

# **The Legacy of Lois Jenson v. Eveleth Taconite Co.: Changing the Definition of Sexual Harassment in the Workplace**

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To stop the harassment at her workplace, Lois Jenson filed a lawsuit against the Eveleth Taconite Company in 1988 claiming that her workplace rights, as outlined in Title VII of the 1964 Civil Rights Act, were violated. Through a 10-year court battle in Minnesota, her case led to a landmark decision that brought attention to the presence of sexual harassment in the workplace and recognized it as a form of sex discrimination. The legacy of Jenson's case increased awareness by employers who created, and began enforcing, sexual harassment policies, furthering the progression towards equal rights for women.

When Congress passed the Civil Rights Act of 1964, Title VII of the law stated that discrimination in public places on the basis of sex, religion, race, color, or national origin was illegal.<sup>1</sup> The law did not make clear to the courts when this newly found illegal sex discrimination was accountable, and whether sexual harassment qualified as a form of discrimination outlined in Title VII.<sup>2</sup>

Without any laws addressing sexual harassment, the U.S. judicial system relied on precedent from past rulings. Sexual harassment lawsuits emerged in the 1960s and 1970s as more women began joining the workforce. The first of these cases was the 1974 Lawsuit, *Barnes v. Train*, where it was ruled that a female worker was not discriminated against when forced by her employer to have sexual relations with him to maintain her employment. That ruling was overturned in 1977 and deemed sexual harassment in violation of Title VII. Also in 1974, the Equal Employment Opportunity Commission oversaw a consent agreement with the United States Steel Companies, U.S. Labor Department, and U.S. Department of

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<sup>1</sup> Civil Rights Act of 1964, Pub. L. No. United States Congress, § IX, National Archives (1964). Print.

<sup>2</sup> Dillingham, Maud. "The Evolution of Sexual Harassment Awareness." *The Christian Science Monitor*. The Christian Science Monitor, 14 Nov. 2011. Web. 26 Jan. 2015.

<<http://www.csmonitor.com/USA/Society/2011/1114/The-evolution-of-sexual-harassment-awareness/The-rise-of-sexual-harassment-lawsuits>>.

Justice that required mining companies to give twenty percent of employment positions to women and minorities. These new employment requirements were necessary in order to meet the standards of the Civil Rights Act of 1964, forcing Eveleth Mines to hire women. Lois Jenson, who lived in one of northeastern Minnesota's Iron Range towns near Eveleth, MN<sup>3</sup>, was one of the first hired in 1975 as a result of the agreement.<sup>4</sup>

The age-old belief that women stayed home and took care of their children while husbands went to work to support their family influenced how many companies and individuals treated working women's difficulties with sexual harassment in their workplaces.<sup>5</sup> As more women began realizing their rights and potential in the workforce, society became defensive of these gender roles.<sup>6</sup> The courts often stereotyped men and women, stating that while women had the right to work, they had to conform to a "man's workplace" if they were going to "invade" a non-traditional field for women. New ideas about women's roles in society were being questioned, though not widely accepted by broader society.<sup>7</sup>

These beliefs were persistent in Jenson's situation. Her boss gave her love letters and pressured her to be romantically involved with him. When she refused to return his affection, he threatened to terminate her employment. The humiliating harassment at the mine was initiated by only a few men at the plant but most passively watched. In an

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<sup>3</sup> Minnesota's "Iron Range" is located amidst the forested region of Minnesota's northeastern point around 50-miles north of Duluth and approximately 200-miles north of the Twin Cities.

<sup>4</sup> Johnson, Kjerstin. "Adventures in Feministory: Lois Jenson and Sexual Harassment." *Adventures in Feministory: Lois Jenson and Sexual Harassment*. Bitch Media, 26 Oct. 2009. Web. 27 Jan. 2015. <<http://bitchmagazine.org/post/adventures-in-feministory-lois-jenson-and-sexual-harassment>>.

<sup>5</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. page 13, Print.

<sup>6</sup> Dillingham, Maud. "The Evolution of Sexual Harassment Awareness." *The Christian Science Monitor*. The Christian Science Monitor, 14 Nov. 2011. Web. 26 Jan. 2015. <<http://www.csmonitor.com/USA/Society/2011/1114/The-evolution-of-sexual-harassment-awareness/The-rise-of-sexual-harassment-lawsuits>>.

<sup>7</sup> Jenson, Lois. Personal Interview. 9 April 2015

interview with Jenson, she said several men would support her, both at work and in court.

