The management inquiry substantiated the allegation. The Respondent was advised not to contact the Reporting Party. The Respondent agreed "that most of his behavior described was accurate," but he was just a friend and did not understand that the Reporting Party felt threatened.

Although he "freely admitted to everything alleged," he explained the parking lot allegation to management as follows:

"He was parking there to use the Sim and did not realize that the Reporting Party was parked anywhere near where he was."

The Respondent agreed to "move his car to the other side of the building after his Sim period to visit the business offices.

Management will issue a Letter of Reprimand to the Respondent.

Coordinated with AHR.
ACCOUNTABILITY BOARD CASE REPORT

Case Number: 2009-0141

New Case on AB Agenda: 04/08/2009
Completed Case on AB Agenda: 04/29/2009

Date of Incident: Ongoing
Date Initially Reported: 03/25/2009
Reported to: [Redacted]
Date Reported to Board: 03/26/2009
Reported to Board by: Ivon Borgen, Executive Officer

Respondent
Last Name: [Redacted]
First Name: [Redacted]
Region: AWP
Position: Employee
Functional Title: [Redacted]
Grade: [Redacted]
Gender: Male
LOB: AVS-AFS
Facility: [Redacted]

Initial Allegations: Sexual Harassment

Accountable Official
Last Name: McCarthy
First Name: Michael
Functional Title: Acting, AWP-200
Position: Executive
Phone #: (510) 745-3433
Date AO Notified: 03/26/2009
Notified by: Andrew Robinson

Method: Internal
Date ROI due: [Redacted]
Date ROI rcvd: [Redacted]

Resolution Due: 04/22/2009
Date Completed: 04/22/2009

Allegation
Description: [Redacted], Managing Director, [Redacted], reported that a female employee, who wishes to remain anonymous, received unwelcomed advances from [Redacted], Manager. [Redacted] reported that beginning July 2008, [Redacted] began sharing his personal problems with the anonymous party. The conversation led to [Redacted], providing gifts of jewelry and candy to the anonymous party who did not accept them.
On December 11, 2008, the anonymous party reported that "coincidentally" appeared at the gate when the anonymous party and her husband were leaving town. He allegedly stared at her and when she moved, so did he, feigning use of a pay phone. She confronted him and informed him that his attention was unwelcomed and to leave her alone. He continued to provide her with gifts and attention.

During March 2009, he began moving his car to park next to the anonymous party's car. The anonymous party changed her parking pattern and he followed her to new locations in the parking facility. This conduct has continued and the anonymous party asked her manager to retrieve her vehicle for her in order to avoid him. When he did so, the manager observed that he had parked behind the anonymous party's car with his sunshade displayed . . . surreptitously (sic) peering at the activity."

On three occasions, the anonymous party has sought counseling from the Employee Assistance Program.