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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
+ + + + +  
OFFICE OF INVESTIGATIONS  
INTERVIEW

-----X

IN THE MATTER OF :

INTERVIEW OF : Docket No.

ELLEN K. TAYLOR : 2-93-004

-----X

Thursday, July 20, 1995

Room 1600

First Virginia Bank Tower

Norfolk, Virginia 23514

The above-entitled interview was conducted at

1:30 p.m.

Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions 7C  
FOIA- 96-19  
Investigator

BEFORE:

JAMES D. DOCKERY

EXHIBIT 20

PAGE 1 OF 73 PAGE(S)

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APPEARANCES:

On Behalf of the NRC:

JAMES D. DOCKERY, Investigator

of: U.S. Nuclear Regulatory Commission

101 Marietta Street

Room 2900

Atlanta, Georgia 30323

(404) 331-6549

On Behalf of the Witness:

WILLIAM W. NEXSEN, ESQ.

Stackhouse, Smith & Nexsen

1600 First Virginia Bank Tower

Post Office Box 3640

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(804) 623-3555

WITNESS:

ELLEN K. TAYLOR

5426 Robin Hood Road

Norfolk, Virginia 23513

(804) 857-6400

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

1:28 P.M.

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INVESTIGATOR DOCKERY: For the record, it is now approximately 1:25 p.m. on July the 20th, 1995. This is an interview of Ms. Ellen Taylor regarding her knowledge of the events and circumstances surrounding allegations and DOL complaints made by Mr. Thomas J. Saporito beginning in 1992.

Those allegations and complaints are the subject of this investigation of the NRC Office of Investigations, Case No. 2-93-004. This interview is being conducted James D. Dockery, Senior Investigator, NRC, Office of Investigations. And we are at the Law Offices of Stackhouse, Smith & Nexsen in Norfolk, Virginia.

Also present at this interview is Mr. William Nexsen. And I'd ask you, Mr. Nexsen, to identify yourself and your involvement in this proceeding.

MR. NEXSEN: My name is William W. Nexsen. I'm an attorney with the Law Office of Stackhouse, Smith & Nexsen. I am General Counsel to the Atlantic Group, and have been asked by Ms. Taylor to be her representative here today.

INVESTIGATOR DOCKERY: And this interview is being recorded for later transcription. Ms. Taylor, would

1 you raise your right hand, please?

2 WHEREUPON,

3 ELLEN K. TAYLOR

4 WAS CALLED AS A WITNESS BY THE NUCLEAR REGULATORY  
5 COMMISSION, AND HAVING BEEN DULY SWORN, WAS EXAMINED AND  
6 TESTIFIED AS FOLLOWS:

7 THE WITNESS: I do.

8 INVESTIGATOR DOCKERY: Thank you. Would you  
9 state your full name, please?

10 THE WITNESS: Ellen K. Taylor.

11 INVESTIGATOR DOCKERY: And your social  
12 security number, please?

13 THE WITNESS: (REDACTED)

70

14 INVESTIGATOR DOCKERY: And Ms. Taylor, what is  
15 your current position and employer?

16 THE WITNESS: Right now, I am a consultant  
17 part-time for the Atlantic Group.

18 INVESTIGATOR DOCKERY: And during the time  
19 period of, say, mid-1991 into 1992, what was your  
20 position?

21 THE WITNESS: I was the Personnel Manager for  
22 the Atlantic Group.

23 INVESTIGATOR DOCKERY: And you were located  
24 where?

25 THE WITNESS: In the Norfolk Office, Robin

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*Handwritten signature*



1 Hood Road.

2 INVESTIGATOR DOCKERY: How long did you hold  
3 that position as Personnel Manager?

4 THE WITNESS: Until 1983 until April 1995.

5 INVESTIGATOR DOCKERY: And so --

6 THE WITNESS: Twelve years.

7 INVESTIGATOR DOCKERY: -- you've just recently  
8 --

9 THE WITNESS: Just left this spring.

10 INVESTIGATOR DOCKERY: As I mentioned earlier,  
11 we're here today to discuss Mr. Thomas J. Saporito and his  
12 complaints and certain allegations against the Atlantic  
13 Group or TAG as we'll refer to it here. Are you familiar  
14 with Mr. Saporito's name?

15 THE WITNESS: Yes, I am.

16 INVESTIGATOR DOCKERY: Okay. Basically, Ms.  
17 Taylor, Mr. Saporito has made four allegations in all his  
18 complaints. I've gone through and tried to distill what  
19 his allegations and complaints against TAG were.

20 And the first is basically that TAG somehow  
21 illegally or wrongfully influenced the Arizona Power  
22 Service Company, APS, or wrongfully caused Mr. Saporito  
23 not to be selected or rehired or however you want to put  
24 it, for a 1992 Unit One outage at Palo Verde Nuclear  
25 Generating Station.

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1 At the time, he had been a -- previous to  
2 that, from I believe October to December, he had been an  
3 Instrumentation and Control Technician during an outage at  
4 Unit Two of Palo Verde. Is that correct?

5 THE WITNESS: That's correct.

6 INVESTIGATOR DOCKERY: Okay. His second  
7 allegation is that TAG discriminated against Mr. Saporito  
8 by not responding to him or causing him to be rehired for  
9 other positions as an I and C technician subsequent to  
10 we'll say December 1991. It actually continued on into  
11 1994, I believe was the date of his last formal DOL  
12 complaint.

13 Mr. Saporito's third allegation is that  
14 because the Atlantic Group did not rehire him, did not  
15 respond to his requests for employment, he was subjected  
16 to illegal black-listing, if we may call it that, by the  
17 Atlantic Group. And furthermore, that the Atlantic Group  
18 conspired either within its own organization, or with  
19 outside entities, to black-list him and prevent from being  
20 hired for any job for which he claimed to be qualified.

21 The final allegation that I'm looking at here  
22 is that a rather general allegation by Mr. Saporito to the  
23 NRC that during the course of the DOL proceedings that he  
24 instituted, certain employees, really non-specified  
25 employees, may have been less than truthful or even

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1 committed perjury during the course of those proceedings.

2 That's what I'm here to talk to you about  
3 today, and that's all unless you have something that you  
4 wish to add to that.

5 THE WITNESS: Okay.

6 INVESTIGATOR DOCKERY: I'd kind of like to  
7 take those in order starting with the -- going back to  
8 1991, December of 1991, early 1992 when he claims that  
9 somehow TAG was responsible for his not being hired as a -  
10 - for the Unit One outage.

11 THE WITNESS: Okay.

12 INVESTIGATOR DOCKERY: By way of background,  
13 were you involved in the initial selection of Mr. Saporito  
14 or the processing of his resume for the Unit Two outage?

