

# Black BART workers find racist threats on lockers, lawyer says

By **Michael Cabanatuan** Updated 7:54 am PDT, Thursday, July 31, 2014

A group of African American BART track maintenance workers say they were subjected to racist death threats at work last month - the latest incident in a continuing pattern of racial discrimination and harassment.

An attorney for the workers says racist incidents have continued even after a lawsuit was filed on behalf of the workers late last year. In the latest episode, graffiti was sloppily scrawled with a black marker on three of the workers' lockers on June 27, said **Jody LeWitter**, the attorney representing workers. It read: "F- you (first name of worker) dies N-."

LeWitter said that BART has been slow to investigate the incident, which came several months after the workers filed suit in Alameda County Superior Court in December, alleging discrimination in promotions and training, as well as racist graffiti scrawled on lockers and in restroom stalls.

While BART ignored prior incidents, dismissing them as "horseplay," the transit agency is investigating the latest, LeWitter said. But the investigation has taken more than a month, which she described as unusually long.

BART officials did not respond to multiple requests for comments on the incidents and the lawsuit Tuesday and Wednesday.

The workers said in a statement that they considered the graffiti "threatening, racist, retaliatory, hateful and criminal," and that they feared the potential of violence while working on tracks at night. The workers said they declined to report to work after the June incident but have since returned, under protest, after being ordered to do so.

LeWitter described the incidents as an ongoing problem that BART managers have failed to address.

"This seems to be racism at the lowest levels of employees with lower-level managers who either engage it or ignore it," she said. "And up the chain, managers ignore it as being just part of the work environment."