

'Land man' wins 17-year fight against oil giant

Mobil's first female land agent victim of discrimination

By ZOSIA BIELSKI

A woman who spent nearly two decades fighting against discrimination at Mobil Oil has won her case with a ruling in Alberta's highest court that may force change in the way some employers still view women in the province's male-dominated oil fields.

Delorie Walsh, the first female land man hired by Mobil Oil Canada — now ExxonMobil — spent seven years working her way up to a job that many of her male counterparts were getting straight out of school. She would spend the next 17 fighting the company for discrimination, first in 1991 for gender discrimination, and then in 1995 — after the company fired her — for retaliation over the first complaint.

"It was the most thing I've ever endured in my life," said Ms. Walsh, in an interview from Olds, Alta., yesterday. "I think I'm stronger for the experience, but it certainly has taken a toll on me.

"I think that anytime there is a wrong somebody has to take a stand and make it right. I had thought long and hard about it."

But the case has left her weary. Since 1995, she has worked sporadically doing similar work for other companies. Last year, she taught land agency and land administration at Olds College in Alberta.

In a 42-page ruling released on Tuesday, the three-judge panel of the Alberta Court of Appeal decided that Ms. Walsh, now 51, was the target of gender discrimination and retaliation for filing human-rights complaints against her employer, upholding a review released last October by Court of Queen's Bench Justice.

In her judgment, Justice Marina Paperny wrote, "Ms. Walsh's termination from employment came after she had already spent four years seeking redress for the discriminatory treatment to which she was subjected... A complainant of less fortitude may well have abandoned the complaint, not because it lacked merit, but because Mobil had decided to play hard ball in its response to the complaints. That approach is not one that should

the case out over 17 years.

With a B.Sc. in agriculture, Ms. Walsh first inquired about what she now calls her "passion" — the job of land agent, or land man, the person who negotiates contracts between landowners and oil companies — at Canadian Superior in 1984.

The company had never hired a female landman before and she was told early on by her superior that "no damn woman will be a land man in the surface department."

In January, 1991, after seven years of mapping and clerical work, Ms. Walsh finally got the job.

Still, four months later, she filed a gender discrimination complaint, partially because she had been passed over for earlier promotion.

"Despite her ongoing efforts to gain a position in the field and, in spite of her consistently good performance evaluations, Walsh was held back from a field position, where similarly situated men were not," the Alberta court said.

The judges found that Ms. Walsh's pay was unfair also: She was always at the low end of Mobil's compensation grid, even though her performance for most of her career was at the high end.

"Can a woman cut it, those were their words," her lawyer, Shirish Chotalia, said yesterday.

After Ms. Walsh made the complaint, things got worse at work. The appellate court ruled that Ms. Walsh "was subjected to aggressive monitoring of work performance."

In November, 1993, her superior expressed dissatisfaction with her work. In February, 1995, the same day Ms. Walsh had her initial discrimination complaint dismissed, the company fired her. That August, Ms. Walsh filed a second human-rights complaint, this time for retaliation.

Her battle is not yet over: a hearing to determine her damages will not get underway until at least the fall. Ms. Walsh wants equal pay to what a man would have made in her positions from 1989 onwards, as well as lost wages after her termination in 1995.

Ms. Chotalia said she hopes Ms. Walsh's victory will impact women across the industry. "Many more women are doing it now but ... there's still resistance to hiring women in the oil fields," she said.

Exxon Mobil could appeal to the Supreme Court of Canada. Spokesman Pius Rölheiser said the com-

