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LEGAL AFFAIRS

Cleared Of Murder But Out Of A Job

DaimlerChrysler fired Sharon Spangler while she was in jail. Now she's suing

It was the Fall of 2002, and Sharon Spangler was thriving professionally: At age 44, after two decades at what is now DaimlerChrysler ([DCX](#)), she was earning \$110,000 a year as an engineering supervisor for the Jeep brand. No one at work, or anywhere else, knew that her troubled marriage had turned violent. Then on Nov. 20, a week into a medical leave, she killed her husband and was charged with premeditated murder. While she was sitting in the Lapeer County jail in Michigan, Daimler fired her for a bureaucratic infraction: failing to show up for an evaluation required to continue her leave of absence. In March, 2004, a jury deliberated for five hours and acquitted Spangler of all charges, deciding she had acted in self-defense. Now she is suing to get her job back.

Although Spangler's suit is unusual, it raises an important question about a company's responsibilities to its employees. Should a business accommodate workers who are unable to adhere to its policies because of their difficult personal circumstances?

Sharon Sewell met Steve Spangler when they both worked at a Dodge truck assembly plant near Detroit in 1983. Sharon had graduated from college, the first one in her family to do so, with a degree in chemical engineering and was hired as a paint-quality engineer on the night shift. The plants were pretty rough places in those days; hers was known as Dodge City. "I was the supervisor," she recalls. "I had the clipboard and the authority, but I didn't know what to do with it. I was terrified."

Members of the "zoo crew," as the workers were known, tried to intimidate their soft-spoken new boss. Steve, charming, funny, mischievous, and a factory rat since high school, came to her defense. Her nickname was "Debutante"; he was "Fuzzy." In 1988 they were married.

Steve took a buyout from Chrysler two years later and eventually got into the real estate business in Dryden, a small town 45 miles north of Detroit. They built a big house on 10 acres. Dryden is a hunting community, so Sharon learned to use a gun, and she and Steve practiced shooting clay pigeons on property that had been in his family for generations.

Their hope of having children was crushed when Sharon had to have a hysterectomy in 1999. She says she had put off starting a family: She was working longer hours as her managerial responsibilities increased, and there was always the promise of another promotion. In 1995 she had become a supervisor at Jeep Engineering, with a staff of up to a dozen. And in 2000 she worked as a Jeep Renegade program supervisor.

STRESSED OUT

Steve wasn't doing as well. He had earned his Realtor's license, and his picture was on "For Sale" signs all over town. But he experienced financial difficulties with his own development projects. He often burst into anger, berating Sharon, only to apologize later and blame the stress of his business. In 2002, as Steve approached 50, he began taking steroids and diet pills. In a matter of months, his waist went from 40 inches to 32. He slept little and always seemed agitated. "Then Fuzzy started shaving off all the hair on his body," she says. Sharon was first perplexed,

then, as the months passed, increasingly distressed by her husband's violence. "A wonderful person was becoming a stranger," she adds. She confided in no one about the fights that turned ugly and twice left her with serious injuries.

As her relationship with Steve deteriorated, she worked more, sometimes staying away for weeks. "Chrysler was good to me," she says. "They never told me to go home. They never asked why I needed a hotel room."

MENTAL COLLAPSE

At Daimler, Sharon was relieved to be consumed by the demands of the Jeep Renegade launch. But it was only a few months later that her descent began. When a favorite nephew committed suicide, she became distraught. Steve became more aggressive, and she had what she calls a mental collapse. Sharon requested a medical leave from Daimler so she could enter a day-treatment program for depression. A few days later, on Nov. 19, she met with a lawyer to begin divorce proceedings and called Steve, who had moved out, to inform him.

The next morning, as she was blow-drying her hair, her two dogs began barking and she heard someone climbing the stairs. She turned around to see Steve standing in the bedroom. Their encounter quickly turned violent. According to Sharon, he grabbed her wrists, stomped on her foot, beat her on the head and neck, and threatened to kill her with a gun he had taken from the nightstand by her bed. After a furious struggle, Sharon says she got hold of the pistol and shot Steve once, fatally, in the side. In the hours before he died, Steve told police that Sharon had lured him to the house and then ambushed him. The next day she was charged with murder.

In early January, about six weeks into Spangler's imprisonment, Daimler fired her. Yet its stated reason for doing so is somewhat surprising. Companies are generally free to terminate incarcerated workers for the simple reason that they are unable to show up for their jobs: The presumption of innocence that exists in the judicial system doesn't apply in the workplace. And any employer would have reasonable grounds for keeping someone charged with a violent crime off its premises. But Daimler told Spangler, who would remain in jail a further seven months, that she was being let go because she had missed a company-arranged medical evaluation in December. A spokesperson for Daimler, Michael Palese, says that Spangler faced "the same consequence other employees would have."

Spangler's lawyer, Jennifer B. Salvatore in Ann Arbor, maintains that Daimler officials were informed shortly after her arrest of the abuse, and says Daimler fired Spangler because it "didn't want to deal with the messiness of a public victim of domestic violence."

Such emotionally fraught cases can put employers in a bind. "A company could say: 'We know we can fire her, but we don't want to. We are making an exception because she was victimized,'" says Jonathan A. Segal, an employment lawyer in Philadelphia who represents businesses. "But it gets complicated. The exceptions an employer wants to make for compassionate reasons can come back to bite them when others with less mitigating circumstances ask for the same consideration."

Several attorneys suggest that, while the law may not require it, Daimler might have waited to make a final decision about Spangler's employment until after the verdict -- putting her on unpaid leave, for example. "The more patience you have to let the facts shake out, the better off you are," says Karl Lindegren, who represents companies in labor disputes. And usually, lawyers say, a company should try to find a place for a worker who has been found not guilty.

When, in July, 2003, the court released her on bond with permission to work, Spangler says she asked her former supervisor, Vern Schmidt, about coming back. She recalls his telling her to focus on the upcoming criminal trial. She called again after her acquittal. At that point, Schmidt was told by Daimler's human resources department that Spangler should contact the automaker's lawyers.

Palese says Daimler didn't rehire Spangler in the spring of 2004 because her "position was eliminated, along with thousands of others, as a result of DaimlerChrysler's downsizing." He adds that "at a time when thousands of auto workers were losing their jobs, it would have been unreasonable to expect any company to hold a job open for a year and a half." Yet Schmidt would testify in a deposition in May that he had hired engineers, though not managers, between March, 2004, and December, 2005, when he retired. He also said that he would have rehired Spangler if given the chance.

Spangler filed her wrongful termination suit against Daimler in state court in Wayne County in December, 2005, claiming gender discrimination. Some male employees, she alleges, have been granted leniency in comparable situations. She is also making the novel argument that her dismissal violates a Michigan law that protects the rights of crime victims. Daimler has since gotten the case moved to Oakland County, a more affluent and conservative community. A trial is scheduled for June, 2007. Since her acquittal, Spangler has been volunteering at a shelter for abused women and looking for a paying job. She says she remains eager to return to DaimlerChrysler: "I think there's still something I can do for the company."

By Susan Berfield

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