

NOOSE IN LOCKER ROOM, AROUND COMPANY'S NECK, AS BLACK WORKERS FILE DISCRIMINATION CHARGES



Three African-American employees at a Siemens Energy Facility in New Jersey have filed charges of discrimination with the Equal Employment Opportunity Commission and the New Jersey Division of Civil Rights. They allege that they have been subjected to years of racial harassment, but the final straw was finding a noose hanging in front of their lockers. David Solomon, who had been working at the facility for four years said, that as entered the employees changing area, he was confronted with a noose hanging, "right next to my locker." He took photographs of the noose, as evidence and brought this to the notice of his two colleagues, Eddie Clarke and Barry Murphy. In an April 4 affidavit, all three of them testified, to seeing the noose and also mentioned numerous other occurrences of racial discrimination that they had to tolerate during their employment at the facility. Brian K. Wiley, the lawyer, appointed by the workers to represent them, in an email said, "The complainants ... are pursuing these charges and will be filing a federal lawsuit in the hopes of bringing to light and changing the current climate of open racial discrimination at this facility." Solomon, who was the first to see the noose wrote, "I felt (as) though a clear message was being sent to the black employees at Siemens to shut up, do what your [sic] told and stop complaining about being treated unfairly or we would be lynched. Every person in power at my job is white. There are no black supervisors and no African-Americans to report this too [sic]." Clarke wrote in his statement that he had been physically intimidated by his supervisor, who did not take too kindly to his complaint that African-American workers were being discriminated against and were being denied opportunity for advancement. "My supervisor had previously warned me a few years back that if I complained of racial bias in the workplace any further I would get caught in 'friendly fire,' " he wrote. "The supervisor approached me shortly after and expressed surprise that I was 'still alive.'" In face saving mode, the company issued a statement that hanging a noose in the workplace was a "deplorable, aggressive act." The company said that they had "promptly notified law enforcement." Company spokeswoman Camille Johnston said via email, "We have been in contact with federal, state and local authorities." However, Siemens did not provide details of which agencies they had notified. In its statement the company said that it had begun an internal investigation, that ended inconclusively, after the company's "corporate security team that included members with 30+ years of experience with the Federal Bureau of Investigation ... could not find any evidence of how the noose got there." Lawyer Wiley responded to the spokeswoman's assertion that Siemens' proactively contacted law enforcement agencies, he said, "To be clear, it was the complainants who contacted law enforcement to report what has happened to them. While we do not have the ability to know whether Siemens contacted law enforcement as they claim, we can say with certainty that none of the three victims was contacted by any law enforcement agency." Between 2006 and 2010, the Equal Employment Opportunity Commission has found 8 companies guilty of racial discrimination or harassment that involved nooses, making them cough up almost \$5.2 million in fines. The EEOC laws say it is against the law for race or skin color to influence "hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment." It also says the display of "racially offensive symbols" constitutes illegal racial harassment. Wiley said that he plans to file a federal lawsuit on behalf of the three men, but no precise amount of damage has been fixed. "There's no real way to quantify" the impact that years — decades in the case of Murphy, a Siemens employee since 1966 — worth of denied advancement opportunities and hostile working conditions had on his clients. "[Siemens] conceivably could be responsible for a large amount," he said.