

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

Herberto Domingo V. New England Fish Company

NOTICE TO CLASS MEMBERS NO. 713-730-2

TO: All non-white individuals who at any time since January 30, 1971 were employed by New England Fish Company ("Nelco") as its Chatham, Egegik, Ugak, Waikele or Pederson Point facilities.

Who applied for employment with Nelco at any of these facilities.

Who were deferred from applying for employment with Nelco at any of these facilities.

PLEASE READ CAREFULLY YOUR RIGHTS MAY BE AFFECTED PURPOSE OF THIS NOTICE

The purpose of this notice is to advise you of a settlement in the case against Nelco. This notice also explains the steps you must take if you wish to recover damages under or object to the settlement.

HISTORY OF THE LAWSUIT

The lawsuit was started by five former employees of Nelco, who charged that the company discriminated on the basis of race in hiring, promotion, termination, housing and other aspects of employment. They are Nemesis Domingo, Silme Domingo, Samuel Caberisag, Joseph Ancheta and Thomas Carpenter. Six other former employees of Nelco then joined as additional plaintiffs. They are Nellie Kookash, Audrey Merculet, Frank Paul, Mary Paul, Tony Eyon and Samuel Strauss. The Court allowed them to pursue this case as a class action under Rule 23 (b) (2).

Following trials and appeals, the Court ruled that Nelco intentionally discriminated on the basis of race by:

- Failing to hire or promote non-whites into administrative, tender, machinist, clerical, culinary, quality control, beach gang and certain other jobs.
- Maintaining racially segregated bunkhouses and giving non-whites inferior housing.

The Court found that Nelco did not discriminate in housing.

SETTLEMENT

The parties have agreed to settle the case as follows:

Damages

Nelco will pay \$4,650,000.00 with interest from February 9, 1987 as damages to the plaintiffs and the class.

Plaintiffs

Of the damages sum, a total of \$260,680.00 will be paid to the five individuals who first filed this lawsuit.

Housing Discrimination

Of the damages sum, about \$800,000.00 will be paid to class members for housing discrimination. Class members will be paid \$500.00 for each year during 1970-79 they worked for Nelco at Chatham, Egegik, Ugak, Waikele or Pederson Point. Class members need not file claims to recover housing damages.

Job Discrimination

Of the damages sum, about \$3,869,320.00 will be paid to class members for discrimination in hiring, promotion, termination and pay. This amount will be divided into eleven different portions, each being earmarked for one aspect, namely: 1970, \$450,577.00; 1971, \$384,729.00; 1972, \$408,774.00; 1973, \$375,261.00; 1974, \$318,618.00; 1975, \$341,077.00; 1976, \$347,736.00; 1977, \$345,148.00; 1978, \$366,182.00; 1979, \$325,219.00; 1980, \$36,960.00. Interest which accrues on the entire damages sum will be distributed to class members as part of their recovery for job discrimination.

Class members who were denied upper-level seasonal jobs are each entitled to an equal share in the amount earmarked above for:

- Each year they applied for or were deferred from applying for such jobs, and
- Each of the following three years through 1979 or each of the following consecutive years through 1979 they worked in the Alaska salmon canning industry, whichever is greater.

Class members who were denied upper-level year-round jobs are each entitled to one fifth of a share in the amount earmarked above for:

- Each year they applied for or were deferred from applying for such jobs, and
- Each of the following three years through 1980.

Class members who were terminated after 1970 because of discrimination or retaliation are each entitled to:

- An equal share in the amount earmarked above for each of the following three years through 1979 if they were terminated from an upper-level job, or
- One fifth of a share in the amount earmarked above for each of the following three years through 1979 if they were terminated from a laborer or canner worker job.

Class members denied equal pay for equal work in culinary jobs are each entitled to an equal share in the amount earmarked above for each year they held a culinary job.

Class members may recover for discrimination in hiring, promotion, termination and pay only if they filed claims in response to the Court's earlier notice. However, class members who can establish that they never received the notice may recover if they file claims with the Court by March 18, 1987. If you filed a claim, you will be contacted by the attorneys for the class to prepare a short statement establishing your eligibility to receive damages for job discrimination.

