

# **EXHIBIT 14**

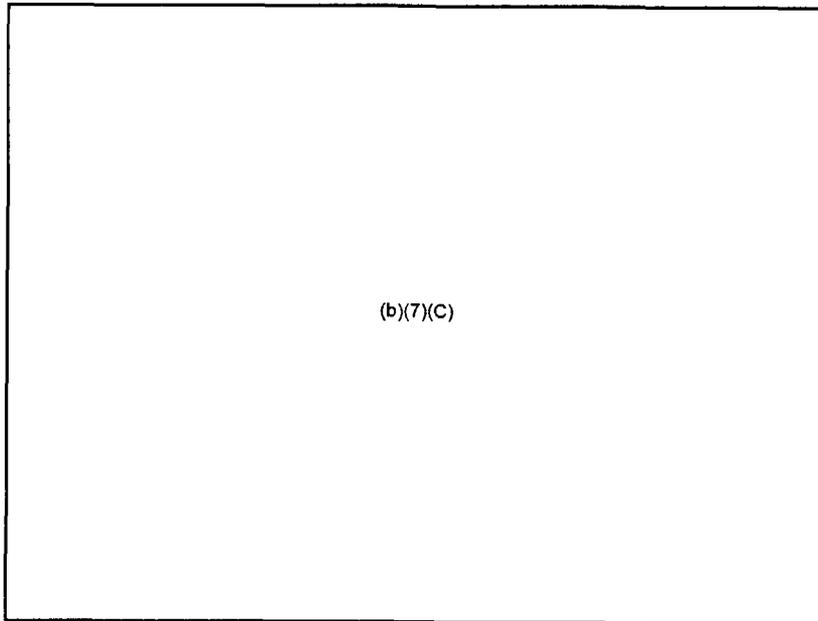


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APPEARANCES:

On Behalf of the Interviewee, Other Individuals  
Involved in the Investigation and Southern California  
Edison Company:

of



(b)(7)(C)

P-R-O-C-E-E-D-I-N-G-S

10:15 a.m.

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(b)(7)(C)

Okay, we're on

the record. This is an interview of

(b)(7)(C)

Today's date is November 3rd, 2011. It is approximately 10:15 a.m.

The location of this interview is in the Resident Inspector's office at the San Onofre Nuclear Generating Station in San Clemente, California.

Present at this interview are

(b)(7)(C)

(b)(7)(C)

This investigation involves an allegation of discrimination against a (b)(7)(C) for reporting nuclear safety concerns to the NRC. And it's reported under 4-2011-059. (b)(7)(C) is (b)(7)(C)

(b)(7)(C)

representing you personally in regard to this investigation?

(b)(7)(C)

Yes.

(b)(7)(C)

Do you understand

the purpose of her presence here today?

(b)(7)(C)

Yes.

(b)(7)(C)

Do you understand

that (b)(7)(C) also represents the company and other individuals?

(b)(7)(C)

Yes.

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(b)(7)(C)

Does your

employer require you to have an attorney present when you are being interviewed by the NRC Office of Investigations?

(b)(7)(C)

No.

(b)(7)(C)

Were you in any

way threatened with an adverse action if you did not request corporate counsel?

(b)(7)(C)

No.

(b)(7)(C)

Do you feel that

you would suffer any adverse consequences from your employer if you would've elected not to have personal representation?

(b)(7)(C)

No.

(b)(7)(C)

Will your

testimony in the matter be in any way inhibited by the attorney's presence?

(b)(7)(C)

No.

(b)(7)(C)

Do you understand

that you have a right to a private interview with me at your convenience?

(b)(7)(C)

Yes.

(b)(7)(C)

With that

understanding, do you still want

(b)(7)(C)

present

as your representative?

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(b)(7)(C)

Yes.

(b)(7)(C)

Thank you.

(b)(7)(C)

(b)(7)(C)

, for the record, will you please state your full name, and your firm, and the scope of your representation, please?

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

And I'm here today representing

(b)(7)(C)

(b)(7)(C)

the company, and other witnesses in this matter.

(b)(7)(C)

Do you anticipate

a conflict of interest with respect to your representation of (b)(7)(C) as an individual, and your concurrent representation of SCE?

(b)(7)(C)

I do not at this time.

(b)(7)(C)

In the event that

a conflict were to arise during the course of this interview or this testimony, what action would you take?

(b)(7)(C)

I would inform

(b)(7)(C)

that I could no longer represent her, that I would continue to represent the company and other witnesses. I would inform her of her right to choose to continue this interview without representation, or to ask for a postponement to seek representation of her own

1 choosing.

2 [redacted] Thank you. [redacted]

3 [redacted] the NRC OI protocol includes a swearing in of  
4 witnesses. Do you have any objection to being sworn  
5 in this morning?

6 [redacted] No.

7 [redacted] Can you raise  
8 your right hand, please? Do you swear that the  
9 information that you're about to give is the truth,  
10 the whole truth, and nothing but the truth, so help  
11 you God?

12 [redacted] I do.

13 [redacted] Thank you. [redacted]

14 can you give for the record, your full name, please?

15 [redacted]

16 [redacted] And what's your  
17 current position?

18 [redacted] I'm the [redacted]

19 [redacted]

20 [redacted] And who are you  
21 employed by?

22 [redacted] Southern California Edison.

23 [redacted] How long have you  
24 been manager here?

25 [redacted] [redacted]

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(b)(7)(C)

I've been in my

current position, in

(b)(7)(C)

it will be

(b)(7)(C)

I've been a manager since (b)(7)(C) I believe.

(b)(7)(C)

Okay. Do you

have any other experience in the nuclear industry?

(b)(7)(C)

No. I've been here my entire

career. I've been with Southern California Edison for

the most part.

(b)(7)(C)

Do you have any

military experience?

(b)(7)(C)

No.

(b)(7)(C)

Can you give me

a brief description of your position of

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

Sure.

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

My Director is

(b)(7)(C)

(phonetic).

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

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1 group.

2 [redacted] Okay, well, thank  
3 you. Before we went on the record I was telling you  
4 about the focus of my investigation and what we'll be  
5 discussing here this morning, and how [redacted] had  
6 come to the NRC and raised some allegations. It's my  
7 understanding that you actually hired [redacted]

8 [redacted] That's correct.

9 [redacted] And this would've  
10 been in [redacted]

11 [redacted] Yes.

12 [redacted] Okay. How did  
13 you come about to hire him? He was [redacted]

14 [redacted]  
15 [redacted]  
16 [redacted]

17 [redacted] Okay. In [redacted] my  
18 division had received a lot of additional work and I  
19 received approval to do a reorganization. And part of  
20 that reorganization was to hire additional managers.

21 I had a lot of vacant positions to hire  
22 in. I posted the position for the [redacted]

23 [redacted] And that means that  
24 people within the company could apply for it and  
25 people outside the company could apply for it.

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1 I received a call from (b)(7)(C) who was  
2 a manager here in the (b)(7)(C). He's not at  
3 SONGS any longer. And he told me that he had been  
4 talking to (b)(7)(C) recently and that he had told (b)(7)(C)  
5 that I was hiring.

6 I had known (b)(7)(C) from when (b)(7)(C)  
7 (b)(7)(C) He worked in the (b)(7)(C)  
8 and at the time I was the (b)(7)(C)  
9 And I had a lot of interface with him because he did  
10 a lot of the (b)(7)(C)  
11 (b)(7)(C).

12 Then he went to (b)(7)(C) and he was a  
13 (b)(7)(C) up in the (b)(7)(C)  
14 (b)(7)(C) (phonetic). And then when (b)(7)(C)

15 (b)(7)(C)  
16 (b)(7)(C)

17 Got sidetracked a little bit there, but  
18 just so you know how I (b)(7)(C) So (b)(7)(C) had  
19 told him that I had an opening. And (b)(7)(C) called me  
20 and left me a message on my voice mail.

21 And said I heard that you have an open  
22 position, and I was wondering if you could call me  
23 back and we could talk about it. So I did not make  
24 the initial call to him.

25 I did return his phone call and I told

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1 him, you know, what the position entailed, similar to  
2 what he could read, if he was just reading it from the  
3 job posting. And I said if you're interested, apply.  
4 And that was really the extent of the conversation.

5 [redacted] (b)(7)(C) Were you on the  
6 interview panel for him?

7 [redacted] (b)(7)(C) Yes. I was the [redacted] (b)(7)(C)

8 [redacted] (b)(7)(C)  
9 [redacted] (b)(7)(C) Okay. And he  
10 eventually was accepted into the [redacted] (b)(7)(C) position,  
11 correct?

12 [redacted] (b)(7)(C) That's correct.

13 [redacted] (b)(7)(C) He started in

14 [redacted] (b)(7)(C)

15 [redacted] (b)(7)(C) [redacted] (b)(7)(C)

16 [redacted] (b)(7)(C) Okay. And what  
17 were his initial responsibilities here?

18 [redacted] (b)(7)(C) The position had  
19 responsibility for the [redacted] (b)(7)(C)

20 [redacted] (b)(7)(C)  
21 [redacted] (b)(7)(C)

22 When he first got here, because I had a  
23 lot of extensive experience in [redacted] (b)(7)(C)  
24 and I was basically running that until I got the  
25 manager in place.

1 So we had a conversation and I said, how  
 2 about you get your (b)(7)(C) which  
 3 (b)(7)(C) was a (b)(7)(C) reporting to this  
 4 (b)(7)(C) position. And the (b)(7)(C)  
 5 which was (b)(7)(C) he was the (b)(7)(C) reporting  
 6 this.

7 You get those (b)(7)(C) up and running.  
 8 Those are (b)(7)(C) areas of responsibility,  
 9 and I'll hang onto (b)(7)(C) and keep it running until  
 10 it's, because we thought is he has (b)(7)(C) areas, is to  
 11 get (b)(7)(C) up and running, he could tackle the toughest  
 12 one, which was going to be the (b)(7)(C)  
 13 (b)(7)(C). So we had talked about me doing that for a  
 14 few months. And that's how we started off.

15 (b)(7)(C) Okay. When I  
 16 spoke with (b)(7)(C) he told me that, at least in the  
 17 (b)(7)(C) he was (b)(7)(C)

18 (b)(7)(C) One of them was a  
 19 (b)(7)(C)

20 (b)(7)(C) Yes.

21 (b)(7)(C) Another one was  
 22 a (b)(7)(C)

23 (b)(7)(C) Yes.

24 (b)(7)(C) Were you more or  
 25 less on board with him participating in these

1 projects?

2 (b)(7)(C) Yes. I was experiencing some  
3 performance issues with him right off the bat, within  
4 the first month after he got here.

