

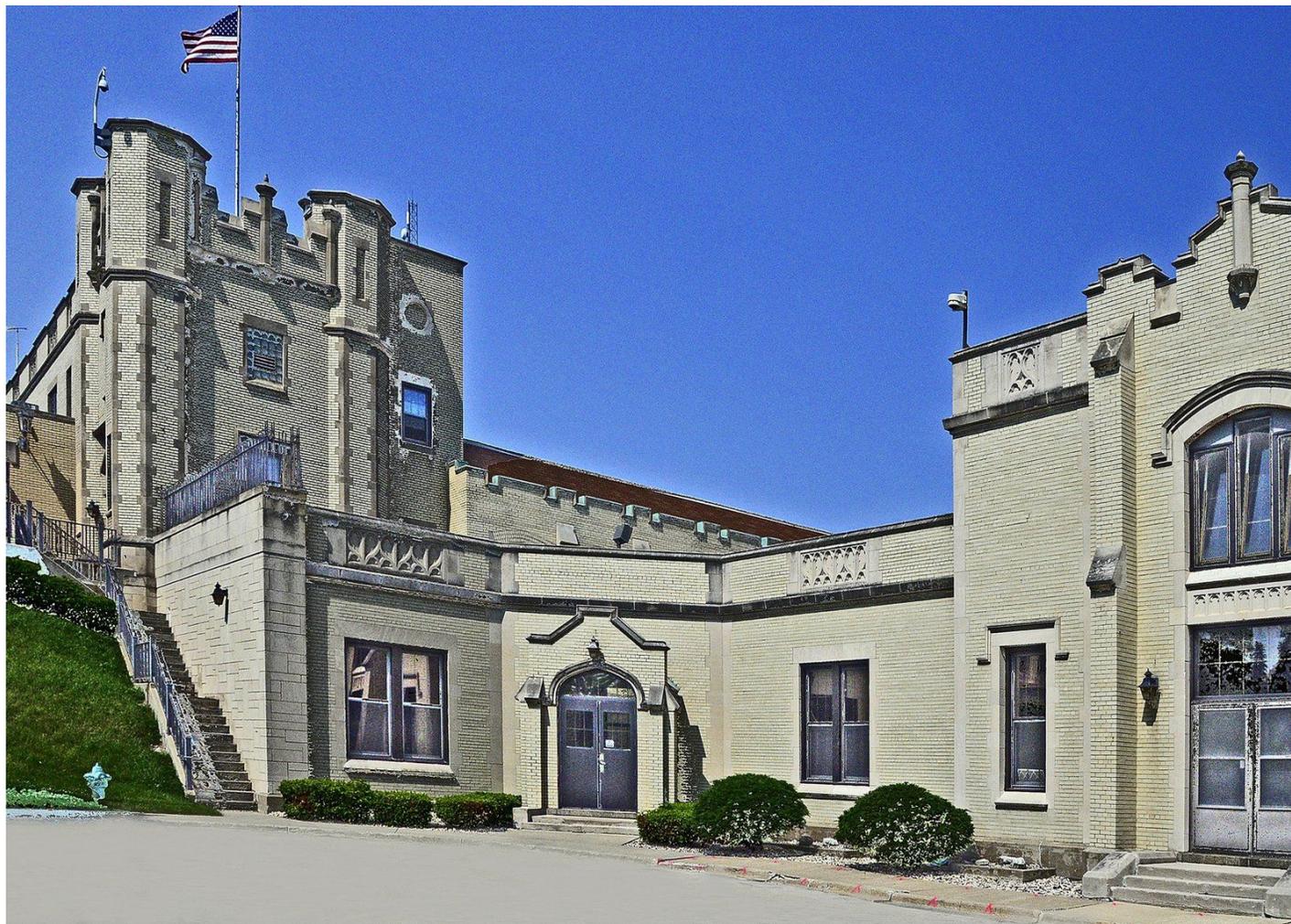
https://journaltimes.com/news/local/govt-and-politics/water-employee-suing-city-for-racial-discrimination/article_5c9ecccc-f075-5758-8521-e7949365ed7d.html

Racine lawsuit

Water employee suing city for racial discrimination

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Racine Water Utility

Charles Vallone, for The Journal Times

RACINE — A Racine Water Utility employee filed a civil action lawsuit against the City of Racine alleging that he was discriminated against based on his race and physical disability from an injury sustained on the job.

