

FORMER IBM EMPLOYEE'S CLAIM OF RACE DISCRIMINATION REJECTED

White Plains, New York June, 2001

No Recovery for Terminated Employee who Alleged Race Based Employment Discrimination Decision by IBM

A Federal jury in White Plains today returned a verdict finding that IBM had not improperly terminated the employment of Jackie Lauture. Ms. Lauture, an African American woman who had worked in human resources for IBM's procurement department, alleged that her termination was based on her race and, as such, was in violation of federal law.

At trial, Ms. Lauture argued that she had been a very effective employee at IBM, rising from staff level jobs to an administrative position. But, she asserted, in her new position IBM failed to provide her with the support she needed to succeed despite her repeated requests for additional assistance. She claimed IBM's support was not forthcoming and that, in addition, she was exposed to race based indignities on the job. According to Ms. Lauture, any legitimate performance criticisms could have and should have been handled much differently by IBM. Ms. Lauture claimed that IBM had an assortment of options to improve the situation and that her termination was unduly harsh and unusual under the circumstances. She attributed IBM's conduct to race based bias and the resulting unwillingness of IBM to create opportunities for her comparable to other IBM employees.

The full story of Ms. Lauture's performance at IBM proved otherwise. The record indicated that a series of job based shortcomings culminated in a decision to terminate her employment. The termination decision, arrived at after a comprehensive review of her employment record and consideration of whether or not there were less drastic steps, such as demotion back to a staff level job, was shown at trial to be devoid of any race based consideration. IBM's witnesses testified that all decisions were based entirely on Ms. Lauture's performance and consideration of her high ambitions and employment objectives with the company. The defense showed convincingly that everything had been done according to IBM's procedures and legitimate business practices.

In the end, the jury, consisting of 3 men and 5 women, found no basis to conclude that IBM's decision was motivated by anything other than its fair and legitimate criticisms of Ms. Lauture's job performance and rejected her claims of race discrimination.

Litigation Strategies assisted IBM's outside counsel Jay Gerber of Hogan & Hartson with strategy consultation and jury selection.



- Strategic Research
- Witness Preparation
- Demonstrative Exhibits

Contact Dr. Louis Genevie at (212) 489-4949