5 I received a call from my (b)(7)(C) at the  
6 time was (b)(7)(C) he's not here any longer. And  
7 he asked me if (b)(7)(C) could, they were at a senior  
8 leadership off site, and they were looking for people  
9 to put on this project and (b)(7)(C) name had come up.

10 I told (b)(7)(C) that I would let (b)(7)(C) go. I  
11 was having issues with (b)(7)(C) but I really was giving  
12 him the benefit of the doubt. He was relocating from  
13 northern California, he was struggling trying to find  
14 a home.

15 The company had put him up in corporate  
16 housing but he seemed very distracted. And so I was  
17 very supportive of him and I hadn't elevated his  
18 performance issues to my Director at that point.  
19 Because I was trying to give him an opportunity to get  
20 his feet on the ground, kind of get settled.

21 But I did support him going to the (b)(7)(C)  
22 project. It was my understanding that it was a 40-  
23 hour a week commitment. Most of us exempt employees  
24 here are working more hours than that with our info  
25 forum being in recovery.

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1 And (b)(7)(C) who was the (b)(7)(C)  
2 (b)(7)(C) that project, had told me that he only  
3 needed (b)(7)(C) for 40 hours. And then after that he  
4 could still kind of keep his group running and keep  
5 things going. And so, yes, I stepped in to cover his  
6 area while he was on the project.

7 (b)(7)(C) Okay.

8 (b)(7)(C) But, can we just take a  
9 quick break? I just want to talk a minute.

10 (b)(7)(C) Sure.

11 (Whereupon, the interview in the above-  
12 entitled matter went off the record and went back on  
13 the record at 10:30 a.m.)

14 (b)(7)(C) Back on the  
15 record, time is approximately 10:30 a.m. So you  
16 stated that initially, (b)(7)(C) was not meeting some  
17 of the demands in his job. I'm paraphrasing here.  
18 And you attributed that to his relocating and his  
19 adjustment to a new position.

20 (b)(7)(C) Yes.

21 (b)(7)(C) Can you give me  
22 one example where he wasn't meeting his expectations?

23 (b)(7)(C) He was not providing oversight  
24 to his (b)(7)(C) The (b)(7)(C) groups that he was  
25 responsible for, we were having performance issues.

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1 And an example is the Work Force Oversight  
2 Committee. That's a high level committee meeting that  
3 involves the vice president and directors, where  
4 people go in and request to replace staff.

5 There were errors in the packages. I  
6 attend those meetings. And so I ended up having to  
7 set up a time where I could review the package ahead  
8 of time, because I lost confidence that when I was  
9 going in there that the information was going to be  
10 accurate.

11 He failed to process a demotion for one  
12 his employees after being reminded for four times. It  
13 took us several months to get that, it resulted in an  
14 employee relations issue.

15 The employee initially agreed to take a  
16 salary decrease. And then we ended up not doing that,  
17 so it had a financial impact on the company as well as  
18 the employee morale issue.

19 The [REDACTED] (b)(7)(C), the project that  
20 he was on, he was not proactive in getting it issued  
21 and he actually issued it without having [REDACTED] (b)(7)(C)  
22 [REDACTED] (b)(7)(C) review it.

23 I received complaints from both of those  
24 organizations that he had put things in the procedure  
25 that was their responsibility, without talking to

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1 them.

2 And when I talked to him about it, he said  
3 that he was running up against a time commitment date,  
4 and he decided to meet the commitment date instead of  
5 issuing it correctly and then he would go back and  
6 revise it.

7 That was a high level [REDACTED] (b)(7)(C)  
8 that was across the site. That was one of the  
9 projects that he was on.

10 We were having some issues with org  
11 structure. And the org term (phonetic) is really kind  
12 of the org structure. Not just in a [REDACTED] (b)(7)(C)  
13 [REDACTED] (b)(7)(C) but also across the site.

14 My organization is responsible for  
15 maintaining the integrity of the structure. We had to  
16 do some clean up with our rollover into SAP. There  
17 was still come clean up items that we had to do.

18 His group was not meeting the deadlines of  
19 getting that updated. On two occasions they gave me  
20 information that I reported to our [REDACTED] (b)(7)(C)  
21 [REDACTED] (b)(7)(C) at the time, that was  
22 inaccurate.

23 And so his lack of leadership and  
24 oversight over just those [REDACTED] (b)(7)(C) groups, when he didn't  
25 have the biggest group responsible. He was very

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1 unfocused and really wasn't paying attention.

2 [REDACTED] (b)(7)(C) How soon after  
3 starting the job did you observe some of these  
4 shortcomings?

5 [REDACTED] (b)(7)(C) A month after he started we  
6 had an employee relations issue, where he had one of  
7 his managers, or one of his direct reports, excuse me,  
8 [REDACTED] (b)(7)(C) phonetic), who was having some issues.

9 She was a brand new manager. She came  
10 from corporate. She needed some experience in being  
11 a good manager and dealing with people.

12 And some of her employees complained to  
13 [REDACTED] (b)(7)(C) about her management style. And he called her  
14 into his office and had a discussion. And he sent her  
15 home to think about what she had done. And then he  
16 called her employees in to his office and told her  
17 employees what he had done.

18 So I got a call. I was off site at the  
19 time. I got a call from the employee, [REDACTED] (b)(7)(C) and she  
20 was very upset and she said she felt humiliated. And  
21 that was not a good decision on his part, to first of  
22 all, send her home to think about what she had done.  
23 And then also to communicate to her direct reports the  
24 action he had taken.

25 [REDACTED] (b)(7)(C) Okay. Did you

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1 get any feedback from anyone from these projects that  
2 he was assigned? You had mentioned earlier, the

3 (b)(7)(C)

4 And I think you touched upon that. And  
5 then you had the (b)(7)(C)  
6 whatever it was that he was on. Did you get any  
7 negative feedback?

8 (b)(7)(C)

8 Besides what she already  
9 talked about from (b)(7)(C)

10 (b)(7)(C)

10 Yes.

11 (b)(7)(C)

11 I did receive some feedback on  
12 the (b)(7)(C) from (b)(7)(C) He was the

13 (b)(7)(C)

13 at the time.

14 And he said that he had made several attempts to reach  
15 (b)(7)(C) and (b)(7)(C) didn't call him back.

16 Or when he did call him back, it was  
17 several days later. We were running up against the  
18 Closure Review Board commitment date and (b)(7)(C) was  
19 nervous that we weren't going to meet the date. And  
20 he was frustrated with (b)(7)(C) because he didn't feel  
21 like things were progressing.

22 And then the ones that I previously told  
23 you about. (b)(7)(C) was the manager responsible for  
24 the (b)(7)(C) He didn't give me negative  
25 feedback. The feedback he gave me was that he does

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1 what I ask him to do.

2 And I said, is he performing as a (b)(7)(C)

3 (b)(7)(C) And he said, no, he is doing what I tell him to

4 do. And actually (b)(7)(C) a (b)(7)(C) who was

5 assigned to the project also, he said, I'm seeing more

6 leadership out of the (b)(7)(C) than I'm seeing out of

7 (b)(7)(C)

8 (b)(7)(C) Okay. When I

9 spoke with (b)(7)(C) he told me that on or around the

10 mid-June 2010 time frame, you had a meeting with him

11 and you told him to stop addressing concerns from (b)(7)(C)

12 employees. Do you remember that at all?

13 (b)(7)(C) Yes I do.

14 (b)(7)(C) What happened

15 there?

16 (b)(7)(C) I did not tell him to stop

17 addressing concerns from (b)(7)(C) employees. What I did

18 was, (b)(7)(C) did not have responsibility for (b)(7)(C) there

19 was (b)(7)(C) was the manager over (b)(7)(C)

20 (b)(7)(C) is a supervisor. (b)(7)(C)

21 (b)(7)(C) is a supervisor. And (b)(7)(C) (phonetic)

22 was a new manager that I had brought in to help

23 oversee (b)(7)(C) and the (b)(7)(C)

24 (b)(7)(C) was being recognized for having great

25 stand-ups. And stand-ups are a weekly meeting that we

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1 have across the station, where we talk about topics  
2 that everyone gets the same message at the same time.

3 And (b)(7)(C) had a really good forum where  
4 employees, once they did the stand-up, they were  
5 employee led, and then they went around to the  
6 individual groups and got report outs from the  
7 represented employees.

8 And senior leadership had recognized (b)(7)(C)  
9 for having a good employee engagement, things like  
10 that. And so I had encouraged my entire leadership  
11 team to go to (b)(7)(C) and observe, so we could take good  
12 practice and bring it out across the division.

13 During one of those stand-ups, employees  
14 were expressing some frustrations and concerns. And  
15 (b)(7)(C) made a comment that well, (b)(7)(C) and I are here  
16 now. And this isn't a quote because I wasn't there.

17 And we understand your concerns aren't  
18 being addressed. And so (b)(7)(C) and I are here now so  
19 we're going to resolve your issues.

20 So what I told him was that the management  
21 was aware of what was going on up there because we had  
22 had conversations, (b)(7)(C) and (b)(7)(C) and I had  
23 had conversations about some of their frustrations.

24 Some of them were SAP. The work process  
25 changed a lot for (b)(7)(C) when we put the new system in.

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1 Some of it was, (b)(7)(C) is kind of up in their own area up  
2 there and they all sit together.

3 And there's some employees, you know,  
4 that, just a typical employee behavior where they  
5 don't like this person or you don't like that person.

6 So what I told (b)(7)(C) was, I said, you know,  
7 it's okay to listen to their concerns, because we all  
8 want to listen to employees' concerns. But he wasn't  
9 following up with the supervisors and the managers up  
10 there.

11 And so he was not helping the situation,  
12 because the managers and the supervisors were the ones  
13 who had to resolve the concerns. So I did not, at any  
14 time, tell him not to listen to their concerns.

15 (b)(7)(C) Okay. Well, were  
16 you advising him to just consult with the supervisors  
17 and the managers involved? Or just let the managers  
18 and supervisors handle the issue?

19 (b)(7)(C) Both, really. I wanted him to  
20 make the supervisors and the managers aware of what  
21 was going on. But I also wanted him to focus on the  
22 areas that he was responsible for.

23 And there was some issues with his working  
24 relationship with the (b)(7)(C) especially up there,  
25 and this seemed to be adding fuel to the fire.

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1 [REDACTED] What was going on  
2 there?

3 [REDACTED] Again, I wasn't there but the  
4 feedback that I received was one, when [REDACTED] was up  
5 there in the stand-up and said [REDACTED] and I are here  
6 and we're going to resolve all your issues, [REDACTED] was  
7 there.