Shannon McDonald, of McDonald and Kloth, LLC, which represents Endel Williams, said the goal was to improve working conditions for minorities at the City.

“The goal is to stop the discrimination and harassment that’s been happening at the city,” said McDonald. “Not just for Mr. Williams but for all city employees who experience this type of bias.”

The City has not yet filed its defense but the City Attorney’s office released the following statement:

“The City of Racine is aware that Racine Water Utility employee Endel Williams has filed a lawsuit against the City. The City disputes the allegations in the Complaint and will vigorously defend this action.”

Allegations of racism

Williams, who is black, started working as a construction worker with the water department in February 2007.

According to the complaint filed on Aug. 14, by Williams’ legal representation, he “became aware” that his supervisor made racially derogatory remarks about him, such as referring to Williams as a “(n-word)” and the “Mayor’s Token (n-word).”

In August 2015, the general manager disciplined Williams for being insubordinate to his supervisor. Williams objected and later that month lodged a complaint to the City alleging the City had discriminated against him and harassed him due to his race.

Williams claims that at that time he made the general manager aware of the racist remarks his supervisor made about him and other blacks in the workplace.

In January 2016, Williams was disciplined again. He filed a charge with the U.S. Equal Employment Opportunity Commission, alleging the City had violated his Title VII rights. After he filed the EEOC charges, Williams said the City retaliated by isolating him from co-workers, requiring him to perform the least desirable work, denying him the opportunity to work overtime, and restricting his opportunities regarding new functions, duties and promotional opportunities.

Alleged ADA violations

In July, 2016, Williams injured his right shoulder while working for the City. He claims a medical professional diagnosed the injury as a labral tear and in August he underwent surgery to repair his damaged shoulder.

Williams was released for work right after the surgery with restrictions. He returned to his position and performed light duty work. His supervisor directed him to clean the inside of a basin, which required him to climb a vertical ladder, which he could not do with his right arm because of the shoulder injury.

In September 2017, Williams' physician placed him on a permanent restriction from climbing ladders with the right arm. Later that month, the City put Williams on paid administrative leave and issued a memorandum prohibiting him from performing any further work for the City. Williams responded to the memorandum by stating his restrictions did not prohibit him from performing the daily duties of the job.

As of the filing of the complaint, Aug. 14, Williams remained on paid administrative leave, according to the complaint.

In the complaint, Williams' legal team argues that his disability would only affect his ability to climb a vertical ladder to clean the basins which only occurs approximately three weeks each year. He said his request for "reasonable accommodation" was denied.

Williams claims the City's actions were retaliation for Williams raising concerns about discrimination.

The complaint stated that the EEOC issued two determinations, one in September 2017 and another in February 2018, that found "reasonable cause" to believe there were violations of Title VII and the Americans with Disabilities Act.

The Journal Times has reached out to the EEOC office in Milwaukee to obtain the reports relating to Williams' case. The Journal Times also filed an open records request with the City, asking for Williams' past performance records.

The lawsuit

The suit and complaint were filed on Aug. 10. Williams and his team are seeking:

- A permanent injunction against the City
- An order for the City to implement equal employment opportunities
- The City to provide appropriate back pay with interest as well as compensation for losses including attorney's fees and costs accrued during the suit.

Christina Lieftring

Reporter

Christina Lieftring covers the Burlington area and the Village of Caledonia. Before moving to Racine, she lived in Nebraska, Beijing, Chicago and grew up in Kansas City.