

King files bias complaint against United Way

Move could be prelude to lawsuit

BY FRED TANNENBAUM AND CAROLYN STEEVES

CHARLOTTE — The attorney for the United Way of Central Carolinas Inc. emphatically denies that former Executive Director and CEO Gloria Pace King was fired because of her race, age or gender, as she claims in a federal discrimination complaint filed with the U.S. Equal Employment Opportunity Commission.

United Way terminated King in September after the board and the public learned the agency's executive committee had approved a compensation package for her worth more than \$3 million. Mac Everett, a former Wachovia executive, is serving as interim director and CEO.

In her Dec. 22 complaint, King alleges that she actually was terminated because she is African-American and female.

United Way attorney Russell Sizemore said the agency has not received a copy of the complaint, "although I have no reason to doubt that one's been filed." He categorically denied King's allegations.

"We're disappointed that Ms. King suggested that race or gender was involved in this," Sizemore said. "This is really a response to problems with her compensation and carrying out our responsibilities to the community."

Sizemore said he found it noteworthy that this information was publicly released a day before a Thursday meeting when the United Way board was expected to discuss an audit of King's expenses.

"I think the timing is significant, just

that apparently the charge was filed back in December and now Mr. Diehl is talking about it on the eve of a board meeting," Sizemore said.

King's attorney Bill Diehl could not be

SEE KING, PAGE 4

King

CONTINUED FROM PAGE 1

reached for comment.

The complaint could be a prelude to a full-blown employment discrimination lawsuit. According to EEOC procedures, King could file a lawsuit after 60 days, even if the EEOC has not yet issued a decision on her complaint.

In early 2008, the United Way executive committee approved a \$1.2 million salary and benefits package and a \$2.1 million pension for King. While committee members said they were trying to make up for perceived shortfalls in previous years, the move touched off a firestorm of controversy. Donations to the United Way's annual fundraising campaign plunged 30 percent.

In December, a citizens panel analyzed United Way's procedures and issued a 240-page report recommending ways the agency could rebuild public confidence.

Greg Froom, a Raleigh attorney and managing editor of *North Carolina*

Lawyers Weekly, said the EEOC could take up to six months to investigate the allegations or issue a right-to-sue letter, which would be a green light to a lawsuit.

According to its Web site, the EEOC resolves such complaints as follows:

If the EEOC investigates and does not find any evidence of discrimination, King will be notified and given 90 days in which to file a lawsuit on her own.

If the EEOC finds that discrimination did occur, it will inform King and the United Way before trying to develop a remedy between the parties.

If the case is remedied successfully, neither EEOC nor King would be able to pursue a lawsuit unless the resolution, mediation or settlement agreement is not honored.

If the EEOC cannot obtain a successful resolution, it will decide whether to bring suit in federal court. If the EEOC decides not to sue, it will close the case and give King 90 days in which to file a lawsuit on her own.

King also can request a "right to sue" notice from the EEOC six months after she filed her charge and can bring suit within 90 days after receiving this notice.



Froom



Sizemore

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