The largest difficulty that women faced at Eveleth was the company's dismissal of their repeated complaints.<sup>8</sup> Laura Leedy Gansler, co-author of the book *Class Action*, described the harassment many women at the mine endured:

"It really ran the gamut from everything from constant exposure to sexually explicit materials, pornography, graffiti, jokes, unwanted touching, groping, and it included men who ejaculated on women's clothing left in their lockers so when women returned to work their clothes had been soiled. Tires were slashed, nooses were hung over women's workplaces, women were told to service their foreman, it was very graphic."<sup>9</sup>

Additional incidents of sexual harassment led Jenson to file a complaint with the Minnesota Department of Human Rights in 1984. The Department urged Eveleth Mines to create a sexual harassment policy and pay Jenson \$12,000 in damages and mental anguish, but Eveleth refused. The MDHR told Jenson they would file a lawsuit for her, yet after four years no progress was made on her case.<sup>10</sup>

After the Mine's denial of the suggestions by the Department, Jenson asked for help from her co-worker Pat Kosmach, a female union leader working at Eveleth Mines, to address the harassment. Kosmach contacted the union about the harassment, but there were no guidelines in the union contract, and Eveleth Mine's did not have a sexual harassment policy. Reporting union members was also seen as a violation of the union's values, considered as "rating out a union brother". These negative opinions created a lack of support from the Eveleth community.<sup>11</sup>

In August of 1988, Jenson and Kosmach hired Paul Spranger to initiate a sexual

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<sup>8</sup> Jenson, Lois. Personal Interview. 9 April 2015

<sup>9</sup> Gansler, Laura Leedy. "Class Action." Interview by Liane Hanson. 'Class Action' NPR. 19 June 2002. Radio.

<sup>10</sup> Jenson, Lois. Personal Interview. 9 April 2015

<sup>11</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. page 41 Print.

harassment lawsuit. Spranger was an experienced lawyer with employment discrimination and class action cases. On their behalf, he filed the case against Eveleth Mines (owned by Oglebay Norton Company), Local 6860 of the United Steelworkers of America, and various stockholders.<sup>12</sup> Spranger believed the women would benefit if they sued as a class-action, considering that nearly every woman working on the mine was a victim of some form of sexual harassment. Similar situations were commonplace for working women across the nation. Sexual harassment was considered the price to pay for taking a “man’s job”.<sup>13</sup>

In 1991, due to a changing attitude and awareness of sexual harassment at the workplace, Congress passed the Civil Rights Act of 1991. This expanded the 1964 Civil Rights Act, allowing victims to be awarded money for damages and mental anguish in court. This would allow Jenson plaintiffs to collect damages through their lawsuit.

On May 12th, 1991, the first phase of Jenson’s case began. It was ruled that the three plaintiffs, including Jenson, could sue Eveleth Mines as a class action, allowing other plaintiffs to join. Women who joined were “awarded” with increased harassment at Eveleth Mines, and shunned by their community.<sup>14</sup> Although Eveleth did not support the case, the effects of the nation’s first class action on sexual harassment greatly influenced employer’s attitudes toward potential legal liability for sexual harassment.

As the trial began, the Duluth NBC Affiliate, KBJR-TV, did a story on the case and interviewed Sprenger about treatment women received at Eveleth Mines. He said, “[t]he

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<sup>12</sup> Grimsley, Kirstin Downey. "A HOSTILE WORKPLACE; Into an Abyss of Sex Harassment At Eveleth Mine Series: A HOSTILE WORKPLACE Series Number: 1/2." *The Washington Post*, 27 Oct. 1996. Web. 1 Mar. 2015. <[http://www.highbeam.com/doc/1P2-801901.html?refid=easy\\_hf](http://www.highbeam.com/doc/1P2-801901.html?refid=easy_hf)>.

<sup>13</sup> Schmid, Günther, and Renate Weitzel. "1. Women in The Labour Market and Equal Opportunity Policy In Sweden, United Kingdom, United States, and West Germany: Introduction." *Sex Discrimination and Equal Opportunity: The Labor Market and Employment Policy*. New York: St. Martin's, 1984. N. pag. Print.

