

Five blacks sue, claim steel firm harassed them

By LESLEY GUTH

Staff writer

PITTSBURG — Painting an alarming picture of a hostile workplace, five black workers at USS-POSCO Industries' steel plant say they have been harassed and denied promotions because of their race, according to a civil lawsuit filed in U.S. District Court.

The men say they were called racial epithets, one was warned that "the KKK is in the area," and another was told "blacks are here to be managed, not managers," according to court documents.

"You don't hear about cases like this every day," said attorney Jody LeWitter of Eggleston, Siegel & LeWitter, the Oakland law firm that is representing the plaintiffs. "This is not normal."

The company denies the allegations and contends the case should be thrown out, said attorney Rob Carrol, whose San Francisco law firm is representing USS-POSCO.

A jury trial has been set for Feb. 6 but attorneys for the plaintiffs and the company said they are in mediation to resolve the case, which was filed in the district court in San Francisco in October 1994. The next

meeting is set for Thursday. "I think we have an excellent chance of settling," Carrol said.

If the case goes to trial, Carrol said the trial likely will be pushed back to June to give attorneys time to prepare.

The plaintiffs, Michael D. Hall, Robert L. Darden, Danny L. Douglas, Samuel Anderson McCree III and Harold H. Tubbs Jr., work at the USS-POSCO plant, LeWitter said. The men were not willing to talk to the press, she said.

The lawsuit seeks lost wages, at-

torneys' fees, damages for emotional distress, pain and humiliation, and punitive and exemplary damages. It also asks the company to stop its alleged violations of civil rights and that policies be implemented that would prevent discrimination and harassment of blacks in the future.

LeWitter said she could not name the specific dollar amount sought by her firm. "It's beyond a price tag," she said. "What happened to them is incredibly humiliating."

The plant processes raw steel into thin steel sheets used for autos, furniture, fruit and vegetable cans and

metal studs for home building. Since the mid-1980s, it has been owned in a joint venture between its original owner, U.S. Steel, and South Korea-based Pohang Iron and Steel Co.

As of October 1994, blacks represented 6.4 percent of the 980-person work force at the plant. The plant also employs 185 Hispanics and 30 Asians, but those groups do not appear to be harassed, LeWitter said.

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Suit

FROM PAGE 1A

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tom of the barrel."

The plaintiffs, some of whom are long-time USS-POSCO employees, say they were given undesirable jobs, assigned to all-black work teams and not given training given nonblack co-workers.

The harassment and discrimination at the plant is "clearly systematic," LeWitter said. "The evidence shows that what's happened to these particular plaintiffs is indicative of what other African Americans have been subjected to."

Attorneys for USS-POSCO say the case should be thrown out because many of the incidents cited occurred prior to a one-year statute of limitations and the workers did not take the proper administrative steps to address their complaints through the

company and the United Steelworkers Union, Carrol said.

LeWitter said that the incidents are exempt from the statute of limitations because attorneys for the plaintiffs found a pattern of discrimination.

Carrol, who has assisted USS-POSCO for the past three years in programs to educate workers and managers about discrimination in the workplace, defended the company's efforts to promote a harassment-free environment at the plant.

In the 1980s, USS-POSCO adopted a policy prohibiting harassment based on sex, age, race, religion or disability that complies with state and federal laws, he said. In 1987, the company also formed a civil rights committee composed of

workers and managers that is designed to give workers another avenue for complaints.

Some of the allegations in the lawsuit were investigated by that committee and found to be without merit, Carrol said.

"It looks like there is a terrible thing going on out there," he said. "But if you look closely, it's like using Windex on a smeared window. There is not a lot to the case."

Carrol acknowledged that addressing harassment at the plant is an on-going effort.

"This is a steel mill, not a church," he said. "It's a steel mill that's been out there since the '30s. Over the years, the manufacturing of steel and steel products has changed dramatically. The culture is another issue."