

\$18M suit claims bias

■ **Hempstead Town** nixed promotions, woman says

■ **Highways worker** says complaints led to retaliation

BY JOHN ASBURY

john.asbury@newsday.com

A Hempstead Town highway worker has filed a multimillion-dollar federal lawsuit against the town, claiming she was passed over for promotions and was retaliated against when she complained.

Debra Fee, 53, of Wantagh filed her case Thursday in federal District Court in Central Islip against the Town of Hempstead, the town's highway department and three town highway officials: Commissioner Thomas Toscano, highway

maintenance crew chief Antonio Fanizzi and storeyard crew chief Christopher Foley. The suit seeks at least \$18 million in damages.

The suit alleges the defendants violated the federal Equal Pay and Civil Rights acts by retaliating against Fee, an 11-year employee in the highway department, after she had sought a promotion and filed complaints that she was doing the work of a manager without adequate pay or an appropriate title.

Hempstead Town spokesman Mike Deery said yesterday the town had not yet received a copy of the suit, and added that the town does not generally comment on pending litigation.

In her suit, Fee argues that several men were granted full-time status ahead of her, some-

times with less than one year of experience.

She also said the town had assigned her to manage the Franklin Square stockroom in 2012 but did not promote her to manager, the lawsuit states.

Fee requested a promotion in September 2016, according to the lawsuit, but she said in an interview yesterday that Toscano told her she would be assigned to the road crew if she didn't withdraw her request.

After she refused, she was transferred to road duty and assigned to perform manual labor, such as picking up trash on the side of the road, according to the lawsuit. She has worked in that position for the past year.

"I'm the only woman in the highway department. Men have been promoted, but I'm the

only woman on a road crew," Fee said in the interview at the Hempstead office of her attorney, Frederick Brewington. "They feel someone can do a better job than me, but they have people in there who don't know half of what I know."

She said in the lawsuit that she has continued to experience harassment and retaliation in the workplace.

Fee alleges in her lawsuit that the town had a history of discriminating against other female employees in the town, and she said the reassignment was to "teach her a lesson and to silence her speech."

"Thus, the town has established a pattern and practice of promoting male employees rather than female employees unless forced to do so by some outside authority," her complaint stated.