If you are the personal representative of a class member who is deceased, you should notify the Clerk in writing. You may be able to recover damages on behalf of the deceased class member's estate.

Class members are responsible for notifying the attorneys for the class of their most recent addresses.

ATTORNEYS FEES AND COSTS

Nelco will also pay \$895,000.00 as attorneys fees and \$105,000.00 as costs plus interest from February 9, 1987 to the attorneys for the class.

STEPS YOU MAY TAKE

The Court will hold a hearing on May 1, 1987 at 10:00 AM to decide whether the settlement is fair, reasonable and adequate. The hearing will be in Room 502, U.S. Courthouse, Fifth and Madison, Seattle, Washington. If you wish to be heard to object to the settlement, you should write out your reasons, put the name of the case at the top of the page and mail it to:

Clerk

308 U.S. Courthouse
Seattle, WA 98104

By April 27, 1987, The hearing will be open to all class members. You may be represented at the hearing by your own attorney, if you wish. You may also inspect the entire file in this case in the Clerk's office. If approved by the Court, the settlement will be binding on all class members.

This settlement must be approved by the bankruptcy court as well as this Court, since Nelco is in bankruptcy.

If you did not receive the Court's earlier notice but now wish to file a claim, you should mail a letter to that effect to the Clerk at the above address no later than March 18, 1987.

If you have questions about the case, would like advice on what you should do or want a copy of the settlement, you may call or write the attorneys for the class:

Abraham A. Arditi

Northwest Labor and Employment Law Office
900 Hope Building
705 Second Avenue
Seattle, WA 98104
(206) 623-1590

Carol H. Daniel

Trade Equity
Alaska Legal Services Corporation
550 West 8th Avenue, Suite 300
Anchorage, AK 99501
(907) 276-6262

DATED: February 11, 1987

UNITED STATES DISTRICT JUDGE
DONALD S. VOORHEES

Alaska's Oldest Statewide Newspaper

APPRENTICE OUTREACH PROGRAM

Anchorage Office
407 Denali Street - 272-5411

Fairbanks Office
715 5th Avenue - 452-2230



Classified

NO EXPERIENCE NECESSARY: HANDS-ON PAID TRAINING THAT CAN OPEN UP A WORLD OF POSSIBILITIES IN THE CIVILIAN JOB MARKET. CHOOSE FROM A WIDE VARIETY OF CAREER FIELDS. CALL FOR MORE INFORMATION AND APPOINTMENT AT HOME 443-2022, BETHEL 543-4425, KOTZEBUE 442-3447 ALASKA ARMY NATIONAL GUARD 87M035.

Publish:3/09,23/87(1140)C

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SERVING ALASKANS
FOR 15 YEARS

Position: City Manager, Bethel, Alaska

The City of Bethel, Alaska, population 4500, is seeking a City Manager. Approximately 120 full time employees. General operation budget of approximately \$5,000,000. Council/Manager government. Three (3) years previous experience as City Manager in a community of not less than 3000 residents, similar experience acceptable. Advanced degree in Public Administration or a degree in Business Administration/Finance or equivalent experience preferred. Familiarity with IBM 3600 computer desirable. Salary negotiable. Applications must be received by the Personnel Office no later than March 20, 1987. Position will be filled by April 20, 1987. Send resume/application to Personnel Office, P.O. Box 386, Bethel, Alaska, 99559. For further information call (907) 543-2007.

The City of Bethel is an Equal Opportunity Employer.

Publish:3/02,08,16/87(1143)C

ANCHOR ARMS MOTEL/APARTMENTS

Downtown Anchorage at 433 Eagle St.
Affordable Rates. Open 24hrs. for Reservations.
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NOTICE OF POSITION OPENING

The Kake Tribal Corporation, an Alaska Native Claims Settlement Act corporation, with headquarters in Kake, Alaska is seeking a General Manager. Kake Tribal Corporation (KTC) is a diversified company with large investments in stocks and bonds, a large logging company and operation, cold storage, and fuel company. Kake Tribal Corporation is a major land owner in Southeastern Alaska.

