

Man wins race bias lawsuit vs. UC Davis Ex-employee awarded \$891,710

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A Sacramento man who worked nearly 20 years for the University of California, Davis, has won a \$891,710 jury verdict in a minority-discrimination lawsuit. The jury verdict Thursday on behalf of Anil Prasad, who is of Indian ancestry and was born in Fiji, clears the way for the former mail processor to seek punitive damages against his former supervisors at the University Medical Center.

Prasad's attorney, Wendy C. York, said Sacramento County Superior Court jurors deliberated three days before finding that her client had been subjected to discrimination, that it involved malice, oppression and fraud and that UC Davis failed to prevent it.

"We presented evidence of disparate treatment for minorities ... and that there was almost a social segregation in the workplace," York said. "Minorities weren't greeted by their supervisors and not included in conversation."

Maril Stratton, assistant vice chancellor for public communication at UC Davis, said the university's assistant vice chancellor for human resources could not offer immediate comment "because the court proceedings haven't yet been concluded, and he hasn't received documentation" of the verdict.

She said the university would comment when the case has ended.

York said Prasad, who had exemplary performance reviews and outstanding evaluations for most of the years he worked at UC Davis, started as a custodian and advanced to storekeeper, handling purchasing and inventory.

In 1993, he was laid off because of job cutbacks. When he was rehired, it was as a mail processor.

A few years ago, he supported the claims of a co-worker when she successfully complained of gender discrimination.

After that, his supervisors "retaliated against him; they started testing his work performance with time tests," York said.

"He went through the next year and a half of tremendous stress and bullying," she said.

Prasad filed a lawsuit in July 1999 alleging harassment, discrimination and retaliation.

"Within weeks, he was fired," York said. The lawsuit then was amended to include wrongful termination.

The firing, in August 1999, occurred two weeks before Prasad would have observed a 20-year anniversary with the university, a milestone York said would have entitled him to enhanced retirement benefits.

York said the jury's findings that malice existed during the discrimination would be key in Prasad's effort to win punitive damages.

The compensatory damages won Thursday were based on lost wages, medical bills and pain and suffering. A jury typically awards punitive damages, by contrast, to punish a wrongdoer in a civil case and set an example for others.

York said plaintiffs are barred from collecting punitive damages from public agencies such as the University of California. But she said her client would seek them from his former supervisors, Barbara Henman of Sacramento County and Janet Asher, who were named along with UC Davis as defendants.

Henman's husband, reached by telephone, said his wife is under doctor's care and that she would have no comment. Asher could not be reached for comment.

York said Prasad, who began working at UC Davis shortly after arriving from Fiji, had struggled to find work with comparable prospects.

"This has been an emotional nightmare for him," she said. "He's very humbled."