

**U.S. Department of Labor**

Office of Administrative Law Judges  
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**Issue Date: 06 January 2006**

CASE NO.: **2003-OFC-00005**

In the Matter of

**U. S. DEPARTMENT OF LABOR,  
OFFICE OF FEDERAL CONTRACT  
COMPLIANCE PROGRAMS,**

Plaintiff,

v.

**FIRST CITIZENS BANK & TRUST COMPANY,**

Defendant.

**DECISION AND ORDER APPROVING SETTLEMENT AGREEMENT**

This case arises under Plaintiff's complaint against Defendants issued on March 14, 2003 alleging violations of Executive Order 11246, as amended (30 Fed. Reg. 12319) and the regulations promulgated thereunder, 41 C.F.R. Part 60-1, et seq.

The parties have submitted their Settlement Agreement resolving the allegations of the complaint of minority based hiring discrimination in 1998. Alleged disparities in hiring were identified by the Plaintiff during a 1999 compliance review of Defendants. The parties' Settlement Agreement is attached hereto.

I find that the Settlement Agreement constitutes a just disposition of the issues involved. Further the content of the Settlement Agreement satisfies the requirements of 41 C.F.R. § 60-30.13(b) for consent finings and an order disposing of this matter.

Accordingly, I accept and approve the Settlement Agreement as the final Administrative Order, pursuant to 41 C.F.R. 60-30.13(b).

IT IS SO ORDERED.

**A**

RICHARD K. MALAMPHY  
Administrative Law Judge

RKM/ccb  
Newport News, Virginia

**NOTICE OF APPEAL RIGHTS:** To appeal, you must file exceptions (“Exception”) with the Administrative Review Board (“Board”) within fourteen (14) days of the date of issuance of the administrative law judge’s recommended decision. The Board’s address is: Administrative Review Board, U.S. Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington, DC 20210. Any request for an extension of time to file the Exception must be filed with the Board, and copies served simultaneously on all other parties, no later than three (3) days before the Exception is due. *See* 41 C.F.R. § 60-30.28.

On the same date you file the Exception with the Board, a copy of the Exception must be served on each party to the proceeding. Within fourteen (14) days of the date of receipt of the Exception by a party, the party may submit a response to the Exception with the Board. Any request for an extension of time to file a response to the Exception must be filed with the Board, and copies served simultaneously on all other parties, no later than three (3) days before the response is due. *See* 41 C.F.R. § 60-30.28.

Even if no Exception is timely filed, the administrative law judge’s recommended decision, along with the record, is automatically forwarded to the Board for a final administrative order. *See* 41 C.F.R. § 60-30.27.