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Trial Under Way in Race-Bias Class Action Against Iowa

It's rare that lawsuits make it to trial, particularly ones with as much on the line as the race-discrimination class action now being waged in state court in Iowa.

Trial began yesterday in the suit, which was filed in 2007 and claims that the state of Iowa has discriminated against blacks in its hiring and promotion of state employees.

The class consists of as many as 6,000 blacks in the state who have applied for jobs or promotions with the state. Court papers filed late last week by the plaintiffs contend that the case should be worth between \$66 million and \$71 million in paycheck damages alone, the Des Moines Register [reports](#).

In a court brief filed last week, [Thomas Newkirk](#), counsel for the plaintiffs, wrote that the case "isn't about costing the state money. It's about making the changes that help the state save money in the future when changes are made to the system to stop bias from adversely impacting any segment of the workforce."

Iowa has denied wrongdoing, and it also moved to dismiss the case partly on the grounds that the class was too disparate to satisfy the standards laid out by the Supreme Court in its recent [ruling](#) denying class certification in a discrimination case against Wal-Mart.

"Plaintiffs' claim challenges every hiring and employment decision ever made at every executive branch department for every job classification," the state contended in a court brief filed last week. Iowa state court judge Robert Blink declined to dismiss the case.

The Iowa Attorney General's Office declined to comment to the Law Blog.

In his opening argument yesterday, Newkirk claimed that testimony from state officials and a state-commissioned investigation will prove that Iowa failed to enforce state policies designed to prevent racial bias in hiring and promotions.

Deputy Iowa Attorney General Jeffrey Thompson declined to make an opening statement.

