

This material is part of a collection that documents the harassment, discrimination, and retaliation perpetrated against Alaska's women research scientists by their supervisor, with full knowledge (and arguably, "tacit approval") of their federal employer, the USDA Agricultural Research Service (ARS)

**AFFIDAVIT QUESTIONS –
Loretta Winton
17 November, 2008**

In response to Nancy Robertson's complaint of discrimination (ARS-2008-00647) with the Department of Agriculture (USDA).

1. What are your full name, current position title, grade and organizational unit?

Dr. Loretta M. Winton
Research Plant Pathologist
GS 13
Subarctic Agricultural Research Unit (SARU)
USDA Agricultural Research Service (ARS)

Despite the reports of Alberto Pantoja's egregious (and unlawfully discriminatory) behavior listed in this affidavit (and the affidavits of the other women research scientists), USDA took no action to protect the women. Instead, USDA delayed the EEOC process, thereby denying the women a non-hostile work environment and ensuring that they would suffer further harm.

2. How long have you been in this position (date to date)?

From 03 June 2004 until present.

3. For the record, what is your gender?

Female

4. Who were your first and second-level supervisors as of January 2008?

First-level supervisor:

Dr. Alberto Pantoja – Research Leader (SARU)

Second-level supervisor:

Dr. Andrew Hammond – Associate Area Director of Pacific West Area (PWA)

5. What is your working relationship to Complainant?

Dr. Robertson and I are both Research Plant Pathologists in ARS SARU. However, she is located in Palmer Alaska and I am in Fairbanks Alaska.

How long have you worked together?

Since I began working at SARU on June 3, 2004.

6. What is the nature and frequency of your contact with Complainant?

We are both Research Plant Pathologists specializing in different pathogens (she works with viruses and I work with fungi) we have frequent (daily, weekly, or monthly depending upon needs) professional communications and research collaborations. Most of my field work is in commercial agricultural fields in Palmer, thus Dr. Robertson and I meet during the growing season and otherwise communicate by telephone or email. ARS Personnel from Palmer and Fairbanks meet approximately once per year for some form of training or teambuilding activity. Additionally, staff meetings are held in Fairbanks throughout the year with Palmer researchers being included through a conference call or video hookup. Dr. Robertson, Dr. Bower, and I share relevant EEO information as it becomes available and support each other in this demoralizing discriminatory experience.

7. How much of an opportunity have you had to observe the relationship between Complainant and Dr. Pantoja?

Opportunities are generally limited to annual trainings, monthly staff meetings (when teleconference or video conference links are present), and stakeholder meetings.

**USDA's response in handling these
discrimination complaints was
both unethical and unconscionable.**

How would you describe it?

Dr. Pantoja usually ignores Dr. Robertson completely but often demonstrates aggressive, adversarial, and unprofessional behavior towards her with frequent digs, innuendos, and accusations. In contrast, Dr. Robertson addresses Dr. Pantoja with courtesy and respect.

Have you observed behavior that can be construed as harassment (hostile work environment) by Complainant or Dr. Pantoja?

I have observed harassing behavior on the part of Dr. Pantoja, but not on the part of Dr. Robertson. During an April 2005 staff meeting (with Dr. Robertson and other Palmer personnel in attendance through telephone conferencing), I witnessed harassment of the complainant by Dr. Pantoja when he chastised her after she edited the generic text when preparing her technician's new performance plan (in an honest attempt to make the document more accurate). Performance plans are very important in the ARS since they define which tasks an employee will perform and how the employee's work will be judged (for bonuses and promotions). The performance plans we had all been given for our technicians contained inaccuracies; I and several other scientists had also edited the performance plan text. However, Dr. Robertson was solely singled out for public admonishment by Dr. Pantoja.

On 15 January 2008, during a visit to Fairbanks by Jeff Schmitt (with ARS's Alternate Dispute Resolution program), Dr. Pantoja engaged in discriminatory and hostile treatment against all three women scientists including Dr. Robertson, who was harassed during presentation of her research. I witnessed Dr. Pantoja harass Dr. Robertson by persistently asking her questions in a belligerent manner, refusing to accept her answers, and repeatedly continuing to attack. Dr. Pantoja did not exhibit the same behavior when the men made their presentations. In fact, Dr. Pantoja stepped in and answered a question for one of the men scientists. He was aggressive and unhelpful when the women made their presentations.

8. Have you observed similar behavior between Complainant or Dr. Pantoja and other employees?

Yes, Dr. Pantoja also treats both of the other two women research scientists with hostility and disdain. Dr. Pantoja has harassed and publically humiliated me on numerous occasions. In contrast, Dr. Robertson always deports herself with professionalism and respect.

If so, when, how and what were the circumstances involved in the interaction?

