fun fact, are you aware that even in middle school, children are not allowed to use Wikipedia as a resource? Now that you have a scientist on the board, you must be more careful with your resources.

Dr. June Elcock-Messam

Media Pediatrics
June E. Elcock-Messam, M.D.
401 Moore Road
Wallingford, PA 19086

Phone: 610-565-3336
Fax: 484-361-5938
email: messamj763@aol.com

-----Original Message-----

From: jeanne frantz <jeanridleyqueen@gmail.com>

To: Juan Salcedo <salcedo.j.c@gmail.com>

Cc: Linda DeMeglio <ldm6569@gmail.com>; Dr. June Messam <messamj763@aol.com>; Mr. David Splain <dsplain@netherprovidence.org>; Mr. Sheldon Kovachs <kovachs@co.delaware.pa.us>; Ms. Ocie Williams <ociecoladvn@gmail.com>; Ms. Rina Vasallo, <rinav818@gmail.com>

Sent: Sat, Apr 28, 2018 2:22 pm

Subject: Re: Information

Oh my!!! What an accurate article. I sometimes think that I would like to go to school again and study sociology. What I was in college the fad was individual psychology, but group dynamics is fascinating.

On Fri, Apr 27, 2018 at 3:02 PM, Juan Salcedo <salcedo.j.c@gmail.com> wrote:

Yes, I agree.

Did you talk to Joyce on Sunday?

On Fri, Apr 27, 2018, 2:56 PM Linda DeMeglio <ldm6569@gmail.com> wrote:

Sounds like someone on staff or on the board could have written this.

On Fri, Apr 27, 2018 at 12:26 PM, Juan Salcedo <salcedo.j.c@gmail.com> wrote:

All

I found this interesting tidbit in Wikipedia.

https://en.wikipedia.org/wiki/Founder%27s_syndrome

Juan

--

JDale JDale@delcowar.orgHide
To delcowarjd delcowarjd@aol.com

From: messamj763@aol.com <messamj763@aol.com>
Sent: Tuesday, June 19, 2018 11:22 PM
To: salcedo.j.c@gmail.com; rinav818@gmail.com
Cc: ociocoladvm@gmail.com; ldm6569@gmail.com; dsplain@netherprovidence.org;
kovachs@co.delaware.pa.us; jeanridleyqueen@gmail.com; JDale
Subject: Re: Special meeting

Hello Everyone. Juan, will we be receiving an agenda for the meeting scheduled for next Tuesday? You usually demand that we receive all information one week prior to the meeting and if I understand correctly, today is one week prior to the meeting. I know that I am supposed to just go along with everything as everyone else without having an independent thought or question. However, I have a demanding job and I just gave three hours of my time just two weeks ago and we accomplished nothing positive and I don't want to do that again. Is this meeting going to be a follow-up to the end of the last meeting? If it is, what is the urgency to have this "special meeting" now? Why can't we wait until the end of July as is already scheduled?

I was so excited to join this board because DCWAR is an organization that is near and dear to my heart. This organization serves victims of abuse and my entire life is about serving victims of abuse. DCWAR staff supports, counsels and provides different types of assistance to victims and they go as far as to assist victims with PFAs if needed. I assumed that our board would also share this mission. I'm flabbergasted that as a board, we sit quietly by and watch the president of this organization verbally and emotionally abuse the Executive Director who also happens to be a Founding Member of this organization! The President of the Board is supposed to be a leader. Shouting at other board members when they don't agree with you or when they want to discuss something is abusive. Staring board members down and slapping your hand on the table when someone does not agree with you is an intimidation tactic that abusers use to control victims. We as a board are allowing this atrocious behavior and even though I can tell that some board members are uncomfortable with this behavior, no one is doing anything about it. Why? **We at DCWAR should have ZERO tolerance for abuse – ZERO!** We cannot get comfortable with speaking like an abuser, for example, "it's her fault", "you don't know what she's put us through" etc etc. No matter what Joyce Dale has done, it does not give any of us the right to be abusive to her and we as a board should absolutely not tolerate this. Victim blaming is a thing of the past. Statistically, there is a possibility that there are several members of our board who are survivors of abuse. Victims and survivors should not be exposed to this type of horrendous behavior. It can be triggering and if you don't know what that means then you should not be on the board.

