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Reports of Sexual Harassment at DWP Emerging

Workplace: Nearly 100 complaints lodged over the last 2 years are coming to light in wake of \$1.5-million settlement

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She was the new employee, and the first woman to work in the warehouse.

Soon she was one of the guys, trading playful punches with her four Department of Water and Power colleagues and withstanding a daily litany of dirty jokes.

But eventually it went well beyond offensive words and roughhousing and ended in charges of rape in the workplace. The single mother was reassigned for her own protection and three of the four men were discharged for sexual harassment, according to city documents. The fourth was suspended for 60 days.

This is one of nearly 100 sexual harassment cases that have occurred at the DWP over the last two years which have remained largely unknown to the public and even top city officials.

It was not until this week--when the giant utility agreed to pay a record \$1.5-million settlement to a former employee in another case--that the full extent of the problem became evident.

In discussing that \$1.5-million settlement to Ruby P. Zilly, a DWP official disclosed that in the last two years, five employees have been fired and 12 others suspended for sexual harassment. The number of cases, their severity and the legal cost caught some city officials by surprise and prompted calls for greater scrutiny of the agency, its policies and practices.

City Councilwoman Jackie Goldberg, who has been reviewing sexual harassment incidents and policies in the city work force, said she was unaware of the number of complaints and disciplinary actions at DWP until the settlement was disclosed. Goldberg said she will hold hearings next month to question DWP officials on their sexual harassment policies and attempt to determine the magnitude of the problem.

Goldberg says she believes that problem is extensive. "Is it an isolated problem?" she asked. "With 98 cases, I think not."

Civil Service Commission President Joe Gelman said he will also take a closer look at the DWP, which he already has criticized for uneven, inconsistent handling of such cases.

Goldberg and Gelman may have their work cut out for them.

Brenda Simpson, a 20-year DWP veteran, said many women feel intimidated by what she described as a pervasive macho mentality of an agency that is 76% male. "The mind-set is that it's men's work and that women don't belong here," Simpson said.

DWP General Manager Bill McCarley said last week's expensive settlement with Zilly, a former security guard, has caused the department to re-examine its procedures for handling sexual harassment cases and its commitment to ending such behavior.

"Our policy is zero tolerance and that will be our management posture," McCarley said. "We are trying to improve accountability of all managers." He said the DWP will improve its monitoring of management responsiveness to harassment complaints and make sensitivity to these issues a part of each supervisor's annual evaluation.

Dennis Tito, president of the DWP commission, said he had been unaware of the number of sexual harassment cases and learned of the Zilly case only last month. At that point Tito proposed building financial incentives into their enforcement by charging the legal costs of any harassment cases to the department where the complaint originated.

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Still, Tito and McCarley cautioned that changing attitudes toward sexual harassment will take time.

"It's like turning an oil tanker around," Tito said.

Zilly's attorney said she complained repeatedly over a three-year period that she was being sexually harassed, but that DWP officials took no disciplinary until a month before she filed her lawsuit last November. Zilly alleged that she was subjected to a series of verbal and physical assaults, batteries and other harassing acts.

"There appears to be an attitude--not just with rank-and-file--but on part of management, that these are not incidents to be ferreted out and stopped," attorney Jeffrey S. Thomas said in an interview.

One of Zilly's alleged tormentors faces termination. In the past two years, five employees have been fired for sexual harassment. The nature of the cases were all very different. In one case, an electrical engineer was discharged after one incident of touching a co-worker. In another, a veteran employee was fired for making repeated lewd comments.

Three of the fired employees worked in a warehouse in the San Fernando Valley where the alleged rape occurred. The woman for several years was subjected to "extensive, continuous and prolonged physical and sexual harassment . . . including patting on the breasts, buttocks and genitalia, repeated pinching of the nipples, pulling on clothing so as to reveal covered areas and (suffered) degrading and embarrassing comments," according to a Civil Service Commission report.

A series of managers at the warehouse failed to detect the abusive behavior. Finally, a new supervisor witnessed a minor incident and told the victim he knew that was probably not an isolated event. The victim confided in the supervisor. Eventually, one co-worker was discharged for repeated rape, and two others were

fired for other assaults and derogatory comments, according to city documents and DWP officials. A fourth was suspended for 60 days.

It was unclear whether the incident was ever referred to police.

In another case, the city in June paid about \$300,000 in an out-of-court settlement to a former DWP administrator who alleged that she was harassed by one of her bosses and five other co-workers two years ago. The woman said that the supervisor spread a false rumor that she was having an affair with an engineer in the utility's Van Nuys office.

