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Hechinger harassment suit to proceed

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WASHINGTON — A Maryland judge has refused to dismiss a sexual harassment case against Hechinger Co. and one of its senior vice presidents.

The decision Tuesday by Prince George's County Circuit Judge Darlene Perry clears the way for a lawsuit to proceed in which a former Hechinger employee alleges that the company's director of store operations, Gary Mercer, physically and verbally harassed her.

The suit, filed in March, comes as the Landover-based seller of home-improvement products struggles with falling earnings, and age and race bias lawsuits by other former employees.

Former employee seeks \$20 million

In the sexual harassment case, Deborah Savote, 36, alleges that Mr. Mercer grabbed her buttocks, pressed his pelvic area against her and made comments about her body.

Ms. Savote, who says she worked for Hechinger for 15 years, also alleges that after she resigned from the company in frustration with the harassment and for other reasons in July 1993, Hechinger exerted influence to force her out of her next job.

Ms. Savote is seeking \$20 million in compensatory and punitive damages, plus costs and attorney

fees, from Mr. Mercer, Hechinger Stores Co. and its parent company, Hechinger Co.

Clark McClelland, Hechinger executive vice president, declined to comment on the case except to say: "We certainly support Gary Mercer, and we certainly trust in the end the justice system will do its thing and we will be vindicated."

Mr. Mercer directed all questions to company lawyers.

Hechinger sells home-improvement products in more than 20 states at 116 Hechinger and Home Quarters Warehouse stores, mostly in the mid-Atlantic region. In addition to facing lawsuits filed by other former employees, at least

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one also naming Mr. Mercer as a defendant, the company is facing declining sales and profits.

For the quarter ended April 29, the company reported net earnings of \$1.2 million, or 3 cents a share, compared with \$4.6 million, or 11 cents, in the same period a year ago. The company's stock has fallen to \$8.50 from the 52-week high of \$15.50 it reached in September.

In her suit, Ms. Savote says she worked at the company's Annapolis store as an assistant store manager

until she resigned after a maternity leave in July 1993. Her job required her to meet with Mr. Mercer when he made store visits.

In June 1994, after she left the company, Ms. Savote says, she ran into Mr. Mercer again on a visit to the Hechinger store in Laurel while she was working as a manufacturing representative for Marketing Services Associates of Annapolis. On this occasion, Mr. Mercer approached her from behind and grabbed her buttocks, Ms. Savote alleges.

Ms. Savote further alleges that she was forced to resign from her job

at Marketing Services Associates because of pressure from Hechinger.

Marketing Services provides manufacturing representatives for wholesalers who maintain products and displays at retail outlets, including Hechinger stores.

The suit alleges that Hechinger pushed for her dismissal because Ms. Savote had filed an affidavit against Hechinger in an age-discrimination suit.

Ms. Savote alleged in the document that capable managers were being terminated by the company because they were over 40.