8 And [REDACTED] was there, it's my  
9 understanding. I wasn't there. And they felt that he  
10 was trying to undermine them and he wasn't helping  
11 with the problems.

12 There was also a time when, I encouraged  
13 [REDACTED] and [REDACTED] to work out their issues because [REDACTED]  
14 was coming to me saying, [REDACTED] is doing this. [REDACTED]  
15 was coming to me saying, [REDACTED] is doing this.

16 And we're managers, you know, not that I  
17 didn't want to be in the middle, but I wanted them to  
18 work on their relationships because we're all on the  
19 same leadership team.

20 [REDACTED] Can I interrupt  
21 you there for a minute? This meeting where [REDACTED]  
22 said something to the effect of well, me and [REDACTED]  
23 are here now. And we're able to help you with the  
24 issues or something to that effect.

25 [REDACTED] Yes.

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(b)(7)(C)

Was he

(b)(7)(C)

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(b)(7)(C)

(b)(7)(C)

There was

another incident up in

(b)(7)(C)

during that time, but this

was not that one.

(b)(7)(C)

Okay. Well, was

there another type of incident, if you want to call it

that, that took place around

(b)(7)(C)

(b)(7)(C)

And he was at a meeting similar to this.

And he was approached by some rank and file employees

about

(b)(7)(C)

issue. That was another issue,

right? That wasn't the one you were just discussing?

(b)(7)(C)

That's correct. That was

another issue.

(b)(7)(C)

That was another

issue. Was that ever brought to your attention?

(b)(7)(C)

Yes. That was brought to my

attention. That was the

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

Okay.

(b)(7)(C)

And he was

(b)(7)(C)

(b)(7)(C)

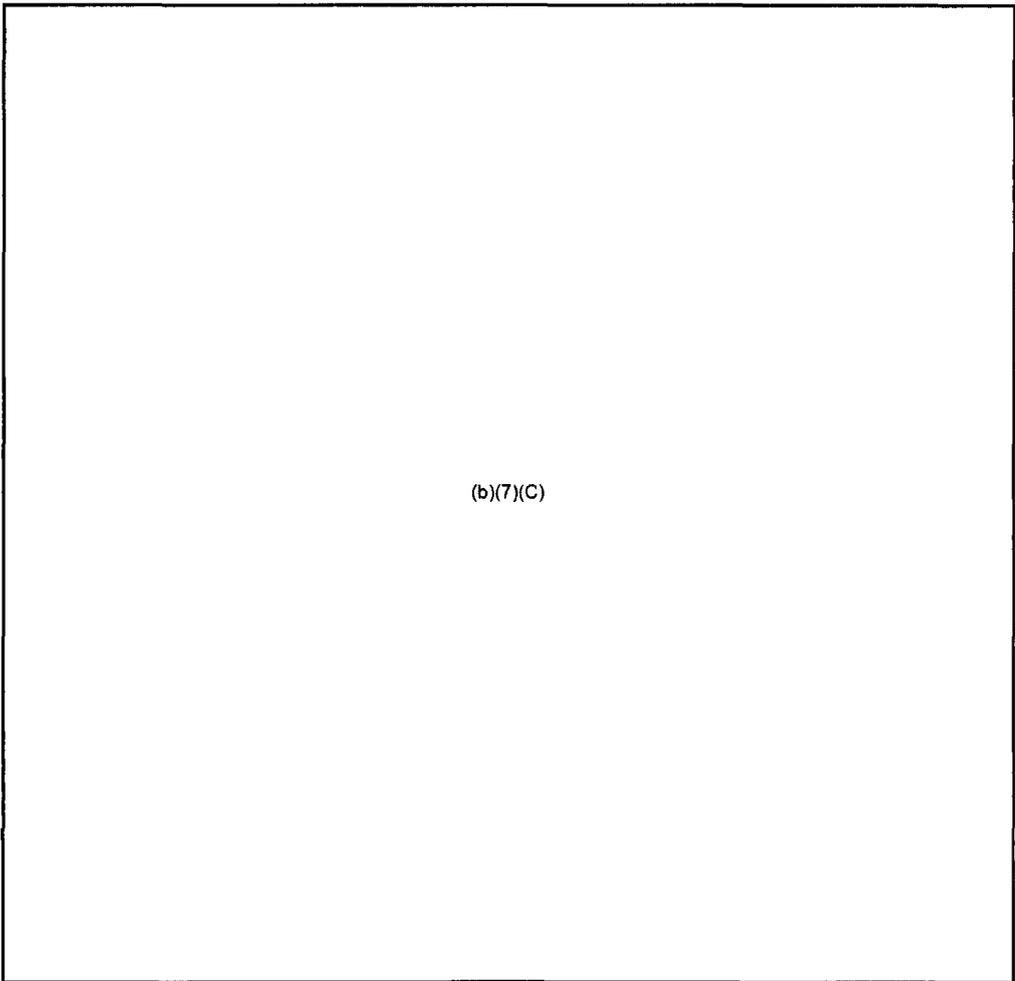
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(b)(7)(C)

(b)(7)(C)

All right. What happened? They informed (b)(7)(C) of this issue. And did he resolve it?

(b)(7)(C)

What I was told, I wasn't here, but the information that I received when I returned to work was that he contacted (b)(7)(C) who was the (b)(7)(C) at the time, and worked out (b)(7)(C) employees.

(b)(7)(C)

And because the (b)(7)(C) it's my understanding that he didn't discuss that with (b)(7)(C) or (b)(7)(C) at the time, and there was an issue

1 between them that he was stepping in and changing  
2 their work process and their schedule without their  
3 agreement or knowledge.

4 [redacted] (b)(7)(C) All right. To  
5 your knowledge, were the employees happy with the  
6 final result?

7 [redacted] (b)(7)(C) I believe that the employees  
8 felt that [redacted] (b)(7)(C) intervened and helped them. I did not  
9 have a discussion with any of the employees, that's  
10 just the feedback I received.

11 But also the feedback I received was that  
12 the change that he made really didn't work and they  
13 had to come up with an alternate plan.

14 [redacted] (b)(7)(C) I know we're  
15 going back a little ways, but do you remember why it  
16 didn't work?

17 [redacted] (b)(7)(C) I don't remember. If I could  
18 speculate, which I'm not sure if I'm supposed to do  
19 that, I would say that the [redacted] (b)(7)(C)

20 [redacted] (b)(7)(C)

21 [redacted] (b)(7)(C)  
22  
23  
24  
25

1 normally didn't. And as for a (b)(7)(C) okay, we  
2 can do that. But as the (b)(7)(C)

3 (b)(7)(C)

4 (b)(7)(C) But was (b)(7)(C) the  
5 only area that needed (b)(7)(C) coverage?

6 (b)(7)(C) Well, we have (b)(7)(C)

7  
8  
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10  
11  
12  
13 (b)(7)(C)  
14  
15  
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18  
19

20 (b)(7)(C) Let me tell you  
21 what (b)(7)(C) told me and you tell me if it's accurate  
22 or not. He said that he was acting for you one day  
23 and he appeared at this meeting.

24 And I can't remember what they call it, I  
25 don't know if it was a stand-up meeting, or a skipped

1 level meeting, I frankly don't remember, it's not that  
2 important.

3 But he was approached during this meeting  
4 from employees saying how [redacted] (b)(7)(C)

5 [redacted]  
6 [redacted]  
7 [redacted] (b)(7)(C)  
8 [redacted]  
9 [redacted]  
10 [redacted]

11 According to [redacted] (b)(7)(C) he looked into it  
12 with [redacted] (b)(7)(C) and he was given the notion that well,  
13 yes, I mean they don't have to [redacted] (b)(7)(C)

14 [redacted]  
15 [redacted] (b)(7)(C)  
16 [redacted]  
17 [redacted]

18 [redacted] (b)(7)(C) And the  
19 situation was resolved.

20 Now I know from previous interviews with  
21 some of your subordinates, with some of your other  
22 managers and supervisors that, you know, people still

23 [redacted] (b)(7)(C)  
24 [redacted]

25 [redacted] (b)(7)(C) Yes.

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(b)(7)(C)

So it wasn't a

total victory on the part of the employees, but

(b)(7)(C)

(b)(7)(C) informed me that this was something that he was

able to produce for the employees in your absence. Is

any of that inaccurate at all? Other than the fact

that people had to (b)(7)(C) and you were

short staffed.

(b)(7)(C)

I wouldn't say it's

inaccurate. I would say that it's missing the piece

where there was some coordination with the management

involved in that area, to make sure that what he was

committing to (b)(7)(C) would work for them.

(b)(7)(C)

And as (b)(7)(C) wasn't familiar with that work

group and the level of responsibility and the

commitment, he should've consulted with the management

in that area to make sure that it would work.

(b)(7)(C)

Would that be

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

(b)(7)(C)

Okay. According

to (b)(7)(C) (b)(7)(C) just wasn't able to get the job

done, for whatever reason. And that's why the

employees went to him as opposed to her. Did you ever

get that impression at all, that employees weren't

happy with (b)(7)(C) that's why they went to (b)(7)(C)

(b)(7)(C)

(b)(7)(C)

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1 [REDACTED] (b)(7)(C) We had some issues with [REDACTED] (b)(7)(C)  
2 as far as she was a new manager. She didn't have a  
3 lot of experience and her results, at times, were not  
4 as timely as what I would've expected.

5 I am not aware that employees were unhappy  
6 with her to the extent that they would bypass her and  
7 go to [REDACTED] (b)(7)(C)  
8 [REDACTED] (b)(7)(C) Okay. Well, your  
9 primary issue was then, [REDACTED] (b)(7)(C) should've gone, or at  
10 least included [REDACTED] (b)(7)(C) in this whole process. Is  
11 that fair to say?

12 [REDACTED] (b)(7)(C) Yes.

13 [REDACTED] (b)(7)(C) Okay. So did his  
14 performance ever change during the course of the

15 [REDACTED] (b)(7)(C)

16 [REDACTED] (b)(7)(C) His performance progressively  
17 became worse. He was very distracted. I met with him  
18 on several occasions.

19 Off the top of my head I remember [REDACTED] (b)(7)(C)  
20 [REDACTED] (b)(7)(C) we talked about his areas of  
21 responsibility, his lack of leadership, the [REDACTED] (b)(7)(C)  
22 [REDACTED] (b)(7)(C) demotion was effective in April, and it didn't  
23 get processed until September 13th. That was after  
24 several, four reminders from me.

