

The Fairness Center

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PennDOT Employee Accuses Union Officials of Sexism, Self-dealing in Lawsuit *AFSCME Council 13 official told Mindy McFetridge she's 'just a girl in a man's world'*

April 20, 2022, Harrisburg, PA – In a recent lawsuit, Mindy McFetridge, one of only a few women employed by the Pa. Department of Transportation (PennDOT) as a Transportation Equipment Operator in Venango County, alleges that union and state officials discriminated against her because she is a woman on the outside of a favored group of male union officials. And she accuses local union officials of breaking contractual seniority rules to keep themselves and their friends on the job during COVID-19 shutdowns, at her expense.

“One union official told me I’m ‘just a girl in a man’s world,’ and that proved to be more than just words,” said McFetridge, a union member and 10-year PennDOT employee. “Because I wasn’t part of the group of men connected to union officials, I’ve exhausted most of my PTO that I use to care for my daughter, while the union president made up the rules to keep himself and his buddies working during the pandemic. I’m a single mom—it’s not right. I thought the days of boys’ clubs in the workplace were over.”

McFetridge received a PennDOT Workplace Hero award for assisting an out-of-state couple she found stranded in their vehicle alongside the road in cellphone dead zone in Warren County. Her selfless actions, including her offer of food and shelter, helped the senior couple reach home safely, [according to a news report](#).

Around March of 2020, PennDOT shut down operations at McFetridge’s workplace due to the COVID-19 pandemic. After briefly receiving paid office time, she was told that she could use her paid time off (PTO) or collect unemployment to make up for the loss of pay. McFetridge chose to use PTO before collecting unemployment because she didn’t want to lose her accrued seniority rights. A single mother, McFetridge uses PTO to care for her daughter who suffers from a serious medical condition.

But a union crew composed of only men, some of whom were below McFetridge in seniority, stayed on the job while she was laid off—and continued racking up days for seniority while McFetridge could not. McFetridge alleges that the crew was only allowed to continue working in defiance of collectively bargained seniority rights because it included men who were members of the union’s executive board and friends and relatives of the president of the local AFSCME Council 13 affiliate.

McFetridge contacted her union representative for an explanation but was told there was “nothing she can do” about it. When she asked if she could file a grievance, she was told “no” and union officials stopped answering her calls.

Eventually, McFetridge discovered that PennDOT gave the local union president the option to lay off employees by crew rather than by seniority, which she alleges violates the union’s collective bargaining agreement. McFetridge alleges that the local president ignored seniority-based layoffs so that his hand-picked, all-male crew could keep working.

Fairness Center Vice President and Senior Litigation Counsel Danielle Acker Susanj issued the following statement:

“Union officials are supposed to protect their members, not play favorites. But Council 13 officials chose to indulge a group of well-connected men over Mindy, even though she had earned more seniority than some of them. It’s 2022, not 1919. The union should be ashamed.”

As a result, McFetridge filed a lawsuit in the Commonwealth Court of Pennsylvania alleging that AFSCME Council 13 violated its duty of fair representation under federal law when it colluded with PennDOT to favor male union officials in the workplace and refused to file a grievance on her behalf. As McFetridge’s complaint alleges, the union and PennDOT “discriminated against, punished, or otherwise retaliated against Ms. McFetridge because she is a woman,” and not one of the favored crew of male employees connected to a union official.

McFetridge is represented by attorneys at the [Fairness Center](#), a nonprofit public interest law firm offering free legal help to those hurt by public sector union officials.

Documents

- [Complaint](#)

Fairness Center attorneys are available for comment. Contact John Sweeney at 609.477.0930, or jrsweeney@fairnesscenter.org to schedule an interview.

The Fairness Center is a nonprofit, public interest law firm offering free legal services to those hurt by public-sector union officials. For more information visit www.FairnessCenter.org