

10                   THE CHAIRPERSON: Judith Schneider I'm  
11                   calling back to talk about the experience of a  
12                   witness who is not here, but I think the story  
13                   really is relevant to the hearings today.

14                   MS. SCHNEIDER: I'm afraid I can't tell  
15                   too much of the story, otherwise it would  
16                   defeat the purpose of the witness not being  
17                   here. We had a witness who was scheduled to  
18                   testify anonymously tonight -- we had a  
19                   witness who was scheduled to testify  
20                   anonymously tonight who is a member of one of  
21                   the major construction unions in the City of  
22                   New York.

23                   And she called our office and I  
24                   subsequently spoke to her absolutely terrified  
25                   and in hysterics. This is not a woman who

1  
2 easily goes into hysterics. You can't be in  
3 the construction unions for very long if  
4 that's your response to situations of stress.

5 Her co-workers and union officials have  
6 threatened her life, her children's life.  
7 They told her they'd be watching the building,  
8 they have been following her around all day,  
9 they assured her they would know who would  
10 testify. Now, they had no reason to believe  
11 that she was going to testify, as far as I can  
12 imagine, but she was a woman, she was working  
13 in construction and she clearly had a story to  
14 tell, because everyone does.

15 THE CHAIRPERSON: She received threats  
16 at her home?

17 MS. SCHNEIDER: She received threats at  
18 her work site, but about her home and her  
19 family and her physical person and her life.

20 THE CHAIRPERSON: Was it recently?

21 MS. SCHNEIDER: This is like today.

22 THE CHAIRPERSON: Today. You mentioned  
23 she was being followed also.

24 MS. SCHNEIDER: Yes.

25 THE CHAIRPERSON: Could you give a

1  
2 little more detail; she was followed home --

3 MS. SCHNEIDER: I've written out all  
4 the detail I safely -- I'm a little  
5 apprehensive.

6 MR. GRAY: In light of this, which is  
7 obviously a very serious situation, would you  
8 advise her or tell her that if she's willing  
9 to even call us on the phone -- and you can  
10 act as an intermediary at some prearranged  
11 time -- we would like to hear, or if she wants  
12 to reduce her information to writing, we would  
13 like to hear it, because we really feel that  
14 everyone who has something to say in wanting  
15 to come forward and wants to come forward  
16 should have that opportunity to do it in some  
17 way.

18 MS. PECK: I would like to ask, Ms.  
19 Schneider, I don't know whether you said the  
20 threats were directed specifically to this one  
21 person or were these statements made generally  
22 to --

23 MS. SCHNEIDER: These were threats  
24 specifically directed to her and to her  
25 family.

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THE CHAIRPERSON: We would really be eager and we would like to talk to her at another time -- we have your number. We can call you possibly to arrange a time?

MS. SCHNEIDER: Yes. You can call me and we can talk about it. But I think that the panel should realize that the difficulty that these women face is often immense and that while I can advise her of this, as Herman Benson remarked this morning, people are terrified, literally terrified.

THE CHAIRPERSON: For good reason, it sound like, too.

MS. PECK: Do you know whether threats have been made generally to women in construction?

MS. SCHNEIDER: We have been told that threats have been made generally. I haven't spoken to anyone else who has received them, but I have been informed of them and I hope they will have further information later.

MS. PECK: About testifying at these hearings publicly or about cooperating with this tribunal?

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MS. SCHNEIDER: Yes.

THE CHAIRPERSON: Thank you very much.

This is where the courts criticize the municipalities and states for not having enough data to support affirmative action plans. And what's clear sometimes is that the very data we need is the very data that is scared away from testifying at hearings like this.