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CBS and Miami station in spotlight, sued for age and gender discrimination in news industry

Gillen's case is just one of many in a banner year for women's rights, and what a week for CBS on the eve of the one-year anniversary marking the Harvey Weinstein bombshell that gave rise to the #MeToo movement.



Gillen at CBS 4 in 2014.

When is it OK to discuss menstruation cycles in the newsroom or boardroom? Never. That's what investigative reporter Michele Gillen implies in an age and gender discrimination lawsuit her attorneys filed

Friday at a federal district court against her former employer Miami's CBS WFOR-TV and its parent network.

Gillen's career spans more than two decades earning accolades for her work at Miami's CBS 4, during which time she garnered 25 regional Emmy Awards and 46 nominations for investigative series that included forays into the underbelly of Miami's human trafficking and prison world. The veteran reporter is one of a handful of women in male-dominated industry who has held sway as a hard news reporter. She was voted *Miami New Times* Best TV Reporter in 2014, and lauded for "the kind of boundary-pushing broadcast journalism that has made Gillen among the most decorated reporters in Miami history."

In the lawsuit, Gillen alleges that Jim DeFede, another reporter at the station, hurled "false and humiliating accusations" at her in a 2014 staff meeting—a witness describes Gillen as being "cannibalized." DeFede also allegedly said that he was done trying to figure out which stories might appeal to "women who are menstruating and watching *Blue Bloods*."

The menstruation anecdote is just one of many detailed in the 22-page complaint that describes an allegedly hostile workplace favoring male or younger female colleagues, and where special projects manager Cari Hernandez allegedly confided in a cameraman: "I can't stand that old bitch." The suit claims that degrading treatment and retaliation became part of Gillen's workday, which included blocked airtime and a punitive work quota that sabotaged her output—all actions that would violate Title VII of the Civil Rights Act of 1964 gender discrimination protections as well as the Age Discrimination in Employment Act of 1967 (ADEA).

As the lawsuit describes:

"From the corporate headquarters in New York to CBS owned and operated station WFOR-TV in Miami, CBS management owned and operated station WFOR-TV in Miami, CBS management and human resources is entrenched in what can generously be described as the 'good ole boys club' culture, which fosters misogyny, places men on a pedestal, elevates and protects men despite bad behavior, emboldens and protects bullies; and, often with the help of bullies, pushes women out who are beyond the age of 40."

According to the lawsuit, the local human resources manager informed Gillen that “we must rely on the man upstairs [God].” Management’s local neglect eventually led Gillen to corporate top. Robin Bona, SVP of human resources in New York, allegedly dismissed the journalist’s complaint by responding: “You can’t complain discrimination, you have a female news director” and that “favoritism is not illegal.”

The lawsuit further alleges that Gillen was “blindsided” in 2016 after taking a two-week approved unpaid family leave to take care of her mother who was ailing from the final stages of Alzheimer’s. During her leave, the station called her in to cover potential breaking news and when she arrived, general manager Adam Levy fired her allegedly as a form of retaliation.

Gillen is seeking a jury trial and demanding reinstatement, as well as recovery of lost wages, damages, and legal fees.

A year after #MeToo

Gillen’s case is just one of many in a banner year for women’s rights, and what a week for CBS on the eve of the one-year anniversary marking the Harvey Weinstein bombshell that gave rise to the #MeToo movement and the Time’s Up Legal Defense Fund—both historic campaigns born out of that scandal, which are now fighting back against harassment in the workplace.

On Monday, CBS CEO Les Moonves stepped down after allegations of sexual impropriety, and on Wednesday, “60 Minutes” executive producer Jeff Fager got fired after sending a text message that threatened the career of a female reporter. Earlier this month, CBS board members set its own investigation in motion to uncover allegations of inappropriate behavior in its workplace culture.

Neither Gillen’s filing nor the CBS internal investigation are directly related to the Legal Defense Fund, but last week’s turmoil are just three shots of many fired at industry giants in the long wake of #MeToo outrage. Since October 2017, many power brokers under scrutiny are out of jobs—NBC’s ousted Tom Brokaw and Matt Lauer come to mind. Miami now shores up its own #MeToo: an award-winning investigative reporter is investigating her own former employer in the embroiled news industry.

WFOR-TV was reached for comment before publication. None yet received.

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