

employees constantly inquired of Plaintiff as to whether he would like to have lunch with them and Plaintiff's response that he would enjoy partaking in lunch with the other employees.

It is further uncontroverted that Plaintiff's supervisor "laid-off" Plaintiff on two occasions. The testimony of Plaintiff, and of Mr. Myers, Plaintiff's supervisor, was that Mr. Myers did not even check the refrigerator or Defendant's other facilities to determine if work was available for Plaintiff. Further, the first lay-off occurred immediately after Plaintiff's finding and reporting to his supervisor of excessively high levels of cyanide; the second lay-off occurred at the same time that Defendant was hiring an employee of American origin for full-time employment to perform duties that Plaintiff was capable of performing.

Further, it is uncontroverted that at the outset of Plaintiff's employment, Plaintiff requested full-time employment from defendant. Mr. Shaaban Ben-Poorat testified that Plaintiff requested full-time employment from Defendant. Further, Mr. Ben-Poorat advised Plaintiff that Plaintiff's position would develop into a full-time position with Defendant in the event Plaintiff's work was satisfactory. The testimony of Mr. Myers was that Plaintiff's work was satisfactory. Further, it is uncontroverted that Plaintiff requested full-time employment with Defendant on numerous occasions during his employment with