25 Every time I talked to him, he

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1 acknowledged that he was distracted and unfocused.  
 2 And so I would say, it was a steady decline in his  
 3 performance.

4 (b)(7)(C) When I spoke with  
 5 (b)(7)(C) he told me about him having to process a pay  
 6 decrease for (b)(7)(C)

7 (b)(7)(C) Yes.  
 8 (b)(7)(C) He just mentioned  
 9 it. He says that he was unable to do it because (b)(7)(C)  
 10 (b)(7)(C) didn't report directly to him. He reported  
 11 directly to someone else and that kind of threw a  
 12 wrench in the machinery here. And he was unable to  
 13 perform that task. Any response to that?

14 (b)(7)(C) Yes. When (b)(7)(C) left, (b)(7)(C)  
 15 (b)(7)(C) he reported directly  
 16 to me. When (b)(7)(C) he reported directly to  
 17 (b)(7)(C)

18 As part of this restructuring that I had  
 19 mentioned earlier, (b)(7)(C) hired (b)(7)(C) over the  
 20 (b)(7)(C) group and (b)(7)(C) as part of an  
 21 agreement we had made with him where he didn't want to  
 22 manage people anymore, was moved under (b)(7)(C)

23 (b)(7)(C) had the ability, in the system (b)(7)(C)  
 24 reported to (b)(7)(C) But (b)(7)(C) had the responsibility over  
 25 the (b)(7)(C) even though he wasn't functionally

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1 managing them at that point.

2 [REDACTED] (b)(7)(C) (phonetic) is the [REDACTED] (b)(7)(C)  
3 [REDACTED] (b)(7)(C) and he could've went to her and said, I  
4 need some help with this. But he told me on two  
5 different occasions that the demotion had actually  
6 been processed, when it hadn't.

7 And so I was continually having to follow-  
8 up. So even though he told me this is taken care of,  
9 I would check the system because I had access to my  
10 entire organization, and I could see that it wasn't.  
11 So on two separate occasions he was not truthful with  
12 me.

13 [REDACTED] (b)(7)(C) If memory serves  
14 me correct, when I spoke with [REDACTED] (b)(7)(C) he said that he  
15 went to Human Resources to try to resolve this issue  
16 with [REDACTED] (b)(7)(C) And they told him yes, you are the  
17 manager.

18 However, we're not able to take whatever  
19 action that they needed to with the pay decrease or  
20 the demotion because he wasn't his direct supervisor.  
21 I don't want to sound argumentative here.

22 [REDACTED] (b)(7)(C) Yes.  
23 [REDACTED] (b)(7)(C) But I'm just  
24 telling you that [REDACTED] (b)(7)(C) is telling me that he went to  
25 Human Resources and they, more or less, put the kabash

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1 on that. Does that make any sense?

2 (b)(7)(C) He did that several months  
3 after the initial agreement took place. When he  
4 contacted (b)(7)(C) this is what (b)(7)(C) told me.

5 When he contacted (b)(7)(C) and (b)(7)(C) told  
6 him that as part of (b)(7)(C)

7 (b)(7)(C) said that he didn't want to  
8 manage people anymore.

9 (b)(7)(C) when he was in his managing people,  
10 (b)(7)(C) position here, received a (b)(7)(C)  
11 (b)(7)(C) on his performance evaluation.

12 So when (b)(7)(C) and he said, I didn't  
13 want to manage people, I agreed to that because he  
14 wasn't being successful in that position.

15 What they agreed to was a (b)(7)(C), which is  
16 a (b)(7)(C) level, which is an  
17 (b)(7)(C)

18 Through the course of these several months  
19 that were going on, oh, let me back up a little bit.  
20 So at the time that (b)(7)(C), it was my  
21 understanding from (b)(7)(C) that (b)(7)(C) had agreed to the  
22 (b)(7)(C) position with a five percent salary increase.

23 Then as the months progressed and things  
24 weren't being handled, I was aware that, (b)(7)(C) had sent  
25 me an email, I believe it was in (b)(7)(C) that said,

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1 Human Resources is saying, you know, that the five  
2 percent salary decrease isn't appropriate because  
3 (b)(7)(C) had again, gone back to (b)(7)(C) and said I don't  
4 want the level of responsibility for (b)(7)(C).

5 I want to be an (b)(7)(C). So he ended up  
6 being an (b)(7)(C),  
7 (b)(7)(C). And because that (b)(7)(C) position was  
8 within the salary band of where he was, the decision  
9 was made not to do the salary decrease.

10 But that was several months after, when  
11 (b)(7)(C) notified me of that, he had already told me on  
12 two separate occasions that he had processed the  
13 demotion.

14 (b)(7)(C) That he did take  
15 care of that?

16 (b)(7)(C) Yes.

17 (b)(7)(C) So, you know, his  
18 evaluation takes place in (b)(7)(C)

19 (b)(7)(C) That's correct.

20 (b)(7)(C) Now up until that  
21 point, is there anything else you want to add? Is  
22 there anything about (b)(7)(C) that we should talk  
23 about? I'm just trying to stay within the time line  
24 here.

25 (b)(7)(C) Well, refer to your time

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1 line.

2 (b)(7)(C) Yes, refer to, okay.

3 (b)(7)(C) There's a lot of detail.

4 (b)(7)(C) Okay. So going back to he

5 started on (b)(7)(C) And then (b)(7)(C) is the

6 incident I told you about where he mishandled a

7 situation with one of his managers, (b)(7)(C)

8 I coached him on his management style and

9 told him that he had inappropriately handled that

10 situation.

11 And then we go to (b)(7)(C)

12 (b)(7)(C)

13 (b)(7)(C) when I returned (b)(7)(C) had told

14 me that, (b)(7)(C) is the (b)(7)(C)

15 Her responsibility is to make sure that

16 (b)(7)(C)

20 (b)(7)(C) was in his office and (b)(7)(C)

21 was in (b)(7)(C) office with him. And (b)(7)(C) called (b)(7)(C)

22 (b)(7)(C) down to his office and he asked her about some

23 confidential information.

24 And (b)(7)(C) said that she wasn't

25 comfortable discussing this confidential information

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1 with him with (b)(7)(C) in the room. And (b)(7)(C) response  
2 was he's part of the management team. And just  
3 basically said, tell me what I want to know.

4 (b)(7)(C) was very uncomfortable with that.  
5 When I talked to (b)(7)(C) about that he gave me the same  
6 response. And he said, you know, (b)(7)(C) part of the  
7 management team and everybody knows what goes on  
8 around here anyway.

9 And I said no. Confidential information  
10 is a business reason need to know. And he put one of  
11 his employees in a compromising situation. And it's  
12 his job, ultimately as mine, to protect confidential  
13 information.

14 And then we go into, you know, (b)(7)(C)  
15 (b)(7)(C) And I had some issues  
16 with (b)(7)(C) updating his time card accurately. And as  
17 ultimately the (b)(7)(C) this is very  
18 important.

19 You know, you have a responsibility to  
20 (b)(7)(C). There were several  
21 occasions where he would take time off and not reflect  
22 it on his time card. And when I would go in to  
23 approve his time card, I would remind him. So that  
24 started in April.

25 On (b)(7)(C) I met with him to discuss his

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1 performance expectations. And those are all  
2 documented. The things we talked about were  
3 communicating status to me on his area of  
4 responsibility.

5 The oversight of his group's projects.  
6 Being more hands on with the new employees and the  
7 structure to insure everyone is productive and working  
8 on the projects necessary.

9 Addressing performance issues, he had some  
10 performance issues in his area that he was not taking  
11 care of. Improving the relationship with one of his  
12 direct reports, which was (b)(7)(C)

13 And I needed him to step up so that I  
14 could stop managing his area of responsibility. At  
15 that time he said that he appreciated the feedback and  
16 realized that he had been distracted. And he said he  
17 needed for me to provide him feedback to get back on  
18 track.

19 (b)(7)(C) Okay, so he took  
20 it with a good attitude?

21 (b)(7)(C) Yes.

22 (b)(7)(C) This, I don't  
23 know what you call this, a mid-year then, well, it  
24 wouldn't be a mid-year evaluation, it was some sort of  
25 --

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1 (b)(7)(C) : That was just a documentation  
2 of my discussion with him.

3 (b)(7)(C) Okay. This  
4 wasn't a formal, you know, it's that time of the year  
5 where you sit down with your boss and are evaluated.  
6 This was something that you initiated?

7 (b)(7)(C) Right.

8 (b)(7)(C) Just to inform  
9 him --

10 (b)(7)(C) He was not meeting --

11 (b)(7)(C) -- about some of  
12 his shortcomings, okay.

13 (b)(7)(C) Right. And then on (b)(7)(C)  
14 was the (b)(7)(C) On the 3rd I  
15 received a call from our Director, (b)(7)(C) (inaudible),  
16 saying that he had asked (b)(7)(C) to give him a report a  
17 couple months ago.

18 And that he was frustrated that he had  
19 asked for this report and he never received it. When  
20 I asked (b)(7)(C) about it, he said that he forgot about  
21 it. And I went to (b)(7)(C) and asked her about it  
22 and she got the report right away.

23 Another situation that happened in (b)(7)(C)  
24 was that he was, I had a phone conversation with (b)(7)(C)  
25 about the (b)(7)(C) the org

1 structure, things that weren't going right.

2 And he had a follow-up meeting with (b)(7)(C)

3 (b)(7)(C) (phonetic), (b)(7)(C) and (b)(7)(C)

4 (phonetic), who were the employees responsible for  
5 those work processes, to talk about expectations.

6 And during that meeting (b)(7)(C) became very  
7 upset because she said that he was unprofessional. He  
8 was intimidating. She felt threatened in this  
9 conversation and when she got up and walked out of his  
10 office, the door slammed and I think she said she  
11 opened it and let it go and it hit.

12 She also told me she was angry when she  
13 left there. So (b)(7)(C) sent (b)(7)(C) to (b)(7)(C) cubicle  
14 to tell her to come back into the office. And (b)(7)(C)  
15 told me that she was hysterical, she was sobbing. She  
16 wanted to regain her composure before she went back in  
17 there and she was very upset.

18 I was up doing interviews up in staffing  
19 office and he paged me. And said that (b)(7)(C) was  
20 being insubordinate, and he wanted me to support him  
21 in placing her on investigatory suspension.

22 And I said, yes, he had already talked to  
23 (b)(7)(C) about it. And basically, in his opinion  
24 she was being insubordinate. And I told him that he  
25 needed to give her an opportunity to calm down.

1 And so during that time, there were two or  
2 three instances where (b)(7)(C) would report back, (b)(7)(C)  
3 says she's not coming in here. (b)(7)(C) would send (b)(7)(C)  
4 back saying, (b)(7)(C) said get in my office.

