NORTH COUNTRY

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Studio: Warner Brothers ...........................................................Released: 1979
Director: Niki Caro
Genre: Drama......................Audience Rating:R (harsh profanity, sexual situations, violence)
Runtime: 118 minutes

Materials
Leading in the Wildland Fire Service, Wildland Fire Leadership Values and Principles,
Interagency Standards for Fire and Fire Aviation Operations, Class Action (optional), notepads,
writing utensils

Objective
Students will review and understand local sexual harassment policies and discuss leadership
lessons learned from the film North Country with group members or mentors.

Basic Plot
A fictionalized account of events that led to the nation’s first-ever class action lawsuit for sexual
harassment. The film follows the trials and tribulations of Josey Aimes, a woman miner in a
male-dominated profession, and the hostile work environment that women of the mine endured.
Aimes stands up for that she believes in—even if it means she must stand up alone.
Cast of Main Characters

Charlize Theron ............................................................... Josey Aimes
Frances McDormand ............................................................ Glory
Woody Harrelson ............................................................... Bill White
Jeremy Renner .................................................................. Bobby Sharp
Linda Emond ........................................................................ Leslie Conlin
Rusty Schwimmer .............................................................. Big Betty
Michelle Monaghan .......................................................... Sherry
Jillian Armenante ................................................................... Peg
John Aylward ......................................................................... Judge Halsted
Sissy Spacek ........................................................................ Alice Aimes
Richard Jenkins ..................................................................... Hank Aimes
Sean Bean ............................................................................... Kyle
James Cada ........................................................................... Don Pearson
Xander Berkeley ................................................................. Arlen Pavich
Elle Peterson ........................................................................ Karen Aimes
Thomas Curtis ................................................................. Sammy Aimes

Other References

Facilitators are encouraged to review the links below in order to obtain information that may be helpful during group/classroom discussions. Many of the links relate to the actual class action lawsuit.

Class Action – The Landmark Case that Changed Sexual Harassment Law (Clara Bingham and Laura Leedy Gansler) provides an in-depth review of actual events regarding the nation’s first class action sexual harassment case. Facilitators are encouraged to read the book in order to provide a balance between real life and the Hollywood depiction. However, discussions can be done regardless if the book is used.

Lois Jenson’s (portrayed as Josie Aimes) comment regarding North Country after its premiere: “They have made a very good film. It’s a story that compresses 20 years of stuff, and the characters are composites of several of us. But the sexual harassment depicted was true. They captured the emotions very well, and overall I think it’s an incredibly powerful film that will be around a long time.”
Sexual Harassment Websites and Policy Links:

- U.S. 8th Circuit Court of Appeals. LOIS E. JENSON v EVELETH TACONITE CO.
- U.S. Equal Employment Opportunity Commission
- Winter, Catherine and Hemphill, Stephanie. No Place for a Women. American RadioWorks®

Hyperlinks have been included to facilitate the use of the Wildland Fire Leadership Development Program website. Encourage students of leadership to visit the website.

Disclaimer

The film does an excellent job of creating an environment laden with sexual harassment conditions; however, as much as it depicts those conditions, it could offend viewers and address personal issues of the participants. Therefore, facilitators should be sensitive when discussing film content and make participation voluntary.

Stories from the North Country—interviews with the actual class action participants, director, and cast/crew—gives viewers the feel for the movie and fewer sensitive scenes.

Facilitator Notes

“The best this film can do is start a conversation. . . They may even want to say something or do something about it.” (Niki Caro, Director, as heard in Stories from the North Country.)

This lesson plan is specifically designed to motivate conversation regarding duty, respect and integrity—the core values of the Wildland Fire Leadership Development Program. Facilitators should encourage participants to do what is “right” regardless of the rules and regulations that may be associated with particular actions. However, facilitators may wish to discuss their organization’s sexual harassment policy and reporting procedures with participants. Special emphasis should be placed on the fact that sexual harassment is not gender specific.

Facilitators are also encouraged to discuss leadership examples—good and bad—that are portrayed in the film. Students can compare and contrast the leadership qualities of Josey Aimes, Glory, Don Pearson, and the union.

