

THE ROANOKE TIMES

roanoke.com

Copyright © 2006

Tuesday, August 29, 2006

Former postal employee wins \$162,500 settlement

Tony P. Welch claimed that five white, male co-workers frequently made racially derogatory comments toward him.

By Lindsey Nair

981-3343

A former Roanoke postal employee who claimed he was racially harassed by fellow workers has reached a \$162,500 settlement with the U.S. Postal Service.

Tony P. Welch, who worked at the main branch on Rutherford Avenue Northeast from 1996 until 2002, said he "wouldn't call it a slam-dunk victory," but he was satisfied with the outcome.

Postal service representatives were unavailable for comment, and the U.S. Attorney's Office in Roanoke, which defended the government agency, declined to comment on the settlement.

Welch, who is black, claimed in his federal lawsuit that five white male co-workers who had been accused in an earlier lawsuit of harassing a female employee frequently made racially derogatory comments toward him beginning in 1998.

On one occasion, Welch said, they referred to the 1998 dragging murder of a black man in Jasper, Texas, saying, "What if that were you behind that truck ... do you want to go on a Texas truck ride?"

Welch also accused the men of making racial jokes about ebonics and Oreo cookies, shouting, "I'm spooked!" when he walked by and shaking their genitals at him.

In addition, he said, supervisors called him "boy" and made references to sending him "back to the plantation" or cracking a whip across his back.

None of the harassers were named in Welch's lawsuit, and it is unclear whether they are still employed with the postal service.

According to Welch, the harassment started not long after Welch supported a female co-worker, Deborah Freeman, when she sued the postal service for similar reasons.

Had Freeman's case gone to trial, Welch would likely have been a witness, according to Freeman's lawyer, Elizabeth Dillon.

Freeman's lawsuit ended with a \$140,000 settlement, but she has since filed a breach of settlement complaint because she was not allowed to stay at the Hollins post office as a window clerk.

Welch filed numerous grievances with the Equal Employment Opportunity Commission and, in 2002, was awarded \$14,000 by an EEOC administrative judge. But Welch's attorney, Morris Fischer of

Maryland, said his client deserved more.

Welch said the harassment stressed him out so badly that he became physically ill.

After Welch was fired in October 2004 for being absent without leave, he filed a federal lawsuit claiming unlawful termination. That action was combined with the discrimination lawsuit this year.

On Monday, Fischer said he was satisfied "to the extent that money can make somebody whole."

He added that the government's decision to settle the case was a good way to "stop the bleeding of bad publicity and rectify to the extent possible a very bad situation."