<sup>14</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. , pages 164-166, Print.

behavior was barbaric, inhumane. They've been through a lot. They're frightened to death.<sup>15</sup> Even during the case, the women felt like the questions asked were harassment as well. Judge Kyle gave Eveleth Mine's attorneys very few limitations regarding what could be revealed about the plaintiff's' past lives in court:

"The mine's attorneys posed numerous questions to the women, including how many lovers they had had, when they began using birth control and why, and whether they had relationships with any of the men at the mine. According to transcripts, the women were asked about their marriages and whether their husbands had sexual problems."<sup>16</sup>

Throughout the case, the company's lawyers tried showing that each plaintiff's mental health problems were due to prior conditions, not the result of harassment at the workplace. Attorneys for Eveleth Mines tried to prove the plaintiffs were not 'reasonable woman', as required in a standard established in *Ellison v. Brady* (1991), and incapable of judging harassment. Defendants requested medical records of plaintiffs from birth, arguing that their past lives, and nature of their character, caused the harassment. David Jendrzejek, one of Oglebay Norton's insurance company's attorneys, claimed: "Many claimants have had incidents in their past lives we believe adversely affected them and other incidents caused their distress, not anything that happened in their employment."<sup>17</sup>

Because of the coverage in statewide media, people were starting to take notice of the nation's first class action lawsuit on sexual harassment. It brought attention to the case and the type of harassment that was typical at Eveleth Mines, leading to national media

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<sup>15</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. Page 214. Print.

<sup>16</sup> Grimsley, Kristin Downey. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, A Hostile Workplace ed., Second of Two Articles sec.: *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.

<sup>17</sup> Grimsley, Kirstin Downey. "A HOSTILE WORKPLACE; Into an Abyss of Sex Harassment At Eveleth Mine Series: A HOSTILE WORKPLACE Series Number: 1/2." *The Washington Post*., 27 Oct. 1996. Web. 1 Mar. 2015. <[http://www.highbeam.com/doc/1P2-801901.html?refid=easy\\_hf](http://www.highbeam.com/doc/1P2-801901.html?refid=easy_hf)>

picking up on the story. This case helped broaden the definition of sexual harassment and allowed many people across the country to realize their rights, generating additional sexual harassment cases. Even with Eveleth's adversarial reaction to her claim, Jenson could see how her commitment to this case empowered women around her.<sup>18</sup>

The plaintiffs won class action certification on December 16th, 1991, but were not granted an injunction to force Eveleth Mines to create a sexual harassment policy. This class action status, the first allowed in a sexual harassment suit, ruled that an entire workplace could be responsible for harassment, not only individual aggressors. If a company failed to create a sexual harassment policy, and follow it, the entire company could be liable. This ruling was the first of its kind, setting a precedent that liability for harassment was determined by the actions of the harasser, along with the company's handling of a claim. This contradicted with common belief that a victim's actions could constitute whether or not the harassment was their fault.<sup>19</sup>

The 1991 provisions of the Civil Rights Act allowed Jenson and her fellow plaintiffs the opportunity to collect damages.<sup>20</sup> Presiding judge James Rosenbaum said the women's victory was a "bad sign for employers," that if they didn't react appropriately to sexual harassment claims, the chances of liability were much higher. Rosenbaum's ruling pressured industry leaders to take sexual harassment more seriously and prompted employers to address those problems.<sup>21</sup>

Media around the country covered the case, but local media largely ignored it. The

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<sup>18</sup> Jenson, Lois. Personal Interview. 11 May 2015

<sup>19</sup> Stratton, Lisa. Personal Interview. 6 April 2015

<sup>20</sup> Roberts, Barry S., and Richard A. Mann. "Sexual Harassment in the Workplace: A Primer." *Sexual Harassment in the Workplace: A Primer*. Akron Law Review, Web. 23 Feb. 2015. <<http://www3.uakron.edu/lawrev/robert1.html>>.

<sup>21</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006.page 240, Print.

*Mesabi Daily News*, the largest newspaper near Eveleth, had a short story on the lawsuit.<sup>22</sup> Nearly everyone in Eveleth and surrounding towns were against the women involved in the lawsuit, making it difficult for harassed women within Eveleth Mines to have the confidence to join the class-action.<sup>23</sup> Layoffs caused by a plummet in the Minnesota taconite industry were blamed on the women's actions.<sup>24</sup> The plaintiffs who remained with the case, even amongst vigorous disapproval from their community, greatly exemplified leadership within an environment where few supported them.