The following steps may be used to facilitate group discussion:

1. Organize a group of individuals who have seen the movie North Country. (Individuals who have read the book Class Action—The Story of Lois Jenson and the Landmark Case
That Changed Sexual Harassment Law may also participate in the discussion. These individuals should be able to provide the perspective of Lois Jenson—portrayed as Josey Aimes in the movie. Special note should be made that the actual court case began October 5, 1984; a settlement was reached December 28, 1998.)

2. Review the local sexual harassment policy with students.

3. Begin the guided discussion (handout and possible comments provided). Have students discuss their findings and how they will apply leadership lessons learned to their role in wildland fire suppression. Facilitate discussion in groups that have difficulty.

4. Wrap up the session. Consider giving a copy of Leading in the Wildland Fire Service to each participant. “This book does not state policy. It cannot provide black-and-white answers to the unlimited volume and variety of situations a leader will face. Instead this book simply outlines the broad concepts of leadership in the wildland fire service—fundamental concepts by which expectations of leaders may be established and performance of leaders may be judged. It is intended to make better leaders of us all.”

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- U.S. Equal Employment Opportunity Commission
Guided Discussion – Possible Answers

1. What is sexual harassment? Is sexual harassment a gender-specific problem?
   - Answers may vary but may include:
     - The Equal Employment Opportunity Commission (EEOC) defines “sexual harassment” as unwelcome sexual advances, request for sexual favors, and other verbal and physical conduct of a sexual nature when:
       1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
       2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
       3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating hostile or sexually offensive work environment. (Title 29 Code of Federal Regulations Part 1604.11 (a).) [Taken from the DOI Office of Civil Rights website at http://www.doi.gov/diversity/8doi_sexualharassment.html]

     - To facilitate the discussion, refer to the U.S. EEOC.

     - Sexual harassment is not gender specific. Males and females alike can be sexually harassed.

2. What unwanted behaviors did the women of the mine witness that may have constituted sexual harassment?
   - Answers will vary (Previously taken from Participant.net):
     - leering
     - discussion of one's partner's sexual inadequacies
     - sexual innuendo comments about women's bodies
     - 'accidentally' brushing sexual parts of the body
     - pressure for dates
     - sexually explicit gestures
     - unwelcome touching and hugging
- sexual sneak attacks (e.g., grabbing breasts or buttocks)
- sexist and insulting graffiti
- inappropriate invitations (e.g., hot tub)
- sexist jokes and cartoons
- hostile put-downs of women
- public humiliation
- hooting, sucking, lip-smacking, & animal noises
- pressing or rubbing up against the victim
- sexual assault
- soliciting sexual services
- stalking
- leaning over, invading a person’s space

3. How do past actions or people’s perceptions about us affect future events? (In other words, does what we do today have a bearing on how we will be judged later?) What events lead you to believe that Josey’s past will affect her future? How do the ladies’ actions outside work affect how they are treated on the job?

- Answers will vary, but discussions may revolve around:
  - Josey and Bobby Sharp have a past.
  - Josey is a young, single mother with two kids by two fathers.
  - Miss Conlin, lawyer for Pearson, leads you believe that Josey is promiscuous.
  - Josey is not forthcoming to Bill White about her past.
  - The women became less inhibited when drinking—somewhat of a dual standard between what happens in and out of the mine.

4. Are there any indications that a job in the mines may not suit Josey or any woman before she hires on at the mine? Why does Josey take a job in the mines? Is this factor worth the struggle that she endures? Are there parallels to wildland fire?

- Indicators:
  - Josey indicates it is weird that Glory drives truck for the mine. (0:10:24 – 0:11:42)
  - Father insinuates that mining is a man’s job. Blames accidents on women drivers. (0:11:42 – 0:12:27)
  - Pre-employment examination far beyond that of the male worker or other professions. (0:12:28 – 0:12:55)
– Mother indicates that taking a job in the mine will shame her father. (0:13:13 – 0:14:48)

– Glory tells Josey, “You know they don’t want us up there. Right?” (0:16:41 - 0:16:46)

• Josey finds the money (six times that of washing hair) a compelling factor in taking a job at the mine. (0:48:34 – 0:49:19)

• Answers will vary.