5 And I asked him, I said, you know, if  
6 (b)(7)(C) is coming back to you and saying that (b)(7)(C)  
7 hysterical and she's sobbing, she doesn't want to come  
8 in here. Why didn't you go see (b)(7)(C) and say, or  
9 give her an opportunity to calm down? So that was the  
10 second pretty large employee relations issue that I  
11 had to deal with within the first few months.

12 (b)(7)(C) Can we just take a moment.  
13 I'm going to tell our next witness that we're probably  
14 going to be at least 15 minutes, do you think?

15 (b)(7)(C) Yes, that's fine.

16 (b)(7)(C) Or more?

17 (b)(7)(C) We'll go off the  
18 record.

19 (Whereupon, the interview in the above-  
20 entitled matter went off the record and went back on  
21 the record at 11:07 a.m.)

22 (b)(7)(C) Back on the  
23 record. Time is approximately 11:07 a.m. And before  
24 we went off the record you were talking about some of  
25 these events that you have in your notes in front of

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1 you. You can continue.

2 (b)(7)(C) Okay.

3 (b)(7)(C) Maybe while we were on  
4 break, let me just make clear, did you prepare those  
5 notes for this meeting today?

6 (b)(7)(C) No. These notes I documented  
7 as part of my supervisory responsibilities.

8 (b)(7)(C) Did you keep like  
9 a running chronological note taking in your computer?

10 (b)(7)(C) Yes.

11 (b)(7)(C) Okay.

12 (b)(7)(C) Not for every employee but for  
13 issues I do, yes.

14 (b)(7)(C) Okay.

15 (b)(7)(C) Okay. I left off with (b)(7)(C)

16 (b)(7)(C) and (b)(7)(C) mishandling of that issue, and  
17 that it was another employee relations issue.

18 And then the following day I received an  
19 email from (b)(7)(C) who is (b)(7)(C)  
20 manager, where (b)(7)(C) was coaching (b)(7)(C) on  
21 passive/aggressive behavior, and meeting expectations,  
22 and things like that.

23 And (b)(7)(C) was not real happy with that.  
24 She wanted to talk to (b)(7)(C) about it. She had CC'd me  
25 on an email that she had sent (b)(7)(C) saying, please call

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1 me to discuss.

2 Then [REDACTED] was the [REDACTED] stand-up that  
3 I had mentioned before where, we talked about that.  
4 On [REDACTED] I asked again, why [REDACTED] demotion  
5 was never processed. And that was again, supposed to  
6 happen April 9th.

7 On [REDACTED] [REDACTED] (phonetic), who  
8 was a [REDACTED] in the [REDACTED]  
9 mentioned to me that she was, just in general  
10 conversation, I was just talking to her, how things  
11 are going. And she said she was getting ready to go  
12 on [REDACTED]

13 And we were, you know, in [REDACTED] And  
14 I said, in [REDACTED] that's during the outage. And we  
15 have a outage vacation policy, which is Site Directive  
16 D035, that says basically we need people here during  
17 the outage and vacations will be approved for  
18 significant life events, and must be approved by the  
19 Division Manager.

20 And I was not aware that that [REDACTED] had  
21 been approved. So basically, [REDACTED] approved a [REDACTED]  
22 [REDACTED] employee without  
23 following the Site Directive.

24 And when I talked to him about that he  
25 said, I also told him that, at the time we had close

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1 to 200 employees in the division. And I said, you  
2 know, you put me in a very bad position with the rest  
3 of the 200 employees.

4 And his response to me was he didn't check  
5 the policy and that he had, I'm not going to say the  
6 word, but --

7 (b)(7)(C)

Screwed up.

8 (b)(7)(C)

Yes, screwed up.

9 (b)(7)(C)

Had other employees been  
10 denied vacation during the period?

11 (b)(7)(C)

Yes, several employees had  
12 been denied vacation because I was following the  
13 policy to the rule.

14 And if it was not a significant life  
15 event, as defined by a wedding, some significant event  
16 in someone's life, and I actually received grievances  
17 on it from employees that were unhappy that I had  
18 denied the vacation. So this put me in a very bad  
19 position with, as far as my division, as the Division  
20 Manager.

21 And then on (b)(7)(C) I discussed (b)(7)(C)

22 working hours with (b)(7)(C) And I talked about  
23 that earlier where (b)(7)(C) had said 40 hours a week.

24 Again, I met with (b)(7)(C) on (b)(7)(C) to discuss  
25 his performance issues. And then that day we talked

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1 about the employee relations events in the four months  
2 since he had been hired. I talked about those, that  
3 was [REDACTED] and [REDACTED]

4 I told him that I was spending more time  
5 managing his area of responsibility than he is. I  
6 also told him that his employees were working a  
7 significant amount of additional hours and they were  
8 putting in more hours than he was.

9 And that he was leaving after the project,  
10 and his employees were coming to me looking for  
11 guidance. One of his employees actually said to me,  
12 I don't know how to get a hold of him. Do you know  
13 where he is? So he was not having any contact with  
14 his direct reports while he was on this project, from  
15 my perception.

16 We talked about the things I had already  
17 talked about, the [REDACTED] kind of summed  
18 it up for that. That with his high visibility area of  
19 responsibility, that he was needed to be more on top  
20 of what was going on.

21 We talked about the org structure and that  
22 it wasn't being monitored on a monthly basis, as the  
23 direction I had given. The clean-up had basically  
24 stopped happening because no one was paying attention  
25 to it. And that I had told our [REDACTED]

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1 on two separate occasions that it was done, so we just  
2 talked about that.

3 One of the things when I talked to (b)(7)(C)  
4 about working additional hours. He said that he was  
5 not at documenting the additional hours that he was  
6 working.

7 I asked him, I said, you're aware of the  
8 expectation that employees are doing daily timekeeping  
9 on uncompensated hours. Even at my level I was doing  
10 that on a daily basis. And he said yes, he was aware  
11 of it.

12 So he was aware of the site expectation  
13 and he was responsible for that organization, but yet  
14 he said that he wasn't documenting his time when I  
15 talked to him about it.

16 Again, he said that, I'm sorry. At the  
17 end of the meeting he said that he had never been told  
18 these things, I'm sorry, let me back up.

19 Not at the end of the meeting. During the  
20 conversation we were having where we talked about him  
21 logging additional times, and having employee  
22 relations issues, and the things that I just talked  
23 about, he told me that he had never been told this  
24 before and that he was shocked.

25 And I reminded him that we had talked

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1 about these similar things the previous month, and  
2 that this was not the first time that he had heard  
3 this. And again, he thanked me and said he needed a  
4 [REDACTED] once in a while.

5 Then we talked about his peer  
6 relationships. And the ongoing feedback that I was  
7 receiving from his peer managers that he was  
8 alienating himself.

9 I gave him examples of the stand-up  
10 meeting, where he made comments that he and [REDACTED]  
11 were in place now and that they would address the  
12 issues. I told him again, that that had disturbed  
13 [REDACTED] and [REDACTED] and [REDACTED] and that they felt that  
14 he was undermining them when he was there.

15 He also said that, well, he said he didn't  
16 say that. The three people told me that he did say  
17 that, but he said that he didn't say that.

18 I talked to him about the email that he  
19 had sent to [REDACTED] and [REDACTED] with improvements but he  
20 was, you know, we talked about that where he was  
21 getting involved in that.

22 We talked about the email traffic between  
23 he and [REDACTED] where he was coaching [REDACTED] And that  
24 [REDACTED] was upset by that.

25 He also asked me if I had heard a rumor

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1 that he was trying to take my job away from me. And  
2 I said no, I hadn't heard that. And I said, you know,  
3 the higher up you go, the more rumors. So I really  
4 don't know where that came from. It kind of came out  
5 of left field.

6 But I hadn't heard that rumor. And he  
7 said that an employee had seen him and told him that,  
8 and that (b)(7)(C) had said something to that effect.  
9 I don't know if that was true or not.

10 He had told me at that time that he  
11 thought there was a conspiracy against him. And  
12 anytime I tried to give him coaching, he was not  
13 receptive of the feedback or the coaching. It was  
14 always the other person's fault. He was defensive.

15 When I talked to him about his peer  
16 relationships, at one point he said, I don't buy that.  
17 So I was having a really difficult time getting him to  
18 accept the coaching. But at the end of the meeting he  
19 would say thank you for the coaching and he  
20 appreciated the feedback. But there was a disconnect  
21 there.

22 I told (b)(7)(C) at the end of that meeting  
23 that he was distracted, unfocused, and it appeared  
24 that work was the last thing on his mind. He  
25 acknowledged that he wasn't putting in the time and

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1 the effort required.

2 He said he tried not to let his personal  
3 life interfere with work and that he would do whatever  
4 I needed him to do to fix this. And I told him that  
5 I needed him, and his group, to step up and take some  
6 of the pressure off of me, because I was still  
7 managing his group and trying to my job at the same  
8 time.

9 Okay, and then in (b)(7)  
(C) we had another time  
10 card issue. He had called in and sent me an email  
11 requesting a vacation day and said his (b)(7)(C).  
12 I reminded him to update his time card. And then he  
13 said that he wanted to work from home.

14 So initially he had requested a vacation  
15 day. And then when I asked him to update his time  
16 card, he said he wanted to work from home.

17 And I had told him when he (b)(7)(C)  
18 to Southern California Edison that typically we don't  
19 work from home here, because as managers we need to be  
20 available to our people.

21 On (b)(7)(C) he sent me an email and asked  
22 me, he wanted to meet with me off site after 6 o'clock  
23 in Oceanside to talk. And I wasn't comfortable doing  
24 that because of, you know, the performance issues.

25 And I told him that I would be happy to

1 meet with him, but I wanted to meet with him during  
2 business hours.

3 [REDACTED] (b)(7)(C) That's pretty  
4 unusual isn't it?

5 [REDACTED] (b)(7)(C) I thought it was unusual. I  
6 wasn't comfortable doing that. But I wanted to be  
7 responsive to him.

8 [REDACTED] (b)(7)(C) Was there any  
9 follow-up to that? I mean, did you ever ask him later  
10 on, you know, why do you want to meet with me off  
11 site? I'm here in my office, come and see me.

12 [REDACTED] (b)(7)(C) I didn't ask him that. But in  
13 the email that he sent me he said that he really  
14 didn't want to talk at work.

15 [REDACTED] (b)(7)(C) Okay. Was this  
16 something going on in his personal life, do you think?