15 THE WITNESS: Yes.

16 INVESTIGATOR DOCKERY: In what capacity?

17 THE WITNESS: As the Personnel Manager, I was  
18 responsible overall for all of the recruiting needs to be  
19 met by the Atlantic Group, coordinating in between the  
20 various offices that we had. When we began that Palo  
21 Verde job, that was the start of a very large contract.

22 We were recruiting in two places at the same  
23 time. We were recruiting from our Phoenix office, at the  
24 same time that we were recruiting from our Norfolk office,  
25 just because of the sheer volume of people that we needed

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1 and the short amount of time that we had to fill the  
2 openings.

3 I don't remember the conversation, but from my  
4 notes I can tell that I was the first person that spoke  
5 with Mr. Saporito when he initially called in and asked  
6 about the job. We ran advertisements, and I'm sure he saw  
7 one, called and inquired.

8 I gave him some general information about the  
9 job, suggested that he send us his resume. I believe that  
10 further conversations took place between one of my  
11 subordinates and Mr. Saporito.

12 INVESTIGATOR DOCKERY: And that subordinate  
13 would be who?

14 THE WITNESS: Ellen Simmons.

15 INVESTIGATOR DOCKERY: At the time you spoke  
16 to Mr .Saporito, had these initial conversations with him,  
17 (a) were you familiar with him, and (b) had you ever  
18 spoken to him before?

19 THE WITNESS: No, to both of those questions.

20 INVESTIGATOR DOCKERY: Okay. When did you  
21 first become familiar with Mr. Saporito in the sense that  
22 you knew who he was, other than -- I didn't put that well.  
23 We'll strike that. We'll get to that later.

24 Did you have any discussion with anybody from  
25 Palo Verde or Arizona Power Service Company prior to Mr.

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1 Saporito's hiring about Mr. Saporito?

2 THE WITNESS: No.

3 INVESTIGATOR DOCKERY: Were you responsible  
4 for providing Mr. Saporito's resume, the initial resume,  
5 to APS or was that done through somebody else?

6 THE WITNESS: I was not personally responsible  
7 for it. I'm sure we sent his resume out to either the  
8 Phoenix office or the Palo Verde site to an Atlantic Group  
9 employee there. And they would have forwarded the resume  
10 on for selection for Unit Two.

11 INVESTIGATOR DOCKERY: Still, you mentioned  
12 that there was a rather large volume of -- was it just I  
13 and C techs?

14 THE WITNESS: No, it was not. We had just  
15 assumed responsibility for a staff augmentation contract  
16 out there. So the I and C techs numbered maybe 20 people  
17 of a total of approximately 180 to 200 people.

18 We rolled over a number of people from the  
19 prior contractor, and had to hire on a number of new  
20 people.

21 INVESTIGATOR DOCKERY: Okay, as I understand  
22 it then, Mr. Saporito was selected by APS for the Unit Two  
23 outage, which lasted roughly from the end of September  
24 through the end of December of 1991. Is that correct?

25 THE WITNESS: That's correct.

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1 INVESTIGATOR DOCKERY: Adn Mr. Saporito then I  
2 think indicated some interest in being selected or being  
3 nominated, proposed shall we say, for the Unit Two outage  
4 --

5 THE WITNESS: Unit One.

6 INVESTIGATOR DOCKERY: -- which followed --  
7 Unit One, I'm sorry, which followed that outage, which I  
8 think was scheduled to begin in January of '92?

9 THE WITNESS: Yes. Yes, it was scheduled for  
10 January '92. I don't know about -- I didn't have any  
11 direct contact with him about wanting to be selected.

12 INVESTIGATOR DOCKERY: And that's my question,  
13 whether you had any involvement at all --

14 THE WITNESS: No. I only know now after the  
15 fact that he did express interest to one of our people out  
16 at that site. But at that point, the Norfolk office did  
17 not have any more involvement with the selection of people  
18 at all. Phoenix had pretty well taken it over.

19 INVESTIGATOR DOCKERY: Is it fair to say that  
20 neither you nor this office had any input into whether or  
21 not Mr. Saporito would be selected by APS for the --

22 THE WITNESS: For Unit One?

23 INVESTIGATOR DOCKERY: -- Unit One?

24 THE WITNESS: Absolutely. There wasn't any  
25 communication about it.

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1 INVESTIGATOR DOCKERY: You had no discussion  
2 personally with anybody from APS regarding Mr. Saporito in  
3 relation to that selection?

4 THE WITNESS: No, I did not.

5 INVESTIGATOR DOCKERY: I'm going to ask you a  
6 general question, Ms. Taylor. Is there anything you can  
7 tell me about -- that you have first-hand knowledge of  
8 regarding the fact that Mr. Saporito was not selected by  
9 APS for the Unit One outage?

10 Now I realize you had quite a bit of knowledge  
11 now since the litigation.

12 THE WITNESS: At the time?

13 INVESTIGATOR DOCKERY: At the time.

14 THE WITNESS: If I could isolate that time  
15 period?

16 INVESTIGATOR DOCKERY: Yes ma'am.

17 THE WITNESS: Not -- I didn't know anything  
18 about Saporito or any of the other employees. There was  
19 no communication between the Norfolk office and Palo Verde  
20 or Phoenix, I use them synonymously right now, as to who  
21 was being selected or not being selected. That was their  
22 own responsibility.

23 We had our own openings that we were filling  
24 at the time.

25 INVESTIGATOR DOCKERY: Okay. As far as I'm

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1 concerned, I don't know what else -- that pretty much  
2 covers what I need to ask you about the fact that he --  
3 your knowledge about the fact that he was not selected for  
4 the Unit One outage.

5 THE WITNESS: I had none.

6 INVESTIGATOR DOCKERY: Okay. Going to his  
7 second allegation that he was discriminated against by TAG  
8 subsequent to that time. Mr. Saporito that he has filed a  
9 number or sent in a number of resumes and made a number of  
10 telephone calls, I think to to Norfolk requesting further  
11 employment.

12 His contention was that (a) he received no  
13 response, and (b) that TAG failed to seek employment for  
14 him. What responsibility does the Atlantic Group have to  
15 go forward with anybody's application or resume for  
16 employment?

17 THE WITNESS: Can I tell you about the process

18 --

19 INVESTIGATOR DOCKERY: Sure.

20 THE WITNESS: -- the way that we operate?

21 INVESTIGATOR DOCKERY: That would be fine.

22 THE WITNESS: Stop me if I ramble. Norfolk is  
23 the headquarters of the Atlantic Group. I am responsible,  
24 or was responsible at that time, for the database of  
25 resumes that the Atlantic Group had.