During the January 2008 research presentations with Jeff Schmitt, I witnessed Dr. Pantoja harass Dr. Cynthia Bower (Research Food Technologist) by persistently asking her questions in a belligerent manner and refusing to accept her answers. I also experienced harassment by Dr. Pantoja at that event to such an extent that Dr. Jeff Conn tried to intervene on my behalf. After which, Dr. Pantoja threatened Dr. Conn with reprisal by stating "I have two weed scientists. Why should I keep you?" Janis Contento, the Administrative Officer, finally put an end to Dr. Pantoja's bullying of me by stating that the time was up. By singling out the women by i) putting only their presentations first for each of the three

research projects, ii) indenting their names on the program, and iii) not asking equally harassing and persistent questions of the men, Dr. Pantoja demonstrated blatant discrimination against the women research scientists and reprisal against one of the men who tried to intervene (with Jeff Schmitt witnessing the proceedings).

9. Are you aware that Complainant perceives her work environment to be hostile? If so, when and how did you become aware?

Every scientist at SARU (with the possible exception of Dr. Bechtel) has told me that they recognize that Dr. Pantoja discriminates against women. I became aware of the disparate treatment in early 2005, (only technicians and women scientists were appointed to safety and environmental management committees, women were not allowed to serve as Acting Research Leader, women were issued lower Supervisory Codes than men, women were required to interview technician candidates with another scientist in attendance (men were not required), only women scientists have temporary technicians rather than permanent, and women are treated with a very heavy hand in general). I first became aware that Dr. Robertson also perceived a hostile work environment when I called her on June 16th, 2005 after Dr. Pantoja publicly humiliated me in an aggressive, disrespectful, angry and bullying manner in the parking lot in front of two male scientists.

10. Do you have direct knowledge to respond to Complainant's allegation that her supervisor excluded her from activities and meetings relevant to her research?

Yes! Dr. Pantoja has often forced me to do virology work for both the Germplasm Project and the Virus-free Potato Project despite the fact that I am neither a virologist nor assigned to either of those projects; Dr. Robertson specializes in virology and should most certainly have been the primary contact. She is the expert in those areas and forcing me, a specialist in fungal diseases with no virology training, to attempt to function as a virologist damages, devalues, and diminishes both of our careers and research programs.

11. Do you have direct knowledge to respond to Complainant's allegation that on January 15, 2008, research presentations were unfavorably biased by Dr. Pantoja toward all females?

Yes!!! I was there. I witnessed Dr. Pantoja harassing Dr. Robertson during her presentation. Dr. Cynthia Bower and I (the only other female scientists at the time) were also targets of Dr. Pantoja that day. Jeff Schmitt witnessed Dr. Pantoja's abusive and ineffective communication skills and apparently coached him on the matter later that day (as evidenced by Dr. Pantoja's remarks to the SARU group the following day in which he stated that he may have seemed harsh but he was really being our friend).

12. Do you have direct knowledge to respond to Complainant's allegation that she was denied numerous career-building opportunities?

Dr. Robertson (and all the female research scientists at SARU) have been egregiously denied career-building opportunities by Dr. Pantoja:

- No woman was allowed to serve as Acting Research Leader (until all three women filed Formal EEO complaints with the USDA – then a schedule appeared starting in August 2008)

- Only technicians and women scientists were recruited to serve on committees (until the women scientists had included it in enough grievances that a rotation schedule for committee service was instituted that included the men)
- From comments made by Juli Philibert (Secretary), I learned that Dr. Joe Kuhl, the male research scientist in Palmer, was assigned more technicians and other personnel to supervise (thereby artificially increasing his supervisory “score” in the RPE system (despite Dr. Robertson’s seniority and equal need for extra technicians and the promotional advantage extra technicians afford).

13. Have you personally participated in EEO activity? If so, what was your Involvement?

Yes! Every female research scientist in SARU has been telling ARS administrative personnel about Dr. Pantoja’s discrimination against women scientists here in ARS Alaska. Beginning in June 2005 I have sent numerous administrative grievances and other communiqués to ARS management and Human Resources before filing an informal EEO complaint in March 2008. I filed a Formal EEO complaint last in June 2008 and received an acceptance letter on Sept. 27, 2008.

14. Are you aware of Complainant’s prior EEO activity? If so, when and how did you become aware?

All three women research scientists in SARU have filed EEO complaints, so a great deal of information (such as prior EEO activity, policies and procedures, etc.) has been communicated, although I don’t remember specific dates.

15. Do you believe Complainant’s gender or her prior EEO activity to be factors in the way she is treated by Dr. Pantoja?

Absolutely!

If so, why? Be specific and provide examples.

Dr. Pantoja treats women scientists differently than men

- he denies mentoring to the women scientists (guidelines on how to exceed at annual appraisals and RPES, gives women contradictory instructions)
- he excludes women from career-building opportunities (acting RL, invitations to leadership training, invitations to attend OSQR and other meetings)
- he harasses women (excessive scrutiny and punishment, constantly claims we did not follow the rules, females subjected to public humiliation)
- and devalues the work of women (creates special rules that adversely affect women more than men, only female scientists are required to interview technicians by committee, women scientists limited to temporary technical support)
- relative to the male scientists, he excessively scrutinizes the women scientists work.

16. Do you have additional information relevant to this complaint?

I have much more relevant information, however it is very time-consuming and would require at least a month without any other duties. It is also very depressing, and painful to spend more time on this topic right now. However, I am enclosing the EEO Counselor's report from PCS Enterprises, to which you may not have access.