5. Glory asks Josey, “Okay, now, what are you? Cowboy or a cowgirl.” Josey claims to be a cowgirl, but Glory tells her she cannot be in the mine. Glory tells her, “You gotta get your cowboy on.” (0:16:07 – 0:16:30) Should any woman in a male-dominated profession have to put her “cowboy on” to fit into the culture? (The same goes from men in women-dominated professions.) Have women been accepted into the wildland fire workforce?

• Answers may vary. Encourage participants to speak in generalities and not specifics.

6. Profanity in the workplace is a controversial topic. Some find it inappropriate while others find it a part of culture—as seen in North Country. Is profanity a part of the wildland community? As a leader, how do you deal with profanity in the workplace? What is the relationship between workplace profanity and the Wildland Fire Leadership Values and Principles?

• Answers may vary. Discuss respect for your coworkers.

7. During Josey’s orientation, Arlen Pavich makes a comment regarding women working in the mine as well as a personal comment regarding Josey’s medical examination. He covers up the personal comment by saying, “Sense of humor, ladies. Rule-o numero uno.” (0:16:48 – 0:17:37) Should humor be used as an excuse for poor comments? Explain.

• Humor is not an excuse for poor comments or actions—workplace pranks.

• Regardless of what the Supreme Court said about women in the workplace, Arlen must abide by the rules regarding sexual harassment in the workplace. He should set the example for all to follow. His lack of respect and integrity are found in his statements. Conduct in the workplace applies to men and women alike.

• Facilitators may wish to discuss how workplace pranks can go beyond innocent humor—what is appropriate and what is not.

8. Present examples from the film where the women actually contribute to their workplace problems.

• Answers may vary, but may include:

  – Sherry calls Arlen a “homo.” (0:16:48 – 0:17:37)

  – Enable poor behavior. “At least they spelled it right this time.” (0:22:33 – 0:22:41)
– Betty’s reasoning for why “Little Betty” is no longer at the mine and why she is “Big Betty.” (0:23:55 – 0:24:15)

– The women condone inappropriate item in lunchbox prank by joking themselves. (0:24:21 – 0:24:57)

– Glory makes inappropriate comment during union meeting with regard to what the men will receive if portable toilets are provided for the women. (0:24:57 – 0:25:36)

– Overall lack of team cohesiveness even though the other women know that harassment is happening.

– Women are reluctant to help Josey when Bobby attacks her in the Powder Room (1:12:20 – 1:14:05)

– Glory doesn’t stick up for Josey during union meeting “I’m not saying Josey should’ve gone to management or anything.” (1:14:05 – 1:15:30)

– Peg’s philosophy of “tough.” (1:37:28 – 1:37:40)

9. Discuss the leadership qualities of Josey Aimes, Glory, Arlen Pavich, Donald Pearson, and the union. What values and principles do they promote or violate? Give examples of “good” and “bad” leadership.

  – Answers will vary, but may include:
    – Adhere to professional standard operating procedures.
    – Take care of your subordinate’s needs.
    – Resolve conflicts between individuals on the team.
    – Apply disciplinary measures equally.
    – Observe human behavior as well as fire behavior.
    – Provide early warning to subordinates of tasks they will be responsible for.
    – Know the strengths/weaknesses in your character and skill level.
    – Ask questions of peers and superiors.
    – Actively listen to feedback from subordinates.
    – Accept full responsibility for and correct poor team performance.
    – Credit subordinates for good performance.
    – Share the hazards and hardships with your subordinates.
    – Don’t show discouragement when facing set backs.
    – Choose the difficult right over the easy wrong.
• “Good” Leadership
  – Josey goes to Arlen when Earl sexually harasses Sherry. (0:29:34 – 0:30:34)
  – Josey meets with Pearson to discuss issues that women are experiencing in the mine.
  – Alice checks into hotel to make a statement to Hank.
  – Hank stands up to his miner “brothers.” Tells them Josey has a right to speak. (1:30:16 – 1:36:52)

