

MN Supreme Court rules in DL case

By Nathan Bowe we@dinewspapers.com

noowe@dinewspapers.com
An employee experiences back
problems and is no longer able to do
the job they were hired to do in a safe
manner. Does an employer always
have to find ways to accommodate
them?

Turns out, not necessarily. The Minnesota Suprem

Turns out, not necessarily.

The Minnesota Supreme Court has ruled that an interactive process between an employer and an employer seeking accommodation for a disability is not required by the Minnesota Human Rights Act.

The case stems from a long legal battle between Team Industries, which has engineering and manufacturing plants in Detroit Lakes, Audubon, Park Rapids and other cities, and Thaleaha McBee of Frazee, who worked as a machine operator at the Detroit Lakes plant.

the Detroit Lakes plant.
She sued Team in Becker County
District Court, alleging violations of
the state's Human Rights Act and

workers' compensation act.
The job required her to be able to operate, maintain and repair heavy machinery, move heavy metal parts, and lift objects weighing 30 pounds

and lift objects weighing 30 pounds or more.

In February 2015, McBee sought medical attention for severe pain in her hands, back and neck, including numbness in her hands and arms.

In March 2015, McBee's doctor gave her a 10-pound lifting restriction due to disc narrowing, a bulged disk and bone spurs in her vertebrae. She was

warned that she could face serious injury, even paralysis, if she further damaged her back. On March 10, 2015, McBee informed her supervisors at Team of her lift-ing restriction, who then instruced her to discuss the restriction with human resources. McBee's super-visors placed her on a machine that visors placed her on a machine that produced parts weighing less than 10 pounds, and she finished her shift. The next day, McBee met with human resources to discuss possible

numan resources to discuss possible accommodations. None were found: Team terminated McBee on March 12, 2015, due to concerns relating to her medical restriction. The district court granted Team's

motion for summary judgment, essentially dismissing the case, and an appeals court upheld that deci-

an appeals court upheld that decision.

The State Supreme Court, however, said the district court erred in granting summary judgment, stating that "a factual dispute precludes summary judgment on an employee's accommodation claim (and) a factual dispute precludes summary judgment on an employer's serious threat defense."

So while the Supreme Court upheld the appeals court ruling that a company does not have to engage in an interactive process to keep an injured worker employed, it said that summary judgment should not have been granted, and remanded that portion of the case back to district court for trial.

'A BIG

"I used and I used and I used. Didn't matter what it was. I hid. and I ran ... My wife and kids were afraid of me... I wasn't a

JOE JOHNSON

visceral anger."

He was told by one of his foster mothers that "no one should was their time" on him, that he was "worthless." And those words, he says, "took a light out of me."

"worthless." And those worten, insays, "took a light out of me."
"That was a big demon," he says.
"There was a hole inside of me after
that. I felt this worthlessness inside
of me, and that's not who I was, but
it's what I believed. When you get
told hurfful things as a child, it can
destroy your life."
The only place where Joe
consistently felt safe was in his

The only place where Joe consistently felt safe was in his therapist's office, which he visited regularly throughout his childhood and adolescence. He was diagnosed with manic bipolar disorder, which causes extreme shifts in mood and energy level. He'd be "up for a few days," he says, "and then down in the abyss for weeks."

JOHNSON: Page A7



Johnson, third from right, joined Goodwill-Easter Seals staff at the Minneso Capitol in 2017 to speak to the House and Senate jobs committees on behalf the FATHER Project. They are pictured here with Sen. Mark Koran, fourth fro right.

Go fast or fall spectacularly | Detroit Mountain's Pond Skim makes a splash Sunday



By Kaysey Price

The rules at the Detroit Mountain's annual Pond Skim event are pretty sim-ple: Go fast or fall spec-tacularly. Either way, the hundreds of onlookers who gather around to watch are ntertained. The Pond Skim is the

The Pond Skim is the Mountain's annual season-ending event, which they put on each year. This year, the weather fared well, and snowboarders and skiers did their best to make it a splash.

Joe Jaszowiak, of West

their best to make it a splash. Joe Jaszowiak, of West Fargo, has participated in the Skim three years, now. This year, he dressed in a dinosaur onesie. Though he didn't quite make it across the pond this time around, he says that's not necessari-

Over and over again as a child

If you fall over, make it a spectacular, bia splash. JOE JASZOWIAK, West Fargo participa

ly the goal. "If you fall over, make it a spectacular, big splash," a spect he said.

he said.

Everyone who signs up for
the Pond Skim gets their
few minutes of fame, testing
their balance and skipping
skills on the few-feet deep
pool at the base of one of pool at the base of one of the mountain's steep slopes. They only get one shot, so they do their best to make it across or make it a wipe out worth remembering.

Many dress in ridiculous costumes to catch attention, whether they fly across or fail. Those who brave the pond and make it across win a season pass to the Moun-

tain.

