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Serving Nashua and South

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► U.S. DISTRICT COURT

Former employee sues Bickford's

■ Nashua woman says she was harassed, discriminated against.

By ANDREW WOLFE
Telegraph Staff

CONCORD - A Nashua woman who worked as an assistant manager at the Bickford's restaurant on Amherst Street in Nashua charges that company managers ignored her complaints of sexual harassment, and discriminated against her because of her race, religion and gender.

Janice Velez, of 17 Forge Drive, filed suit against Bickford's Family Restaurants of Boston last month in U.S. District Court.

In addition to seeking unspecified compensation and punitive damages, Velez and her lawyer, Nancy Richards-Stower of Merrimack, want the court to make Bickford's set up an anti-discrimination program for all of its restaurants, including a hot line for employee complaints. They also ask that the company be ordered to hire an independent auditor and lawyer to review its anti-discrimination policies and practices for five years.

Janice Velez' suit states: 'Bickford's cruel and demeaning treatment of (Velez) created a hostile work environment, and constituted intentional, malicious acts of harassment calculated to humiliate and mock (her).'

Bickford's already has anti-discrimination policies, and disputes Velez's claims, said the company's lawyer, Merrick Weinstein of Manchester.

"They take matters like this very seriously," Weinstein said, adding that the company doesn't believe Velez was wronged. Bickford's will file a full response to the suit sometime next month, he said.

"In general, Bickford's denies the allegations . . . and fully expects that the federal court process will vindicate its position that it did not discriminate against Mrs. Velez in any way," he said.

Velez was hired by Bickford's as an assistant manager in 1998, her suit states. Because of her work at the Nashua restaurant, the district manager, Tom Grady, sometimes sent her to troubleshoot at other restaurants, telling her that it would help her career with the company, her suit states.

A new manager, Kevin Landry, took over the district in June 1999. Landry never assigned troubleshooting jobs to Velez, and took to calling her during each shift to confirm that she had performed routine tasks, such as setting up tables, cleaning the front doors or picking up litter in the parking lot, her suit states.

The manager of the Amherst Street restaurant, Peter Clough, also harassed her, Velez claims. About a month into her employment, her suit states, Clough remarked to her, "You must think I'm working you like a slave," and then added, "Oh, I didn't mean to say that."

Velez, who is black, told Clough that she didn't appreciate his comment, and asked him not to repeat it, her suit states. Clough repeated the comment more than a year later, however, while speaking to a manager-trainee in Velez's presence, her suit

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states.

Velez also charges that Clough once told her, "Move your big black ass out of my way," while trying to get past her in the kitchen.

Clough and Landry also pressed Velez to work 12-hour Sunday shifts, making her unable to attend church services, her suit states. When she was hired, Velez had stated in her application that she couldn't work Sundays, and she had been promised that it wouldn't be required, her suit claims.

Velez also charges that Clough

complained for several days about her taking time off in August 1999 to bring her husband to medical appointments after he developed complications from a brain tumor. In contrast, Velez claims that two other management employees, both white males, were given days off - to attend a wedding and to fill a child-care gap - without discussion.

On Dec. 5, 1999, Velez met with a corporate officer, Dan Bloodwell, to discuss Landry's treatment of her, and Landry's and Clough's lack of response to waitresses' complaints of sexual harassment by a male cook. Velez had previously tried to address the matter through Clough and Landry, but got no response, her suit states.

Landry joined the meeting, and after a while, Landry and Bloodwell asked to continue the discussion the following day, her suit states.

Velez was scheduled to begin a weeklong vacation that day, to accompany her son to Florida, where he was playing with the Nashua Elks Crusaders Junior Pee Wee football team in the Pop Warner national championship. Velez explained that she couldn't be back the next day, and Landry insisted that she should be, her suit states. Nonetheless, she left as scheduled.

When Velez returned a week later, she called the restaurant and was told she was not scheduled to work anytime in the next two weeks, her suit states. Neither

Clough nor Landry returned her calls, and she was forced to find another lower-paying job, her suit states.

Velez was "made sick and was angered, humiliated, embarrassed, distressed, made anxious and suffered a loss of enjoyment of life" as a result of racial, religious and gender discrimination, her suit states.

"Bickford's cruel and demeaning treatment of (Velez) created a hostile work environment, and constituted intentional, malicious acts of harassment calculated to humiliate and mock (her)," the suit states.

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