• “Bad” Leadership
  – Don Pearson offers his insincere assistance to Josey if she has problems (0:27:00 – 0:27:38). He doesn’t respond when she visits him at his office. He tells her he already knows what she is going to say. Twists the meeting into a release from her union contract. (1:01:55 - 1:04:16).
  – Arlen does not lead by example, does not actively listen to feedback from subordinates—dismisses complaints, etc. (There are numerous examples of this within the film.)
  – Glory stands up for only issues that she can win—portable toilets. Wants the women to give up on other issues. “Honey, you gotta get a gator’s skin on if you’re gonna work in this stink hole. Just promise me something, do not go to Arlen with this one. Keep whining and moaning. We’re doing the exact thing they want us to do. Screw that. We can take any crap they dish out, can’t we? I just don’t want them to have any reason to get rid of you, is all.” (0:31:16 – 0:31:49)
  – Josey asks Bill what she can do about things people are saying about her. He talks of slander, but then says, “Best thing you could do is just let it go. (0:53:14 – 0:53:42)
  – The union sides with management when Josey and the women file the class action suit. “The rules are clear. Go around the union, you broke your oath. Period; the end.”Glory doesn’t stick up for Josey during union meeting “I’m not saying Josey should’ve gone to management or anything.” (1:14:05 – 1:15:30)
  – The union president tries to limit Josey when she talks before union members—“I asked if any brothers would like to speak.” He tries to impose a three-minute rule on her even before three minutes have elapsed. (1:30:16 – 1:36:52)

10. Arlen states in court, “Look, men will always walk the line. It’s when they cross over it is when most gals give them a slap on the hand, get them back on their side of that line. That’s how men and women have been handling problems since Adam and Eve.” (0:46:18 – 0:46:38) Discuss this statement in your group.
11. Discussion will vary. This is an excellent topic regarding doing what is “right.” Everyone, regardless of gender, should respect one another regardless of walking the line or having policies that dictate behavior. Discuss how to bring about change in a culture for the positive.

**Other Film Quotes That May Promote Discussion**

- **Bill White to Josey Aimes**
  “Can you get the other women? You know what a class action is? It’s when a bunch of plaintiffs have the same issue. File a claim on behalf of the whole group, the class. It’s tough for the company to argue that you’re lying. You’re all crazy. It’s why you have to get the others.”

- **Bill White during trial:**
  “It’s not just one or two bad guys. It takes a village to do what’s being done here. I’m not saying all of them. But enough of them. In the plant, out in the pit, and even up in the offices all with the foot on the throat of every woman in that mine.”

- **Hank Aimes at the union meeting:**
  “My name is Hank Aimes. And I been a ranger all of my life. But I ain’t never been ashamed of it till now. You know, when we take our wives and daughters to the company BBQ, I don’t ever hear anybody calling them those names like “bitches” and “whores” and worse. I don’t ever see nobody grabbing them by their privates or, you know drawing pictures of them on the bathroom walls doing unspeakables. Unspeakables. So what’s changed? She’s still my daughter. Isn’t she? It’s a heck of a thing watch one of your own get treated that way, you know. You’re all supposed to be my friends. My brothers. Well, right now, I don’t have a friend in this room. Fact, the only one here that I’m not ashamed of is my daughter.”

- **Bill White during trial:**
  “What are you supposed to do when the ones with all the power are hurting those with none? Well, for starters, you stand up. You stand up and tell the truth. You stand up for your friends.”

**Discussion Starters from Other Resources**

**Regarding Actual Events**

- **Reader’s Guide for Class Action: The Story of Lois Jenson and the Landmark Case that Changed Sexual Harassment Law** (Laura Gansler and Clara Bingham)

  In the epilogue, Lois’s friend Kent says, “A lot of good people’s images have been hurt...There were only a select few that treated the women that way but we all go the rap for it.” Do men like Kent deserve any of the blame for what happened? Were there consequences for the few men who tried to intervene?
In “The Verdicts,” Jean Boler says that she thinks the women “would probably have gone through less stress by not speaking out than they did by standing up for what was right.” Do you agree? After the experience with special master Judge McNulty, and faced with a primarily male jury, would you have accepted the settlement or gone to trial?

