

‘Abusive and hostile work environment’: 2 women file federal lawsuit against Delaware County

by **Katie Park**, Updated: December 26, 2018

<http://www.philly.com/news/pennsylvania/delaware-county-emergency-services-karen-mcintyre-julie-burke-lawsuit-20181226.html>

Two recently fired employees with Delaware County’s Department of Emergency Services have alleged in a federal civil lawsuit that their male coworkers were complicit in creating a work environment rife with sexual harassment, bullying, and preferential treatment of men.

Lawyers for Karen McIntyre, 53, and Julie Burke, 57, said the women were longtime, exemplary Emergency Services employees who were “fired under false pretexts” on Aug. 22, 2018, when McIntyre, of Aston, was an information systems coordinator and Burke, of Media, worked as a 911 coordinator. The suit said the women were routinely overlooked for pay raises and promotions, targeted in an investigation in which police detectives questioned them about pornography that had been found on their work computers, and then fired as the result of a “bogus investigation fabricated by their superiors in retaliation for their repeated reports of wrongdoing to management.”

The suit, filed in late November, names Delaware County, officer manager Joe Brennan, and Timothy Boyce, director of Delaware County’s Department of Emergency Services, as being responsible for the workplace issues. The women — who also filed a complaint with the Equal Employment Opportunity Commission — are seeking damages as a result of losing their jobs. Robert P. Didomenicis, the attorney for the county and its employees in this case, declined to comment.

Michael Maddren, solicitor for Delaware County, said Wednesday that McIntyre and Burke had taken an administrator’s passwords and used them to break into other employees’ files, but that the county did not charge them, for reasons he did not state. Mark D. Schwartz, who represents the women with Jason Pearlman, said the hearing officer at Burke’s unemployment hearing last month doubted the allegation.

“That’s the level of Animal House we have going on in Delaware County,” Schwartz said of the department in an interview Wednesday.

Among other complaints, according to the suit:

McIntyre, Burke, and other female employees were barred from using county-owned vehicles, electronics, clothing, and reserved parking spaces, but the men were granted access. Men were given five weeks of vacation per year when they were hired, but the women, including McIntyre and Burke, were only given five weeks when they had worked at the department for more than 19 years.

Despite county policy that rolled-over vacation and sick days had to be used by March, McIntyre and Burke said in the suit that men were allowed to use time-off at any point in the year, while women were not. Men were allowed to show up to work late, leave early, and collect overtime pay that was not deserved, while the same offers were not extended to women.

McIntyre alleged in the suit that Edwin Truitt, the former emergency services director, “embarrassed and humiliated” her when he referred to her as “the b----” several times in front of other employees. Truitt, who worked in the department for 40 years, resigned in 2016 when authorities said he drove a county-owned vehicle during a hit-and-run on Route 352. Boyce took over his job in December 2016.

When McIntyre threw up at work one day, staining her blouse with vomit, she said in the suit that she had to “beg her manager for permission” to leave, saying she was sick. She was allowed to leave, the suit said — but only after putting it in writing, at her manager’s request. Men could leave without permission, according to the suit.

McIntyre and Burke said they had trash thrown on their workspaces, got a doorway blocked by a desk, and were singled out to have twice-a-day meetings with Brennan, the office manager, “for no stated reason, with no such requirement for the male employees.”

“This treatment was humiliating, resulting in ridicule by other employees, and made them feel like they were a ‘joke’ in the office,” the suit says. “These meetings were retaliation against Ms. McIntyre and Ms. Burke for speaking out about fraud, waste and the discriminatory practices on the job and in the office.”

“This kind of environment existed, really, throughout their tenure,” Pearlman said in an interview Wednesday, noting that McIntyre had worked for county emergency services since 1987; Burke since 2008.

On March 27, 2018, police detectives showed up at Burke’s home and McIntyre’s office to ask them about files of pornography on their computers. Both women, the suit said, denied having ever looked at content prohibited at work. But during the next two days, McIntyre and Burke learned they had both been placed on paid leave. Later, the suit alleges, the county withheld their unemployment compensation.

“The pornography alleged to have been found on the computer system is, in and of itself,” the suit says, “another indication of an illegal discriminatory, abusive and hostile work environment.”

Pearlman said Wednesday that he and Schwartz are waiting on Delaware County, Brennan, and Boyce to formally respond to the suit.

“Ms. Burke and Ms. McIntyre are determined to see their rights vindicated in court,” he said.

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