17 [REDACTED] (b)(7)(C) He just said about stuff  
18 that's going on. And during that meeting, I'll get to  
19 that, we talked mostly about his performance and  
20 things like that.

21 [REDACTED] (b)(7)(C) Okay.

22 [REDACTED] (b)(7)(C) Okay. On the [REDACTED] (b)(7)(C) I told [REDACTED] (b)(7)(C)  
23 that I had approved his time sheet in error, and it  
24 was with a group of employees and I hit approve, and  
25 asked him to redo his time sheet because he had still

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1 not posted the vacation day for the 7th.

2 I also sent him an email on that day with  
3 the errors from the (b)(7)(C) and  
4 (b)(7)(C) acknowledges that they are not meeting my  
5 expectations. He did that on an email.

6 On the 17th, I'm sorry, the (b)(7)(C)  
7 I asked again, why (b)(7)(C) demotion had not  
8 been processed. And his response was that he failed  
9 to have (b)(7)(C) update the system, and the action was  
10 completed that day.

11 On the 16th he asked me to meet with him  
12 again, to discuss the meeting that we had on (b)(7)(C)  
13 regarding his performance.

14 On the (b)(7)(C) we had a calibration  
15 meeting for performance evaluations. And that is  
16 something that is done across the site, where  
17 typically the Division Manager, their direct reports,  
18 and the managers below, meet and we talk about  
19 calibration and make sure that everybody is on the  
20 same page in how they rate employees.

21 During that time, well, let me back up a  
22 little bit. (b)(7)(C) had responsibility for an  
23 (b)(7)(C) her name is (b)(7)(C) (phonetic), at the  
24 time. And he had rated her an (b)(7)(C), which is an

25 (b)(7)(C)

1 She was new into the position. She had  
2 been there less than six months. She had a huge jump.

3 She went from an [REDACTED] (b)(7)(C)

4 And, you know, she was doing very well at what she was  
5 doing, but she hadn't had enough time in the position  
6 to do all the duties that an [REDACTED] (b)(7)(C) encompassed.

7 And so I told [REDACTED] (b)(7)(C) you know, that that was  
8 not an [REDACTED] (b)(7)(C) it wasn't inline with the standards of  
9 performance and asked him to change the rating. So he  
10 agreed. He was not happy about it but he did it.

11 We go into the calibration meeting and  
12 we're discussing employees. The way it works is, you  
13 discuss the employees that are below the people that  
14 are in the room. And as you get to the next level,  
15 those employees leave. So you're never talking about  
16 the employees while they're in the room.

17 So [REDACTED] (b)(7)(C) was sitting in the room and he was  
18 just kind of staring at the wall, wasn't  
19 participating. And [REDACTED] (b)(7)(C) said well, I think [REDACTED] (b)(7)(C)  
20 should be an [REDACTED] (b)(7)(C) And I said, you know, based on what,  
21 let's talk about that.

22 And so he said well, she does a really  
23 good job at [REDACTED] (b)(7)(C) which is our [REDACTED] (b)(7)(C)  
24 [REDACTED] (b)(7)(C) She does, she does a very good  
25 job at that. That's what I was talking about earlier.

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1 And so we had a discussion about it. And  
2 (b)(7)(C) did not use good judgment in that situation  
3 because he did not have direct supervision of that  
4 employee.

5 And at a (b)(7)(C) level, he should  
6 recognize that someone who has been in position for  
7 only six months should not be a, an (b)(7)(C) is the (b)(7)(C)  
8 percent of the organization.

9 And so he was not happy that (b)(7)(C) wasn't  
10 an (b)(7)(C) and neither was (b)(7)(C) But I have to look at the  
11 entire organization. And that's really what the  
12 calibration meetings are about, is that everyone talks  
13 about how their perception --

14 (b)(7)(C) Can I ask you a  
15 question?

16 (b)(7)(C) Yes.

17 (b)(7)(C) Was it  
18 inappropriate for (b)(7)(C) to say that this employee  
19 deserves an (b)(7)(C) for their evaluation?

20 (b)(7)(C) It was not appropriate for him  
21 to have the discussion in the meeting or his, and I  
22 never told him that it was inappropriate. What I  
23 talked to him about was a lack of judgment at his  
24 level in the performance evaluation process.

25 That he would intervene on someone's



1 for much longer than that employee, who were  
2 performing better than that employee who were not  
3 being given an (b)(7)(C) rating. So the lack of judgment on  
4 his part was not recognizing the other managers' input  
5 and accepting it. He continued to argue as to why  
6 that employee deserved that rating.

7 (b)(7)(C) Okay. So what  
8 you're suggesting is that he should've given his two  
9 cents and let it ride, and not necessarily argue with  
10 other managers, who I'm learning disagreed with him?

11 (b)(7)(C) Yes.

12 (b)(7)(C) Okay. And during  
13 this process (b)(7)(C) was silent?

14 (b)(7)(C) Yes. He did not say a word  
15 the entire meeting.

16 (b)(7)(C) Okay. All right.  
17 Continue on.

18 (b)(7)(C) Okay. On the (b)(7)(C)

19 (b)(7)(C) He had sent me an  
20 email saying I don't know if you know this, but I've  
21 been out for the last (b)(7)(C)

22 (b)(7)(C) who he was reporting to at the  
23 time, knew that he wasn't here but I didn't. And I  
24 asked him to provide me a (b)(7)(C) that  
25 morning. Because any time an employee is gone for

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(b)(7)(C)

I had to remind him throughout the day and he finally faxed it to me at 4:15. That's just a basic requirement for any employee, not just a manager.

On (b)(7)(C) I received a note from

(b)(7)(C)

(b)(7)(C) phonetic), who was the (b)(7)(C)

(b)(7)(C)

and still is, expressing concerns over (b)(7)(C)

issuing the (b)(7)(C) without

giving (b)(7)(C) time to

review. And he said that procedure is not acceptable.

And I had talked about that earlier, where there were responsibilities in that procedure assigned to those organizations and they did not agree to it or have adequate time to review it and sign off.

So he issued the procedure to meet the commitment date, but neglected to make sure that the quality was there.

Then on the (b)(7)(C) we met to go over his (b)(7)(C). He was silent for most of the meeting. His (b)(7)(C) the employee comments, he acknowledges some areas where he needed to step up but most of it was more positive.

And I told him that my perception, or my

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1 observation, not perception, of his performance was  
2 much different than his. And we talked about the  
3 times that we had discussed situations.

4 He didn't say a whole lot during the  
5 meeting. He did, at the end, say that I was right and  
6 he needed a (b)(7)(C) and he would do better.

7 During the conversation of the (b)(7)(C) the  
8 issue of (b)(7)(C) came up and that earlier incident  
9 when I was out of the office. And at that point it  
10 was his word against (b)(7)(C) and I agreed to take  
11 that portion out of his (b)(7)(C) which is normal process  
12 for me.

13 The way I conduct (b)(7)(C)  
14 (b)(7)(C) (b)(7)(C) reviews, is the employee inputs their  
15 comments. I put my comments in. I don't sign it and  
16 send it back to the employee. I print a copy out. We  
17 discuss it during the meeting and if there's things  
18 that would need to be changed, then at that time I  
19 would do it.

20 It doesn't mean that the (b)(7)(C) is a  
21 negotiation, because it really isn't. But in this  
22 particular case it was his work against hers and I  
23 agreed to take it out of his (b)(7)(C) He agreed that that  
24 was the right thing to do.

25 And I asked him for the hard copy back

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1 because I only wanted one official copy. I signed it  
2 in the computer electronically, and then it sends it  
3 to the employee.

4 He had sent me an email later on that  
5 night saying that he wasn't really comfortable with  
6 how that was handled and that he wanted an ECP  
7 investigation.

8 And I talked to [REDACTED] (b)(7)(C)  
9 (phonetic) in [REDACTED] (b)(7)(C) and she said if, you  
10 know, this is really an [REDACTED] (b)(7)(C) issue and  
11 that if [REDACTED] (b)(7)(C) wanted an investigation, then that was  
12 his right to contact ECP and request one.

13 I did not contact ECP over that incident.  
14 As far as I concerned we had talked about it. We made  
15 an agreement. It was not an issue anymore and it was  
16 removed from his [REDACTED] (b)(7)(C). Okay.

17 [REDACTED] (b)(7)(C) Do you want her to keep  
18 going?

19 [REDACTED] (b)(7)(C) Yes, do you want me to --  
20 [REDACTED] (b)(7)(C) No, no. I have  
21 some follow questions. You could refer to the rest of  
22 these notes if you want.

23 [REDACTED] (b)(7)(C) Okay.  
24 [REDACTED] (b)(7)(C) The question I  
25 have is, up until the time that you had this [REDACTED] (b)(7)(C)

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1 discussion, was there any thought about putting (b)(7)(C)

2 (b)(7)(C) on a (b)(7)(C)

3 (b)(7)(C) There was some discussion,  
4 after the (b)(7)(C) meeting in (b)(7)(C) with (b)(7)(C)

5 (b)(7)(C) And I actually, in the package, have a  
6 draft of the (b)(7)(C) that we were going to give him.

7 As we were working through that process an  
8 incident happened where he was being untruthful with  
9 me. And I can tell you about that situation if you'd  
10 like, and at that point the decision was made to  
11 terminate his employment.

12 So the (b)(7)(C) I'm sorry, the (b)(7)(C)

13 (b)(7)(C) was discussed. It was  
14 drafted. And my intent was to give it to him and then  
15 this untruthful incident happened.

16 (b)(7)(C) Okay. Well, tell  
17 me about this event that occurred.

18 (b)(7)(C) Okay. One of his employees,  
19 (b)(7)(C) was on a (b)(7)(C). She  
20 had some behavior issues and she was being placed on  
21 disciplinary suspension.

22 (b)(7)(C) (phonetic) was her immediate  
23 supervisor. And I had told (b)(7)(C) you know, (b)(7)(C) is  
24 new in her position, not very new. She had been there  
25 over a year, but she had never dealt with any

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1 disciplinary issue of this magnitude before.

2 And we have a process that we go through  
3 with the (b)(7)(C) (phonetic) and we have meetings with  
4 Employee Relations and the employee discipline  
5 procedure, there's a process that you go through.

6 I wanted to make sure that (b)(7)(C) was  
7 okay going through this process. And I had told (b)(7)(C)  
8 that I wanted him to make sure that everything was  
9 taken care as far as the (b)(7)(C) paperwork, prepping her  
10 for the meeting, and all that.

11 The day before the meeting, I wasn't  
12 feeling well and I went home sick from work during the  
13 day. And (b)(7)(C) said, you know, I'm really nervous  
14 about this meeting. I don't know what I'm doing.  
15 I've never done anything like this before. And I need  
16 some help.