Several women testified against the plaintiffs, indicating they were not victims of sexual harassment, as the plaintiffs claimed most women were. Some of those women eventually joined the plaintiffs' side, admitting they had lied during earlier rulings due to pressure from their community.<sup>25</sup>

The next part of the trial was the liability phase, held in 1993. District Court Judge Richard Kyle ruled Eveleth Mines failed to respond to sexual harassment. Kyle required the mine to create a sexual harassment policy, granting the injunction: "The court finds the effect, and possibly the intent, of the sexualized environment that existed at Eveleth Mines was to inform women that they were perceived primarily as sexual objects and inferior to that these perceptions were an integral part of working at Eveleth Mines."<sup>26</sup>

The company argued that it effectively addressed the few events when sexual harassment had occurred. In contrast, Kyle ruled: "The plaintiffs have established that

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<sup>22</sup> Ibid, page 274.

<sup>23</sup> Ibid, page 243.

<sup>24</sup> Jenson, Lois. Personal Interview. 9 April 2015

<sup>25</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. page 179, Print.

<sup>26</sup> Grimsley, Kristin Downy. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, A Hostile Workplace ed., Second of Two Articles sec.: *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.

Eveleth Mines engaged in a pattern or practice of maintaining an environment sexually hostile to women.”<sup>27</sup> Jean Marie Boler, a plaintiffs’ attorney, found that the ruling was: “[a]n opinion that would affect how future cases were handled and, ultimately, how companies treated, and allowed other employees to treat, their female workers.”<sup>28</sup>

The next phase of the case determined what amounts were awarded to women subjected to sexual harassment. In 1996, Judge Patrick McNulty ruled that individual plaintiffs be awarded between \$2,500 to \$25,000 in damages, reaching a total of \$189,000 for all 16 plaintiffs. He found that the women had endured unnecessary harassment, but still believed them to be sensationalizing what happened in the mine.<sup>29</sup>

Around the U.S., most sexual harassment plaintiffs were given an average of \$250,000 each, much less than what McNulty suggested the women be granted.<sup>30</sup> The ruling was appealed to the Eighth Circuit Court in December of 1997, where Judge Donald Lay said:

“If our goal is to persuade the American people to utilize our courts as little as possible, we have furthered that objective. It should be obvious that the callous pattern and practice of sexual harassment engaged in by Eveleth Mines inevitably destroyed the self-esteem of the working women exposed to it. The emotional harm, brought about by the record of human indecency, sought to destroy the human psyche, as well as the human spirit of each plaintiff.”<sup>31</sup>

The new trial was scheduled for December 14, 1998. The plaintiffs settled with

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<sup>27</sup> Grimsley, Kristin Downy. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, A Hostile Workplace ed., Second of Two Articles sec.: n. pag. *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.

<sup>28</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. page 273, Print.

<sup>29</sup> Grimsley, Kristin Downy. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, A Hostile Workplace ed., Second of Two Articles sec.: n. pag. *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.

<sup>30</sup> Grimsley, Kristin Downy. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, A Hostile Workplace ed., Second of Two Articles sec.: n. pag. *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.

<sup>31</sup> Jon, Tevlin, Staff Writer. "The Eveleth Mines Case." *The Star Tribune Company* [Minneapolis, Minn.] 29 Nov. 1998: n. pag. Print.

Eveleth for \$3.7 million, one day before their scheduled trial, bringing the nearly 11-year court battle to an end. The plaintiffs did not continue their case after the revisions of the Eighth Circuit Court. Their original goal to create a harassment policy at Eveleth Mines had been granted, and many of the women's health was deteriorating.<sup>32</sup>

Even during the case, the impact of *Jenson v. Eveleth Mines*, and broader societal changes, led companies around the U.S. to create sexual harassment policies. In the years surrounding the historic case, a multitude of sexual harassment cases were filed across the country as a result of how strongly the plaintiffs raised awareness of the illegality of workplace sexual harassment.<sup>33</sup> This case ruled that a sexually hostile work environment could exist all across the workplace, and an incident could be more widespread than just between two individuals. Companies became responsible to actively address these issues by establishing policies and addressing reports of harassment quickly and professionally.<sup>34</sup> In the absence of clearly written laws, the legal system was forced to sort through cases like Jenson's. The courts recognized women's changing role in society and protected their equal rights by forcing companies to accept responsibility, craft sexual harassment policies, and enforce those policies.<sup>35</sup>

*Jenson v. Eveleth Mines* made it unlawful to discredit women the way the Jenson plaintiffs were through the exposure of their past and personal lives. The ruling exerted that the company's reaction, not the individual filing a claim, would determine if a company was liable for the harassment. This ruling gave future sexual harassment plaintiffs a huge

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<sup>32</sup> Jenson, Lois. Personal Interview. 11 May 2015

<sup>33</sup> Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law*. Delanco, NJ: Notable Trials Library, 2006. Page 382. Print.