The woman's lawsuit also alleged that she became the target of teasing and sexual jokes and that her bosses retaliated after her initial complaint by reducing her job responsibilities, undermining her authority and promoting one of the men who allegedly harassed her. And at a DWP sexual harassment training session, she claimed, employees spent nearly two hours looking at photographs of near-naked women. Officials at the DWP disputed the charge.

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About three-fourths of the complaints at the DWP involve leering and lewd comments, not physical assaults, and few result in litigation. According to Assistant City Atty. Terry Rosales, since 1990 about six lawsuits and about a dozen complaints have been filed with the Equal Employment Opportunity Commission and other outside agencies.

Besides the cases of Zilly and the former administrator, only one other lawsuit has been settled and that was for about \$20,000, according to Rosales.

Fewer than half of the complaints filed with the EEOC and other outside agencies have been settled, all in the \$20,000 to \$25,000 range, Rosales said.

Although some say the department has made significant strides in sexual harassment training over the years, DWP veteran Simpson said many women do not report problems until they become intolerable because they feel discipline is not imposed swiftly.

"I think that most women fear reporting it until gets out of hand because they fear that there will be retaliation instead of discipline against the abuser," she said.

Women make up 24% of the DWP work force, which has 10,807 employees, according to DWP data. Among the top 153 officials and administrators, 18, or 12%, are women.

Sexual harassment is an issue of power and control that is common in predominantly male agencies such as the DWP and police and fire departments, said Paula Petrotta, executive director of the city's Commission on the Status of Women.

And within these agencies, it is departments that have traditionally been male-dominated, such as security, and crafts such as welding, plumbing or electrical work, that are prone to problems.

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The DWP's security division is a case in point.

Security officer Zilly was not alone in her allegations against fellow security employees.

Attorney Carla D. Barboza represents another female security officer who alleges that DWP officials ignored repeated complaints that she was being harassed by four men over a two-year period. The woman went on disability leave in December, 1993, as a result of what she says was trauma from the constant abuse.

On several occasions, a fellow officer grabbed the woman from behind "so tightly that she could feel his genitals" and called her a "sweet blonde thing," Barboza said.

In another instance, Barboza said, a DWP employee told her client that "he wished she were a doll so he could dress her" and asked "if she cooked in the nude."

Beverly King, director of human relations for the DWP, declined to comment because the city is attempting to settle the case. Rosales did not comment either, saying that the city attorney handling the case was reassigned last month and that he was not familiar with the specifics.

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It is difficult to determine how the DWP compares with other departments in terms of sexual harassment because Los Angeles is only now beginning to conduct a citywide survey. The city strengthened its sexual harassment complaint procedure in September, 1992, after the issue was pushed into the spotlight by Judge Clarence Thomas' Supreme Court confirmation hearings a year earlier.

The county also has just begun to track sexual harassment complaints. Since February, the county, with a work force of 86,000, has recorded 24 complaints, according to John Hill, the newly appointed affirmative action compliance officer for the county.

Hill said the DWP's figures are indicative of an organization with ingrained problems. "It tells me they must have some blatant cases," said Hill, who has worked in the affirmative action field for more than 20 years. "Five terminations in two years tells me that some serious training needs to be done."

DWP at a Glance The Department of Water and Power is the nation's largest municipally owned utility, providing water and power to more than 3 million Los Angeles households and businesses. Its work force, the city's largest, operates scores of facilities throughout several counties and even in other states. Here is how the agency's 10,807 employees break down:

* 8,165 are men, or 76% of the work force

* 2,642 are women, or 24% of the work force

* 18, or 12%, of the top 153 officials and administrators are women

HARASSMENT COMPLAINTS Of the 98 sexual harassment complaints in 1992 and 1993, the greatest number came from the divisions with the most workers and the highest percentage of men. All but about 20 of those complaints were made by women.

* Power system: Includes line workers, meter installers and electrical engineers, has 5,679 employees--4,691 men and 988 women.

Number of complaints: 44

* Water system: Includes security officers, truck operators and craft workers, has 3,415 employees--2,783 men and 632 women.

Number of complaints: 35

* Customer service system: Includes workers who answer telephone complaints, has 1,306 employees--572 men and 734 women.

Number of complaints: 11

* Joint systems: Includes finance and accounting systems, has 407 employees--119 men and 288 women.

Number of complaints: 8

Source: Los Angeles Department of Water and Power