

Race bias lawsuit headed to trial

BY WILL JAMES

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The case of a Southampton Town groundskeeper who alleges his bosses and co-workers subjected him to racist threats and abuse is headed toward a trial, his attorney says.

A federal judge ruled March 31 that the 2011 lawsuit filed by David Coles against the town could progress, said Hempstead-based attorney Frederick K. Brewington.

Coles, 62, who is black, describes in the suit a co-worker yelling a racial slur at him and co-workers joking in text messages in 2008 about killing African-Americans, including President Barack Obama. One employee was fired after a Secret Service investigation, according to court documents.

"Mr. Coles faced a set of circumstances that shouldn't exist in the year 2015, or any time during this millennium," Brewington said in an interview.

"It's time for Southampton to realize that treatment of its workers has to be equal no matter what your race is."

Town Attorney Tiffany Scarlato said she could not comment on pending litigation.

Coles, a groundskeeper since 2001, says the hostility started in 2006, when his bosses in the parks department reassigned a new, high-quality lawn mower he had been using to a less senior, white employee.

Since then, he says, he has been passed over for promotions given to white employees. He also alleges one of his bosses would block doorways he was trying to walk through and once had to be restrained from striking Coles.

U.S. District Court Judge Joanna Seybert ruled that the case could progress toward a trial but rejected Coles' assertion that he suffered retaliation as a result of having filed an earlier complaint of harassment to the town.

Brewington said a confer-

ence in the case is scheduled for tomorrow in Central Islip.

Coles filed a separate New York State Division of Human Rights complaint in March 2014 in which he says someone left a black stuffed cat in his work truck in 2013 — a sign used by Ku Klux Klan members to signal they were going to lynch a person or burn down a house, according to the complaint.

Days later, Coles found a noose on a table at work, the complaint said. Brewington said the case is pending.

Coles grew depressed, nervous and unable to sleep because of the incidents, he testified in the case. Brewington said Coles sometimes coped by sitting alone and reading the Bible at work rather than interacting with co-workers.

Brewington said Coles and his wife are worried about retaliation. "They would prefer not having had to go down this road," he said.