

Management Inquiry

Investigation with: [REDACTED]

Date/Time: April 20, 2011

In attendance (name/title): [REDACTED]

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➤ **Read the following statements and record the employee's, representatives, and other participants' response(s):**

Human Resource Policy Manual (HRPM) ER-4.1, Standards of Conduct states, "It is the duty and requirement of every employee to give, orally and/or in writing as directed, to any supervisor or DOT official conducting an investigation, inquiry, or hearing in the interest of the agency, **complete and truthful** information and testimony pertaining to all matters in which queried." Additionally, failure to cooperate in an investigation itself is grounds for disciplinary action, as is giving false testimony.

General Questions

1. On 1/5/2011, did you sign MBI P10278 (electronic device briefing—see attached)?

Response:

Yes

2. What was the topic of MBI P10278?

Response:

It was unauthorized electronic devices and such need to be turned off prior to entering the control room.

3. Is it true that your signature is a statement of your understanding of the briefing?

Response:

YES

Spatial Relations Questions

4. Were you assigned a midnight shift on the morning of 4/17/2011?

Response:

NO – I worked at day shift 7:00am-3:00pm.

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5. Were you assigned to be Operations Manager on 4/17/11?

Response:

YES on the day shift - 7AM TO 3 PM

6. What are your responsibilities while working as Operations Manager?

Response:

OVERALL MANAGING THE OPERATION - WX briefings and also working on MID Term Performance ratings.

7. Where is your office located in the facility?

Response:

AT THE OMIC DESK

8. How far your office from where [REDACTED] that evening?

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Response:

N/A

9. Where is your office located in relation to the other areas which were under your supervision on 4/17/11

Response:

N/A

10. How often do you leave your office during your shift?

Response:

DIFFERS - I DO THE WEATHER BRIEFING, POLL ALL THE AREAS ON THE PROJECT I WAS WORKING ON FOR THE XO. SCHEDULE SUP, SOMETIMES FIVE PEOPLE AT THE SAME TIME DEALING WITH 3 OR 4 ODEP ALERTS.

Reaction to [REDACTED] Information Questions

11. Explain what the Front Line Manager [REDACTED] told you the morning of 04/17/2011 during the relief briefing, and anything about the midnight DVD incident

Response:

A NORMAL WATCH DESK RELIEF BRIEFING WHICH WAS RECORDED AND NOTHING ABOUT THE DVD INCIDENT WAS STATED.

[REDACTED] TOLD ME ABOUT THE DVD INCIDENT LATER.

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12. When did the Position relief briefing occur?

Response:

SOMETIME BETWEEN 7 AND 7:30 AM

13. Who was present?

Response:

[REDACTED] and myself

14. What did you say?

Response:

I ACKNOWLEDGED THE POSITION RELIEF BRIEFING

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15. Was the Position relief briefing recorded?

Response:

YES, HOWEVER THERE WAS NOTHING ABOUT THE DVD INCIDENT DURING THE RELIEF BRIEFING.

16. In your written statement (hand him written statement) at the beginning of paragraph 4 you start with "I" who are you referring to?

Response:

[REDACTED] THE "I" IN ALL THREE SENTENCES IS [REDACTED]

17. Did you have [REDACTED] write a statement prior to him leaving the morning of April 17, 2011? If no, why not?

Response:

I DID NOT. BECAUSE I ASKED HIM WHAT ELSE HE HAD DONE WHICH WAS AN ON THE SPOT CORRECTION AND [REDACTED] LET [REDACTED] (FLM) KNOW WHAT WAS GOING ON.

18. Did the FLM, [REDACTED] make you aware that he had completed a walk through of the area prior to the event?

Response:

YES IN FACT HE SAID I JUST DID A WALK THROUGH A FEW MINUTES OR SHORT TIME BEFORE THAT (BEING THE EVENT) AND NO ONE WAS USING ANYTHING

19. Did he tell you about any observations? What were they?

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Response:

[REDACTED] SAID SOME HOW HE HAD A CONVERSATION WITH AREA 4 CONTROLLERS ON HIS WAY BACK, HOWEVER I DON'T RECALL HIM SAYING ANYTHING OR ANY KIND OF INDICATION THAT THIS WAS GOING IN ANY OTHER AREA.