People of all ages tested their luck, and many struggled to actually work up the speed to make it across the pond. Detroit Lakes local, pond. Detroit Lakes local, Lief Erickson, who usually ends the event with a splash decided to slide down the hill in a Batmobile sled this year, though he didn't quite make it to the end of the slope before losing all speed and skidding out, missing the pond altogether. Hundreds of onlookers

indreds of onlookers ered around the edges

POND SKIM: Page A8

A snowboarder easily skims across the pond

On the stage

Spring play gets ready to 'shine' at DL High School



Season preview

DLsoftball aiming for program history this year













SATURDAY

JOHNSON

From Page A1

He was in a lot of pain, a lot of the time. To try and escape that pain, he turned to whatever mind-altering chemicals he could get his hands on. He was just a kid when the substance abuse began. Drugs, alcohol, household arconor, nousenord products... whatever was within reach that could get him high, he'd find it and use it.

and use it.

"It's easier for me
to say, 'What didn't I
struggle with?' than
'What did I (struggle
with)?' he says. "If it
could be abused, I abused
it. It didn't matter what it was. If it got me out of my mindset...at least I didn't have to deal with

it was. It it got me out of my mindset...at least I didn't have to deal with the demons." Joe thought things might be different once he turned 18 and got out of the foster care system, but instead, his addictions got worse.

"I likened my childhood to 18 years of incarceration, and now the cuffs were removed," he explains. "But there was no program for me to learn to live as an adult... to cope with the sudden responsibility... So then it was harder drugs and alcohol...crank, coke, meth...if I could get high, I did it, full throttle."

There were some bad

There were some bad years when the bills years when the bills didn't always get paid. When he would sink his money into drugs while at home the power was getting shut off. There getting shut off. There was always tension around the house then, and he became "a yeller" around his wife and kids. There were also some better years, when he managed to hold down good jobs and the collection letters stopped. But even then there was always some substance abuse going on.

Joe says he was a "master manipulator," and he hid his addictions very well. If he did get caught, he'd lie and make false promises to never do it again.

false promi do it again.

'We run and we

run and we run' For awhile in his early adulthood, Joe's life looked pretty traditional. He married his high school sweetheart and they settled down, bought a house His fath ouse and had two kids. His father-in-law "saw potential in me that I didn't know existed," he

says, and thanks to the unconditional love and support of that man — the first positive male role model Joe had ever known — he discovered religion, and got closer to sobriety than he had ever

been.

He stopped using hard drugs and started behaving in less destructive ways in general, and yet, "I never really ever was fully clean," he admiss. "It was a rough road." "Every time I thought I'd get a hold of my bills, get a better job, get myself together, I remembered when that woman called me 'a worthless piece of ----, and that was an excuse to keep using, because I didn't want to face any of that stuff." Always, always, he was running from his pain. "Anyone who's struggling from addiction knows, there's something we're running from," loe says. "And we run and there's no finish line... I was afraid of that of the thought in hough, eventually. In 2008, loe's brother, the person he had adored and felt personally responsible for since his youth, died at the age of 29. The loss threw Joe into a pit of despair. "I went through hell the following eyar." he

"I went through nell the following year," he says. "That up and down manic, it just stayed down. I was living in the shadows of my brothers' death. I was consumed by

death. I was consumageny."
For five months, he hid out in his garage every day, isolating himself from everyone, screaming and breaking things and taking whatever drugs he could scrounge up.

whatever drugs he could scrounge up.
"I used and I used and I used," he says. "Didn't matter what it was. I hid, and I ran... My wife and kids were afraid of me. I never abused them physically, but emotionally, verbally... I wasn't a good man." Over the next six months, Joe lost his job, the house, and nearly his marriage. The one

his marriage. The one year anniversary of his brother's death passed, and he continued to use "way, way too many stimulants."

stimulants."
Then, while laying in bed one day, Joe says,
"my world shifted."
He felt his heart racing,

n't catch

LOWER

Detroit Lakes

000 for flowers and Holiday Planters in 2018. Most contributed \$500, n more! If you have been LOVING WHAT YOU SEE and you have never bee asked to make a donation, you can join in and make a difference.

Your help will keep this project growing and allow us to do even more great things, making DL the coolest town ever!

his breath. He knew right away what was happening — his heart was failing; the result of prolonged drug abuse.

"I had been using too many stimulants, for too long," he explains. "I felt like the Grim Reaper had his hands around my

In that moment, he oked up toward the In that moment, he looked up toward the sky and cried out for God, and his brother. He begged for his life, for another chance to a better, to be better. He didn't want to die.

