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From the Boston Business Journal:

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Biotech's #MeToo moment: Lawyers say bias, harassment claims on rise

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At least once a week, the phone will ring in the Kendall Square office of Bennett & Belfort. A female biopharma industry employee will be on the other end of the line, asking to speak with a lawyer about pursuing a claim for gender discrimination or sexual harassment.

Todd Bennett, one of the firm's founding partners, says that the calls have picked up in recent months. He attributes the influx to a series of revelations about alleged sexual misconduct by prominent figures in Hollywood and other industries.



GETTY IMAGES (CASARSAGURU)

To date, no Harvey Weinstein-level scandal has rocked the staid biotech sector. But interviews with Bennett and five other lawyers in the Boston area who have handled bias and harassment cases against drugmakers say that such claims remain all too common — even if they rarely come to light.

Most such cases are settled outside of court, with strict confidentiality agreements and no paper trail, these attorneys say. Often, women who may be the victims of discrimination will choose not to pursue legal action because they fear that coming forward will result in retaliation or otherwise harm their careers. The Business Journal [reported this week](#) that Waltham-based Alkermes has been accused in three recent lawsuits of firing women who complained about alleged bias. (The company has denied the allegations.)

Nonetheless, Bennett said, "People are more confident and emboldened to call us. There is still very, very egregious and blatant sexual harassment."

He and the other attorneys declined to discuss specific cases, citing client confidentiality. But they described a few common themes: namely, women being routinely passed over for promotions or raises in favor of men with similar or lesser qualifications, or subjected to inappropriate comments or physical touching in the workplace.

"There is this inaccurate stereotype among leadership, which is predominantly male, that women lack the scientific acumen to either perform the necessary functions of their jobs or to be promoted to a leadership role," Bennett said. "We find it to be obviously inaccurate and discriminatory. Oftentimes, it's a pretext for the failure to promote or hire."

Susanne Bines Hafer, an attorney in Charlestown, said that she has represented pharmaceutical industry employees in discrimination cases. Some of her clients have worked in sales roles that involve heavy travel.

"I have encountered more than a few instances where our clients, it's been suggested to them to use their feminine wiles to close sales," Hafer said.

Large drugmakers typically have more extensive anti-discrimination policies and training programs in place than smaller startups. But Big Pharma likewise suffers from an "old boys' network" that perpetuates the gender gap, which in turn makes discrimination more likely and harder to eliminate, the attorneys said. Consider a recent survey by trade group MassBio, which showed that men hold 76 percent of C-suite positions and 86 percent of board seats at life sciences firms in the state. The disparity exists even though men and women enter the industry in equal numbers, with similar qualifications and career goals, the survey found.

Then there's the thorny issue of confidentiality agreements. Employers and employees may both have their reasons for wanting to keep a settlement under wraps, but secrecy provisions help make it impossible to determine just how pervasive the issue is.

"The public does not have an opportunity to quantify the number of claims," said Kara McLoy, an attorney at Freiburger & Washienko in Boston. "But I'm willing to bet there are a lot more claims out there that the public isn't seeing."

Max Stendahl
Biotech Reporter
Boston Business Journal

