**North Country and workplace harassment**

Workplace harassment, particularly sexual harassment, is the focus of this activity.

Developed by David Connoley, a VCAL teacher at North Geelong Secondary College, the activity uses movies, particularly North Country, as a tool for student consideration and discussion of sexual harassment in the workplace.

After watching the movie and reading the background information, students should discuss the issues raised in the movie and then answer the questions on the worksheet. Discussion about student’s own experiences of workplace harassment should be drawn on where possible but with consideration to the sensitivities this may raise in students who have experienced harassment.

Other movies that can be used to explore harassment *The Devil Wears Prada* and *Hostile Advances: The Kerry Ellison Story*. 
Some background

North Country is a movie based on the Lois E. Jenson v. Eveleth Taconite Co court case, which was the first class-action sexual harassment lawsuit in the USA.

About the film, North Country

When Josey Aimes (played by Charlize Theron) returns to her hometown in Northern Minnesota in 1989, after leaving her abusive husband, she needs a good job. A single mother with two children to support, she turns to the main source of employment in the region – the iron mines. The mines have provided jobs for the community for generations. The work is hard but the pay is good and friendships that form on the job extend into everyday life, bonding families and the community together.

It’s an industry long dominated by men, in an area unaccustomed to change.

Encouraged by her old friend Glory (played by Frances McDormand), one of the few female miners in town, Josey becomes a miner, blasting ore from rock in the gaping quarries. She is prepared for the back-breaking and often dangerous work, but coping with the harassment she and the other female miners encounter from their male coworkers proves far more challenging.

Times are tough. The last thing the miners want is women competing for scarce jobs – women who, in their opinion, have no business driving trucks and hauling rock. If these newcomers, these women, want to work the mines they’ll have to do it on the terms set by the veteran workforce and they won’t make it easy.

When Josey speaks out against the treatment she and her fellow female workers face she is met with resistance – not only from those in power but from a community that doesn’t want
to hear the truth, her disapproving parents and many of her own colleagues who fear she is only making things worse. In time, her friendship with Glory is tested, her already difficult connection with her father, a lifelong miner, is pushed to its limit and elements of her personal life exposed to scrutiny. The fallout from Josey’s battle to make a better future for herself and her children affects every aspect of her life, including her relationship with her young daughter and her sensitive teenage son, who must first cope with the embarrassment of his mother’s sudden notoriety and then face harsh details of her past that she was hoping he would never have to know.

Through these struggles Josey finds the courage to stand up for what she believes in – even though, at times, it means standing alone.

About the court case Lois E. Jenson v. Eveleth Taconite Co

Lois E. Jenson v. Eveleth Taconite Co. was the first class-action sexual harassment lawsuit in the United States, filed in 1988 on behalf of Lois Jenson and other female workers at the EVTAC mine in Eveleth, Minnesota. The case was documented in the 2002 book Class Action and a 2005 fictionalised film version, North Country (see above).

Jenson first began working at the site in March 1975 and along with other women, endured a continuous stream of abhorrent behavior from male employees, including sexual harassment, abusive language, threats, stalking and intimidation. On October 5, 1984, she mailed a complaint to the Minnesota Department of Human Rights outlining the problems she experienced. In retaliation, a week later her car tyres were slashed. In January 1987, the state requested that Ogelbay Norton Co., a Cleveland, Ohio-based part-owner of the mine, pay US$6,000 in punitive damages and $5,000 to Jenson for mental anguish, but the company refused.
On August 15, 1988, attorney Paul Sprenger filed Lois E. Jenson and Patricia S. Kosmach v. Eveleth Taconite Co. in the U.S. District Court in Minneapolis. Class-action status was requested at the time, and granted by Judge James Rosenbaum on December 16, 1991. Jenson quit working at the mine on January 25, 1992, and was diagnosed with post-traumatic stress disorder a short time later.

A liability trial began on December 17, 1992 in front of Judge Richard Kyle in St. Paul, Minnesota, and six months later, he ruled that the company should have prevented the misconduct. The company was ordered to educate all employees about sexual harassment.

