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Adado sexual harassment suit settled for \$120,000

By DANIEL STURM

The sexual harassment suit against former City Councilman Louis Adado has ended in a no-fault, out-of-court settlement. The City of Lansing agreed to pay \$120,000 to a former City Council receptionist, Heather Eman, the alleged victim in the suit. The case was dismissed after the two sides reached a settlement last November. Eman's attorney confirmed that the final portion of the money was paid last week.

"I think the payment, and the amount of it, clearly validated her allegations had some merits," commented her attorney, Richard A. Cascarilla. "Heather is happy with it."

The fallout from the suit, filed by Eman in 2002, caused Adado to resign from City Council. Eman sued for \$125,000.

Because a Michigan employee cannot be sued for sexual harassment if the employer is aware of it, Adado didn't have to pay the settlement fees himself. His employer, in this case the City of Lansing, was liable for the employee's actions according to state law.

Jack Roberts, the city's chief deputy attorney, confirmed a settlement of \$120,000. He said insurance covered \$110,000. The city paid the other \$10,000, which covered a separate workers' compensation claim against the city over health benefits.

Adado first met Eman at the Exchange, a downtown Lansing bar, where she worked as a waitress. He recommended her for the vacant receptionist position in City Council in 1999 and six months later made the motion to approve her as a permanent employee.

Eman says she began to feel harassed by Adado soon after taking the job at City Council. She received both e-mails and postcards with sexual overtones from the Councilman (who had become Council president), according to a private investigation firm's report. For example, one birthday card she received from Adado read, "A birthday fact: According to the Federal Food Association protein is an important part of a complete healthy diet. [and, inside the card] Have you swallowed your protein today?"

In an interview last week, Eman said she knew that Adado had a crush on her, but the attraction had never been mutual. She had always found him "unattractive" and "creepy," in fact. Eman said the Councilman sometimes called

her office phone 30 times a day, in contrast to only several telephone calls per week to other staff. He would frequently inquire with whom she was having lunch, and sometimes even followed her after business hours. Other Council employees confirmed Eman's allegations that Adado inappropriately patted her on the buttocks, circled his arms around her waist and commented on her weight and figure.

Adado also gave her gifts, including 10 pairs of Victoria Secret underwear, which Adado placed in her desk drawer at work. He offered to pay Eman for used underwear, which she gave him. The secretary said she felt pressured to do so because the Councilman indicated that he had the power to either fire her, or give her a pay raise. Asked by special investigators whether he felt these actions were inappropriate, Adado denied comment. He said the receptionist once told him she didn't have many pairs of underwear. Adado also said he couldn't remember ever sending her e-mails that were sexual in nature.

But in March 2002 former Councilman Chris Nicholoff, to whom Eman showed the e-mails, stated to investigators that he was shocked to read e-mails that were "stupid" and "inappropriate."

In one e-mail, Adado threatened that the receptionist would not get a raise until "she gave him one," a statement which constituted sexual harassment, according to the investigative report. The message was categorized as having strong sexual overtones and appeared to meet the quid pro quo definition of sexual harassment.

Eman reported Adado's inappropriate conduct to Tina Gallante, the office manager and supervisor of the Council staff. The investigator's report noted that Gallante's only response was to tell Adado "in a joking manner, to leave Heather alone." Gallante said that she "did not take the matter as seriously as she probably should have" because she did not know what the relationship between the two was. She did not report the matter to the Council vice president, then Larry Meyer, who was responsible for overseeing the Council staff.

One of Adado's first acts as City Council president was to recommend that the Personnel Committee be abolished, arguing that it was an inefficient committee because it only met once a year.

Eman said in an interview last week that she decided to sue Adado when she realized she could not expect her colleagues □ all at-will employees, who could be easily fired □ to take sides for her. City Council didn't have a sexual harassment policy in place and had also just abolished the only independent board that reviewed personnel complaints.

The complete investigative report can be accessed here.

When asked to comment on the settlement, Louis Adado referred questions to his lawyer, George Bruckover.

Bruckover said that the settlement indicates "that my client is satisfied that this allows us to close the book on an unfortunate situation that had an impact on many people." Bruckover said the decision to settle wasn't made by Louis Adado, but by the City of Lansing and its insurance company. Adado's attorney said he doesn't think the settlement validates that Eman's allegations had any merits. Adado would have "welcomed the opportunity to take the issue all the way to court to make sure the facts would be heard."

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