17 And I said, has (b)(7)(C) talked to you about  
18 this. And she said no, he hasn't talked to me about  
19 it. So I told her, I said, I'll take care of it. I'd  
20 been through several of these (b)(7)(C) before and I was  
21 aware of the situation. I was part of the decision to  
22 process the suspension. So I told her that I would  
23 step in.

24 (b)(7)(C) was already gone for the day. So I  
25 came in and we were up in L50 and (b)(7)(C) came in, and we

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1 were in a conference room and we were the first ones  
2 to get there.

3 And I asked him, I said, so is (b)(7)(C) 11  
4 ready. Did you get her prepped for this meeting? And  
5 he said yes, we've had several, his hands were kind of  
6 going like this, and he said yes, we've had several  
7 meetings, she's good to go. And yes, we're good.

8 And I said, okay, so (b)(7)(C) is  
9 comfortable. She knows what she's supposed to be  
10 doing. And these being not, my exact words are in the  
11 documentation, and he said yes, we're good to go.

12 And I said so did you sit down with  
13 (b)(7)(C) and go over this information with her, so  
14 she'd be ready for the meeting? And he said, no.

15 So I had given him three opportunities to  
16 tell me the truth and twice he told me that he had  
17 gotten (b)(7)(C) ready, but he hadn't met with her at  
18 all.

19 (b)(7)(C) Okay. What  
20 happened after that?

21 (b)(7)(C) So what happened after that is  
22 the meeting started. Well, actually we were  
23 interrupted, (b)(7)(C) and (b)(7)(C) walked  
24 in, so that was the end of our conversation. It was  
25 inappropriate to continue with them coming in.

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1 I represented the (b)(7)(C)  
2 (b)(7)(C). During the (b)(7)(C) I had to leave because I had  
3 a meeting to go to that really (b)(7)(C) was supposed to be  
4 in. And it had to do with the (b)(7)(C), but he  
5 wasn't available.

6 And so I left and I said, okay (b)(7)(C)  
7 you're going to do the disciplinary meeting. He's a  
8 manager. He'd been a manager here (b)(7)(C) and he had  
9 more experience than (b)(7)(C) (b)(7)(C) had no  
10 experience dealing with this kind of thing. And I  
11 want you to do the meeting.

12 And he said well, why? Why do I have to  
13 do the meeting? And I said because you're the manager  
14 over this employee and (b)(7)(C) doesn't have any  
15 experience doing this. So we talked about what the  
16 conversation was going to look like in the meeting and  
17 I got up and left.

18 After the meeting (b)(7)(C) told me  
19 that as soon as I left the room, (b)(7)(C) basically said  
20 to (b)(7)(C) that she was doing the meeting. And  
21 (b)(7)(C) said well, that's not what (b)(7)(C) said. And he  
22 says well, I'll do it for you this time but I'm not  
23 doing it again, kind of a thing.

24 (b)(7)(C) told me the same thing. That  
25 wasn't following my direction either. The employee

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1 was suspended. (b)(7)(C) was (b)(7)(C) when the employee  
2 was supposed to do the reinstatement meeting. He was  
3 not available during the reinstatement meeting.

4 He didn't provide any discussion to me, or  
5 (b)(7)(C) or anyone on how this employee was going to  
6 be returned. I found out about that on Friday. I  
7 came in over the weekend to prepare the paperwork for

8 (b)(7)(C)

9 And I really was mentoring her because I  
10 wanted her to be successful. I wanted to protect the  
11 company. And I wanted the meeting to go well. I  
12 didn't sit in on the meeting. I assigned (b)(7)(C)  
13 (b)(7)(C) another manager, to sit in with (b)(7)(C) to  
14 reinstate the employee.

15 But that was an additional lack of  
16 ownership, accountability. And really, I needed to be  
17 able to trust him. He was my direct report. He was  
18 ultimately over the (b)(7)(C) high  
19 confidential area.

20 And if I could not trust him and he was  
21 not being truthful with me, I couldn't have him  
22 working for me anymore.

23 (b)(7)(C) Was there ever a  
24 time, in this time line, when he came to you in your  
25 office and told you about efforts on the part of

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1 management to keep employees from going to the ECP or  
2 to the NRC with concerns?

3 (b)(7)(C) Can you repeat that, I'm  
4 sorry?

5 (b)(7)(C) Was there ever a  
6 time, like around this time frame, when he went to you  
7 in your office and complained about employees,  
8 might've been (b)(7)(C), but it was under your purview,  
9 being told by other managers that they shouldn't go to  
10 the ECP or to the NRC, they should go through the  
11 chain of command first?

12 (b)(7)(C) He did mention that to me and  
13 it was (b)(7)(C) My understanding of what she said  
14 was that she wasn't discouraging employees from going  
15 to ECP or the NRC, but she was encouraging them to go  
16 through the chain of command.

17 Because if she didn't know about the  
18 issues she couldn't resolve them. That was  
19 investigated through the ECP office and ultimately,  
20 (b)(7)(C) made some mistakes where she said some things  
21 that her intention, in my opinion, wasn't what was  
22 said, but the employees took it that way.

23 (b)(7)(C) Yes.

24 (b)(7)(C) And ultimately I had to take  
25 action and remove her from that position.

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1 [REDACTED] Okay, as a  
2 result?

3 [REDACTED] As a result of several  
4 incidents where she said something that was, in her  
5 mind meant one thing, and was misinterpreted by her  
6 employees.

7 [REDACTED] Okay. And is it  
8 fair to say that because of communications issues [REDACTED]  
9 [REDACTED] was removed from her position?

10 [REDACTED] Not communication issues. It  
11 was more, I don't know how to, I'll give you a couple  
12 examples. She told her employees, I would prefer if  
13 you go through your chain of command.

14 And she was trying to encourage her  
15 employees to go to her, and [REDACTED] and [REDACTED] the  
16 supervisor that reported to her, instead of going  
17 outside the chain of command. And some of that, in my  
18 opinion, was based on her relationship with [REDACTED].

19 She also said in a meeting one time, she  
20 was giving an example of a good leader and it was me  
21 that she was giving the example of. And she said, you  
22 know, I trust her and I'll, God I'm trying to think on  
23 what she said --

24 [REDACTED] Is that the, I'd kill for  
25 her, comment?

1 [REDACTED] Yes. She said something like  
2 I'd kill for her, but that isn't exactly what she  
3 said. But an employee, and I was in the meeting and  
4 I was so, as soon as the meeting was over I said,  
5 [REDACTED] I know what your intent was, that you respected  
6 how I handled a particular situation.

7 You will follow me, you know, all those  
8 things that she had said to me. But an employee was  
9 offended by that and that was just another mistake  
10 that she made. And she would say things that the  
11 intent was not there, but it was misinterpreted by  
12 others.

13 [REDACTED] Okay. Do you  
14 remember when [REDACTED] came to you and made this comment  
15 about employees, and ECP, and NRC, and going through  
16 the chain command? Do you remember when that  
17 occurred?

18 [REDACTED] No. I remember it happening  
19 but I don't remember the date that it occurred.

20 [REDACTED] Okay. Was it  
21 kind of close to his termination?

22 [REDACTED] I don't recall.

23 [REDACTED] Okay. When was  
24 the first time you considered terminating him?

25 [REDACTED] I had been talking to [REDACTED]

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1 (b)(7)(C) throughout this time line, and we had  
2 actually talked about a (b)(7)(C) around the  
3 (b)(7)(C) time, and then the second issue, the issue I just  
4 talked to you about. I recognized early on that I had  
5 made a mistake in hiring him.

6 (b)(7)(C) Okay. So you  
7 came to the conclusion that he should be terminated?

8 (b)(7)(C) Yes, me and I had concurrence  
9 from Employee Relations. I had concurrence from the  
10 Law Department. I had the (b)(7)(C) review board. I made  
11 the decision but I had support from the corporate  
12 organizations involved.

13 (b)(7)(C) Okay. Who above  
14 you signed off on it?

15 (b)(7)(C) (b)(7)(C) not actually  
16 signed but agreed, and (b)(7)(C) (phonetic), our  
17 (b)(7)(C) was aware of the situation.

18 (b)(7)(C) Okay. He  
19 concurred?

20 (b)(7)(C) Yes.

21 (b)(7)(C) All right. And  
22 what was the formal reason given for terminating (b)(7)(C)

23 (b)(7)(C)

24 (b)(7)(C) Unsatisfactory performance.

25 (b)(7)(C) Okay. Do you

1 remember when he was terminated? Do you have the  
2 date?

3 (b)(7)(C) The meeting was held on  
4 (b)(7)(C) and I had already requested the final  
5 paycheck. And I had received it from the corporate  
6 office on (b)(7)(C) and it had paid him throughout  
7 the week.

8 And so his official termination date in  
9 the system says (b)(7)(C) because the term date is  
10 always the day after, but he actually left site on  
11 (b)(7)(C)

12 (b)(7)(C) Did the fact  
13 that, you were aware that (b)(7)(C) was going to go to  
14 the ECP and the NRC, is that correct?

15 (b)(7)(C) That is not correct. I had no  
16 knowledge at the time of his termination. I found out  
17 that he went to the NRC when I received the court  
18 papers that I was being sued.

19 (b)(7)(C) Okay. We're  
20 almost done. So when --

21 (b)(7)(C) No problem.

22 (b)(7)(C) So when (b)(7)(C)  
23 approached you in your office that one time and  
24 complained about (b)(7)(C) and what she was advising  
25 her employees. He didn't say anything to the effect,

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1 that I'm going to the ECP and I'm going to the NRC?

2 (b)(7)(C) No he did not. I had no  
3 knowledge that he had done either one of those things.  
4 He had said he was going to, he wanted an ECP  
5 investigation in this situations I had told you about  
6 earlier, but he never said to me I'm going to ECP and  
7 he never said to me I'm going to the NRC.

8 (b)(7)(C) Are you aware of  
9 him, subsequently after talking with people, are you  
10 aware of him telling other people that he was going to  
11 the NRC?

12 (b)(7)(C) No. I have no knowledge of  
13 that.

14 (b)(7)(C) Okay. I'm told  
15 that for supervisors in the industry there is a  
16 special whistle blower protection training given out  
17 for like supervisors and managers. Have you ever been  
18 given any type of training like that?

19 (b)(7)(C) We go through a lot of  
20 training as supervisors. There is training on safety  
21 conscious work environment. But that's the only  
22 training that I'm aware of. I've been through  
23 training about how to handle employees' concerns and  
24 things like that.