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1           Our business is to fill the openings of our  
2 customers. So we're not an employment agency where our  
3 business is to put someone to work. It's more to respond  
4 to the customer utility needs in almost every case in  
5 terms of filling their openings.

6           We build up a database of employees that may  
7 be qualified to fill those openings. We advertise, we use  
8 word of mouth, contact people throughout the year, and  
9 probably have a resume database, I would say incoming  
10 resumes of maybe 2,000 to 3,000 per year.

11           It's too many to respond to. One time way  
12 back in the early 80's we attempted to respond to every  
13 resume as a courtesy. We felt that that was a more polite  
14 thing to do, and we couldn't keep up with it. There were  
15 just too many coming in. We couldn't get enough cards and  
16 letters back out.

17           So we ceased that after probably about two  
18 months of a trial experimentation. So we do not make any  
19 acknowledgement to any of those resumes that come in.

20           If an individual calls us, we will tell him,  
21 to the best of our ability, what openings we have at that  
22 time, what we may have that we expect long-term, and just  
23 answer whatever questions -- yes sir?

24           INVESTIGATOR DOCKERY: Let me stop you to get  
25 clarification here point by point. Did I understand you

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1 then Mr. Saporito had no reasonable expectation that he  
2 would get a response to each and every resume?

3 THE WITNESS: Correct. That must not be the  
4 way other companies do business, because it seems all  
5 along through this that he did expect that we should have  
6 been responding to him.

7 And quite honestly, we weren't responding to  
8 anybody.

9 INVESTIGATOR DOCKERY: Is there anything that  
10 you're aware of that would obligate you to respond to --

11 THE WITNESS: You mean like a contract or a  
12 promise or something?

13 INVESTIGATOR DOCKERY: Yes.

14 THE WITNESS: No.

15 INVESTIGATOR DOCKERY: Is there anything  
16 contractually that --

17 THE WITNESS: No, absolutely not.

18 INVESTIGATOR DOCKERY: Then make a distinction  
19 here between -- some of his resumes were -- I would think  
20 were unsolicited by the Atlantic Group.

21 THE WITNESS: Yes, that's correct.

22 INVESTIGATOR DOCKERY: Is that --

23 THE WITNESS: And that's not uncommon. We  
24 tell our people to send in resumes just every several  
25 months just to keep them updated. He sent them in quite

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1 frequently. I'm sure he was pursuing work, and I suppose  
2 in hindsight now, he was probably trying to see what we  
3 were going to do.

4 We treated him just like we treat everybody  
5 else, just with a non-response. We've got maybe a  
6 database of several hundred I and C technicians. And I'm  
7 sure there are a lot of them sitting at home right now  
8 saying, "Why hasn't the Atlantic Group put me to work?"  
9 We just frankly don't have enough openings for all of  
10 them. That's a fairly small part of our business.

11 INVESTIGATOR DOCKERY: I asked you to remember  
12 back to early 1992. And reading through the transcripts  
13 and depositions and various other information that I've  
14 gone through, around January of 1992, a resume of Mr.  
15 Saporito's was submitted to a company by TAG as part of a  
16 sample bid. Is that correct?

17 THE WITNESS: Yes.

18 INVESTIGATOR DOCKERY: Would you give me the  
19 details of that, please?

20 THE WITNESS: Sure. Frequently, we get calls  
21 from utilities or Requests for Proposal. Sometimes they  
22 ask for the specific individuals that we will use on that  
23 contract. More often, they ask for sample resumes, is  
24 what we call it.

25 They want to see the types of people, the

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1 average level of qualifications that we would provide for  
2 "X" bill rate.

3 In December of '91, we were completing a  
4 proposal to send into the Entergy System for I and C  
5 technicians. And we formatted, I believe, about five or  
6 six resumes to submit as sample resumes with that  
7 proposal. I think the date of that proposal was December  
8 30th of '91.

9 Unfortunately, we did not secure that work, so  
10 there wasn't -- we couldn't go further with it. That was  
11 the end of it.

12 INVESTIGATOR DOCKERY: Was Mr. Saporito's  
13 resume among those that were submitted?

14 THE WITNESS: Yes. I think what we did was  
15 select five or six people out of our Palo Verde group.  
16 they were all good employees. And we probably -- I don't  
17 remember this, but we did it in my office.

18 We probably looked through the resumes, picked  
19 out some that looked like they were well-qualified,  
20 reformatted them into a consistent standard format so that  
21 it would look professional to Entergy and submitted them.

22 We did not contact the employees in advance.  
23 It was not for specific work.

24 INVESTIGATOR DOCKERY: Would the fact that Mr.  
25 Saporito was selected, or his resume was selected, would

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1 that indicate that he was considered an employee in good  
2 standing?

3 THE WITNESS: Well, if we had known anything  
4 negative about him, we sure wouldn't have submitted him to  
5 Entergy. He was of any standing as anybody else. There  
6 was really no distinction between Mr. Saporito and our  
7 other 20 employees that we had out there.

8 INVESTIGATOR DOCKERY: Okay. At some point, I  
9 assume you became aware that Mr. Saporito made the claim  
10 that TAG and APS had illegally discriminated against him  
11 because he raised what's referred to as "protective  
12 concerns" or engaged in "protected activities," and that  
13 this discrimination was in retaliation for those protected  
14 activities.

15 He made that claim to the Department of Labor.  
16 At what point did you become aware that Mr. Thomas  
17 Saporito had made a complaint against your organization?

18 THE WITNESS: Against the Atlantic Group, it  
19 would have been I believe April tenth, because I've got  
20 the original complaint of the letter from the DOL, which  
21 is dated April eighth. I did not receive a receipt date  
22 on the at letter, but I assume I received it either  
23 regular mail or certified mail a couple of days later.

24 INVESTIGATOR DOCKERY: And that was a letter -  
25 - notification from the Department of Labor? You mean the

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1 Wage and Hour Division?

2 THE WITNESS: Yes.

3 INVESTIGATOR DOCKERY: What action did you  
4 take then?

5 THE WITNESS: Faxed it to my lawyer.

6 INVESTIGATOR DOCKERY: And that would be?

7 THE WITNESS: That was with Bill Nexsen at the  
8 time. It came as a surprise to us, however not a complete  
9 shock because we did know that he had filed a complaint  
10 against Arizona Power Service.

11 INVESTIGATOR DOCKERY: Which did not include -  
12 -

13 THE WITNESS: Atlantic Group.

14 INVESTIGATOR DOCKERY: -- Atlantic Group as a  
15 respondent.

16 THE WITNESS: That's correct. That's correct.  
17 We started getting questioned about him in March by the  
18 Department of Labor and also by some of APS's people,  
19 their Employee Concerns Representative, their attorney,  
20 etc.

