

# New Hampshire Commission for Human Rights

**COMMISSIONERS**  
CHRISTIAN KIM, CHAIR  
DOUGLAS PALARDY  
NANCY LEROY  
BASRA MOHAMED  
ELIZABETH ASCH  
ADRIENNE EVANS  
MELISSA MORIARTY



57 REGIONAL DRIVE, SUITE 8  
CONCORD, NEW HAMPSHIRE 03301  
TEL (603) 271-2767  
TDD Access: Relay NH 1-800-735-2964  
FAX (603) 271-6339  
E-MAIL: [humanrights@hrc.nh.gov](mailto:humanrights@hrc.nh.gov)  
[www.nh.gov/hrc](http://www.nh.gov/hrc)

**EXECUTIVE DIRECTOR**  
AHNI MALACHI

**ASSISTANT DIRECTOR**  
SARAH E. BURKE COHEN, ESQ.

**INVESTIGATORS**  
KATRINA E. TAYLOR  
NICOLE LEMELIN  
DANIEL DEYERMOND  
JOYCE J. SAMUEL, ESQ.  
ERICA ROSIGNOL  
AMY JUSTIN, ESQ.  
MICHAEL WORSLEY  
MICHELLE MARTIN

**INTAKE COORDINATORS**  
CRYSTAL NAPOLI  
TASHAWN BAKER

**OFFICE MANAGER**  
LARA PHILLIPS-RAMOVIC

**SECRETARY**  
ELLEN COURTEMANCHE

**RUTH TREDWELL**

V.

**T ANTAYA LLC D/B/A ANTAYA SCIENCE & TECHNOLOGY  
AND TIMOTHY ANTAYA, INDIVIDUALLY**

**ES(H)(R) 0158-21; 16D-2021-00160**

## **ORDER ON THE MERITS**

### **I. PROCEDURAL BACKGROUND**

1. Ruth Tredwell ("Complainant") filed a Charge of Discrimination based on sexual harassment (hostile work environment), retaliation and aiding and abetting in employment on June 8, 2021 against T Antaya LLC d/b/a Antaya Science & Technology and Timothy Antaya, individually ("Respondents").
2. Following the Commission's investigation, the Investigating Commissioner found sufficient evidence had been produced to find probable cause relative to the issues of sexual harassment (hostile work environment) and aiding and abetting. The Investigating Commissioner found no probable cause on the issue of retaliation. The findings were issued on May 13, 2023.
3. The Commission issued Orders of Notice on May 26, 2023 on the issues of sexual harassment (hostile work environment) and aiding and abetting notifying the parties of the Investigating Commissioner's finding of probable cause and outlined the next steps in the process.
4. The Commission also notified the parties in writing on May 26, 2023 that the Investigating Commissioner made a finding of no probable cause as to the issue of retaliation and that portion of the case was dismissed.

*Tredwell v. T Antaya LLC d/b/a Antaya Science & Technology and  
Timothy Antaya, Individually  
ES(H)(R) 0158; 16D-2021-00160*

5. Between May 26, 2023 and March 14, 2024, the Commission attempted to secure notice on Respondents relative to the finding issued on May 26, 2023; however, these attempts were unsuccessful.
6. Given Respondents had decided not to participate any further in the Commission's process though various methods of contact were attempted, the Commission with the consent of the Complainant decided it would be most appropriate to schedule the case for a public hearing and waive the required Conciliation and Prehearing outlined in the Orders of Notice.
7. On March 14, 2024, the Commission sent the parties a Notice of Public Hearing scheduling the public hearing for April 17, 2024.
8. The Public Hearing was called to order on April 17, 2024. The Hearing Panel consisted of Commissioner Basra Mohamed, Chair of the Hearing Panel, Commissioner Elizabeth Asch, and Commissioner Adrienne Evans. Complainant appeared *pro se*. Respondent failed to appear.
9. Pursuant to N.H. Admin. R. PART Hum 315.03(a), as the Complainant was not represented by an attorney, the case in support of the complaint was presented by Commission Assistant Director Sarah Burke Cohen.

