

Dear Mrs. Comber:

This is a complete distortion of facts, started from one mistaken point of view. Thankfully most members of MAPC leave personnel matters to the business staff and the Personnel Committee. I suggest you find more productive things to fill your time.

PLAINTIFF'S EXHIBIT  
28  
9/26/01 ke

Dear Fellow Member of Madison Avenue Presbyterian Church,

There are many volunteer jobs available in the community - Ruth M. Weir

I have been a member of MAPC for about 40 years, and am writing this letter at a time of renewal and change to tell you about two men who have been thrown away by the staff of our Church.

Hiawatha Jefferson, or "Jeff", and Vernon Martin worked under Fred Linstedt, head of Maintenance at MAPC, for 16 and 17 years, respectively. Jeff was fired in May, 1999, for leaving a bucket on the third floor stairway and "endangering the lives of everyone in the building" according to statements made by MAPC administrators. Richard Frey, Anne Bennett and Fred Linstedt are denying Jeff his unemployment because they are saying that he was fired for cause. I found this very hard to believe, so I accompanied Jeff to his hearing at the Department of Labor, at which time Jeff told the judge that indeed he had not left the bucket on the stairs, and he did not see his third warning, which was presented to the judge by Mr. Frey, Ms. Bennett, and Mr. Linstedt on a plain white piece of paper, not MAPC stationery. Despite Jeff's testimony contrary to that of Mr. Frey, Ms. Bennett and Mr. Linstedt, the judge ruled against Jeff, and he remains without any source of income, and no possibility of gainful employment. Fortunately, a former employee of MAPC has come forward with serious allegations of racial discrimination against both Jeff and Vernon, and Jeff has filed a Title VII race discrimination lawsuit against MAPC. He is 62 years of age.

Obviously a former employee who had been dismissed.

Our immediate concern should be the destitution presently being experienced by Vernon. Vernon Martin is a Vietnam veteran, honorably discharged. He was very proud of his job at MAPC... indeed, he was so proud of his job that for the last 5 years that he worked at MAPC he did not take a day off. He was also told by Fred Linstedt to take on the added work of washing the dishes after the Senior Lunch, a job that is in clear violation of his 32B & J Union Contract. But Vernon was too scared to ever say anything was wrong, because he was afraid that Fred Linstedt would fire him. But Vernon did say something about how he was being "set up", after being given 2 warnings in two months just before he was fired. Fred Linstedt and Anne also demanded that he have medical tests done to determine what was wrong with him. No doctor found anything. Vernon had been told that he has arthritis in both feet, so he cannot walk quickly or easily, but he did not know anything about disability benefits from the Union, and did not want to bring up anything with the staff at MAPC because he was afraid of being fired. He was fired on April 20, 1999. He has no Disability coverage, no unemployment insurance payments, and no possibility of employment in the future. He is 52 years of age. He has been living with his brother and sister-in-law in Brooklyn, paying \$10/month for a room. His brother is presently in the hospital dying of cancer.

I, a Christian and caring person, could not allow these men to be thrown away without making every effort to help them. I found Jeff a lawyer, accompanied him to the Department of Labor, and to the Union arbitration meeting to appeal the denial of his unemployment as well as try to get any other income possible. I put some money into a savings account for Vernon, which was set up in his name. He now has his first ATM card!

Will you help Vernon too? He needs any amount of money that you can afford to put into his account. His bank address and account information are:

**Commercial Bank of New York  
1258 Second Avenue  
New York, NY 10021**

**Mr. Vernon Martin  
Account number 0421089505**

If you would like to wire money directly into the account, the routing number is:

**026011507**  
then the account number,  
**0421089505**

Please put Vernon's account number on your check or correspondence, and make the check out to "Mr. Vernon Martin."

If you would like to discuss this matter with me, please call me at 212-794-8902. I am asking that we all consider the needs of these men while we are in the midst of fundraising for a new building. Please help!

Thank you.

Sincerely,

*Betsy Combier*

*UPDATE: Despite Ruth Weir's comments,  
I raised almost \$5000 for Vernon,  
then got all his services restored at  
the Union, Local 32B+J.*

## Response to Betsy Combiar's Letter

We are receiving inquiries from some in the congregation concerning a letter from Betsy Combiar regarding the situation of Mr. Jefferson and Mr. Martin, two members of the custodial staff who were dismissed last year due to job performance issues. In her letter, Ms. Combiar makes a number of erroneous statements about unemployment and disability benefits and the events surrounding the dismissals, which need clarification or correction.

The dismissal of any member of staff is a serious matter and is not taken lightly. As for these two gentlemen, both of whom were members of Local 32B-J, a progressive disciplinary process as outlined in our contract with Local 32B-J was followed under the scrutiny of the labor union and the advisement of both their and our labor attorneys.

Our decision to terminate Mr. Jefferson was subject to the grievance process, as outlined in our contract with the union, and was upheld by the arbitration process of the union. Our decision was also upheld by the administrative review process of the New York State Department of Labor where Mr. Jefferson applied for unemployment benefits. Mr. Jefferson also chose to bring charges of discrimination against MAPC and Mr. Linstedt. We believe these charges are unfounded and have plans to prove so, if necessary, in court.

Mr. Martin's situation is quite different in that we have been concerned about his physical condition for several years. Two years ago, at MAPC's expense, Mr. Martin was examined by physicians at both New York Hospital and the Hospital for Special Surgery, and no conditions were found that would prevent him from doing his job. We also sent him to the union medical clinic, with the same results. Believing him physically able to do the job, and after

several verbal and written warnings, Mr. Martin's continued inability to clean our facilities, including the school classrooms, left us no alternative but to dismiss him.

We learned late last year that Mr. Martin may have a degenerative eye condition, which may have affected his ability to do his job. We do not know why this did not make itself known in his medical examinations. Due to his circumstances, we have not contested his application for unemployment benefits, and to the best of our knowledge, he has been receiving these benefits, as we have been paying the premiums for them. In addition, we have assisted him with his application for disability and pension benefits both with the union and with the church's short-term disability plan. He has also been directed to apply for Supplemental Social Security Income benefits. Unfortunately, I learned last week that Mr. Martin has not returned his application to the union nor has he provided the union pension staff with proof of disability. It is very doubtful that he has followed up with the other insurance programs as well. We have sent him a follow-up letter encouraging him to complete the application processes immediately.

We believe that Ms. Combiar's letter is both misinformed and misleading, and that neither Mr. Jefferson nor Mr. Martin were treated unfairly by the church or its employment practices. Mr. Jefferson's case will be settled in the courts. What Mr. Martin most needs is further encouragement to complete his application for disability, pension, and Social Security benefits. If you would like to discuss this, please call me at the church office at 288-8920.

**Richard Frey, Business Manager**

### UPDATE

#### MADISON AVENUE PRESBYTERIAN CHURCH

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at New York, New York



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BETSY COMBIAR

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#### WORSHIP SERVICES

Sundays at 9:00 am & 11:15 am

*Child Care is provided during the service.*

Time Dated Material