- **Booknoise interview with Clara Bingham and Laura Gansler**

**Booknoise: What surprised you the most about this case?**

Interview excerpts: “The reaction Lois encountered from the other women. When Lois, Pat Kosmach, and Kathy Anderson first filed their Federal claim, they instantly became pariahs both at work and in their communities.” (Bingham) “The other women at the mine were afraid of the reactions of their co-workers to the suit, so they turned against Lois and circulated a petition in support of the mine.” (Gansler)

**Booknoise: Legally, what did the case change?**

Interview excerpt: “Jenson v. Eveleth set many important precedents. Federal District Judge Richard Kyle's opinion in 1993 establishing the liability of Eveleth Mines for maintaining a hostile work environment sent a clear signal to employers that they could no longer look the other way when their employees were being sexually harassed. . . . But the most important precedent established by Jenson v. Eveleth was also the first: Judge Rosenbaum's 1991 decision certifying the case as a class action. That decision elevated sexual harassment from an individual complaint by one, usually powerless person against another, more powerful one--a complaint that could easily be ignored or swept under the rug--to a significant civil rights issue. By putting the principles of collective bargaining to work in the context of the courtroom, it gave formerly voiceless working women a megaphone with which to demand change, and the leverage with which to achieve it.” (Gansler)

(Refer to the website for the complete responses and additional information)

- **National Women’s History Museum**

**AAUW Chapter and NWHM Honor the Real Women of "North Country"**

BACKGROUND ON THE CLASS ACTION SUIT BROUGHT AGAINST EVELETH MINES (Excerpt provided by Stephanie Carlson of the AAUW Chapter in Hibbing, Minnesota)

“When the women continued to complain many of the men would justify the behavior and call it “teasing” or “just having fun” and they would excuse it by saying it was just part of their culture.”

“The women were caught between management and the union. The women were also a part of the union and it was unacceptable practice to rat on your union brothers, but as they women quickly found out, the union officials were also men and that fact superceded everything, even union loyalties.”

“The women learned to deal with their work environment in their own ways. Some took on the “if you can’t beat ‘em join ‘em” attitude and started dishing it out to the men.”
Class Action (Bingham and Gansler, 2002)

Quotes That May Promote Discussion

- Quotes addressing who was responsible.

  It's your responsibility to tell them to leave you alone and go back to work, the foreman replied. (Mine foreman Chuck Killian's comment to Lois, 17)

  Killian’s attitude—I’m here to work, not to protect you—was typical among the men at the mine, and Lois quickly learned not to expect any help from her superiors when it came to deflecting unwanted attention. (Bingham and Gansler about Killian, 18)

  The men didn’t stick up for the women because it wasn't our responsibility one miner admitted. (Bingham and Gansler conversation with a male miner, 61)

  He thought it [a sexual act] was inappropriate, but never took any steps to find out who had done it, or to prevent it from happening again. He explained that he was a union member, and that it was management’s—not his—responsibility to handle disciplinary problems. (Bingham and Gansler about LeRoy Stish, foreman, 182)

  Ruf explained that he did not think a formal written policy was necessary, because “to me it was common sense.” (Bingham and Gansler about William Ruf, Oglebay’s vice president of industrial relations and personnel, 187)

  Besides, Long noted, “any of the litigants, including Ms. Jenson, could have left the mines at any time, if they had so chosen. To say that they had no option but to remain, for financial reasons or otherwise, is unrealistic. To have felt the way she did about the workplace, one would have expected Ms. Jenson to quit.” (Bingham and Gansler about comment made by Barbara Long, mental health expert retained by Faegre & Benson, defense, 300)

- Quotes with regard to area culture:

  It has been said that women often refused [high] wages of up to $5.00 a day [working in a boardinghouse] because of the crude remarks made to them when they arrived on the train from Duluth. (Historian, 27)

  One hundred boys would line up on either side of the front entrance of the school and make comments about each girl’s looks as we walked into the building. (Female graduate from Hibbing High School, 33)

  The fact that the abuse not only seemed normal to these women, but that some of them appeared to believe that “taking it” was a badge of honor, depressed Boler. “They had to develop a hard exterior, a toughness, to survive,” Boler observed. (Bingham and Gansler, comments from Jean Boler, plaintiffs’attorney, 202)

