

## Testimony of Pamela Talkin

As Chief of Staff of the Equal Employment Opportunity Commission from 1986 - 1989, I reported directly to then-Chairman Clarence Thomas. We worked very closely, traveled together frequently and spent innumerable hours together, both alone and in the company of employees. In all that time, Judge Thomas never acted with less than the utmost professionalism and courtesy toward me and other women.

It was Judge Thomas' unequivocal, and oft-repeated, policy that sexual harassment, even in its most subtle forms, would not be tolerated. And it was not. If Clarence Thomas was most intolerant of any behavior, it was the very behavior of which he is now being accused.

Without exaggeration, I would say we discussed the issue at least 100 times. Judge Thomas viewed such inappropriate behavior, even if it did not rise to the level of unlawful conduct, as (and I quote) "reprehensible", "despicable", "repugnant", and "disgusting". And these were the more charitable terms he used.

Judge Thomas was adamant in demanding that all female employees be treated with dignity and respect. He was

always scrupulous in his approach to women and his behavior was absolutely above reproach. In the years I worked with and observed him, he invariably conducted all his interactions with women employees in a highly appropriate manner, with never even a hint of impropriety.

As someone who has endured varying degrees of offensive behavior from men in the workplace, I view myself as reasonably alert to such misconduct. It is in this context that I say that I have never known any other man who was as sensitive to and careful about the subtle issues and potential problems arising from relationships between men and women in the workplace. This was a man who had a feminist's understanding of "sexual politics".

Judge Thomas was acutely aware that sexual harassment could occur even where a woman was not imposed upon physically or did not have her livelihood affected or threatened. Before it became the common view, Judge Thomas clearly understood and firmly believed that subjecting women to unwelcome attentions or inappropriate remarks also constituted sexual harassment. Early on, he foresaw and argued that conduct which creates a hostile working environment for women constituted a violation of Title VII of the Civil Rights Act. As we all know, that position was

later adopted by the U.S. Supreme Court in the case of Meritor Savings Bank v. Vinson.

Judge Thomas was rigorous in ensuring high standards of conduct from all male employees of the Agency, particularly those men in supervisory and management positions. I witnessed his outrage and know that he took immediate action when inappropriate conduct occurred. He would not and did not condone even casual, inadvertent, or potential mistreatment of female employees.

Not only were male supervisors or managers forbidden to engage in any unlawful conduct, but Judge Thomas made it clear to them that the inherent imbalance of power between supervisors and employees required that persons in authority not act in any manner that could be even unintentionally coercive or make employees believe, even mistakenly, that their dignity was being compromised or that unfair advantage had been taken of them. To that end, Judge Thomas did not permit even consensual relationships between male supervisors and female subordinates.

Judge Thomas is a man of the highest integrity and character. In my 24 years of public service, over 18 of which have been spent enforcing laws against discrimination

in employment, I have never encountered any other individual who was more committed to the establishment of a work environment free from all forms of discrimination and harassment.

The CHAIRMAN. A very powerful statement, Ms. Talkin.

I apologize for being out of the room while some of you were testifying. I don't believe there are any questions from the panel. Your statements speak for themselves.

Before I dismiss this panel, though, I have an announcement to make, and that is that having spoken with Senator Danforth, and Senator Danforth representing, and that is enough for all of us, that he has spoken with Clarence Thomas—no, has not?

Senator DANFORTH. Mr. Chairman, I have not. If you would like me to call him on this matter, I will—

The CHAIRMAN. I think before I—

Senator DANFORTH [continuing]. But I can absolutely guarantee what the answer will be.

The CHAIRMAN. Well, I think it may be useful to call.

Senator DANFORTH. All right.

The CHAIRMAN. And I think that out of an excess of caution, because this is of such consequence, not that I doubt your judgment on this, but it is—I will withhold. I will excuse the panel, but we will just recess in place for a minute here, and I ask everyone to wait just a minute because I will have an announcement, depending on the phone call, about tomorrow's proceedings that will—today's proceedings. Yes, I am sorry, it is 2 o'clock.

Senator HATCH. You may want to wait, as well. You may just want to wait.

The CHAIRMAN. Well, this 2 o'clock is better than 2 o'clock 2 nights ago. Then I was sitting in a dentist's chair, so it is getting better. At least we are in good company.

Let me suggest once again that Judge Thomas is indeed fortunate to have such friends and supporters as all of you women that are here, and again I thank you, truly thank you, for being here, and particularly at the hour. This is an unusual time to be summoned to the committee—now you weren't summoned—to come to the committee, to testify anywhere in the world, let alone here in this old magnificent room. So thank you all, and you all are dismissed.

Senator THURMOND. If I may say a word?

The CHAIRMAN. I'm sorry. I beg your pardon. Senator Thurmond would like to say a word.

Senator THURMOND. Mr. Chairman.

On behalf of the Republican Senators I wish to commend you for your appearance and for the excellent statements you have made. And because you have made such outstanding statements, we have no questions on this side of the aisle.

The CHAIRMAN. I won't characterize why anybody has no questions, but nonetheless, seriously, thank you all very, very much for being here.

Excuse me. Yes?

Senator METZENBAUM. Mr. Chairman, I just said the Chairman made a valiant effort to justify to the American people why we got a salary increase. We have been here until 2 o'clock.

The CHAIRMAN. No, I learned a long time ago not to attempt to ever justify anything like that, and I am certainly not going to—

Senator SIMPSON. Mr. Chairman, if I may just, not a question, but it is very helpful to hear from women like we have heard over