



If this firecracker incident had been between two men, they would have done nothing at all . . . it would have been acceptable horseplay among men.

Acceptable horseplay among men

by Eve Sicular

After years of legal action, Charlotte Walters' suit against Harvard University is finally coming to court.

Walters charges that she was harassed and discriminated against on the basis of her gender when she worked at Harvard University's Buildings and Grounds (B&G) department. As she made clear to university officials during months of negotiations before filing her grievance in October 1980, Walters wants Harvard to implement a policy regarding sexual harassment, including an educational training program to help prevent discrimination. By interesting coincidence, the results of the sexual harassment survey conducted by undergraduates Christine Spaulding and Joseph DiNunzio were released shortly after. In one reaction to the survey's findings, Dean Henry Rosovsky said, "It is clear that sexual harassment is perceived to exist at Harvard to a much greater extent than official complaints would indicate." (*The New York Times*, 10/28/83, p. A7.) While Charlotte Walters, a B&G employee, was not included in the survey's sample her experiences shed light on the inadequate and even callous treatment which certain university officials gave a duly reported harassment grievance. Little wonder, given the arbitrary way in which university officials handled this grievance, that few such complaints would be reported at Harvard.

Walters' complaints were based on several incidents including one in which a co-worker, John B. Tegan, who had repeatedly antagonized Walters on the job, threw a lit firecracker at her. The official response has been to deny that any sexism or injustice was involved. Although representatives of Harvard's general counsel eventually offered Walters a monetary out-of-court settlement, they continued to insist that her grievances were merely based on "personality conflicts." Her supervisors at B&G, says Walters, came to regard her as a "troublemaker" with an "attitude problem" because she took action against Tegan. However, throughout investigations by Walters' and Harvard's attorneys, "No one has denied that Charlotte Walters was a good, if not exemplary, worker," according to Walters' lawyer Holly Ladd.

Walters maintains that the authorities from whom she sought redress were often more concerned with protecting Harvard's reputation from charges of sexism than with her rights or welfare. No preparation had been made to deal with potential discrimination problems when Walters became the first woman to work in the B&G property maintenance shop of 30-35 men in the main yard in February 1979. Most, if not all, of these men, had never before worked with a woman as an equal, doing similar types of work, according to Walters. "They had worked with women being secretaries or other traditional womens' roles." Despite the fact that her supervisor, Frank Marciano, assured Walters when she was hired that "No nonsense will be tolerated from the men" in their dealings with her. He and her fore man, Ken Hinsman later admitted in meetings with Walters and a union steward that they expected more from Walters than from her co-workers. (Both of these men later harassed Walters by insinuating that she was faking illness when three different doctors at University Health Services had diagnosed her stress-related allergies as serious enough to require sick days; both also admitted later that they resented Walters'

filing a grievance against Tegan and refusing to work with him after the firecracker incident.) Yet when Walters' complaints reached management level at B&G, she found that the official empowered to act on her case, personnel director Bill Lee, would reprimand Tegan only by putting a letter in Tegan's file for insubordination and not completing a work assignment in an allotted period of time. Walters, who at this point was still assigned to be Tegan's acting crew chief, recalls the meeting with Lee and Tegan as "infuriating." "There was nothing about the firecracker, or the threat (which Tegan had made to her the day before throwing the firecracker, that 'If you were a man, I'd punch you'). He [Lee] wouldn't even let me mention it."

Walters was told by Dr. Tucker of UHS, who was treating her for ear damage caused by the firecracker, that sleeplessness, nightmares and anxiety she was suffering from at this time resembled those of a rape victim. He referred her to a counselor at the rape crisis center. The counselor, who, like Tucker, was outraged by Charlotte Walters' story, made an appointment for her with Nancy Randolph, special assistant to President Bok for affirmative action. At this point, Walters was hopeful that satisfactory measures might be taken; Randolph seemed horrified by her story, as Walters remembers, and suggested that perhaps some educational preparation should have been made before Walters took up her job at B&G. In their first meeting, Randolph said she would check with people who knew what could be done on Walters' behalf. But the answers she brought to their second meeting were very discouraging. Both Bill Lee and Harvard associate general counsel Ed Powers had told Randolph, as Walters recalls, "that this was a union matter, that they'd taken care of it and the situation had been diffused. So there was no problem at all;" and, as Powers told Randolph, "that 'If this [the firecracker incident] had been between two men, they would have done nothing at all, because it would have been considered acceptable horseplay among men.'"

Lee, in checking Tegan's file, found a record of previous insubordination problems at B&G. Yet when Walters refused to work with Tegan, Lee decided that both would have to be transferred out, "because we want to be fair." "I was being punished," says Walters, "and I still hadn't done anything wrong, except complain that they're punishing me."

The entire situation was very frustrating to Walters. "The way I was brought up, I always thought if you did a good job, and you were basically a reasonable person, other people would be reasonable with you; only to find out in the world, it isn't so. And politically, that men make the rules, and then if you play by the rules, they can change the rules. I felt like that's what happened to me.

"They said they were supportive, they set up these rules of what one would consider acceptable behavior and there were supposedly all these channels by which one could grieve a situation if you felt you had been wronged, and justice would prevail. Then you do it and they [Harvard officials] take care of the one at fault." Walters' case against Tegan, filed in fall of 1980 along with her suit against Harvard, was dismissed after Ropeson, Gray, the law firm entrusted with Harvard's defense, consulted with Tegan's attorney. Tegan was fired this year by B&G for drunk and belligerent behavior on the job. According to Walters, his drinking problem had been noticed by her and other co-workers