25 (b)(7)(C) Counselor, do you

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1 have any follow-up?

2 (b)(7)(C) Did (b)(7)(C) ever give you  
3 an explanation of why he was unfocused and  
4 disorganized at work?

5 (b)(7)(C) He gave me a couple, he said  
6 at one point, you know, it's very different (b)(7)(C)

7 (b)(7)(C). And it is different here  
8 because we're an ENPO 4 (phonetic) and we're in plant  
9 recovery.

10 And the expectations for all employees,  
11 especially managers and supervisors, is much greater  
12 than when he was here before.

13 He also told me one time when I was  
14 talking to him about oversight for his area. He said,  
15 I'm used to having good people working underneath me  
16 and not having to provide this level of oversight.

17 And I reminded him that he has good people  
18 underneath him but they need leadership, and they need  
19 structure, and that was his responsibility. He also  
20 told me about a personal situation that he was  
21 experiencing in his personal life.

22 (b)(7)(C) Well, let's first, when he  
23 first came to, you said he was unfocused. So there  
24 was issues about his moving, can you talk about that  
25 a little bit? Why that was impacting work.

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(b)(7)(C)

Well initially, yes, moving.

He relocated from northern California. And he was in a condo in Oceanside, I'm not sure where. And he had a pet, a cat, and he didn't feel settled.

He wanted to buy a house. He was frustrated that one of the houses that he had put an offer on, someone had put a higher offer in.

And so he spent a lot of time trying, he would ask me, can I leave early today? I need to meet my realtor. So I was very lenient with him in trying to get him settled. Because I thought that that would help his performance. I wanted him to be successful.

(b)(7)(C)

Was he taking more time

off than other managers were at that period of time?

(b)(7)(C)

He was taking a lot of time

off. When he was moving, he told me that he had contacted staffing and they had told him he could take six days off to move.

We were in an outage and he, you know, as a single person, not that that would make it any easier, but he wanted six full days off. Well, during that time that he was off he called me and left a message on Blackberry that said, I'm just calling to check in. I'm going to the gym and I'm waiting for the title people to show up.

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1           So in my opinion he could've reduced that  
2 six days off and got his stuff in the house and got  
3 back to help support the outage.

4           He also asked, once he got the house that  
5 he had purchased, he was asking to take off frequently  
6 whether it was for, there was a problem with the  
7 foundation. He needed to go to L.A. to pick up tile.

8           He needed to meet the plumber. He had a  
9 lot of reasons why he needed to take time off. And  
10 again, I was supportive of that time off even though  
11 it had an impact to me and the rest of his work group,  
12 because I wanted him to get settled so that he could  
13 focus on the job.

14           But that didn't happen. He went from one  
15 situation to another. He also, I don't know how much  
16 I should say about the personal situation.

17           (b)(7)(C) Well, if it impacted the  
18 work.

19           (b)(7)(C) Okay. So he came to my office  
20 one day and he was upset. And he said, I need to talk  
21 to you about something. I need your advice. And he  
22 told me (b)(7)(C)

23  
24           (b)(7)(C)  
25

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(b)(7)(C)

happened. You're going to have to learn to deal with it and that sort of thing.

And so I was very supportive of him through that process. I understand that's a significant event in someone's life.

He later on had told (b)(7)(C) who was a (b)(7)(C) at the time, he's (b)(7)(C) now, that he had discussed a personal situation with me and that I had held it against him and documented it in his (b)(7)(C).

And (b)(7)(C) reported to my (b)(7)(C) at the time, (b)(7)(C) he was my peer. And (b)(7)(C) went to (b)(7)(C) and said, you know, (b)(7)(C) told me about this. He's really upset and I don't think this is appropriate.

So (b)(7)(C) looked at the (b)(7)(C). And I didn't know about this until after it was over, and he told (b)(7)(C) that there was nothing in his (b)(7)(C) that referenced this personal situation. And so that was another, it

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1 appeared as though he was trying to undermine me. And  
 2 he was not being truthful in the situation that  
 3 actually occurred.

4 (b)(7)(C) Did you have discussions  
 5 with (b)(7)(C) about (b)(7)(C) performance?

6 (b)(7)(C) Yes I did.

7 (b)(7)(C) Okay, and what did you  
 8 learn from (b)(7)(C) about (b)(7)(C) performance?

9 (b)(7)(C) (b)(7)(C) had asked (b)(7)(C)

10 early on, when he first started, for a report. I  
 11 talked about that earlier, where a couple months went  
 12 by and (b)(7)(C) came to me and said, I'm looking for this  
 13 report and (b)(7)(C) told me that he had forgotten about  
 14 it.

15 Also, (b)(7)(C) was responsible for the (b)(7)(C)  
 16 program, the (b)(7)(C) whereas,  
 17 where we taking (b)(7)(C)

18 (b)(7)(C)

19 It's a big responsibility, (b)(7)(C)

20 (b)(7)(C) And (b)(7)(C) had asked  
 21 him for an update and he came to me later on in the  
 22 day, and it's documented back here, it happened in  
 23 (b)(7)(C).

24 Where (b)(7)(C) had said I'm leaving, you know,  
 25 I'm going on (b)(7)(C). And (b)(7)(C) came to me a couple

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1 hours later and said, (b)(7)(C) said he's going on  
 2 (b)(7)(C) (b)(7)(C) didn't realize, (b)(7)(C) at the  
 3 time, that (b)(7)(C) hadn't provided him the (b)(7)(C) report  
 4 that he was expecting.

5 And so at the end of the day I, and (b)(7)(C)  
 6 (b)(7)(C) worked, and there was one other person  
 7 involved, I want to say (b)(7)(C) (phonetic), pulling  
 8 this report together.

9 Because (b)(7)(C) my (b)(7)(C) was getting a  
 10 lot of pressure from the outage organization. Where's  
 11 this list? Where's this list? And (b)(7)(C) was not happy  
 12 with (b)(7)(C) performance either.

13 (b)(7)(C) Okay.  
 14 (b)(7)(C) What was your feelings  
 15 about (b)(7)(C) coming to work for you when you first hired  
 16 him?

17 (b)(7)(C) I was excited to have (b)(7)(C)  
 18 come to work for me. I had known him when (b)(7)(C)

19 (b)(7)(C) As I mentioned before, I was the (b)(7)(C)  
 20 (b)(7)(C) and I  
 21 did a lot of work with him as far as his position in

22 (b)(7)(C)

23 When the decision was made to hire him, he  
 24 was supposed to start in (b)(7)(C). And he had called  
 25 me and said, you know, I really don't want to leave my

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1 boss hanging and could I start in

(b)(7)(C)

2 (b)(7)(C)

3 And even though we were in an (b)(7)(C) and  
4 it was having an impact on me, I agreed to do that  
5 because I wanted him to start in a good place. And  
6 when we offered the salary to him, he countered, and  
7 it was a high salary for his (b)(7)(C) band.

8 And I went to my (b)(7)(C) (b)(7)(C)  
9 and I said I really need (b)(7)(C) here to help me and will  
10 you approve this additional money. And I had to  
11 convince him that that was the right thing to do.

12 Also (b)(7)(C) countered on his hiring bonus.  
13 We had initially offered him, I think \$10,000 and then  
14 he had countered \$15,000. And I went to bat again, to  
15 get him here because I thought that he was going to do  
16 a good job.

17 I actually hired him to be my successor,  
18 because we all know that we can't promote up if we  
19 don't have someone to take our place. And that just  
20 made all this stuff more disappointing.

21 (b)(7)(C)

That's it.

22 (b)(7)(C)

Okay.

(b)(7)(C)

23 have I or any other NRC representative threatened you  
24 in any manner, or offered you any rewards in return  
25 for this statement?

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(b)(7)(C)

No.

(b)(7)(C)

Have you given this statement freely and voluntarily?

(b)(7)(C)

Yes.

(b)(7)(C)

Is there any additional information that you care to add for the record?

(b)(7)(C)

Can I ask

(b)(7)(C)

Talk about it

for a second?

(b)(7)(C)

We can go off the

record if you want.

(b)(7)(C)

Okay.

(Whereupon, the meeting in the above-entitled matter went off the record and went back on the record at 11:55 a.m.)

(b)(7)(C)

We're back on the

record. Time is approximately 11:55 a.m. And there's a couple of items that you wanted to add,

(b)(7)(C)

(b)(7)(C)

Yes. Our focus as a site, and especially on a leadership team is, we're eliminating our no consequence environment or raising the bar on performance issues.

And so I have been holding my employees accountable. There were two other employees during that year, 2010, that did not meet expectations and

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1 that they were terminated.

2 One was terminated for unsatisfactory  
3 performance and the other was terminated for  
4 misconduct. And that's expectations of leaders, is to  
5 hold our people accountable and to take action,  
6 appropriate action when warranted.

7 So I wanted to just bring that to your  
8 attention that he is not the only person that I held  
9 accountable during that year.

10 (b)(7)(C)

Okay.

11 (b)(7)(C)

12 Okay. The other thing, going  
13 back to the (b)(7)(C), is there were numerous things, each  
14 section of that (b)(7)(C) had areas  
15 where he was not meeting expectations.

16 During the course of the discussion with  
17 the (b)(7)(C) the (b)(7)(C) comment that we deleted was  
18 the only thing that he disagreed with at the time or  
19 brought up. He may've disagreed with it, but I was  
20 not aware of it. That's the only thing that he  
21 brought to my attention that he was not happy with.

22 (b)(7)(C)

Okay. Any

23 further follow-up, Counselor?

24 (b)(7)(C)

Not from me, thank you.

25 (b)(7)(C)

Okay. All right.

What I like to tell my witnesses is if there's

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1 something that comes to mind later on today, for  
2 example if you're driving home and something occurs to  
3 you, and you go I should've brought this up in the  
4 meeting. Feel free to give (b)(7)(C) a call and we could  
5 facilitate the relay of information.

6 (b)(7)(C) Okay.

7 (b)(7)(C) Or I could always  
8 come back and talk to you again. So it depends. So  
9 you have that option, all right?

10 (b)(7)(C) Okay, thank you.

11 (b)(7)(C) At this time the  
12 interview will be concluded. The time is  
13 approximately 11:56 a.m.

14 (Whereupon, the interview in the above-  
15 entitled matter went off the record at 11:56 a.m.)

16  
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CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Interview of

(b)(7)(C)

Docket Number: 4-2011-059

Location: San Clemente, California

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings as recorded on tape(s) provided by the NRC.

(b)(7)(C)

Official Transcriber  
Neal R. Gross & Co., Inc.

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