In addition to the abuse, it is unbelievable how unprofessional and unethical that you have been behaving Juan. Even though I disagree with you 100%, I understand why you are trying to exclude Joyce from email chains etc. However, you excluded me, Chief Splain and Joyce. Your conduct is inappropriate and unbecoming of a board member of DCWAR, much less a president of any organization. When you are a president of an organization, the buck stops with you. You have been the president of DCWAR for more than two decades and you still can't understand the budget and are asking for a simplified version and no one is aghast by this? You are pointing your finger at Joyce but as my father always pointed out, when you point one finger at someone else, you're pointing three fingers back at yourself. The buck stops with you! If you don't like where things are right now, pat yourself on the back. You allowed it to happen. Look at yourself in the mirror. If you don't like what you see, don't beat us up for it. The Board is where it is today because of your leadership or lack thereof.

Juan, you complained bitterly about how Joyce just talked at the board in the past, but I want to point out that the bills were always paid and the service that was and is provided by this organization is second to none. You have taken control and the last two meetings, you essentially did almost all of the talking and what did we accomplish? You have also done something else that is unconscionable. You have no right to solicit negative comments from others and put vulnerable employees in precarious positions in order to support your agenda. Shame on you! There is a way to do things and there is a way not to do them. Even though you may have some valid points, it is all lost in your abusive, obsessive, inappropriate behaviors. Your hatred for Joyce is crystal clear. Is that appropriate as an employer? Employees have rights. You have NO right to be behaving in the manner that you are. I am a mandated reporter. If Joyce was a child, CYS would have already knocked on your door and there would be no way for you to win. Please STOP. Stop now before something really bad happens.

There are victims who receive counseling in the evening at times. How do you think a victim who is getting counseling at DCWAR would act if they heard Juan shouting at Joyce, demeaning her, ordering her around, slapping his hand on the table in an attempt to intimidate her? How do you think a victim who turns to us for help would respond to our president's behavior; and yet we are subjected to it meeting after meeting! I am offended. I am horrified. I do not stand down to bullies! This board has lost sight of the reason this organization was formed and with the mission of this organization. We need to regroup, but not to get rid of a Founding Member. There are respectful, kind, professional, ethical ways to do things.

I will be at the meeting next Tuesday. Juan, you will not have my vote because of the abusive manner in which you have chosen to conduct yourself. I'm not Joyce and I can't tell her what to do. However, if she were to report what you have been doing and since you were kind enough to provide a paper trail, she could have you removed from the Board. However, do you know how bad that will look to funding sources? Are you so self-entered and egotistical that you would put your own selfish goals before victims of abuse? Would you really do something that would be so harmful to this amazing organization? We were supposed to be working on a succession plan. What happened to that? Your failure to do a minimal amount of productive, positive work for the board cannot be blamed on Joyce. The buck stops with you. I am a voting member of this board. It is inappropriate, unethical and unprofessional for you to have excluded me and Chief Splain from anything that involves the board. My life is about fighting for victims. I will not stand down until we as a board become more appropriate. Think about victims of abuse. That is who we serve. Anyone who does not understand the mission of this organization should not be on the board. Unlike what you said Juan, there are multiple, qualified, compassionate, non-abusive adults who would be honored to serve on this board. I will await your agenda for the meeting scheduled for next Tuesday.

Regretfully,

Dr. June Elcock-Messam

Media Pediatrics
June E. Elcock-Messam, M.D.
401 Moore Road
Wallingford, PA 19086

Phone: 610-565-3336
Fax: 484-361-5938
email messamj763@aol.com

-----Original Message-----

From: Juan Salcedo <salcedo.j.c@gmail.com>

To: Rina Vassallo <rinav818@gmail.com>

Cc: Ocie Williams <ociocoladvn@gmail.com>; Linda DeMeglio <ldm6569@gmail.com>; Mr. David Splain <dsplain@netherprovidence.org>; Mr. Sheldon Kovachs <kovachs@co.delaware.pa.us>; Ms. Jean Frantz <jeanridleyqueen@gmail.com>; Dale, Joyce <jdale@delcowar.org>; Dr. June Messam <messamj763@aol.com>

Sent: Mon, Jun 18, 2018 11:52 am
Subject: Re: Special meeting

All

It looks like Tuesday, June 26th at 7:00 PM is the day of the meeting. Jean will attend via telephone

Juan

Joyce

There will be no need for food

On Mon, Jun 18, 2018 at 9:18 AM Rina Vassallo <rinav818@gmail.com> wrote:

I can make anything work

Rina

Sent from my iPhone

On Jun 18, 2018, at 8:26 AM, Ocie Williams <ociecoladvn@gmail.com> wrote:

Tuesday and Thursday after 6 pm works for me.

On Sun, Jun 17, 2018, 8:33 PM Juan Salcedo <salcedo.j.c@gmail.com> wrote:

All

I want to hold a special meeting the week of June 25th. Please let me know what dates each of you can be available. If week day are not available we can hold the meeting on Saturday or Sunday.

Juan