

REGISTER-GUARD PLACES EMPLOYEES ON ADMINISTRATIVE LEAVE AFTER LAWSUIT

In the wake of reporter Serena Markstrom Nugent's civil lawsuit against *The Register-Guard* for firing her after she checked emails while on pregnancy disability leave, it appears that the *R-G* is considering cutting some employees that were involved in the case.

EW was told by several credible sources that Eugene Newspaper Guild union co-president Randi Bjornstad and programmers Joe Clark and Horst Lueck, both in information systems, have been placed on administrative leave.

Bjornstad in her position as union president supported Markstrom Nugent and gave her advice on deleting emails and other issues and testified during the trial.

A jury heard arguments in Lane County Circuit Court for six days starting Aug. 23; however, Judge Josephine Mooney dismissed the case on Aug. 31 based on Markstrom Nugent having deleted emails, which Mooney called destruction of evidence, also known as spoliation.

According to court documents, when Markstrom Nugent was unable to access her email from home while on leave, Clark reset her username and password. In her email to Clark, Markstrom Nugent said she wanted to save emails for "personal reflection" on her career.

Also in the court documents, Markstrom Nugent refers to getting advice from Lueck on exporting her email account.

Three weeks after announcing she was pregnant, Markstrom Nugent was told she needed coaching on her writing.

Markstrom Nugent, a longtime *R-G* entertainment writer, was suddenly switched to a hard news beat in 2012. In previous interviews she told *EW* that three weeks after announcing she was pregnant, she was told she needed coaching on her writing. The *R-G* then set up a performance improvement plan, a tactic that has

been used by other news agencies to try to get rid of older, higher-paid journalists.

In the newspaper's first story on the trial, it misspelled the judge's name as Moody. The error has since been fixed online.

Markstrom Nugent filed a lawsuit in August 2015 and, according to her complaint, editor Ilene Aleshire told Markstrom that she could not "do any work, including checking emails and voicemails," while she was on disability leave. However, Markstrom's complaint says she understood this to mean that she could not work — which might include checking work-related emails and voicemails. "She did not understand this to be a total prohibition against accessing her email account for personal matters."

Markstrom Nugent was seeking \$125,000 in non-economic losses as well as back pay from the day she was fired, March 24, 2014, until Aug. 23.

If employees are fired, this won't be the first time the *R-G* has severed relationships with those who supported Markstrom Nugent. When she was fired, former *R-G* arts writer Bob Keefer rounded up support for a well-wishing for the pregnant journalist. Keefer, who now runs a popular art blog, Eugene Art Talk, was freelancing for the *R-G*. He was told, "We won't be needing your freelance services anymore."

Wendy Baker, the *R-G*'s human resources director and an attorney, told the paper that "some will say the case was dismissed on a technicality."

EW asked Baker for comment and confirmation on Bjornstad, Lueck and Clark's administrative leave as well as comment on the lawsuit. She declined to comment. ■

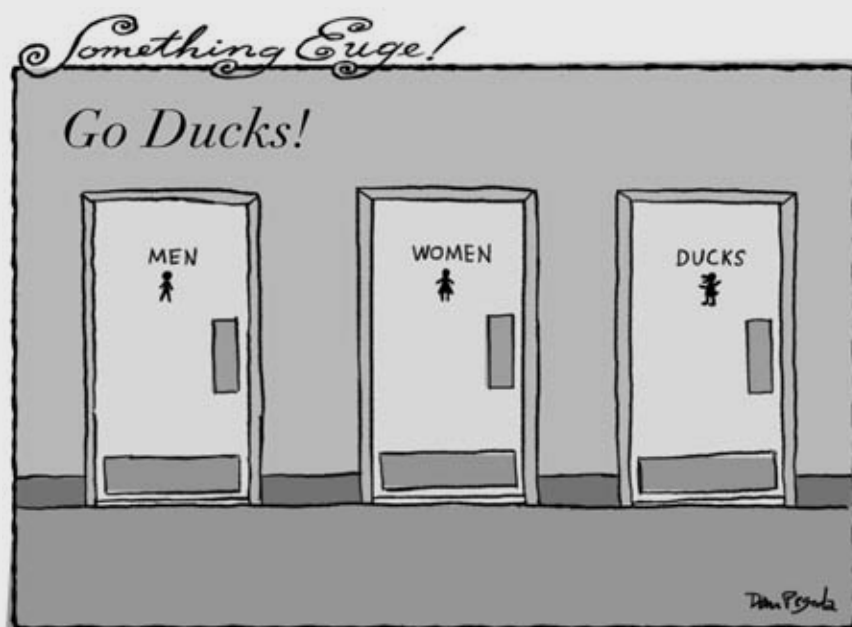
SLANT

• We'll bend a knee with **Colin Kaepernick**, the San Francisco 49ers quarterback stirring up the conservative sports world with his visual statement against racism in America. He's kneeling, not standing for the "Star Spangled Banner" and taking frightening flak for it. Bravo to his coach Chip Kelly, well known to Eugeneans, who affirmed free speech in America, as did President Obama and some other sports stars like Megan Rapinoe, the great soccer player. Makes no sense, but we were pleased to see the 49ers win last Thursday.

• The **news out of Standing Rock** in Cannon Ball, North Dakota, is infuriating as tribal members try to prevent the constructions of a massive oil pipeline that, if built, would carry a half-million barrels of crude oil across the tribe's treaty lands daily. According to a recent media update from the Standing Rock Sioux Tribe, on Saturday, Sept. 3, "Dakota Access Pipeline and Energy Transfer Partners brazenly used bulldozers to destroy our burial sites, prayer sites and culturally significant artifacts." Tribal Chairman David Archambault II says, "They did this on a holiday weekend, one day after we filed court papers identifying these sacred sites. The desecration of these ancient places has already caused the Standing Rock Sioux irreparable harm. We're asking the court to halt this path of destruction." Events over the weekend also involved protesters being bitten by private security dogs. The good news is that thousands of people from more than 200 native tribes have joined the Standing Rock Sioux's efforts to protect their lands, waters and sacred sites from harm during construction of the 1,200-mile pipeline.

• If you don't like either **Hillary or Donald** and are casting about for another box to check, be sure to read our interview of Libertarian candidate Gary Johnson this week. No way we can vote for anybody who seriously says that the free market will take care of climate change. A vote for Johnson is a vote for Trump, the idiot who denies climate change. That means we must follow Bernie Sanders' lead and vote for Hillary.

• Talk about **burning issues in the Weekly!** A local gentleman recently came to our front desk to inquire about the newsprint and ink used to print the paper. He was using this free tabloid to start his barbecue and the food didn't taste right. We'll investigate, of course.



• We're giving three sarcastic cheers for the geniuses who knocked over **Cape Kiwanda's iconic sandstone pedestal**. Seriously? The vandals were caught on video shoving the Oregon coast rock formation until it collapsed. As we celebrate the 100th anniversary of the National Park Service, it's disheartening to witness such blatant instances of disregard for our natural landscapes at one of our state parks. We're reminded of Casey Nocket, the woman who painted garish graffiti on rocks in national parks across the country, including Crater Lake. Destroying nature is a pretty permanent form of vandalism: Once it's gone, you can never get it back.

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