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Full Measure: Female firefighter battles federal workplace discrimination

By Sinclair Broadcast Group
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WASHINGTON (Sinclair Broadcast Group) — Alicia Dabney's account of alleged workplace discrimination sounds like something out of the last century. But the biggest surprise is it didn't happen in private business, but inside a federal agency that is supposed to be setting the standard for fair treatment.

"I was really lost and upset at what I had did, and the fact that I had committed a crime and, you know, what I had done to my family," Dabney said.

Dabney's crime was welfare fraud. At the time, she was a young mother of three living on an Indian reservation and caring for her husband, who'd been seriously injured in a suicide attempt. When she went back to work, she got caught collecting welfare she was no longer entitled to. She pleaded guilty and focused on a plan to pay the money back.

"I said, 'Firefighters, they work hard. They make good money and I've always wanted to be one, so I'm gonna go sign up and just push through it.'"

So in 2010, at age 27, Dabney landed her dream job as a firefighter with the Forest Service under the U.S. Department of Agriculture. Working fires in New Mexico, Dabney was prepared for life or death situations. But she was unprepared for the hostility she faced back at the station in California's Region 5--covering 20 million acres in the Pacific Southwest.

Dabney: There was three females. And then, within a month, one had quit. And then, within two or three months, one was ran out for filing a sexual harassment claim. And then, pretty soon, it was only me. So then they, you know, started torturing me. This frat boy attitude and the bullying and being humiliated, being called fat, also being called a whore and it just drove me up the wall. I couldn't take it.

Attkisson: Do you think they were trying to be playful when they would call you these names?

Dabney: No, it's part of the culture.

Dabney didn't know it then, but Region 5, the Forest Service, and the U.S. Department of Agriculture, all had sordid histories of civil rights violations and discrimination dating back decades. Corrective actions ordered over the years didn't prevent Dabney from getting singled out, she says, as a Mexican-Native American and a woman.

Dabney: One of my captains was forcing me to tell him when I started my menstrual periods.

Attkisson: How did you report this? What did you do?

Dabney: Every month, when I would start my menstrual cycle, I would go in there, and I would cover my face with my hands and just say, you know, "I started my period," and be humiliated.

Attkisson: Why do you think he was doing that?

Dabney: I don't know his motives other than I just think he's sick to be honest.

Dabney lodged multiple Equal Employment Opportunity claims and complained to the Inspector General and Office of Special Counsel. For example, she alleged that on the road, she was forced to urinate in view of her male colleagues, that they got opportunities she was denied, and that a supervisor once sat and bounced on her neck when she was bent over. She says the offenders were

sometimes disciplined, but not fired, and the bullying got worse. In early 2011, Dabney attended a firefighter training conference where phone numbers were given out on a list.

"In the middle of the night, I get a phone call," she said.

Dabney saved the recorded message:

"Alicia, it's me. So what you doin', baby girl? My (expletive) is half-stacked, I'm ready to go (ha ha). I'm in a room 203 (ha ha). I'm totally ready to (expletive) hang out, baby girl. Just give me a call back. I hope you're all wet like I am, baby girl."

"You could hear a ton of guys laughing in the background, so it's some type of 'ha ha ha.' I don't know. It's not like this guy liked me and wanted to hang out with me. He was trying to humiliate me, of course," she said.

Michael McCray experienced the culture at USDA, the U.S. Department of Agriculture, firsthand.

Attkisson: When you hear Alicia Dabney's story, what's your take on her case?

McCray: The management infrastructure of USDA is such that it encourages this kind of frat boy, this atmosphere.

A manager there in the 1990s, he exposed fraud worth millions of tax dollars in a program for poor communities.

"Forged checks, some really outrageous stuff that we wound up going to the OIG, the Inspector General. We even notified the President's initiative on race trying to get 'em some help," he said.

Instead of help, McCray says he got targeted for being a minority who also blew the whistle and lost his job. In 1995, he began filing a series of discrimination and retaliation claims, which by law must be investigated within 6 months.

