# Southern Discomfort

Harassed and reviled by her former employer, Sandra Flowers is basking in the sweet smell of justice.

February 1, 2002 By Jeff Hoover

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Baton Rouge, Louisiana, which sits gracefully on the west bank of the Mississippi River, may soon be known as one of the places where the still-teething Americans with Disabilities Act (ADA) came into its own.Passed in 1990, courts have ruled that the ADA's protection against discrimination applies to HIV and AIDS. But that was the furthest thing from transplanted New Yorker Sandra Flowers' mind when she was dismissed from her job as a medical assistant at Southern Regional Physician Services, a doctors' association affiliated with a large Baton Rouge hospital.

Flowers' ordeal began in 1994, when a friend and colleague she had confided in disclosed her HIV status to their human resources manager over drinks, she says. Staffers at Southern Regional proceeded to make Flowers' life a living hell -- eavesdropping on conversations, refusing to shake her hand and ceasing to socialize with her. Although she had a glowing performance review in 1994, a write-up in 1995 cited her "lousy attitude."

After leaving, Flowers says that every time she applied for a new job, Southern Regional officials would deny that she ever worked there,jettisoning her chances. The company also resisted paying its share of her unemployment benefits. "They fought me all the way," Flowers says."They truly believed I would go away quietly."

Fed up and still unemployed, Flowers filed suit in federal court. In December 1998, a local jury ruled in her favor and awarded her$350,000, an amount the trial judge then reduced to $100,000. The U.S.Fifth Circuit Court of Appeals upheld that verdict in March 2001, the first time that a court at that level had, as the decision read, "affirmatively acknowledged that a cause for disability-based harassment exists under the ADA." For employers around the country,Flowers' victory was a wake-up call declaring that people with HIV were entitled to equal protection against bigotry and ignorance in the workplace.

Although her five-year legal odyssey came to an apparently successful end last year, Flowers, who says she's been in debt "up to her ears," has reaped few material benefits. The appeals court, while upholding the earlier court's decision, threw out the money award,stating that there was no "evidence of actual injury" to Flowers. Last November, she and her lawyers filed a civil suit against Southern Regional's much bigger parent company, Our Lady of the Lake Medical Center.

In the meantime, Flowers, who was diagnosed with HIV in 1989, remains upbeat. She has started a new job with a medical billing company, her health is decent and she has been able to achieve her dream of seeing her kids grow up to be young adults she's proud of. "My oldest [Angela, now 21 and a hairdresser in Hawaii] wanted to move for a long time but was afraid to because she thought I was going to die.It took a long time to convince her that nothing's going to happen tome. I told her, 'You've got to live your own life.'" Flowers' other daughter, 18-year-old Michelle, recently joined the Air Force.

Now, Flowers looks back with a sense of vindication on her painful last days at Southern Regional. "My pink slip actually said I was a bitch," she recalls.

Well, as they say, the "bitch" is back.

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