<sup>34</sup> Stratton, Lisa. Personal Interview. 6 April 2015

<sup>35</sup> Jenson, Lois. Personal Interview. 11 May 2015

advantage in protecting their personal lives, and held companies accountable in court.

*Jenson v. Eveleth Mines* is still cited today in lawsuits, as a way to protect sexual harassment plaintiffs, but a clear law protecting plaintiffs has yet to be written.<sup>36</sup>

There is still much more that needs to change for women to have full equality in the workplace. The leadership and ten-year commitment of Jenson, along with her fellow plaintiffs to this case, brought women closer to that goal. Today, sexual harassment is taken far more seriously in the workplace. As of 2015, workplace sexual harassment training and education is more common. The legacy of the lawsuit, beginning in 1988 in Minnesota, forced employers to begin creating, and enforcing, sexual harassment policies, furthering the progression towards equal rights for women.

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<sup>36</sup> Stratton, Lisa. Personal Interview. 6 April 2015

# Annotated Bibliography

## Primary Sources

**Grimsley, Kirstin Downey. "A HOSTILE WORKPLACE; Into an Abyss of Sex Harassment At Eveleth Mine Series: A HOSTILE WORKPLACE Series Number: 1/2." *The Washington Post*, 27 Oct. 1996. Web. 1 Mar. 2015.**

This newspaper article, described what the women faced during their years working at Eveleth Mines. It showed how the women were told to handle the harassment they endured by their co-workers and community. This source also showed me how the women benefited from having a job with the type of income Eveleth Mines provided and how difficult it was for them financially before they were hired. It showed me why these women even considered keeping a job that damaged their mental state.

**Grimsley, Kristin Downy. "In Court, Women Felt Harassed Again." *Washington Post* 28 Oct. 1996, *A Hostile Workplace* ed., Second of Two Articles .: *ProQuest Historical Newspapers*. Web. 26 Jan. 2015.**

This source gave me information about how the women were treated in court and what the mine's attorneys revealed about the women's past lives and how that was used against them.

**Jenson, Lois. Personal Interview. 9 April 2015 and 11 May 2015.**

In these interviews with Lois Jenson, the lead plaintiff of the case and the subject of my project, she spoke about the ways her case impacted other cases. She also answered questions about how other women who joined the plaintiff's side were impacted by the lawsuit. These interviews helped me to see how sexual harassment is seen today as opposed to when the lawsuit began and what has changed, along with changes that still need to be made about sexual harassment in the workplace.

**Jon, Tevlin, Staff Writer. "The Eveleth Mines Case." *The Star Tribune Company* [Minneapolis, Minn.] 29 Nov. 1998: Print.**

This newspaper article helped me to better understand the different phases of the case and why each phase occurred. It gave me specific court rulings, including the new ruling on the plaintiff's damages after the original rulings on the plaintiffs' damages. It also gave me quotes from some of the plaintiffs' relatives describing how the women felt about the case.

**Lois E. Jenson v. Eveleth Taconite Co. United States Court of Appeals FOR THE EIGHTH CIRCUIT. 21 October 1997. *NOW Legal Defense and Education*. NOW, web. 27 Mar. 2015.**

This court ruling gives me the Eighth Circuit's opinion. This showed me how the Eighth Circuit did not agree with previous rulings on the case and rescheduled a new trial with a jury.

**Lois Jenson V. Eveleth Taconite Co., 139 F.R.D 657 (1991). United States District Court, D. Minnesota, Fifth Division. 16 Dec. 1991. Print.**

This document gave me the court ruling in 1991 on whether or not the plaintiffs could sue as a class action. It defined what kind of hostile work environments existed at Eveleth Mines.

**Lois Jenson v Eveleth Taconite Co. U. S. District Court of Minnesota Fifth Division. 28 Mar. 1996. Print.**

This document gave me details of the case up to this year. It gave me descriptions of the MHRA, and how it applied to the Jenson v Eveleth case. It also showed me reasons why the plaintiffs felt the need to appeal the previous ruling.

**Lois Jenson v Eveleth Taconite Co. U.S. Court of Appeals. 19 Dec. 1997. Print.**

This law summary gave me very specific details about why the plaintiffs wanted to have their case ruling. It showed me the errors in previous rulings and what the plaintiffs lawyers believed should be reevaluated.