20. Did [REDACTED] mention or did you ask him if the DVD player was on or off when he told you he observed a DVD player?

Response:

I ASKED HIM, HE SAID THEY HAD A DVD PLAYER OR SOMETHING AND SMILED AT ME AND I SAID "A DVD PLAYER?" AND HE SAID OR SOMETHING, AND [REDACTED] TOOK CARE OF IT AND TOLD THEM TO KNOCK IT OFF.

21. Did [REDACTED] state he saw them watching a movie when he saw the DVD player?

Response:

WE DIDN'T TALK ABOUT THAT AND THAT HE SAW SOMETHING AND TOLD THEM TO KNOCK IT OFF.

22. Did you ask the SOC what they meant when one of them said "You mean the Blazing Saddle incident."

Response:

I CERTAINLY DID. I SAID WHAT DO YOU MEAN AND HE SAID SOMETHING TO THE FACT OF A MOVIE ON FREQUENCY. FOLLOWING THAT CONVERSATION I WENT RIGHT DOWN AND TALKED TO MR. LILLY (AREA 5 DAYSHIFT FLM)

23. When did you ask the SOC about this incident?

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Response:

AS CLOSE TO RIGHT AROUND NOON. I TOOK A SHORT BREAK AND THEN ASKED THE SOC AROUND OR JUST AFTER NOON. I ASKED THEM IF THEY HAD ANY THING IN THEIR LOG ABOUT FREQUENCY INTERFERENCE.

24. What did the SOC say?

Response:

ONE SOC SAID NO, NOTHING IN THE LOGS, AND THE OTHER SOC GUY SAID "YOU MEAN THE BLAZING SADDLE INCIDENT."

25. Who else did you talk to?

Response:

I TALKED TO (b) (6) (FLM), AREA 5, THAT'S WHEN I SAID TELL ME ABOUT WHAT IS GOING ON. TOLD ME THERE IS A LOT OF ENERGY IN THE AREA AND MIGHT BE MORE SERIOUS THAN WHAT WE WERE LEAD TO BELIEVE.

26. Did anyone say any thing relevant?

Response:

[REDACTED]

27. When did you realize that controllers were watching videos?

Response:

AROUND 7:50AM, WHEN [REDACTED] TOLD ME THAT HE DEALT WITH AN ISSUE ON THE MIDNIGHT I WASN'T FOR SURE, BUT IF THEY HAD A DVD PLAYER ON I FIGURED THAT WAS WHAT IT WAS. I THOUGHT THIS WAS AN ISOLATED INCIDENT AND DEALT WITH BY THE FLM WITH AND FOLLOWED WITH AN "ON THE SPOT CORRECTION". THIS IS WHAT I WAS LED TO BELIEVE FROM TALKING WITH DUANE.

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28. Did you know before this incident, that controllers watched videos during overnight shifts?

Response:

NO, THIS IS A PROHIBITED PRACTICE, FOR AT LEAST FOUR OR FIVE YEARS.

29. What was your reaction when you noticed the controllers were watching movies?

Response:

I DIDN'T KNOW THIS UNTIL IT WAS BROUGHT TO MY ATTENTION AFTER THE FACT BY LISTENING TO THE AUDIO TAPES AND THAT WAS AROUND 1:15 PM.

30. Around what time did you notice the controllers were watching movies?

Response:
N/A

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31. Did you order the controller(s) to turn the movie off?

Response:
N/A

32. Did you order the controller(s) to put their electronic devices away?

Response:
N/A

33. Did you order the controller(s) to mute the movie?

Response:

N/A

34. Specifically, what did you say to the controllers about watching movies while on position?

Response:

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N/A

35. Did you notice any abnormal equipment issues that evening?

Response:

N/A

Controllers Sleeping Questions

36. Did you notice any controllers sleeping on duty during this time?

Response:

N/A

37. If controllers were sleeping, who were they?

Response:

N/A

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38. When you noticed the controllers were sleeping, how did you react?

Response:

N/A

39. What specifically did you say to the controllers?

Response:

N/A

Failure to Log Radio Interference

40. Did you log radio interference item in the daily log, 7230-4?

Response:

NO THAT WOULD HAVE BEEN COMPLETED BY THE MIDNIGHT SUPERVISOR

41. Why did you fail to log the radio interference item in the daily log?

Response:

THAT WOULD HAVE BEEN COMPLETED BY THE MIDNIGHT SUPERVISOR

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42. Did you review the tapes?