21 But we had no involvement. We answered the  
22 questions. They basically wanted to know about the  
23 recruiting process and the process by which we submitted  
24 his resume.

25 Then came the surprise on April tenth that we

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1 were now going to be included in this.

2 INVESTIGATOR DOCKERY: Ms. Taylor, within the  
3 TAG hierarchy at that time, who did you answer to?

4 THE WITNESS: Dennis McLaughlin.

5 INVESTIGATOR DOCKERY: And he is?

6 THE WITNESS: He's the President.

7 INVESTIGATOR DOCKERY: Is he still the  
8 President?

9 THE WITNESS: Yes, he is.

10 INVESTIGATOR DOCKERY: When you received  
11 notification or came to know that Mr. Saporito had  
12 included you in his DOL action claiming discrimination,  
13 did you -- what corporate policy were you instructed to  
14 follow or what was TAG's stance or posture towards Mr.  
15 Saporito?

16 THE WITNESS: Well, I can't really say that we  
17 had a stance about Mr. Saporito. When I receive a  
18 complaint by the Wage and Hour Division, I start by  
19 contacting Bill Nexsen and investigate the complaint.

20 Naively now, I didn't -- I won't say that I  
21 didn't take it seriously, but it didn't worry me that much  
22 at the time because I knew that we had no involvement  
23 whatsoever. I figured he added us to it, and it was going  
24 to go away, not realizing that four years later we were  
25 still going to be talking about Mr. Saporito.

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1 I don't remember exactly. I probably advised  
2 Mr. McLaughlin that we had received a complaint, said I'll  
3 be talking with Bill Nexsen about it, you know, let you  
4 know if you need to know anything.

5 But normally, I handle those at my level, and  
6 I don't have to involve him to any great extent other than  
7 briefing him occasionally, letting him know that  
8 everything is going all right.

9 As it picked up steam and we got into heavy  
10 discovery, I'm sure I let him know that yes, this was  
11 looking like it was getting to be fairly serious. But  
12 there wasn't any -- there was certainly no policy that was  
13 dictated to me about whether to hire him or not hire him  
14 or talk to him or not talk to him or anything like that.

15 MR. NEXSEN: Can I ask a question?

16 INVESTIGATOR DOCKERY: Yes.

17 MR. NEXSEN: Had you ever had a complaint with  
18 the Department of Labor or what is known as a whistle-  
19 blower claim prior to Mr. Saporito in '92?

20 THE WITNESS: No, not regarding the whistle-  
21 blower. What I was referring to would be if there was a  
22 violation of a -- an alleged violation of a wage an hour  
23 or something else.

24 MR. NEXSEN: But this was your first --

25 THE WITNESS: Yes.

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1 MR. NEXSEN: -- Department of Labor whistle-  
2 blower case?

3 THE WITNESS: Yes.

4 MR. NEXSEN: So you weren't aware of what  
5 could happen?

6 THE WITNESS: That's true. I should have gone  
7 part-time then.

8 INVESTIGATOR DOCKERY: Okay. I'm going to ask  
9 you something here, and i'm going to try and phrase it in  
10 such a way that -- and Mr. Nexsen and I have been through  
11 this before. This -- it could be privileged information,  
12 and he will stop you if it is, and we will find a way to  
13 seek the answer.

14 Is it fair to say that you had relied on Mr.  
15 Nexsen prior to Mr. Saporito for advice in how to deal  
16 with --

17 THE WITNESS: How to respond --

18 INVESTIGATOR DOCKERY: -- labor --

19 THE WITNESS: How to respond to the  
20 complaints?

21 INVESTIGATOR DOCKERY: Yes.

22 THE WITNESS: Yes.

23 INVESTIGATOR DOCKERY: And what was --  
24 typically how would you respond to inquiries about such  
25 complaints?

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1 THE WITNESS: As he clarified, they weren't  
2 whistle-blower complaints, so I can talk from the grounds  
3 of maybe an EEO complaint or a DOL complaint that was not  
4 quite of this nature.

5 Normally, he would advise me on how to answer  
6 the response myself. Or if it looked like it was a little  
7 more serious, he would actually make the response to  
8 whatever that agency was.

9 INVESTIGATOR DOCKERY: But Mr. Saporito  
10 contends in some of his complaints that the evidence that  
11 he was being discriminated against was that when he would  
12 contact the Atlantic Group or employees of the Atlantic  
13 Group, he was told that they could not -- they had  
14 instructions not to respond to him but that they were to  
15 refer him to legal counsel, their legal counsel.

16 Is that -- is that correct?

17 THE WITNESS: That would have been true as of  
18 the fall of '92 because after we went through court with  
19 him, we were very sensitive to somebody that may call in  
20 and try to get a reference or him just checking up on what  
21 we were saying. By the end of that lawsuit, I had no  
22 trust in him whatsoever, and wanted to protect the  
23 Atlantic Group.

24 So at that point, we decided we had better  
25 control all conversation so we knew what was being said

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1 about him, so he couldn't come back later and say "Oh, but  
2 she promised me this" or "He said this." Because at that  
3 point, we felt that he was a liar, quite frankly.

4 And we just wanted to control those  
5 conversations.

6 INVESTIGATOR DOCKERY: Okay. You just  
7 mentioned the fall of 1992. Was that when the DOL hearing  
8 concluded?

9 THE WITNESS: Yes.

10 INVESTIGATOR DOCKERY: Do you recall any  
11 inquiries or are you aware of any, perhaps not to you but  
12 to anybody within TAG, either regarding Mr. Saporito or by  
13 Mr. Saporito --

14 THE WITNESS: I know that he --

15 INVESTIGATOR DOCKERY: -- between the time you  
16 first became aware of the suit, the DOL suit, and the end  
17 of the DOL hearings?

18 THE WITNESS: I know that he called in  
19 inquiring about work during those time periods. All  
20 throughout the spring, he called in. I believe he talked  
21 to Ellen Simmons probably two, three or four different  
22 occasions about work.

23 We had no work at the time, so there wasn't  
24 anything that she could tell him about upcoming openings.

25 I'm quite certain that she didn't say, "You

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1 have to talk to my lawyer" at that point because there  
2 really wasn't anything -- there was no negative  
3 connotation to Mr. Saporito at that point. If we had some  
4 openings, we would have considered him for it.

5 But we didn't have any more work until  
6 September of '92. We just didn't have the openings.

7 INVESTIGATOR DOCKERY: Mr. Taylor, there was a  
8 Unit Three outage at Palo Verde subsequent to the Unit One  
9 outage.