'My awakening

Lying on a hospital bed a short time later, Joe had a profound experience that to this special a pronound experience that to this day he can't really explain. A voice spoke to him, he says. It told him he had two choices — to continue on the destructive path he was on, which could only lead to death, or choose a new, productive path, one that was already laid out in front of him. Joe says he was unable to hear anything else as that voice spoke. The beeping machines in his room, the nurses busily walking and talking in the hallway ... everything went completely silent, except that mysterious

except that mysterious voice. And his ears were scorching, like som was sticking a "hot poker" in them.

was sticking a "hot poker" in them. "It scared the hell out of me," he admits. "That was my awakening." He started making

some major life chang after that. He cleaned after that. He cleaned himself up, started shaving and dressing nicely again, and got a good job. He and his wife started rebuilding their relationship, and they found a new home to make a fresh start in. Most crucially, he committed to dealing with his pain — without drugs.

with his pain — without drugs.
"I stopped running and turned to face the demons, and you know what I saw? Me, in what I saw? Me, in the mirror," he says. "All this time, I'd been running from myself. I just had to face that. It was hard. It wasn't my wife. It wasn't my kids. It wasn't that woman that told me that (I was worthless). It was me. Within me laid the secret, the tool, the key to change. I had to say, 'Hey man, I love you, and I forgive you. And we're gonna do this now, every day. Every single day.' ... It's the greatest decision It wasn't that woman

PLACE

I've ever made, other than becoming a husband and father."

Joe has been sober for 10 years now, and has found his calling as a mentor and role model to other men who are to otner men wno are struggling with their own demons. It turned out that there was, indeed, a second path laid out before him, just as that mysterious voice had said.

'Hope dealer

Today, Joe is the leader of the local FATHER of the local FATHER Project, a program of CHI St. Joseph's Health in Park Rapids. Launched in 2011, the program teaches healthy parenting skills to fathers in Hubbard, Becker and Cass counties, while also helping them overcome barriers — such as addictions — that have prevented them from

as addictions — that have prevented them from providing emotional and financial support for their kids. Hundreds of local fathers have gone through the program, and have become better parents, and citizens, because of it. Joe has been with the FATHER Project since its inception, and it's grown and evolved under his leadership. He's developed it into a nationally recognized model for family service programs in rural areas, and in 2017, he received the national Outstanding Professional of the Year award in recognition of his work with the program.

or ms work with the program. Joe says the biggest thing he does in his role is "exchange life." is "exchange life stories" with the other fathers. He prioritizes compass and kindness in his

Land Surveying

- Commercial Development
- ction Staking
- ALTA/ACSM

· Licensed in MN/ND/SD



interactions with people, and has a natural talent and has a natural talent for remembering little details about everybody he meets. He's learned how to love himself unconditionally, he says, and that's given him the ability to love others in the same way.

"I love everybody I work with, everybody I talk to," he says. "I don't discriminate in who I love. I don't hide it. I let them all know that.

we. I don't hide it. I let them all know that they're valuable... If you truly live to help people, they will not forget that. These guys know that I don't condemn."

His goal is to help uide fathers to beco guide fathers to become
"great," so they'll
"break the chain" of
generational childhood
trauma.

Joe feels like he's doing

exactly what he was meant to do, and that he wouldn't be where he wouldn't be where he is today if it weren't for "being burnt by the flames of addiction, of pain, of death." Though he's not prou of everything he's done in the past, he says he is proud of the man

nd father he is today. and he's able to look at his kids and feel happy and confident that "the chains are broken' within his own family. Unlike he was at their age, his kids are not headed down a path of self-destruction. Instead, he says, they "reflect

be says, they "reflect goodness and joy." Physically, Joe will forever bear the scars of his years of substance abuse, in the form of chronic health problem ranging from intestinal ulcers to sleeplessness. But emotionally, he's made peace with his past and said "so long" to his harmful habits.

harmful habits.

He has no desire to return to his old addictions, he says, at they've been complete replaced by one big naddiction — hope.

"I'm still an addict now, but here's the deal: I'm addicted to dealing hope," he jok "I'm a hope dealer. I deal in large and smal quantities ... I also de hugs."



www.budgetblinds.com 218-844-7052



210 Front Street West Detroit Lakes, Minnesota 56501

Telephone No. 218-846-2595 Facsimile No. 218-844-2596 Home: 218-844-5575 • Email: timdmn@yaho



218-850-9944

69¢



APRIL 5, 2019





PEPSI, COKE & DR PEPPER 12 PKS





ALL FOUNTAIN & KC FREEZE



SAVE ON GAS

25¢ OFF PER GALLON with the purchase of any large pizza.

Not valid on free pizza offers.

Offer distributed through 04/11/19. Offer expires 05/02/19



DETROIT LAKES, MN 1306 US 10 **218-847-6633**

Please donate what you can by mailing your check to Downtown Alive, 901 Washington Avenue, Detroit Lakes, MN 56501 Contact Patty LaBarre pattylabarre@hotmail.com • 218.841.4854

The city of Detroit Lakes, 65 businesses, organizations and individuals do

\$25,000 for flo

ADDRESS