## **II. FINDINGS OF FACT BY COMMISSION PANEL**

10. Complainant was hired by Respondents on or about May 1, 2012.
11. Complainant identifies as female.
12. Respondent, Timothy Antaya ("Antaya") is the owner of Respondent, T Antaya LLC d/b/a Antaya Science & Technology ("AST") and at all times was Complainant's supervisor.
13. During her tenure with AST, Complainant was subjected to sexual harassment by Antaya.
14. This sexual harassment consisted of both verbal and physical unwelcome sexual conduct by Antaya. The continued unwelcome sexual conduct by Antaya created a hostile work environment that made it difficult for Complainant to perform her job duties.
15. One example of the unwelcome sexual conduct occurred on February 8, 2021. Complainant was on her knees under her desk and with her back to her office door when Antaya entered her office. Antaya approached Complainant from behind and forcibly grabbed her head with both of his hands. Antaya began to pull her head towards the front of his pelvic area and pushed Complainant's head back and forth towards him, stating, "this is where I want you." When confronted by witness to the incident including

Complainant's daughter and coworker, Zoe Tredwell, Antaya responded "you are no fun but nobody likes you anyway".

16. Antaya aided and abetted unlawful discrimination by maintaining a hostile work environment at AST to which Complainant was subject to by his continuous sexual harassment of her.
17. Respondents failed to appear at the public hearing and present any defense or rebuttal of these findings.

### **III. DECISION ON THE MERITS**

18. In order to receive a favorable decision, the Complainant shall have the burden of proving the case for the complaint by a preponderance of the evidence. NH Admin. R. PART Hum. 315.07.
19. The Hearing Panel found Respondents to be in default as the Respondents failed to appear at the scheduled public hearing and in doing so failed to provide any evidence to rebut or refute the Complainant's allegation.
20. Complainant provided by a preponderance of the evidence that she was subjected to a hostile work environment at AST based on the sexual harassment by Antaya in violation of RSA 354-A:6,V.
21. Complainant provided by a preponderance of the evidence that Antaya aided and abetted unlawful discrimination by perpetuating the hostile work environment at AST through his continuous sexual harassment of Complainant in violation of RSA 354-A:2, XV,(d).

### **IV. DAMAGES AWARDED**

22. The Hearing Panel finds that the Complainant suffered lost wages following her termination.
23. The W-2 issued to the Complainant in 2020 by AST shows taxable gross earnings of \$183,264.80. *See Exhibit A of Complainant's Exhibit 1.* Having received no other evidence disputing the reported gross earnings, the Hearing Panel based its lost wage award on this amount.
24. Through Complainant's testimony and documentation provided by the Complainant from a proceeding at the Department of Labor, the Hearing Panel found that Complainant either received or was awarded, through the Department of Labor proceedings, wages for January and February 2021. *See Exhibit H of Complainant's Exhibit 1.*
25. Complainant also testified that, although she was not currently employed, she was earning income by way of renting her house through Airbnb. Complainant testified she

received income in the amount of \$62,000.00 in 2022 and 2023 for the rental of the property.

26. The Hearing Panel awards the Complainant total lost wages of \$395,250.27, which is allocated as follows:

- a. For 10 months of calendar year 2021, Complainant is awarded \$152,720.67; and
- b. For calendar year 2022, Complainant is awarded \$121,264.80. This amount is based on the gross income reported in the 2020 W-2 minus the income Complainant reported through the renting of her property.
- c. For calendar year 2023, Complainant is awarded \$121,264.80. This amount is based on the gross income reported in the 2020 W-2 minus the income Complainant received through the renting of her property.

27. As compensatory damages for the circumstances of this case described in paragraphs 13-15 above and testimony from Complainant about the emotional distress it caused her, Respondents are ordered to pay the Complainant the sum of \$50,000.00.

This was a unanimous decision.

**SO ORDERED.**

6/14/24  
Date

  
\_\_\_\_\_  
Commissioner Basra Mohamed, Chair

6/14/24  
Date

  
\_\_\_\_\_  
Commissioner Elizabeth Asch

5-14-24  
Date

  
\_\_\_\_\_  
Commissioner Adrienne Evans