A few months later Patrick McNulty, a retired federal magistrate, was named to oversee a trial that would determine the amount of money owed to the women in damages. McNulty permitted lawyers from the mine company to obtain medical records of all of the women for their entire lifetimes. Ahead of the trial, the plaintiffs endured long depositions that explored their personal lives in great detail.

The first half of the trial for damages began on January 17, 1995 and lasted until February 10. After a break, it resumed on May 22 and ended on June 13.

On March 28, 1996, McNulty released a 416-page report that called the women "histrionic," made public details about their private lives, and awarded them an average of $10,000 each. However, the judgment was appealed and reversed by the Eighth Circuit Court of Appeals on December 5, 1997. A new jury trial was ordered.

On December 23, 1998, just before the trial was set to begin, fifteen women settled with Eveleth Mines for a total of $3.5 million. One of the original plaintiffs, Pat Kosmach, died partly through the case on November 7, 1994.

Based on information in Wikipedia, accessed November 2009.

Other movies about harassment in the workplace

*Hostile Advances: The Kerry Ellison Story*

*Hostile Advances: The Kerry Ellison Story* is a 1996 television movie based on Ellison v. Brady, a landmark sexual harassment case. This lawsuit set the precedent for the "reasonable woman" standard in sexual harassment law which allows for cases to be analysed from the perspective of the complainant and not the defendant.

Kerry Ellison (played by Rena Sofer) has a good job at an office of the Internal Revenue Service. She is happy. All goes well, until Jack Gilcrest (played by Victor Garber) develops an interest in her. He starts stalking her - following her, and writing her sexually tense notes. Kerry makes it clear multiple times that she is not interested in him. Even when Kerry is transferred to another division, Jack's stalking does not diminish. He returns and threatens Kerry so much, she begins to get anxiety attacks. Kerry's bosses dismiss Jack's obsession as harmless, and her labor union refuses to deal with the problem. Kerry files a sexual harassment suit against her employers, who subsequently put her through hell.
The Devil Wears Prada

In *The Devil Wears Prada*, Andrea Sachs (played by Anne Hathaway) is desperate to break into journalism. She’s told that if she can stick 12 months of working for Miranda Priestley (played by Meryl Streep), the editor-in-chief of Runway magazine, then she can have her pick of jobs in the magazine industry.

Apparently based on American Vogue editor, the much-feared Anna Wintour, Miranda is the classic boss from hell. While the perks are good - an expense account where anything goes - Andrea also has to contend with Miranda’s continually outlandish requests, to the detriment of her own life and family.

Bullying bosses like Miranda Priestley are not exclusive to the big screen or the fashion industry. For some, the scenes will be all too familiar - one in ten employees say they have been bullied at work.

Based on information from www.ivillage.co.uk, accessed November 2009.
Worksheet: North Country and workplace harassment

1. A number of the words in the background information have been bolded. Find the meaning of at least two of the bolded words.

2. What industry does the film focuses on? List the types of jobs done in the workplace.

3. Why does Josey need work?

4. How are the women treated in the workplace? Describe some of the treatment they receive.

5. How do the various women react and respond to the treatment? Compare Josey’s attitude and reactions to some of the longer serving women employee’s reactions.

6. Do you consider this harassment? Explain why/ why not.

7. Josey took legal action. What were the key claims she was making? Did other women join her? How did the other miners react? What was the reaction of management?

8. What suggestions could you make for management to handle this differently?

9. Read the section About the court case Lois E. Jenson v. Eveleth Taconite co. Why was this case significant?

10. What was the actual outcome of the case?


Use the WorkSafe document to answer the following questions.

- How is workplace bullying defined? Give two examples of workplace bullying.
- How is sexual harassment defined? Give two examples of behaviour that can be sexual harassment.
- Describe what you would do if you were bullied or sexually harassed at work.

12. Create or draw your own still frames or animation for a possible film dealing with these issues in a Victorian business setting.