10 THE WITNESS: September '92?

11 INVESTIGATOR DOCKERY: That's my question.

12 THE WITNESS: September '92. I think that's  
13 what my chart shows, yes.

14 INVESTIGATOR DOCKERY: So it was late --

15 THE WITNESS: It started up right at the first  
16 of September.

17 INVESTIGATOR DOCKERY: Okay. Mr. Saporito  
18 claims that just prior to that outage, he spoke to Mr.  
19 Vance Pettus, who was the Site Administrator at Palo Verde  
20 to TAG, or he might have had another title. I'm not sure.

21 But Saporito himself claims that he called Mr.  
22 Pettus to ask him if he'd, Mr. Pettus, had received his  
23 resume and to request employment during that Unit Three  
24 outage.

25 According to Saporito, Mr. Pettus told him

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1 that, "Our attorney says that we're not allowed to talk to  
2 you. You have to go through -- you have to talk to our  
3 attorney." Did Mr. Pettus -- do you recall Mr. Pettus  
4 relating this conversation to you?

5 THE WITNESS: No, I really don't. At that  
6 point, we were into depositions and really into the full  
7 discovery and about to start the trial. He might have  
8 said that.

9 As far as the receipt of the resume, it's my  
10 recollection that Mr. Saporito was sending the resumes to  
11 the Norfolk office. If I can talk for a minute about how  
12 we handle those resumes --

13 INVESTIGATOR DOCKERY: Sure.

14 THE WITNESS: We keep those in the Norfolk  
15 office and scan them into a computer, which works by  
16 optical, character recognition, so that it stores it in as  
17 a Word Perfect document and makes it accessible to the  
18 other offices. So we do not make copies of all the  
19 resumes, 2,000 to 3,000 resumes and send them to our  
20 various offices.

21 We put them on the computer so that they're  
22 on-line and available for searching and for reading off of  
23 each office. So we wouldn't have sent any resumes out to  
24 Mr. Pettus. And I guess that's maybe what Mr. Saporito  
25 was expecting us to do.

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1 INVESTIGATOR DOCKERY: I don't know. I gather  
2 it was. He apparently had some reason to believe that Mr.  
3 Pettus --

4 THE WITNESS: He thought we were holding back  
5 or something.

6 INVESTIGATOR DOCKERY: -- that Mr. Pettus knew  
7 that he was seeking employment during the Unit Three  
8 outage.

9 THE WITNESS: I'm sure Mr. Pettus knew that he  
10 was seeking work, and I'm sure Mr. Pettus also knew that  
11 Mr. Saporito wasn't available for work because he was in  
12 Norfolk as of August 31st deposing me and several other  
13 people. He had about, I don't know, a week to ten days of  
14 scheduled depositions in September out at Arizona Power  
15 Service Company, and then a hearing that was scheduled to  
16 last two weeks in October.

17 So there's no way Mr. Saporito could have  
18 worked that outage.

19 INVESTIGATOR DOCKERY: Was that ever -- during  
20 any of the proceedings, was that ever pointed out to Mr.  
21 Saporito? Was it ever -- was he ever asked how can you  
22 expect to be selected?

23 THE WITNESS: How can you do this? I think it  
24 was asked of him one time and he said he could have  
25 continued everything.

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1 MR. NEXSEN: Could have continued the case --

2 INVESTIGATOR DOCKERY: The case.

3 THE WITNESS: The case, right.

4 MR. NEXSEN: -- so that he could work the  
5 outage.

6 THE WITNESS: But we were afraid it was going  
7 to take up the first six weeks. And you know how the  
8 outages run. They're two or three months. So if you miss  
9 the first half of it, there's no way.

10 MR. NEXSEN: Are you sure he says Vance Pettus  
11 and not Allen James?

12 INVESTIGATOR DOCKERY: No, it's Vance.

13 MR. NEXSEN: Vance Pettus? Okay.

14 THE WITNESS: I think I've got that in notes  
15 someplace. The Allen James conversation was in December  
16 after the hearing was over.

17 MR. NEXSEN: That's what it says. Okay.

18 INVESTIGATOR DOCKERY: What was the name you  
19 were using?

20 THE WITNESS: Allen James is the Vice  
21 President of the Phoenix office, and I know he had phone  
22 conversation with Mr. Saporito.

23 INVESTIGATOR DOCKERY: Oh, the TAG Phoenix  
24 office?

25 THE WITNESS: Yes, yes.

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1 INVESTIGATOR DOCKERY: As another element of  
2 the evidence that Mr. Saporito claims of black-listing or  
3 discrimination, he cites a telephone call during 1994 by a  
4 company he refers to as Document Reference Check Services.

5  
6 THE WITNESS: This ought to be good.

7 INVESTIGATOR DOCKERY: Actually, I'd like to  
8 find out if you're familiar with this or not. Wherein, he  
9 contracted with this company to place a telephone call,  
10 and I believe one call was made to Mr. Pettus again.

11 And this third party service requested some  
12 sort of reference information about Mr. Saporito from Mr.  
13 Pettus. And Mr. Pettus referred -- according to Saporito,  
14 referred the individual to legal counsel.

15 THE WITNESS: That is fascinating.

16 INVESTIGATOR DOCKERY: You were not aware of  
17 that?

18 THE WITNESS: Well, it's a little bit  
19 different from what I was aware of.

20 INVESTIGATOR DOCKERY: Tell me what your  
21 understanding is.

22 THE WITNESS: After the hearing was over, we  
23 changed our policy regarding reference checks, and Mr.  
24 Saporito specifically, because of the reasons I just told  
25 you. We really wanted to control exactly what was said.

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1 We didn't want any misunderstandings later about what was  
2 said because at that point, he had proven, at least to us,  
3 that he was a liar. We couldn't trust him and didn't want  
4 to be in future lawsuits with him.

5 So I communicated to all of the people that  
6 might possibly have gotten a reference check, that if they  
7 were to get a call regarding Mr. Saporito, do not answer  
8 the questions. Refer them to our attorney.

9 INVESTIGATOR DOCKERY: Okay.

10 THE WITNESS: And --

11 INVESTIGATOR DOCKERY: Do you have any way of  
12 pinpointing the date that you gave that instruction?

13 THE WITNESS: Only my own memory, and I think  
14 that was probably --

15 INVESTIGATOR DOCKERY: That's good enough.

16 THE WITNESS: It would have been probably  
17 around December of '92. It was not too long after. What  
18 you're talking about, it's interesting to me because I got  
19 a phone call from our Administrative Assistant at the Palo  
20 Verde office I'll bet in 1994 sometime, where she said, "I  
21 just got the first phone call."

