

Exxon lawsuit dismissed

By Austin Kinghorn

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A district judge has tossed out a lawsuit against Baytown Exxon Mobil alleging supervisors and co-workers pressured a former employee to join a "New Age religion."

Judge Jennifer Elrod of the 190th District Court in Houston granted Exxon Mobil's request for a summary judgment on Wednesday, but Foster's attorney, Dana LeJune, said his client would appeal the ruling.

The lawsuit claimed that Cynthia Foster, 46, a lab technician at the BOP plant since 1980 until 2002 when she was fired for performance mistakes, was subjected to "routine, unrelenting coercion" from other co-workers to engage in a spiritual practice known as "Reiki."

Foster claimed she was fired because she would not subscribe to the teachings of Reiki, which is defined on the International Center for Reiki Training Web site as a "technique for stress reduction and relaxation that allows anyone to tap into an unlimited supply of 'life force energy' to improve health and enhance the quality of life."

"When a practice like this was so entrenched in the lab out at BOP that a 23-year employee would end up getting terminated because she didn't want to participate, people just think that couldn't happen," LeJune said.

But LeJune said there "is more than a scintilla of evidence" to support Foster's claims.

An internal investigation by Exxon Mobil earlier this year concluded the charges were without merit.

"Exxon Mobil prohibits any form of discrimination, including that based on religion," said Exxon Mobil spokeswoman Jeanne Miller. "We are pleased the court agreed with the findings of our internal investigation that our policy was not violated and that there was no evidence supporting claims of wrongful termination or retaliation."

According to the lawsuit, in September 1998, Foster's immediate supervisor arranged for Foster to be sent for a "day of pampering" on her birthday that month.

The lawsuit states that when Foster, who is Christian, went to the appointment, she learned that "it was a type of indoctrination for a new age religion."

The complaint alleges that Foster had expressed concerns about the "Reiki group" to Exxon management during an investigation of complaints and that on May 17, 2002, she was fired. The lawsuit alleges that the reasons given for her termination were pretext for discrimination against her for not subscribing to the Reiki "religious teachings."

The judge in the case is a Baytown native. Elrod graduated from Ross S. Sterling High School in 1984.

Elrod was appointed by Gov. Rick Perry to fill an unexpired term on the state's 190th civil district bench in Harris County in 2002.

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