

CHARGE OF DISCRIMINATION

AGENCY

CHARGE NUMBER

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

 FEPA

140A201867

 EEOCSouth Carolina Human Affairs Commission
State or local Agency, if any

and EEOC

NAME (Indicate Mr., Ms., Mrs.)

HOME TELEPHONE (Include Area Code)

Lee Kent Hempfling

843-327-1996

STREET ADDRESS CITY, STATE AND ZIP CODE

DATE OF BIRTH

53 Muirfield Parkway, Charleston S.C. 29414

09/09/52

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

NUMBER OF EMPLOYEES, MEMBERS

TELEPHONE
(Include Area Code)

L.M. Communications Inc.

15+

843-769-4799

STREET ADDRESS CITY, STATE AND ZIP CODE

COUNTY

59 Windemere Parkway, Charleston S.C. 29407

Charleston

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

DATE DISCRIMINATION
TOOK PLACE EARLIEST
(ADEA/EPA) LATEST
(ALL) RACE COLOR SEX RELIGION AGE RETALIATION NATIONAL ORIGIN DISABILITY OTHER (Specify)

07/24/2002

 CONTINUING
ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I. My date of birth is 9/9/1952 and I am currently 49 years of age. I was hired by L.M. Communications Inc., [inc.] on 1/25/2002 and started work on 2/4/2002. I was was told I was discharged for "poor performance of the station" on 7/23/2002.

II. I was subjected to discriminatory terms and conditions of employment, harassed, denied employment, subjected to a hostile religious and retaliatory work environment and discharged from my full time position because of retaliation for my attempt to offer equal employment ability in hiring of minorities, (cont.)

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

NOTARY - (When necessary for State and Local Requirements)

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

I declare under penalty of perjury that the foregoing is true and correct. SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS DATE

Date

8-29-02

Charging Party (Signature)



(Day, month, and year)

EEOC FORM 5 (Test 10/94)

Charge No. 140A201867

177-B

Complaint of Lee Kent Hempfling
53 Muirfield Parkway, Charleston S.C. 29414 843-327-1996

FORM 5 (Test 10/94)

Continuation of Particulars: Lee Kent Hempfling

... complaining about the refusal of management to consider minorities for full time positions and objecting to and requesting management's intervention to stop harassment directed at me in the workplace and out of the workplace which "contributed to the hostile environment" experienced at work in violation of Title VII of the Civil Rights Act of 1964, as amended.

A: Retaliatory Intimidation I was subjected to included:

- 1: Threatening emails while employed.
- 2: Threatening email after discharge.
- 3: Threatening anti-Semitic terrorist photo sent in email.
- 4: Refusal to permit the carrying out of my job responsibilities.
- 5: Blame for lost commercial revenue.
- 6: Sabotage of work performed.
- 7: Public humiliation and character assassination.
- 8: Humiliation to staff by management.
- 9: Attempts to trick me into violating corporate policy.
- 10: Sabotage of transmitter power to damage performance.
- 11: Sabotage of station audio processing to damage performance.
- 12: Sabotage of program elements for my morning show.
- 13: I AND my wife were ordered not to access any phone number in the Lexington KY area code.
- 14: Refusal to permit work tools. (Supplied after I was discharged.)
- 15: Called a liar repeatedly.
- 16: Insulted continuously behind my back.
- 17: Ignoring every instance reported by me of alleged illegal activity.
- 18: Receipt of edited audio music file obviously claiming responsibility for my discharge. (Attached in packet on a CD)
- 19: Equipment was damaged.
- 20: Notices of unsafe working conditions were ignored.
- 21: Music scheduling software was tampered with.
- 22: Attack continued after employment.
- 23: Penalized for wanting to improve the midday show ~~by~~ reducing the show to part time if I wanted to replace the current staff member.
- 24: Rumors and innuendos.
- 25: Threatened with legal action.
- 26: Refusal to repair equipment.
- 27: Replacing equipment with inferior parts.
- 28: Hatred for 'black' music.
- 29: Branded a 'complainer'.

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SEP 10 1990
FBI - CHARLOTTE

Charge No. 140A201867

177-C

Complaint of Lee Kent Hempfling
53 Muirfield Parkway, Charleston S.C. 29414 843-327-1996

- 30: Intimidation of new employee before starting date.
- 31: Software was deleted from production equipment.
- 32: Given a broken 'boom box' to suffice for an aircheck machine.
- 33: Retaliation for stopping 'Plugola' on the air.
- 34: Continual reference to changing format.
- 35: Phone call from engineer yelling about a memo I was told to write asking for his help in changing microphones.
- 36: Show prep stolen from my desk.
- 37: Equipment in my desk was damaged.
- 38: Given a non-working phone for my desk.
- 39: Ethics questioned.
- 40: Interruptions on the 'hotline' while doing my show.
- 41: Tampering with the station's Legal ID.
- 42: Given worst computer in the building for my desk.
- 43: Degradation of my wife for having spoken to Lynn Martin.

II: The reason I was given for discharge was "poor performance of the station" however the Arbitron ratings results for the period in question showed "significant gains" according to Mindy Spar, entertainment writer for the Charleston Post & Courier and the ratings (attached) for May-June-July 2002 show an increase from Spring 12+ 2.8 to 3.4 tied with WCOO sister station WYBB. I tried repeatedly to hire a minority person full time but was forced out of my employment for doing so. The attached May-June-July ratings indicate a partial period where low power of the transmitter was not evident.

III: I believe I have been discriminated against because of my religion, Jewish, and in retaliation for complaining about discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended.

IV: At-Will employment does not apply as an implied contract was in force.

V: Furthermore, the company discriminates against Blacks as a class relative to hiring, job assignments, wages, promotions, transfers, discipline and discharge and discriminates against those who object to such actions and discriminates against those who attempt to correct such actions.

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