**Lois Jenson v. Eveleth Taconite Co. United States District, D. Minnesota. Third Division. 14 May 1993. LEAGLE. LEAGAL, n.d. Web. 4 Apr. 2015.**

This court ruling shows me Judge Kyle's opinion. It also gives me both the plaintiffs and the defendants positions in the case and why they each felt that way.

**Oakes, Larry, and Jill Hodges. "Mining New Legal Ground // Harassment Ruling Says Work Must Be Desexualized to End Sexual Spillover." *Star Tribune* [Duluth, MN] 19 May 1993: *Proquest News Stand*. Web. 3 Apr. 2015.**

This Newspaper gave me descriptions of Kyle's ruling on the Eveleth case. It also featured interviews with lawyers about the case and their viewpoint of how the ruling will affect other cases and other companies views on sexual harassment in the workplace.

**Stratton, Lisa. Personal Interview. 6 April 2015**

This interview with Lisa Stratton, an attorney from the Jenson case, informed me in what ways sexual harassment plaintiffs still face difficulties in court and what problems still are evident in the workplace regarding sexual harassment. She explained to me the way other cases have benefited from the Jenson ruling. She is an attorney at Gender Justice in St. Paul.

**Tevlin, Jon. "THE EVELETH MINE CASE: What Price Pain? // More Than a Decade into Precedent-setting Case, a Jury Will Decide How to Compensate the "Eveleth 16." a Group of Female Mine Workers Who Endured Overt Sexual Harassment and Paid a Price for Fighting Back." *The Star Tribune Company* [Eveleth MN] 29 Nov. 1998: *ProQuest Newsstand; Star Tribune (Minneapolis/St. Paul)*. Web. 3 Apr. 2015.**

This newspaper article gave me details about the women's awards on damages and mental anguish and what other similar cases were awarded. This also showed me why this case was important in the development of the ways sexual harassment is dealt with in the workplace and in the legal system.

**"Title VII of the Civil Rights Act of 1964." *Equal Employment Opportunity Commission*. EEOC, Web. 12 Apr. 2015.**

This document shows me the legal definitions of what sex discrimination is as of 1964 and how to recognize these regulations. This document also defines how to address these problems and in what ways companies can be liable for discrimination.

**United States Congress. Civil Rights Act of 1991. 102nd Congress., 1st Session. Cong Pub. L. 102-166. Print.**

This copy of the Civil Rights Act of 1991 shows me exactly when and how sexual harassment victims can collect damages in court. This document shows me the provisions of the Civil Rights Act of 1964.

**United States. U.S. Commission on Civil Rights. U.S. Congress. *A Guide To Federal Laws Prohibiting Sex Discrimination*. By Arthur S. Flemming, Stephen Horn, Frankie M. Freeman, Robert S. Rankin, Manuel Ruiz Jr, and John A. Buggs. Congress, Print.**

This source gave me exact legal definitions of what sex discrimination was and how it related to sexual harassment as of 1974. It gave me an understanding of what constituted sexual harassment and how those views have changed.

**"Women Can File Class Lawsuit in Sex Harassment Federal Court Approves Action Against Cleveland Mining Firm." *The Washington Post*. The Washington Post, 19 Dec. 1991. Web. 11 Apr. 2015.**

This newspaper article showed me what sexual harassment victims could be awarded before the case ruled in favor of the plaintiffs. It gave me details of those regulations and why it was important that they change.

## Secondary Sources

**Bingham, Clara, and Laura Leedy Gansler. "Tough as Iron." *Liberty Media for Women Fall 2015. Gender Watch. Web. 17 Jan. 2015.***

This magazine article gave me a background on the case and how it affected individual plaintiffs lives. This magazine focused on the significance of this case's class action status and what this opened up for sexual harassment plaintiffs in the future.

**Bingham, Clara, Laura Leedy Gansler, and Alan M. Dershowitz. *Class Action: The Story of Lois Jenson and the Landmark Case That Changed Sexual Harassment Law. Delanco, Notable Trials Library, 2006. Print.***

This book was one of my most helpful sources. It gave me detailed background on the women's individual cases of sexual harassment. There were scrutinized descriptions of each phase of the case and how each one of the plaintiff's lives were affected. It gave descriptions of how management, the women's co-workers, and the Eveleth community treated the women. This book mentioned how the U.S. reacted and how specific newspapers and national television channels reacted to the case as well. It also described how the case impacted the way sexual harassment is currently viewed.

