

## **“The Lawsuit”**

Flesch-Kincaid Grade Level: **5.74**  
**75.66**

Flesch Reading Ease Score:

By 1988, a sexual harassment suit was no longer unheard of. That year, *Working Woman* magazine surveyed a group of Fortune 500 companies and found that a third of them had been sued for harassment.

One of the women at Eveleth Mines, Lois Jenson, read about sexual harassment and started looking for a lawyer. Jenson had tried filing a complaint with the state human rights department, but it had gone nowhere. And she couldn't take what was happening to her anymore.

Jenson declined to comment for this story, but in court, she testified that she was grabbed and groped scores of times. A supervisor continually pestered her to have a relationship with him. Disgusting graffiti about her, complete with drawings, appeared on walls.

She and Pat Kosmach got together and finally found someone willing to take their case: Paul Sprenger, a Minneapolis attorney.

When the women told him what was happening at the mine, Sprenger was intrigued.

“It was pretty awful stuff,” he says. “It was clear that there was pervasive sexual harassment rising to the level of being a hostile environment for any woman to work there.”

Sprenger thought he could use this case to try a new legal tactic: He wanted to show that a hostile work environment could be so bad that it affected all of the women at a workplace. For the first time ever, he wanted to bring a sexual harassment case as a class action.

He asked the two women to find a third plaintiff, someone who worked out in the pit. They did. Kathy Anderson, the truck driver, agreed to join. Sprenger filed a suit demanding that the company pay damages and adopt a sexual harassment policy. Jeanne Aho talked to her friend Pat Kosmach after they filed the suit. She says Kosmach was excited. “She thought there was an end in sight,” Aho says. “But at work, it became a revenge thing. If you thought you had it bad before, wait. Guys that weren't part of the problem became part of the problem because they were defending their buddies.”

Aho says the retaliation was hard on her friend. “She was afraid sometimes,” she says. “You should never have to be afraid to go to work or afraid to be at home, afraid your tires are going to get slashed, stuff like that.”

Some men were appalled by the harassment, but they were afraid to say so. Brian Lahti was a maintenance mechanic at Eveleth Mines at the time. He says he supported the women. "But I had to go to that job, too," he says. "You had to be careful how you walked and talked and treated the whole thing."

Other men were sure the women were lying, that they filed the lawsuit just to get money from the company. Vern Niedermeier drove a service truck at the mine; he carted supplies, ran errands, and drove people where they needed to go. He says the women were out to get the men.

"If I had to take a girl to the clinic, I'd go with somebody else in my truck," he says. "There would be three of us, because things were getting that bad. You didn't know. If you touched them, they'd go in and complain."

In fact, most of the other women at the mine did not support the suit. Some women even signed a petition saying they disagreed with it. Jan Wollin was one of the signers. Wollin says things changed after the suit was filed. She remembers one day when a maintenance man refused to get onto an elevator with her. He told her he was afraid of the lawsuit.

"And I said, 'Get your butt in here,'" she says. "I said, 'I'm Jan, okay, remember me? I'm Jan. I've never had any trouble with you. I've never had any trouble with any of the guys. What makes you think I would cry rape?'"

The man said, "Some of them would."

Wollin told him, "I'm not some of them. I'm Jan. I'm not like the other women."

In fact, many women testified for the company in federal court. They said they didn't feel harassed at Eveleth Mines, and they weren't offended by the pornography or the swearing.

But in spite of the opposition from their coworkers, male and female, the women won the first round in court.