

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )

Plaintiff, )

v. )

O'BRIEN-KREITZBERG, INC. a subsidiary of )  
URS CORPORATION, )

Defendant. )

Civil Action No. 02-1963(WJN)

CONSENT DECREE

FILED  
SCRANTON  
NOV 05 2003

PER K.M.  
DEPUTY CLERK

FILED  
SCRANTON  
OCT 30 2003

PER \_\_\_\_\_  
DEPUTY CLERK

This Consent Decree is entered into by Plaintiff United States Equal Employment Opportunity Commission (the "Commission"), and O'Brien-Kreitzburg, Inc., a subsidiary of URS Corporation ("Defendant.")

On October 31, 2002, the Commission brought this action against Defendant to enforce the provisions of the Age Discrimination in Employment Act of 1967, 29 U.S.C. §621 et seq. The Commission alleged that Carl J. Petro, who applied for the position of Mechanical Inspector, was not hired by Defendant due to his age, 67. Defendant denies the allegations set forth in the Complaint.

This Decree is final and binding between the parties signatory hereto as to all issues raised in the Commission's Complaint in Civil Action Number 02-1963. In settlement of Civil Action No. 02-1963, the parties hereby agree as follows:

1. This Decree is entered into in compromise to avoid the expense and inconvenience of litigation and is neither intended nor construed as an admission of liability by Defendant, who has denied and continues to deny any and all liability.

2. The Commission is the agency of the United States government authorized by Congress to investigate allegations of unlawful employment discrimination based upon age (forty and over), to bring civil actions based upon these allegations of unlawful practices, and to seek relief for individuals affected by such practices.

3. Pursuant to the ADEA, the parties acknowledge the jurisdiction of the United States District Court for the Middle District of Pennsylvania over the subject matter and over the parties to this case.

4. Defendant agrees to comply fully with all of the provisions of the ADEA, including its anti-retaliation provisions. This means that Defendant will not take action against any individual because he or she exercised any of his or her rights under the ADEA, including filing a charge, providing testimony or assistance, participating in any manner in any investigation, proceeding or hearing under the ADEA, or opposing any practice that he or she believed in good faith to be unlawful under the ADEA.

5. Defendant agrees to pay monetary relief in the total amount of \$50,000.00 to Carl J. Petro. This payment will be made within twenty days of the receipt of a release from Mr. Petro by Defendant. Late payment of the check will be subject to the accrual of interest on the amount then due and unpaid, calculated pursuant to 28 U.S.C. § 1961. The check shall be sent to Carl J. Petro by United States certified mail, with a photocopy sent to the attention of Cynthia A. Locke, Trial Attorney, Equal Employment Opportunity Commission, Philadelphia District Office, The Bourse Building, Suite 400, 21 S. Fifth Street, Independence Mall East, Philadelphia, PA 19106.

6. In order to obtain the relief referenced in Paragraph 5, Carl J. Petro must execute a Release in the form provided by Defendant, and that Release must be provided to Defendant.

7. Within ten business days of receiving notice of the execution of this Consent Decree by the Court, Defendant shall post the Notice attached to this Decree as Exhibit A at its corporate offices in Pittsburgh, Pennsylvania on the bulletin boards where notices are usually and customarily posted for the benefit of all employees. The Notice will remain posted for a period of

90 days. Defendant shall replace said Notice with a legible copy, if the Notice is defaced, removed, or marred in any way. Within ten business days of the posting of the Notice, Defendant will inform the Commission of the dates of the posting.

8. In the event of any dispute or question between the Commission and Defendant as to the interpretation or implementation of this Decree, the parties shall attempt to resolve such question informally. If the parties are unable to resolve their differences, the issue shall be submitted to the Court for final decision.

9. The parties agree that the Court shall retain jurisdiction over this Decree until for a period of one year after the filing of the Decree in order to enforce its provisions, should this become necessary.

10. This Decree shall be filed in the United States District Court for the Middle District of Pennsylvania.

11. This case shall be and hereby is dismissed with prejudice, subject to this Court's jurisdiction to enforce the provisions of this Consent Decree.


12. Each party shall bear its own costs and attorney's fees.

**FOR PLAINTIFF EQUAL EMPLOYMENT OPPORTUNITY COMMISSION:  
Eric S. Dreiband  
General Counsel**

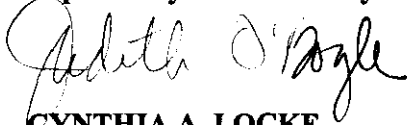
**James L. Lee  
Deputy General Counsel**

**Gwendolyn Young Reams  
Associate General Counsel  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
Washington, D.C. 20507**

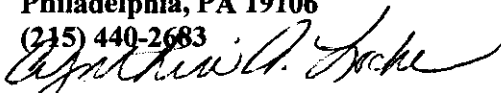
**JACQUELINE H. McNAIR  
Regional Attorney**



**JUDITH A. O'BOYLE**  
Supervisory Trial Attorney



**CYNTHIA A. LOCKE**  
Trial Attorney  
21 S. 5th Street, Suite 400  
Philadelphia, PA 19106  
(215) 440-2683



FOR DEFENDANT O'BRIEN-KREITZBERG, INC.



**JOHN J. MYERS, ESQUIRE**  
Eckert, Seamans, Cherin & Mellot, LLC  
U.S. Steel Tower  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
(412) 566-6000

APPROVED AND SO ORDERED:



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U.S.D.J.

Date: November 4, 2003



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Philadelphia District Office  
Legal Unit**

21 S. Fifth Street, Suite 400  
Philadelphia, PA 19106-2515  
(215) 440-2828  
TTY: (215) 440-2610  
FAX: (215) 440-2848

**NOTICE**

**This Notice is posted as part of a settlement reached in the matter of EEOC v. O'Brien-Kreitzburg, Inc., a subsidiary of URS Corporation, C.A. No. 02-1963 in the United States District Court, Middle District of Pennsylvania. The EEOC filed this action to enforce provisions of the Age Discrimination in Employment Act of 1967, alleging that O'Brien-Kreitzburg, Inc. failed to select a qualified applicant for hire into the position of Mechanical Inspector at a construction project in Waymart, Pennsylvania, due to his age, 67, and hired a much younger applicant for the job.**

**The Age Discrimination in Employment Act of 1967 (ADEA) prohibits discrimination against employees and applicants for employment based upon their age (40 years of age or older). The ADEA further prohibits retaliation against employees or applicants who avail themselves of their rights under the ADEA by engaging in protected activities, such as filing a charge of discrimination or testifying or participating in an EEOC investigation.**

**THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION is the federal agency which investigates charges of discrimination and, if necessary, brings lawsuits in the federal district courts to enforce the ADEA.**

**O'Brien-Kreitzburg, Inc. fully supports and will comply with the ADEA in all respects. O'Brien-Kreitzburg, Inc. is committed to the principle of equality of opportunity and will not engage in any employment practice that operates to deny equal employment opportunities in violation of the ADEA. Furthermore, in accordance with the ADEA, O'Brien-Kreitzburg, Inc. will not take any action against any employee or applicant for employment because he or she has exercised any right under the ADEA, including the filing of a charge of discrimination or the reporting of harassment.**

**This Notice will remain posted at the company's Pittsburgh, Pennsylvania offices for ninety (90) days in all areas where notices, bulletins, or announcements are normally posted for the benefit of all employees.**

**THIS NOTICE MUST NOT BE DEFACED OR REMOVED AND MUST REMAIN POSTED FOR 90 DAYS.**

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**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION**

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**O'BRIEN-KREITZBERG, INC.**

Exhibit A