**"Charlize Theron Could Win an Oscar for Her Portrayal of a Female Miner Who Fought for 14 Years to End a Brutal Campaign of Sexual Harassment. But the REAL Story of Lois Jenson's Crusade Had No Happy Ending..." *Daily Mail [London (UK)] 2 Mar. 2006. ProQuest Newsstand. Web. 3 Apr. 2013.***

This newspaper gave me details about the women's interactions with sexual harassment in their workplace. It also gave me a detailed timeline of each phase of the case and what other new laws and agreements did to the outcome of the case. This also included an interview with Jenson and her opinions about the culture in the mine.

**Carlson, Stephanie. "Background on the Class Action Suit Brought Against Eveleth Mines." *National Women's History Museum. National Women's History Museum, Web. 02 Mar. 2015.***

This source gave me a detailed understanding in the various phases of the case. It helped me to describe the most important parts of the case. It also described individual women's experiences with the lawsuit and harassment at Eveleth Mines.

**Dillingham, Maud. "The Evolution of Sexual Harassment Awareness." *The Christian Science Monitor. The Christian Science Monitor, 14 Nov. 2011. Web. 26 Jan. 2015.***

This source showed me a variety of sexual harassment cases and how they contributed to changes in sexual harassment law over time. It gave me definitions of each ruling and how those rulings changed the outcomes and possibilities of others in the past and in the future.

**"EEOC to Study Workplace Harassment." *Equal Employment Opportunity Commission. EEOC, 30, March 2015 Web. 2 Apr. 2015.***

This article showed me what progress has been made in the ways that sexual harassment is addressed in the workplace, and also shows what problems still persist for working women. This also gave me examples of ways that the EEOC is attempting to change the way sexual

harassment in the workplace is addressed to make it more possible for women and men to be able to report sexual harassment in the workplace.

**Friedan, Betty, and Anna Quindlen. "The Happy Housewife Heroine." *The Feminine Mystique*. New York: Norton, 1997. Print.**

This book showed me changing ideas in feminism from the women's rights movement, up until the 1960's and how those ideas have differed over time. This book described gender roles and how those roles have prevented women from venturing into new professions traditionally not offered to their gender.

**Gansler, Laura Leedy. "Class Action." Interview by Liane Hanson. '*Class Action*' NPR. 19 June 2002. Radio.**

This interview gave me quotes from Laura Gansler about why it was important that the lawsuit *Lois Jenson v. Eveleth Taconite Co.* was a class action. It also showed me what harassment the women endured on regular basis.

**Gleman, Daniel. "Sexual Harassment: It's About Power, Not Lust." *The New York Times*. The New York Times, 22 Oct. 1991. Web. 12 Apr. 2015.**

This newspaper showed me how sexual harassment has changed as of 1991 and what changes still need to be made in the court system and in the workplace. This newspaper also gave me statistics on how many harassment complaints are made, and percentages of which genders made those complaints.

**Hemphill, Stephanie. "Women in the Mines." *Minnesota Historical Society*. JSTOR, Fall 2008. Web. 1 Apr. 2015.**

This article showed me the views in society during World War II when women began to work in mines in Minnesota. It helped me to contrast different circumstances and how different generations of co-workers reacted to those differences.

**Johnson, Kjerstin. "Adventures in Feministory: Lois Jenson and Sexual Harassment." *Adventures in Feministory: Lois Jenson and Sexual Harassment*. Bitch Media, 26 Oct. 2009. Web. 27 Jan. 2015.**

This source gave me a brief overview of the case *Lois Jenson v. Eveleth*. It helped me better understand the consent agreement and why that was a key event in Jenson's employment.

**Lara, Alison, Tribune Staff Reporter. "A Case That Changed The Culture." *Chicago Tribune*. Chicago Tribune, 02 Nov. 2005. Web. 20 Dec. 2014.**

This article allowed me to see how sexual harassment has evolved over time and how things have changed over time for both men and women. It helped me understand why this lawsuit benefited people in the workplace and how this lawsuit helped define sexual harassment.

**Lawrence, Kenneth, and Katharine A. Klos. *Sex Discrimination in the Workplace*. Germantown, MD: Aspen Systems, 1978. Print.**

This book gave me legal definitions of what sex discrimination is and how sexual harassment applies to this regarding title VII of the Civil Rights Act of 1964. It also addresses that current laws (as of 1978) do not fully protect employees from sexual harassment.