  Erickson succeeded in showing that the mere presence of a sexual harassment policy does not mean that a workplace will automatically be free of all potentially sexually offensive materials. (Bingham and Gansler in reference to Ray Erickson’s, attorney for the defense, discrediting of an expert witness, 222)
Whatever an employer’s responsibility may be . . . it cannot close its eyes when confronted with incidents of sexual harassment; it has the obligation to determine the scope of the problem and take steps to alleviate it. (Excerpt from Judge Kyle’s opinion, 272)

Long excused the rest of the harassment at the mine as culturally ingrained, and therefore beyond the control of the company or even the male miners themselves. “The culture of the Iron Range is unique. The Iron Range cities consist of about 25,000 people, most of whom are . . . immigrants, whose background reflects traditional, conservative, unusually religion-based sexual role dimorphism. . . . To judge yesterday’s workplace by today’s stricter social standards is unrealistic. (Barbara Long, mental health expert retained by Faegre & Benson, defense, 300)

And McNulty clearly believed that Eveleth Mines should not be penalized for what was the cultural norm in the Iron Range. “We must also bear in mind,” he wrote, “that for generations the iron mining industry on the Iron Range was dominated by males who were products of a culture which is reflected’ in the sexual tensions that gave rise to the lawsuit. A restructuring of the culture, he wrote, could not be expected to happen ‘overnight.” After all, he noted, the Civil Rights Act was only three decades old. (Bingham and Gansler about Judge McNulty, 351)

- With regard to the union:

  By the mid-seventies the oath had become an us-versus-them creed: Anything the company did was bad, anything a union man did was good. The ethic virtually disabled the union from disciplining its own members. (Bingham and Gansler, 41)

  His opinion was that it was not his job to discipline union members; it was his job to “protect them from discipline.” The union, he would later say, “never disciplined anybody.” That dirty work, he said, was up to the company. (Bingham and Gansler about Stan Daniels, union president, 68)

  As devoted as Pat was to the union, she had become disillusioned by its lack of response to the sexual harassment problems that Pat had presented to them. (Bingham and Gansler about Pat Kosmach, 118)

  Naming the union [as a defendant in the class action suit] pushed the union and the company into bed together, when they usually have a very antagonistic relationship. (Bob Klasnya, mine’s administrator of records and benefits, 177)
North Country

Guided Discussion

1. What is sexual harassment? Is sexual harassment a gender-specific problem?

2. What unwanted behaviors did the women of the mine witness that may have constituted sexual harassment?

3. How do past actions or people’s perceptions about us affect future events? (In other words, does what we do today have a bearing on how we will be judged later?) What events lead you to believe that Josey’s past will affect her future? How do the ladies’ actions outside work affect how they are treated on the job?

4. Are there any indications that a job in the mines may not suit Josey or any woman before she hires on at the mine? Why does Josey take a job in the mines? Is this factor worth the struggle that she endures? Are there parallels to wildland fire?

5. Glory asks Josey, “Okay, now, what are you? Cowboy or a cowgirl.” Josey claims to be a cowgirl, but Glory tells her she cannot be in the mine. Glory tells her, “You gotta get your cowboy on.” Should any woman in a male-dominated profession have to put her “cowboy on” to fit into the culture? (The same goes from men in women-dominated professions.) Have women been accepted into the wildland fire workforce?

6. Profanity in the workplace is a controversial topic. Some find it inappropriate while others find it a part of culture—as seen in North Country. Is profanity a part of the wildland community? As a leader, how do you deal with profanity in the workplace? What is the relationship between workplace profanity and the Wildland Fire Leadership Values and Principles?

7. During Josey’s orientation, Arlen Pavich makes a comment regarding women working in the mine as well as a personal comment regarding Josey’s medical examination. He covers up the personal comment by saying, “Sense of humor, ladies. Rule-o numero uno.” Should humor be used as an excuse for poor comments? Explain.

8. Present examples from the film where the women actually contribute to their workplace problems.

9. Discuss the leadership qualities of Josey Aimes, Glory, Arlen Pavich, Donald Pearson, and the union. What values and principles do they promote or violate? Give examples of “good” and “bad” leadership.

10. Arlen states in court, “Look, men will always walk the line. It’s when they cross over it is when most gals give them a slap on the hand, get them back on their side of that line. That’s how men and women have been handling problems since Adam and Eve.” Discuss this statement in your group.