Candidates should have a degree in a business related field or at least three years of experience in the areas described above. KTC is looking for someone with a strong background in timber management, strategic planning, effective communications in a cross cultural environment, negotiations, and resource and new business development.

Complete resumes and three letters of recommendation can be sent to: Gordon Jackson, President, 9085 Glacier Highway, Suite 301, Juneau, Alaska 99901. Closing date: March 11, 1987.

Publish:3/02,09/87(1140)C

NO EXPERIENCE NECESSARY: NEW TRAINING CAREERS WITH OPPORTUNITIES FOR ADVANCEMENT. EARN EXTRA INCOME AND A CAREER FOR A LIFETIME. CALL TODAY FOR MORE INFORMATION AND APPOINTMENT AT HOME 443-2022, BETHEL 543-4425, KOTZEBUE 442-3447, ALASKA ARMY NATIONAL GUARD 87M035

3/09,23/87(1140)C

TUKON-KUSKOKWIM HEALTH CORPORATION CAREER OPPORTUNITY

DIRECTOR OF FINANCE AND ADMINISTRATION to provide fiscal and administrative management direction for an Alaska Native non-profit health organization in Southeast Alaska. \$44,295-48,913/Annun DOE, plus liberal fringe benefits. QUALIFICATIONS: BS/BA degree in accounting from accredited four (4) year institution,

with four years experience. Knowledge and experience in human resource management, micro computer processing, Lotus 123, Hospital administration experience a PLUS. Knowledge and experience in non-profit, cross-cultural, health delivery organization preferred. Able to administer, manage and supervise multi-ethnic staff, and create and maintain good working relationships with staff, clients and representatives of local, private, state and federal agencies.

Anyone interested in applying for this position may submit an application or resume to: YKHC Personnel P.O. Box 528 Bethel, AK 99559 or call 907-543-3321x153 for additional information by March 13, 1987.

THE YUKON-KUSKOKWIM HEALTH CORPORATION IS AN EQUAL OPPORTUNITY EMPLOYER.

Publish:3/02,09/87(1141)C

HELP WANTED: The Department of Education, College of Human and Rural Development, University of Alaska-Fairbanks, is seeking applications for two tenure track teaching positions at Assistant/Associate level in its undergraduate and graduate education programs. Faculty should have multiple interest and interdisciplinary expertise, strong scholarly accomplishment/promise, a sense of the importance of applied research, and multicultural experience.

Positions: The two positions will begin in the Fall of 1987 and encompass two or more of the following scholarly interest areas: Reform in teacher education; educational leadership, policy and administration, especially among indigenous population; collaborative university/school relationships and clinical practice (especially at secondary level); small schools, rural education; education and social policy; multicultural education; comparative/international education; qualifications: Earned doctorate in education or related field, demonstrated research interest and ability, demonstrated perspective/experience of interdisciplinary, cross-cultural or international interest/results, classroom teaching and/or school administrative experience; experience with diverse cultural groups and/or indigenous minorities; able to teach courses in educational leadership and policy, secondary teacher education and/or educational psychology and development.

Salaries and rank are commensurate with qualifications and experience. Applicants files must be complete by 4/3/87 to be considered. Send letter of application (by indicating two or more areas of expertise), three professional references, current vita, University placement/credential file, and other supportive materials to: Penny Gilmore, Chair, Dept. of Education Search Committee, College of Human and Rural Development, University of Alaska-Fairbanks, Fairbanks, Alaska 99775-0600. Telephone: (907) 474-6436. The University of Alaska is an Equal Opportunity. Affirmative Action Employer and Educational Institution. Women and minorities are encouraged to apply.

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Legal

NOTICE OF DECISION DIAMOND SHAMROCK CHUITNA COAL JOINT VENTURE DIAMOND CHUITNA MINE

The following describes the Decision of the Commissioner of the Alaska Department of Natural Resources ("the Commissioner") with respect to a Surface Mining Permit Application submitted by Diamond Shamrock Chuitna Coal Joint Venture under AS 27 21 and 11 AAC Chapter 90 (The Alaska Surface Coal Mining Program).

