

# FIGHTING BACK!

Harassment comes in many forms: sexual, racial, cultural. But you don't have to take it

Getting promoted usually means a job well done—or at least that's what Brenda Johnson of Milwaukee *thought* it meant, until she was fired two months after being promoted. Johnson, 43, had worked for two years as an order-department supervisor for Share Corp. (a chemical company), before she was let go in April 1990. The company claimed Johnson's work performance was poor and that she was tardy. But Johnson claimed her employment record was similar to that of two White coworkers who were *not* discharged. Shocked by her dismissal, Johnson concluded the only reason she was fired was because she is Black.

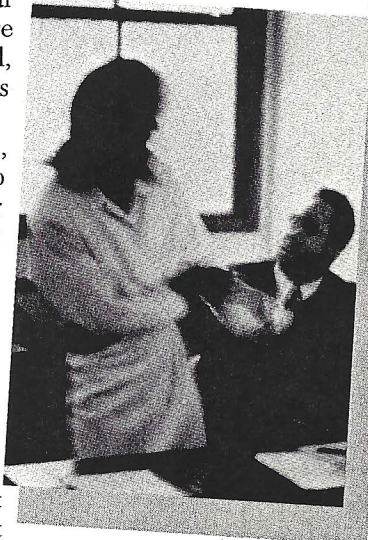
Several states south of Wisconsin, Doris Scott of Dermott, Arkansas, also lost her job at Potlatch Corp., a paper mill, because she had been mistakenly diagnosed with syncope, an unexplained fainting syndrome. Scott, 38, had worked her way off welfare and had been a crew member at Potlatch for a little more than two months when she passed out during a break at the mill—where, incidentally, temperatures sometimes reached 105 degrees. A local doctor found nothing wrong with Scott, but Potlatch officials concluded that Scott was likely to faint again. Result: She was fired.

But both Johnson and Scott fought back. With the help of the Equal Employment Opportunity Commission (EEOC), a suit was filed against Share on Johnson's behalf in July 1993. A year later, while not admitting guilt, Share agreed to pay Johnson \$22,000 in damages, as well as to provide annual racial-sensitivity training for all management and supervisory employees. Scott also contacted the EEOC, which filed suit against Potlatch under the Americans With Disabilities Act of 1990 and the Civil Rights Act of 1991. The jury awarded Scott \$1,308.96 in back pay, \$20,000 in compensatory damages and reinstatement to her job.

"We need to educate women about how to fight

discrimination in the workplace," says Susana Gomez, assistant director of the Department of Civil Rights for the AFL-CIO. Here's a primer: **•Know what discrimination is.** The Americans With Disabilities Act prohibits limiting, classifying or segregating job applicants or employees because of disability; Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, national origin or sex. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other hostile verbal or physical contact. **•Know your rights.** Employment discrimination isn't limited to hiring and firing; It also applies to recruitment, promotions, training, layoffs, salaries, job assignments, leaves of absence and benefits. Contact your union and your human-resources department for company handbooks that list rights and policies. Or call the regional office of the EEOC, AFL-CIO or any state employment agency for up-to-the-minute information. **•Notify your company and union if you feel you've been discriminated against.**

Since the average processing time for charges to be investigated by the EEOC is 294 days, you may save time and money by going to your immediate supervisor first. If the supervisor takes no action, go to upper management. And if the harassment or discrimination persists, then consider legal action. **•Document the discrimination.** Record the date, time, person who discriminated against you, what exactly that person said or did and any possible witnesses to the harassment. "But don't make the mistake of leaving the documentation at the workplace,"



Gomez warns. **•Consult coworkers.** "Usually there is a pattern of discrimination, and sometimes other workers have been harassed," Gomez says. Also consider contacting former employees. **•Don't wait until it's too late.** Most states give you up to 300 days after the discriminatory act to file charges; if your state does not have a state agency, you have 180 days from the date of the alleged discrimination to file with the EEOC. For written information, call the EEOC at (800) 669-EEOC; to level a complaint, call (800) 669-4000. Differently abled employees may also call the Job Accommodation Network (JAN) at (800) 526-7234. ♦

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