**MacKinnon, Catharine A. *Sexual Harassment of Working Women: A Case of Sex Discrimination*. New Haven: Yale UP, 1979. Print.**

This book gave me views on how sexual harassment is being recognized and what caused those laws and realizations to progress.

**Mencimer, Stephanie. "Iron Women." *Washington Monthly* 34.6 (2002): 54. *MAS Ultra - School Edition*. Web. 3 Dec. 2014.**

This source gave me examples of reasons the plaintiffs felt the need to sue Eveleth Mines. It also gave background of how laws prohibiting sex discrimination came to be and progressed.

**Morman, Gwen. "WHY HARASSMENT IS STILL AN ISSUE AND WHY SO MANY GET AWAY WITH IT." *Strong Female Lead*. Mansueto Ventures, Web. 12 Apr. 2015.**

This website showed me what problems still persist in the realms of sexual harassment laws and regulations. This gave me current examples of problems with sexual harassment in the workplace. It also included percentages of how many cases are filed as of 2011.

**Woman Whose Sexual Harassment Story Inspired the Film Is Pleased with the Result." *The Star Tribune Company* [Minneapolis, Minn] 14 Oct. 2005: *ProQuest Newsstand; Star Tribune (Minneapolis/Saint. Paul)*. Web. 3 Apr. 2015.**

This newspaper gave me a timeline of events that lead to the lawsuit, and the different phases of the case. This newspaper also mentions Lois's life after the lawsuit.

**Roberts, Barry S., and Richard A. Mann. "Sexual Harassment in the Workplace: A Primer." *Sexual Harassment in the Workplace: A Primer*. Web. 23 Feb. 2015.**

This source showed me how sexual harassment law has evolved overtime, and key events that contributed to the development of how sexual harassment is seen today, and what problems still persist for sexual harassment victims.

**Schickman, Mark L. "General Practice, Solo and Small Firm Section Sexual Harassment the Employers Role in Prevention." *American Bar Association*. Web. 12 Apr. 2015.**

This article showed me common difficulties companies sexually harassed employees face when reporting sexual harassment. It includes development of laws in place today and current problems.

**Schmid, Günther, and Renate Weitzel. "1. Women in The Labour Market and Equal Opportunity Policy In Sweden, United Kingdom, United States, and West Germany: Introduction." *Sex Discrimination and Equal Opportunity: The Labor Market and Employment Policy*. New York: St. Martin's, 1984. Print.**

This book described new ideas and changing roles for women and how this reflects their new involvement in the workplace. This book also shows how this new involvement creates problems with sexual harassment in the workplace. This book also addresses problems like equal pay for women and employment opportunity.

**"Sex Discrimination in the American Workplace: Still a Fact of Life." *National Women's Law Center*. National Women's Law Center, July 2000. Web. 16 Feb. 2015.**

This source showed me how sexual harassment law has evolved over time in the United States and how those laws affect us today. It showed me how the lack of certain laws and views in society affect the ways sexual harassment is in some cases overlooked as well.

**"Sexual Harassment Training Courses." *Sexual Harassment Training: Ellison v. Brady and the "Reasonable Woman"* Sexual Harassment Training, Web. 01 Mar. 2015.**

This source helped me understand one of the major contributors of the improvement of sexual harassment law. It gave me background on the case *Ellison v. Brady*. It showed me how the "reasonable" woman standard came to existence and how it benefited sexual harassment plaintiffs.

**Winter, Catherin, and Stephanie Hemphill. "American Radio Works, No Place For a Woman." *No Place for a Woman*. Prod. Deborah Amos. American Public Media. *American Public Radio: No Place for a Woman*. Web. 18 Dec. 2014. Transcript.**

This source provided me with several examples of women who worked at Eveleth Mines and the sexual harassment they endured. The women explained what happened on a regular basis at the mine including sexual harassment along with how their community viewed their efforts in creating a sexual harassment policy. This also gave me examples of harassment the plaintiffs faced in their workplace, and what was commonly accepted by society during the 1970s-1980s.

**"Workplace Harassment Still a Major Problem Experts Tell EEOC at Meeting." *Eeoc.gov*. Equal Employment Opportunity Commission, 14 Jan. 2015. Web. 12 Apr. 2015.**

This article describes how there still are problems for working women enduring sexual harassment. This article gave me examples of plans that the EEOC has to make sexual harassment policies more evident in the workplace, and create sexual harassment policies.