22 She said, "I got a phone call" and I knew it  
23 was the first one. And she had written down the woman's  
24 name, Eileen DeLaTorre. She said, "From some company with  
25 initials. I'm not sure what they are." And I told them -

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1 - and I think she said I told them that I thought it was  
2 Jan that got the phone call, that they'd have to talk to  
3 our attorney.

4           And at that point, she made me aware of it. I  
5 made Bill aware of it in case he got a phone call, he'd  
6 have a heads-up and also the people within my own  
7 department, who frequently are the ones who get the  
8 reference checks. I said, "If anyone hears from Eileen  
9 DeLaTorre, don't forget, you're not to answer the call.  
10 You're to refer it on to Bill Nexsen and let him handle  
11 it."

12           A call never came in. I kept a note on my  
13 desk with her name for a long, long time. Our next  
14 experience with Document Reference Check regarded our  
15 second whistle-blowing case. They are a third-party  
16 organization and we felt that they set up Mr. Pettus  
17 regarding a second individual.

18           INVESTIGATOR DOCKERY: So your recollection is  
19 then that Ms. DeLaTorre never placed a second call to --

20           THE WITNESS: I don't know how she could have  
21 and I would not have been made aware of it because I had  
22 word out everywhere if she were to call, what to do. And  
23 I frequently went back afterwards and said, "Has anybody  
24 heard from this woman?" Because I knew Mr. Saporito and I  
25 knew how thorough he was.

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1           And I felt that he would stay on her until  
2 something was told to her. And months later, I finally  
3 decided well, that must have been what he was looking for.  
4 He just wanted to see what the on the record response was  
5 going to be from the Atlantic Group.

6           INVESTIGATOR DOCKERY: Ms. Taylor, at some  
7 point in the proceedings regarding Mr. Saporito, I'm sure  
8 you became familiar with the term "whistle-blower." Prior  
9 to finding out that he had named TAG as a respondent in a  
10 DOL complaint, had you ever heard the term "whistle-  
11 blower" applied to Mr. Saporito?

12           THE WITNESS: No.

13           INVESTIGATOR DOCKERY: Mr. Saporito made the  
14 assertion that during his tenure at Palo Verde Unit Two as  
15 an I and C technician, he was well known to everybody  
16 there as a whistle-blower, both from his prior activities  
17 in Florida, with a licensee in Florida, and while he was  
18 at Palo Verde. Was any of that --

19           THE WITNESS: I know that he made that  
20 assertion in the Norfolk office. I certainly didn't know  
21 about it. I know that Bill Engelking at least says that  
22 he didn't know about it. I don't think it was as  
23 widespread as Mr. Saporito thought.

24           Or if it was, it may have been just among the  
25 ranks, the crews. And as administrative people, we don't

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1 have that direct contact.

2 INVESTIGATOR DOCKERY: Okay, when I use the  
3 term "whistle-blower" it's a very imprecise term  
4 obviously. But i'm only referring to it in the context of  
5 somebody who raises concerns that are germane to the  
6 Nuclear Regulatory Commission, and such concerns would be  
7 health safety, nuclear health and safety concerns.

8 Mr. Saporito claims that he was well known for  
9 raising such concerns. When did you first find that out,  
10 or first find out that he made that claim? Was it during  
11 the litigation?

12 THE WITNESS: Yes, absolutely.

13 INVESTIGATOR DOCKERY: Does the Atlantic Group  
14 or any similar contract employee service have any  
15 obligation that you're aware of to hire somebody just  
16 because they are the whistle-blower or claim to be a  
17 whistle-blower?

18 THE WITNESS: My understanding is that our  
19 obligation is to treat them just like we would treat  
20 anybody else, and to certainly not retaliate or  
21 discriminate against them because they have raised safety  
22 concerns, but not to necessary seek out employment for  
23 them.

24 INVESTIGATOR DOCKERY: Would it be fair to say  
25 that at some point, Mr. Saporito's relationship to the

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1 Atlantic Group changed?

2 THE WITNESS: Certainly.

3 INVESTIGATOR DOCKERY: Okay. And at what  
4 point would you consider that to have happened?

5 THE WITNESS: It would have -- it really was a  
6 culmination of events, but it certainly would have  
7 concluded by sitting in a courtroom with him. I guess the  
8 best way to answer that is to point out several events or  
9 things that started coloring my, or forming my opinion of  
10 him, the first of which was not complaint from the DOL,  
11 but the affidavit in May, I believe.

12 There was a hearing that was conducted with  
13 Judge Lesniak over the telephone in which he was trying to  
14 add the Atlantic Group and explain why he should be able  
15 to add the Atlantic Group.

16 And Judge Lesniak pointed him to another court  
17 case which basically showed him the way in which to add  
18 himself. He had to prove intimidation, etc., etc. And  
19 the next day, or that day, or the next week, we get this  
20 affidavit saying now Mr. Engelking has threatened and  
21 intimidated him.

22 INVESTIGATOR DOCKERY: Okay. The date of that  
23 affidavit -- I have a copy of it here --

24 THE WITNESS: May seventh.

25 INVESTIGATOR DOCKERY: -- is May seventh,

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1 1992.

2 THE WITNESS: 1992, correct. That was the  
3 first demonstration in my mind of anything negative of Mr.  
4 Saporito. Up until then, he was just like everybody else.

5  
6 But that complaint just sounded so wrong from  
7 what I knew of Mr. Engelking. It just didn't ring true.  
8 Then as we got into discovery, I learned that he had made  
9 allegations that either I or Ellen Simmons, he wasn't sure  
10 who, had lied to him about promising him the second outage  
11 after working the first outage, and also about his travel  
12 pay.

13 And I know for a fact that that did not  
14 happen. So now we've got two things testing his  
15 credibility. In a courtroom, he claims that we lied under  
16 oath. I claim that he lied under oath.

17 INVESTIGATOR DOCKERY: Okay, I want to get to  
18 that. That's the perjury issue, and please we want to  
19 come back to that.

20 THE WITNESS: Okay, well --

21 INVESTIGATOR DOCKERY: Not that you can't talk  
22 about it right now, but --

23 THE WITNESS: That's okay. In the courtroom,  
24 and it's not on the record unfortunately, but I know that  
25 he accused me of perjuring myself because I remember the

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1 judge saying, "Are you accusing her of perjuring  
2 yourself?" So he's calling me a liar.

3 He's put us through -- upon conclusion of the  
4 hearing, the Judge dismisses or directed verdict is what  
5 it's called. But basically, we're now out of the case,  
6 never should have been in the case because he never put  
7 forth the evidence. It's cost us \$45,000 for something we  
8 had nothing to do with.

