
Retaliation Charges

Sumitomo Shoji America, Inc. v. Avagliano, 457
US 176 - Supreme Court 1982

3-27-1986

State Division of Human Rights Notice of Withdrawal (Rosemary Bellini)

Lewis M. Steel '63

STATE OF NEW YORK : EXECUTIVE DEPARTMENT
DIVISION OF HUMAN RIGHTS

(State Division of Human Rights on the Complaint of)*
COMPLAINANT

Rosemary Bellini

VS.

Sumitomo Corporation of America

RESPONDENT

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* SDHR CASE NO (S)
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* 9A-ENRS-83-88109-E
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* FEDERAL CHARGE NO(S)
*
* 021-83-1381
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ORDER OF WITHDRAWAL

On February 22, 1983 the State Division of Human Rights (SDHR) received and filed the above-entitled complaint upon a deferral from the U.S. Equal Employment Opportunity Commission (EEOC).

The EEOC and the SDHR agreed the EEOC would conduct the initial investigation. Thereafter, the complainant requested a "Right to Sue" letter and in accordance with the request, EEOC issued such Notice and terminated further processing of the matter in a written communication dated October 14, 1983.

The Division is satisfied that withdrawal of the complaint is not contrary to the interests of the public or the SDHR. Accordingly, the prior proceedings conducted by the EEOC are accepted and adopted as due compliance with the Human Rights Law of the State of New York.

Therefore, pursuant to the State Human Rights Law and the Rules of Practice of the Division, the complaint is ordered withdrawn and the file closed.

DATED AND MAILED:

MAR 27 1986

Rosemary Bellini
51 East 97th Street
New York, NY 10029

Sumitomo Corporation Of America
345 Park Avenue
New York, NY 10154

STATE DIVISION OF HUMAN RIGHTS

By: Donna B. Siletti

RBS/MLB/rw

SPU: 9A-7 (Rev. 3/ 86)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE

(Dismissal)

TO: Rosemary Bellini 51 East 97th Street New York, NY 10029 <input type="checkbox"/> On behalf of a person aggrieved whose identity is CONFIDENTIAL (29 C.F.R. 1601.7(a)).	FROM: Equal Employment Opportunity Commission 90 Church St., Room 1501 New York, NY 10007
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CHARGE NUMBER 021-83-1381	EEOC REPRESENTATIVE Legal Unit	TELEPHONE NUMBER (212) 274-7188
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(See Section 706 (f) (1) and (f) (3) of the Civil Rights Act of 1964 and the additional information on reverse of this form.)

TO THE PERSON AGGRIEVED: This is your NOTICE OF RIGHT TO SUE. It is issued because the Commission has dismissed your charge. Your charge was dismissed for the following reason:

- ☐ No jurisdiction for the following reason, and therefore the Commission has no authority to process your charge further.
- ☐ Your charge was untimely filed with the Commission, i.e., you waited too long from the date of the action(s) of which you complained to file your charge and it was therefore outside the time prescribed by law. Therefore, the Commission cannot investigate the allegation(s) contained in your charge.
- ☐ The Commission has determined that you did not allege or otherwise demonstrate that you were directly affected by the practice described or effectively deterred from acting because of the practice.
- ☐ Respondent employs less than 15 employees.
- ☐ Other (briefly state) _____
- ☐ No reasonable cause was found to believe that the allegations made in your charge are true, as indicated in the attached determination.
- ☐ You failed to provide requested necessary information, failed or refused to appear or be available for necessary interviews/ conferences or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your charge. You have had more than 30 days in which to respond to our final written request.
- ☐ The Commission has made reasonable efforts to locate you and has been unable to do so. 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 written settlement offer which affords full relief for the harm you alleged. At least 30 days have expired since you received actual notice of this settlement offer.

The issuance of this NOTICE OF RIGHT TO SUE terminates the Commission's processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in United States District Court. IF YOU DECIDE TO SUE, YOU MUST DO SO WITHIN 90 DAYS FROM THE RECEIPT OF THIS NOTICE OF RIGHT TO SUE: OTHERWISE YOUR RIGHT TO SUE IS LOST.

On behalf of the Commission:

JAN 28 1986

(DATE)



TYPED NAME AND TITLE OF COMMISSION OFFICIAL

cc: (to respondent)
 Sumitomo Corporation of America
 345 Park Ave.
 New York, NY 10154



SUMITOMO CORPORATION OF AMERICA

345 PARK AVENUE, NEW YORK, N. Y. 10154

Telephone
(212) 207-0700

WU 1-2311
TWX 710 581 4453
Cable: SUMITOMO NEWYORK

December 30, 1985

Rosemary Bellini

I am pleased to advise you that effective Monday, December 30, 1985, your weekly salary will be increased to \$ 495.00 . This salary adjustment reflects your merit increase for 1986 and the effect of the 4.2% year end bonus payment.

Please accept my best wishes for a happy and prosperous New Year!

Mr. H. Wani
Senior Vice President and
General Manager
Business Division No.3-N.Y.



SUMITOMO CORPORATION OF AMERICA

345 PARK AVENUE, NEW YORK, N. Y. 10154

Telephone
(212) 207-0700

WU 1-2311
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Cable: SUMITOMO NEWYORK

December 13, 1985

Dear Fellow Employee:

1985 has been a difficult but rewarding year for Sumitomo Corporation of America. While competition in the many markets we serve remained intense, from a financial standpoint, we have again improved our performance over previous years results. In large part, our continued growth and profitability is the result of the diligence, cooperative spirit, and teamwork demonstrated by SCOA employees. In the spirit of the holiday season it is therefore my pleasure to enclose a token of SCOA's appreciation for your efforts over the past year toward the achievement of the Company's success.

As you may know, it has been our custom to recognize the hard work and cooperation of each member of the Sumitomo team at this time of year with a cash payment. While this payment has never been guaranteed by SCOA it has become to many employees an important part of total annual compensation.

We have recently begun to examine many of our existing personnel systems and with regard to compensation, it is our intention to ensure as far as is practical that our compensation system is competitive with those of leading U.S. corporations. In this process, we have concluded that SCOA should concentrate its compensation dollars for non-exempt employees in direct pay rather than in a combination of direct pay and year end payments. As a result, there will be no year end payment in 1986 or beyond.

In order to compensate for the elimination of the year end payment your weekly salary will be increased 4.2% effective January 1, 1986. This increase in weekly salary represents an annualized sum equal to or better than the average yearend payment that you have received previously. This increase is in addition to and in no way will affect your 1986 merit or promotional increase.

SUMITOMO CORPORATION OF AMERICA

If you have any questions concerning this general increase, Mr. Stripay or Mr. Nitta in the personnel department will be happy to discuss them with you.

Once again, I would like to take this opportunity to wish you a joyful holiday season and extend to you my wishes for a happy and prosperous new year.



Sadao Taura
President and
Chief Executive Officer

As you know, punctuality is a basic obligation of every employee and is highly valued by the company. Unfortunately, your punctuality over the past year was less than expected and as a result your year end bonus has been reduced somewhat from what you might have otherwise received.
