DISPOSITION STATUS

Case Number: 2009-0283
Resolution Due: 10/30/2009
Date Completed: 10/23/2009

Updated  Status  RespRegion(s)  RespLOB(s)
10/30/2009  Completed  1  AGL  ATO-W
2  AWP  ATO-W
3  ASO  ATO-W

Remarks
The management inquiry substantiated the allegations. Respondent received a 3-day suspension. Respondent admitted to his inappropriate behavior and will receive a Letter of Reprimand.

Management did not substantiate the allegations against Respondent. Respondent denied making the inappropriate comments. Management also did not find credible evidence to support the allegations made against Respondent. Therefore, management decided that no disciplinary action would be taken against Respondent.

Coordinated with AWP, AGL, and ASO.
ACCOUNTABILITY BOARD CASE REPORT

Case Number: 2009-0283

New Case on AB Agenda: 10/21/2009
Completed Case on AB Agenda: 12/09/2009

Date of Incident: 09/18/2009
Date Initially Reported: 09/24/2009
Reported to: [Redacted] Manager

Date Reported to Board: 09/28/2009
Reported to Board by: Ellen Mills, HR POC

Respondent

Last Name: [Redacted]
First Name: [Redacted]
Region: AGL
Position: Employee
Functional Title: ATSS
Grade:
Gender: Male
LOB: ATO-W
Facility:

Initial Allegations:
Age
Gender
National Origin
Race
Religion
Sexual Misconduct

Reporting Party

Last Name: [Redacted]
First Name: [Redacted]
Region: ASO
Position: Employee
Functional Title: ATSS
Grade:
Gender: Female
LOB: ATO-E
Facility:

Initial Allegations:
Age
Gender
National Origin
Race
Religion
Sexual Misconduct

Last Name: [Redacted]
First Name: [Redacted]
Region: ASO
Position: Employee
Functional Title: ATSS
Grade:
Gender: Male
LOB: ATO-W
Facility:

Initial Allegations:
Age
Gender
National Origin
Race
Religion
Sexual Misconduct

Last Name: [Redacted]
First Name: [Redacted]
Region: ASO
Case Number: 2009-0283

Position: Employee
Functional Title: ATSS
Grade: Male
LOB: ATO-W
Facility: 
Initial Allegations: Sexual Misconduct

Accountable Official
Last Name: Moy
First Name: Ed
Functional Title: Director, Technical Operations, Western SA
Position: Executive
Phone #: (425) 203-4050
Date AO Notified: 09/28/2009
Notified by: Andrew Robinson

Initial Allegations: Sexual Orientation

HR Contact
Name: Gwen Marshall
Phone #: (310) 725-7824
Date HR Notified: 09/24/2009
Notified by: Andrew Robinson

Resolution Due: 10/30/2009
Date Completed: 10/23/2009

Method: Internal
Date ROI due:
Date ROI rcvd:

Allegation:
Description: ATSS, reported to Manager, that ATSS, and ATSS, allegedly made inappropriate racial jokes, sexual comments and other jokes during between July 6, 2009 and September 18, 2009 at the Academy. identified the alleged comments between and as follows:

1) Comment that people are inferior to white people;
2) Remarks and jokes about Mexicans and Puerto Ricans;
3) Constantly harassing the only Mormon in the class and making fun of a student's religion;
4) Comments that people from the South are stupid and that only people from the North are smart;
5) Both and used the "N" word;
6) Comment that "religion is stupid, all they want is your money;"
7) Conversation about women and "camel toes." Both and explained in detail to an older female student what is meant by "camel toe" as it refers to women;
8) Conversations about how old a female student was and always
bringing up how old she was;
9) Multiple conversations about athletes using the words "doube bag, pu-sy, b-tch, c-nt;"
10) In front of the women students, talking to the men in the class about which way they hang because had conducted a survey at his center and made claims that 95% of right hand men hung left and the most of the rest of the left hand men hung right and few odd ones hung the same way. All of this in front of the women in the classroom;
11) During lunch in the breakroom, took his lunch out which had meatballs and proceeded to take out the two meatballs and held them at his crotch and said, "Look at my balls," in front of two women and the class.

reported that one of the conversations held between and was witnessed by ATSS.

ATSS, reported that she was offended when ATSS, who sat behind her in class said, "Gays do not belong and it was morally wrong to be gay." also reported that when she stood back-to-back with to compare her height with that "rubbed his butt" against hers felt actions were inappropriate.

also reported that while was handing out papers, got up from his chair to go to the restroom. When asked where he was going, allegedly said, "To the bathroom, do you want to come with me and hold it?" reported that she felt this was also offensive and inappropriate.