9 He has lied several times, accused us of  
10 lying. He's falsified his resume. He has failed to show  
11 on security paperwork that he had unescorted access either  
12 revoked or suspended, which I feel is a very serious  
13 offense.

14 All of those things together certainly change  
15 my opinion of him. And at that point, I made the decision  
16 we weren't going to hire this guy.

17 INVESTIGATOR DOCKERY: And you say "at this  
18 point" -- scratch that. When you became aware of the  
19 existence in content of him May seventh affidavit, after  
20 that point, would you still have considered hiring him for  
21 -- let's say within the next two weeks?

22 THE WITNESS: If that was the only thing at  
23 that time that I knew about him, I would have considered.  
24 I can't say I would have hired him, but I would have  
25 considered him for a future position. There may have been

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1 a miscommunication between him and Bill Engelking.

2 I wouldn't have wanted to hold it against him  
3 and said, "That's it. You're not coming back to us" just  
4 based on that affidavit. It was just the first negative  
5 thing in my mind about him.

6 INVESTIGATOR DOCKERY: Okay. As an  
7 administrator or a manager or TAG affairs, you say you did  
8 reach some point where you felt he was no longer  
9 employable by TAG. What was your basis for making that  
10 decision?

11 THE WITNESS: All those things that I just  
12 told you. I think I actually made the decision at the end  
13 of the court case when the judge said basically "You guys  
14 didn't even have to be here. There's been no evidence  
15 that you've done anything wrong" and I had learned all  
16 these things about Mr. Saporito.

17 At that point, that's when I said, "Okay,  
18 that's enough. He's a liar. I can't trust him."

19 INVESTIGATOR DOCKERY: Did it then become a  
20 fitness for duty concern.

21 THE WITNESS: Well, I feel that one of the  
22 issues was a fitness for duty concern, and that was the  
23 issue of credibility, especially relating to the way he  
24 answered his paperwork on the revocation or suspension of  
25 unescorted access.

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1 I mean, the NRC tells us that we need to be  
2 cognizant and observant of fitness for duty regulations,  
3 and didn't put anybody into a nuclear setting that is not  
4 honest, reliable and trustworthy. And here I have  
5 somebody that I personally feel very adamantly that he is  
6 not. There's a conflict.

7 INVESTIGATOR DOCKERY: Okay. We've  
8 established at some point you felt it was no longer  
9 prudent to consider Mr. Saporito for employment by the TAG  
10 Group.

11 Let's put that aside for a second, and this  
12 may be hard to get back to, but if you had not been so  
13 inclined to hire -- disinclined to hire him, if you had  
14 been disinclined, were there any positions that during the  
15 period from, let's say, May of 1992 until the conclusion  
16 of the DOL hearing process, were there any I and C  
17 position that --

18 THE WITNESS: There were two outages that the  
19 Atlantic Group was asked to support. One was the Palo  
20 Verde Unit Three, which you know about, and the other was  
21 a Firmi. We were asked to provide I think 18  
22 instrumentation and control technicians.

23 But the same reason applies. It started  
24 August 31st of 1992. So he would not have been available.  
25 He would have missed again his first six -- it was exactly

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1 the same time as Palo Verde Three. He would have missed  
2 the first six weeks because of the hearing.

3 Had there been no hearing, had there been  
4 nothing else going on in there, he would have been  
5 considered for those openings. I can't say he would have  
6 been hired because we had hundreds of people wanting 18  
7 openings, or however many openings.

8 And I don't know whether we got anybody else  
9 out of Palo Verde off of that Unit Two crew to go to  
10 Fermi. But he would have been considered for it.

11 INVESTIGATOR DOCKERY: Well, let me explore  
12 that with you. Based on my interview of Mr. Engelking  
13 this morning, it's sort of my impression that TAG doesn't  
14 determine who is hired. TAG -- the only control TAG has  
15 is in seeing whose resumes are provided --

16 THE WITNESS: That's true.

17 INVESTIGATOR DOCKERY: -- or suggested to the  
18 licensee.

19 THE WITNESS: I guess what I was saying to you  
20 was even consideration for submittal of resume. Had he  
21 been available for work during that August time frame, had  
22 there been no court case going on at that time, we may  
23 have reviewed his resume and determined whether or not to  
24 submit it to Fermi, for example, or Palo Verde, although  
25 at that point, Palo Verde was not doing selection either.

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1 They were asking us to do our own selection.

2 But Firmi was approving resumes. Palo Verde  
3 needed so few people on that Unit Three outage, five or  
4 six people, they said "You pick them."

5 INVESTIGATOR DOCKERY: Oh, so there could be a  
6 time when TAG could be the selecting --

7 THE WITNESS: It varies depending on the  
8 utility.

9 INVESTIGATOR DOCKERY: Go off the record.  
10 (Whereupon, the proceedings went off the  
11 record at 2:12 p.m. and resumed at 2:22 p.m.)

12 INVESTIGATOR DOCKERY: And Ms. Taylor, I'd  
13 remind you that you continue to be under oath. If you'd  
14 acknowledge that verbally, please?

15 THE WITNESS: Yes, I understand.

16 INVESTIGATOR DOCKERY: Okay. We, both before  
17 this break and during the break, discussed the fact that  
18 the Atlantic Group did consider resumes for I and C  
19 technicians for two outages, one being at Firmi in  
20 Michigan and the other at Palo Verde.

21 And could you go through your reasoning as to  
22 why it was not possible for TAG to consider Mr. Saporito  
23 for employment during those two outages?

24 THE WITNESS: Yes. I'll talk about them both  
25 separately.

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1 INVESTIGATOR DOCKERY: Fine.

2 THE WITNESS: Firmi was, I believe, our first  
3 outage with Firmi. I suppose we found out about the order  
4 sometime late spring, June time frame. It was too early  
5 at that point to recruit for individuals because they  
6 can't commit two or three months ahead of time.

7 We probably started running advertisements for  
8 I and C technicians in July to start building up our  
9 database. Late July is when we would have started  
10 contacting them, preparing their resumes.

11 And right around the end of July, first of  
12 August, submitting them to the customer for approval. And  
13 that would continue through the month of August until we  
14 had the openings filled.

15 Palo Verde, we got orders for five or six,  
16 five I believe, I and C technicians that would start up  
17 right about August 31st or the first of September. We got  
18 that order I think maybe two weeks prior. It was about  
19 the middle to the end part of August.

20 It was a quick turn-around time. We knew four  
21 people were almost automatic because they had just  
22 finished working out there, and we only had to find one  
23 more to fill up that fifth opening.