The permit application requests approval to develop a surface coal mine in the Beluga region of Upper Cook Inlet. The proposed mine has a maximum projected production of 12 million tons of coal per year. The project area is located on the northwest side of Cook Inlet, approximately 45 miles west of Anchorage, Alaska, and eleven miles northwest of Tyonek, Alaska. The proposed permit area includes the following lands, totaling approximately 2,596 acres:

Township	Range	Meridian	Sections
12N	12W	Seward	4
13N	12W	Seward	14, 15, 22-27, 34, 36

In accordance with AS 27 21, 180(b), the Commissioner has determined that portions of the application for the Diamond Chuitna Mine must be modified before a permit can be issued. This Notice describes which portions of the application must be modified, and which parts meet approval. Portions of the application requiring modification are those relating to sediment and drainage control, and topsoil salvage. Before a permit can be issued, the applicant must make appropriate revisions to the sediment control plan, and must prepare a topsoil salvage and handling plan. The applicant's request for a variance from topsoil salvage is denied.

All other portions of the application are approved with stipulations. The Decision includes a total of 13 stipulations, in the following disciplines:

Surface Mine Engineering	7 Stipulations
Fish and Wildlife Management	1 Stipulation
Sediment and Drainage Control	3 Stipulations
Overburden, Soils, Vegetation,	
Revegetation and Land Use	2 Stipulations
Surface and Groundwater Hydrology	3 Stipulations

Copies of the permit application as well as the full text of the state's Decision and Findings of Fact on the application are available for public review and copying at the Anchorage offices of the Alaska Department of Natural Resources, Division of Mining and Geology. Persons desiring further information should contact Mr. Samuel M. Dunaway, Jr., at (907) 782-2144.

The application, Decision and Findings of Fact are also available for public review at the Kenai Pen-

insula Borough Planning Department, Resource Development Office, Borough Administration Building, 148 16 Buskay St., Soldotna, Alaska 99589.

Within 30 days of the publication of this Notice, the applicant or any person who is or may be adversely affected by the decision may request a hearing to review the reason for the decision. Requests for a hearing should be sent to the Alaska Department of Natural Resources, Division of Mining and Geology, P.O. Box 107016, Anchorage, Alaska 99510-7016, Attn: Samuel M. Dunaway, Jr.

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STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES NORTHERN REGION DESIGN AND CONSTRUCTION

INVITATION FOR BIDS

Sealed bids in single copy for furnishing all labor, materials, equipment and performing all work on Project No. AIP 3-02-0337-01/80480, Wales Equipment Storage Building described herein, will be received until 2:00 p.m., prevailing time, March 24, 1987 in the Office of the Chief of Technical Services, Technical Services Building, Room 4, 2301Pager Road, Fairbanks, Alaska 99709-6394.

The project will consist of construction of a gravel pad, a 40 ft by 50 ft wood frame building on a treated wood foundation, with electrical work at Wales Airport, approximately 110 miles northwest of Nome.

Engineer's Estimate is between \$100,000 and \$250,000.

All work shall be completed by October 1, 1987.

The Department of Transportation and Public Facilities hereby notifies all bidders that it will affirmatively assure that in any contract entered into pursuant to this invitation, Female and Minority Business Enterprises will be afforded full opportunity to submit bids and will not be discriminated against on the grounds of race, color, national origin or sex in consideration for an award.

One set of plans, specifications and other bidding documents may be obtained at no charge by all who have a bona fide need for them for bidding purposes from the Chief of Technical Services, Technical Services Building, Room 2, 2301 Pager Road, Fairbanks, Alaska 99708-6384, telephone number (907) 451-2247.

Bidding documents are available for inspection at the Regional Department of Transportation and Public Facilities offices in Fairbanks, Anchorage, Juneau, Nome and the Associated General Contractors offices in Fairbanks, Anchorage, Juneau, and Seattle.

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