Response:

YES

43. When did you review them?

Response:

AT APPROXIMATELY 1 PM ON 4/17/2011, AS SOON AS IT WAS BROUGHT TO MY ATTENTION FOLLOWING A DISCUSSION WITH THE SOC AND THEIR COMMENT ABOUT THE MOVIE BLAZING SADDLES.

44. What did you review consist of?

Response:

I AND [REDACTED] FIRST LISTENED TO THE 0426 PHONE LINE AT THE OMIC DESK AND NOTHING WAS ON THAT. I REVIEWED THE SPECTRA PHONE LINE AND THAT IS WHEN I BECAME AWARE THE CALL CAME FROM [REDACTED] THE GREAT LAKES DUTY OFFICER. THEN I LISTENED TO THE CONVERSATION WITH [REDACTED] THE HAM RADIO OPERATOR. HE STARTED TALKING ABOUT VADER AND TALKING TO WASHINGTON CENTER AND ON GUARD I KNEW WE HAD AN ISSUE. I FOLLOWED UP THEN BY LISTENING TO THE INDIANHEAD RADAR FREQ. R53. AT THIS POINT I KNEW I WOULD HAVE TO CALL [REDACTED] THE ATM, BUT HAD TO CONTINUE TO LISTEN TO ALL THE FREQS SO I COULD GIVE HIM ALL THE INFORMATION. IT WAS WHEN I HEARD THE INDIANHEAD SECTOR THAT I REALIZED THE FREQUENCY WAS BLOCKED AND HEARD BACKGROUND AUDIO FOR 3 MINUTES AND VADER TRYING TO GET AHOLD OF THEM.

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45. If you failed to review the tapes, why?

Response:

N/A

46. Did you investigate the incident?

Response:

YES AND I CALLED [REDACTED] THE ATM ABOUT 1:20 PM ABOUT A POSSIBLE SIGNIFICANT EVENT. I WAS UNABLE TO REACH [REDACTED] THE PREVIOUS FLM ON DUTY. SO I LEFT QUESTIONS FOR THE AFTERNOON OM TO ASK [REDACTED] WHEN HE CALLED. I SPOKE WITH [REDACTED] AT 3:15 FROM MY CELL PHONE ON MY WAY HOME. I TOLD HIM HE NEEDED TO CALL THE WATCH DESK TO MAKE A STATEMENT.

47. Why did you fail to investigate the incident?

Response:

N/A

48. Did you make any walk throughs on April 17, 2011?

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Response:

THREE OR FOUR TIMES, MIGHT HAVE BEEN MORE ON THE DAY SHIFT NOTHING INAPPROPRIATE GONG ON.

49. Did you notice anything during your walk through?

Response:

NO

50. Please add any other statement that may have not been asked regarding what happened that evening?

Response:

IT WAS MY THOUGHT THAT I WAS DOING THE APPROPRIATE FOLLOWUP FROM WHAT I WAS TOLD BY [REDACTED] THE FLM. I WAS PLANNING ON FOLLOWING UP WITH [REDACTED] THE FLM IN AREA 5 THAT MORNINIG TO DISCUSS THE ISSUE WITH ELECTRONIC DEVICES AND THAT THE ISSUE WAS PROPERLY DEALT WITH. IT WAS DURING THIS FOLLOWUP THAT IT WAS DISCOVERED THAT THIS WAS MORE THAN JUST HAVING A DVD PLAYER IN THE AREA. I DISCOVERED THAT THE AUDIO HAD BEEN TRANSMITTED OVER THE FREQUENCY AND AT THAT TIME I THEN COMPLETED AN INVESTIGATION AND REPORTED MY FINDINGS TO THE ATM.

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The information collected during this meeting will be reviewed with Human Resources for a determination of the appropriate follow-up action.

In the meantime you are reminded that you are expected to: **It is my expectation that you comply with all FAA directives, orders and initiatives. Maintain focus on the safe and efficient operation of ATC services. This is an ongoing investigation; you are asked to maintain the confidentiality of this matter. You are not permitted to work an operational position pending the conclusion of this investigation.**

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[REDACTED]

Interviewee

[REDACTED]

4/20/11