



Couple sues Byrd Institute for wrongful termination

Kyla Asbury (/author/kyla-asbury) Sep. 13, 2011, 9:00am

HUNTINGTON -- A Huntington couple is suing the Robert C. Byrd Institute for wrongful termination of employment and for creating a hostile work environment.

Rick Martin, Charlotte Weber, Tracy McDowell, the Marshall University Research Corporation and 20 unknown individuals were also named as defendants in the suit.

On April 1, 2008, Barry R. Morlachetta began working for the Robert C. Byrd Institute as a manufacturing sales representative and was the only employee with that designation, according to a complaint filed Aug. 11 in Cabell Circuit Court.

Morlachetta claims in his position he was charged with the primary responsibility for sales and outreach to manufacturing sectors in the Tri-State area and that from the time he was hired until his employment was terminated, he successfully initiated contact with a number of businesses and increased the client base of the Institute.

While Morlachetta was working for the defendants, inappropriate and unprofessional conduct was rampant, according to the suit.

Morlachetta claims he was referred to as a "WOP" by McDowell and that on May 28, 2010, an e-mail was sent by Martin to him and approximately one dozen other employees that he felt was "inappropriate for employees of a quasi-public institution and unprofessional." Morlachetta immediately forwarded the e-mail, along with his concerns, to Weber.

Weber responded by apologizing to Morlachetta and explained that Martin had violated rules concerning the use of federally funded technology, according to the suit.

Morlachetta claims one week later, he was confronted by Martin and



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At the conclusion of the meeting with Martin and McDowell, Morlachetta "made it clear that he felt that his termination was in retaliation for his reporting" of Martin's unprofessional e-mail, as Martin never gave him a reason for the dismissal, according to the suit.

Morlachetta claims Weber sent him a letter on June 4, 2010, that confirmed his termination of employment, but also gave no reason why.

The defendants' actions were done with the intent to inflict emotional distress upon Morlachetta and were done in retaliation, according to the suit.

Morlachetta and his wife, Carole F. Morlachetta, are seeking compensatory and punitive damages with pre-judgment interest. They are being represented by J. Patrick L. Stephens and Mark F. Underwood.

The case has been assigned to Circuit Judge F. Jane Hustead.

Cabell Circuit Court case number: 11-C-570

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