Attkisson: What was the outcome of your complaints?

McCray: My complaints have never been processed to completion.

Attkisson: From 1990s?

McCray: From 1990s. I had testimony, corroboration, (and) documentation. I had a case that shouldn't have taken 20 minutes that has taken 20 years.

Attkisson: How big is this problem of longstanding backlogs on civil rights complaints?

McCray: It's huge. It's tremendous.

Agriculture Secretary Tom Vilsack, at his confirmation hearing in 2009, acknowledged there were 3,000 languishing civil rights claims at USDA and promised to change the culture.

"Among the most intractable challenges facing the new Secretary of Agriculture is the intolerable and inexcusable state of civil rights in USDA's agricultural programs and for USDA employees," said Sen. Tom Harkin (D-Iowa).

"Discrimination in any form will not be tolerated in this Department," responded Vilsack in the hearing.

But two years after that testimony, Dabney says her situation was tolerated. A Coalition of Minority Employees provided Vilsack with accounts from Dabney and other women and minorities. They even tried writing Mrs. Vilsack, Mrs. Obama and Obama adviser Valerie Jarrett hoping the women might be moved to act. The Coalition says administration officials engaged and promised to help, but the abuses continued.

Just a few months later came what Dabney says was her lowest point with the Forest Service. In August of 2011, she was attending a training conference when she says a supervisor asked to borrow some work supplies at the hotel.

Dabney: So I knock on the door, and he opens it. And he just grabs me in a chokehold and then flings me on the bed. And I'm literally just scared. I didn't know what was he was doin'. And he starts to say, "Alicia, let's just cuddle. Let's you know, let's hang out. Let's be together." And I was like, "I don't, no you're my boss. Please don't do this right now." And he just kept getting tighter and tighter. And I just, you know, started saying, "Please, like please don't do this to me right now." And so I had to talk him down, reminding him, like, "you're my boss. You don't wanna do this to me right now. Please let go of me." And so when I started crying, then he finally, you know, let go of me.

She says she reported the incident to her supervisor and multiple investigative bodies, but suffered more reprisal. It turns out the problems with discrimination complaints go to high levels of the Department of Agriculture. That's according to a recent investigation by a federal watchdog agency, the Office of Special Counsel. It found hundreds of claims filed against senior managers in the very division that's supposed to enforce civil rights laws: the Department of Agriculture Office of the Assistant Secretary for Civil Rights. What's more, from 2010 to 2013, "81% of complaints filed against USDA senior managers were not acted on in a timely manner."

The USDA told us it has since fixed that particular problem. The Obama administration denied our interview requests. A spokesman said the agency inherited serious issues and "over the past six years, we have corrected past errors, learned from mistakes, and charted a stronger path for the future where all Americans are treated with dignity and respect."

McCray, who is an attorney, has filed a class action suit on behalf of the 3,000 people whose discrimination claims remained unprocessed in 2009.

McCray: There's no accountability, even in cases where you know, discrimination has been proven. If you're a manager, you don't even have to pay for your defense, because it's going to be the agency's attorneys. They're gonna be your attorneys.

Attkisson: And if there are any fines?

McCray: The Justice Department pays.

Attkisson: Well, the taxpayers pay.

McCray: Well absolutely, so from the manager's point of view, there's no cost to them. There's zero accountability.

As for Dabney, the Department of Agriculture admitted no fault but paid her a confidential settlement that included the alleged hotel assault, with the condition she never work there again.

McCray: I think it's especially corrosive for someone like Alicia Dabney, who was on a front line in harm's way. I mean, it's bad enough if you're on a desk job. But if you're getting, you know, if people are playing with you and you're out fighting fires, your equipment, they're not responding, I mean, you could die.

Dabney: I don't know how to get justice other than letting America know, letting people know, this has happened to me, but it doesn't have to continue to happen to others.

Dabney has repaid the money she stole in the welfare fraud years ago, and a judge wiped the conviction from her record. Today, she still lives on the Indian reservation with her husband and three children and is unemployed.