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Mobil Oil discriminated against first female landman, court rules

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CALGARY- Delorie Walsh, Mobil Oil's first female landman, was the target of gender discrimination, then retaliation, for filing human-rights complaints against her employer, the province's top court has ruled.

In a decision on Alberta's longest outstanding human-rights complaint - first filed in 1991, and again after she was fired in February 1995 - the Alberta Court of Appeal upheld a judicial review last October by Court of Queen's Bench Justice Alan Macleod.

``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 appellate court wrote in its decision released Tuesday.

``The basis of this treatment was the paternalistic attitudes of Walsh's superiors, who were apprehensive and concerned about having a woman in the field. The fact that Walsh was ultimately given a position in the field does not justify the differential treatment based on her gender up to that time."

A landman, or land agent, negotiates contracts between landowners and oil companies.

The court said Walsh suffered discrimination throughout her time with Mobil, now ExxonMobil, because the pay she received 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, or at least above average.

Walsh, who lives in Olds, Alta., could not be reached for comment Tuesday.

Her lawyer, Sharish Chotalia, said she was pleased the court agreed with her on the issue of liability.

``We're pleased they upheld us - unanimously - on the substantive issues of discrimination and retaliation," Chotalia said. ``We think it's an important ruling for Alberta women."

The court, however, said the reviewing judge had erred in attempting to quantify the damages.

Pius Rolheiser, spokesman for the oil company, said he could not comment on the judgment, since it had just been received.

The court of appeal said Walsh, who was working with Canadian Superior when it merged with Mobil in 1986, encountered a number of obstacles in her bid to enter a male-dominated field.