



## Workers file racial discrimination lawsuit vs. Super Steel

Author: RP news wires

Issue:

Nine current and former African-American employees of Super Steel in Schenectady, N.Y., filed a class-action lawsuit against the company in U.S. District Court for the Northern District of New York on April 18 to redress the discrimination and harassment they say is deeply embedded in the Super Steel culture and work climate.

Plaintiffs in the matter are Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes Jr., Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy and Vincent Safford and a class of current and former African-American employees of Super Steel. They are represented in the matter by David Sanford of Sanford, Wittels & Heisler, LLP, Washington, D.C.

Sanford was asked by the New York Commission on Human Rights and the NAACP to investigate a hate crime at Super Steel that occurred late in 2005. An employee of Super Steel vandalized an African-American's locker, writing "Die (expletive) Die" and "KKK" inside the door of the locker, and placed a monkey on the coat hook, its head torn off and its body ripped apart. That incident remains unsolved and continues to be investigated by local police.

That was the latest in a string of incidents dating back several years. A police officer investigating the drawing of a man hanging by a noose in another plaintiff's workstation commented in his police report that Super Steel "had not yet come to an understanding of the serious nature of the incident(s) and was still under the assumption that they [Super Steel] would be able to handle everything internally."

According to Sanford, racial discrimination and hostility "permeate every aspect of the working day of the African-Americans employed by Super Steel."

"A typical shift for African-American employees requires avoiding the 'white' parts of the break areas, using a restroom with graffiti that degrades African-Americans with depictions of black men hung from nooses and that expounds support for the KKK, and suffering under a non-responsive Human Resources Department," he said.

"As a 50-year old man, born and raised in Mississippi, I have never experienced the kind of racism that was at Super Steel," said one of the plaintiffs.

Another plaintiff compared his arrival at Super Steel to that of a slave being sold at market. He described being treated as though he had been "ordered up" from "some small farm" in Mississippi, and being given orders as if he was a "boy" that was "not supposed to know any better." Still another plaintiff was told that a "(expletive) whipping" would

make him work faster, and that he should be hung.

Each of the nine plaintiffs' treatment at the hands of white fellow employees, supervisors and company management is discussed in the complaint, including the racial epithets, slurs and taunts black employees reportedly endure.

"Super Steel has repeatedly made decisions that create and cultivate an atmosphere where its African-American employees are threatened, harassed, criticized and denied advancement," said Sanford.

The complaint also documents the company's ongoing efforts to minimize, ignore and excuse the constant racial tension.

"It is nearly unthinkable that in this day and age African-Americans living in New York continue to encounter such blatant discrimination and prejudice in the workplace," said Fred Clark, vice president of the Schenectady NAACP. "The racially motivated behavior of white employees and supervisors that the black employees of Super Steel must endure to earn a living and support their families is shameful and must come to an end. We applaud the courage these nine men have shown in stepping forward and exposing the conditions to the light of day."

The nine plaintiffs seek certification of their case as a class action under federal statutes; their designation as representatives of the class and Sanford as counsel of record for the class; declaratory judgments that Super Steel's employment practices are illegal and in violation of the Civil Rights Acts of 1866; and temporary and permanent injunctions against Super Steel, which would bar Super Steel from engaging in further unlawful practices, policies and customs.

The nine plaintiffs also request an order requiring Super Steel to implement programs that effectively remedy the hostile work environment and eliminate the discriminatory and retaliatory practices currently in use; an order establishing a workplace task force on equality and fairness to monitor conditions at the company; and damages, including not less than \$25 million dollars in compensatory damages, not less than \$150 million dollars in punitive damages, and nominal damages.

The plaintiffs have demanded a jury trial in the matter.

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