24 The reason that we could not consider Mr.  
25 Saporito for any of those openings is because as of, I

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1 believe early to mid-July, we had the hearing already  
2 scheduled with Judge Lesniak in Phoenix for October, and  
3 knew that depositions would be taking place during the  
4 month of September over the course of several weeks,  
5 because of the number of people he wanted to depose.

6 So there was no consideration of Mr. Saporito  
7 because he was going to be involved in litigation with us  
8 from at least August 31st when he deposed me and some  
9 others, through the middle of October.

10 INVESTIGATOR DOCKERY: Was the taking of  
11 depositions, was that somehow formally scheduled at that  
12 time?

13 THE WITNESS: He -- yes, he scheduled actual  
14 dates, gave a list of people. I think he then expanded  
15 the list of people to include, I don't know, 40 people or  
16 something.

17 MR. NEXSEN: No, we start back in early August  
18 he noticed Ms. Taylor's deposition, Bill Engelking's  
19 deposition. I noticed Ellen Simmon's deposition when Mr.  
20 Saporito was going to be in my office so that I could take  
21 a deposition of her testimony to Phoenix because I could  
22 not afford to fly everybody from Norfolk to Phoenix.

23 I guess that's all that -- Bill Engelking,  
24 Ellen Taylor, Ellen Simmons --

25 THE WITNESS: Jan Gillard.

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1 MR. NEXSEN: -- and Jan Gillard. He wanted to  
2 take the deposition of Jan Gillard prior to the hearing  
3 and therefore, Jan Gillard and Bill Engelking were living  
4 in Phoenix and we flew them the Saturday before this  
5 August 31st. And these depositions were noticed some two  
6 weeks prior to having them because we had to get Mr.  
7 Saporito from Florida to Norfolk and get APS's lawyer or  
8 two lawyers from Phoenix to my office on the 31st.

9 THE WITNESS: And then he had to have time to  
10 drive across country to get to his depositions in Phoenix.

11 MR. NEXSEN: And he had argued with -- we had  
12 had a hearing with Judge Lesniak, and he had convinced the  
13 judge that it took him three days to go from Norfolk to  
14 Phoenix by car. And he had scheduled interviews and  
15 depositions and had noticed depositions beginning on the  
16 eighth of September, I believe is the date.

17 THE WITNESS: The eighth through 18th, I  
18 think.

19 MR. NEXSEN: Eighth through 18th. He got  
20 special permission from the judge to do these depositions  
21 for that ten days over the objection of APS, who wanted to  
22 be able to prepare a trial in that period of time.

23 So everyone knew what the preparation schedule  
24 for this hearing was. And the hearing was scheduled to  
25 start on September 28th.

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1 So the entire month of September was booked  
2 for the lawyers and the witnesses.

3 THE WITNESS: And Judge Lesniak set aside two  
4 weeks for the case

5 MR. NEXSEN: And there were two weeks set  
6 aside --

7 THE WITNESS: So that would have taken him  
8 into mid-October.

9 INVESTIGATOR DOCKERY: But this time period of  
10 the depositions, that was more or less sanctioned by Judge  
11 Lesniak?

12 MR. NEXSEN: It was -- yes, it was improved by  
13 Judge Lesniak. We wanted to make Mr. Saporito come to  
14 Norfolk much earlier than the 31st of August so that we  
15 would be able to go to Phoenix. And the judge said "No,  
16 Mr. Saporito wants to drive to Norfolk and then out to  
17 Phoenix. It makes more sense for Mr. Saporito to drive to  
18 Norfolk and not have to go back to Phoenix.

19 So basically, the judge ordered us to have the  
20 depositions in my office on the 31st. The argument  
21 actually was Mr. Saporito wanted to have all of those  
22 depositions in Phoenix when he got there.

23 I said, "Judge, I want to have them in Norfolk  
24 because that's where all my people are. And it's actually  
25 cheaper to bring your people to the lawyer than your

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1 lawyer to the people unfortunately in this age."

2 So the judge allowed the depositions to be in  
3 Norfolk, but made us have them on the 31st of August,  
4 which was the last date the Judge had scheduled for  
5 discovery.

6 Mr. Saporito was able to convince the judge,  
7 "Well Judge, I need to take discovery outside of that  
8 period and I want to take discovery in Phoenix starting  
9 the eighth of September until at least the 18th of  
10 September." And the judge agreed. He was booked.

11 And we did this --

12 THE WITNESS: All of this was pre-set before  
13 all the recruiting was done for those two outages.

14 INVESTIGATOR DOCKERY: When you recruit  
15 somebody as say an I and C technician, is your main  
16 obligation to the individual you are recruiting or to the  
17 entity you're recruiting him to work for?

18 THE WITNESS: Our main obligation is to the  
19 utility for which we are filling the opening. But as a  
20 Personnel Manager, when our people are our product, we  
21 also have a dual obligation to the employees if we ever  
22 want to have them work for us again.

23 So I really see it as a dual obligation. My  
24 boss would see it as an utility obligation.

25 INVESTIGATOR DOCKERY: During this same time

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1 period we've been talking about when Mr. Saporito knows  
2 that he's involved in litigation and depositions and  
3 discovery, also that there are -- there's the possibility  
4 at least of work at two different outages, did he ever  
5 make any request that the litigation process be set aside  
6 so that he could work at either of those two outages?

7 THE WITNESS: No, I don't remember him doing  
8 that.

9 INVESTIGATOR DOCKERY: Mr. Nexsen, do you  
10 recall as a legal matter, did he ever raise that question?

11 MR. NEXSEN: Absolutely, not either as a legal  
12 matter or in any of the many discussions we had. He was -  
13 - I believe APS at one point even wanted to continue the  
14 hearing based on the fact that Mr. Saporito wanted to jam  
15 all of these interviews and discovery depositions into  
16 September. And Mr. Saporito didn't want to do that.

17 So Mr. Saporito went the opposite and he was  
18 doing what he could as to hold this trial date.

19 INVESTIGATOR DOCKERY: Ms. Taylor, I think  
20 you've already answered this, but let me ask it again to  
21 make sure. I believe you testified there did come a point  
22 in time where Mr. Saporito was, in fact, treated  
23 differently from other -- or considered to be in a  
24 different class, so to speak, from other previous TAG  
25 employees or potential employees.

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1           If I recall your testimony, it was at that  
2 point where Judge Lesniak dismissed the charges, so to  
3 speak.

4           THE WITNESS: I didn't make any decisions  
5 until that was over, because I don't know what he would  
6 have ended up finding. So really, I kind of held my  
7 decision off. Once he gave us a directed verdict, it was  
8 at that point I had to decided okay, now where do we go on  
9 the future?

10           Are were going to hire him again or not? And  
11 how do we handle the references if we get any calls on  
12 him?

13           INVESTIGATOR DOCKERY: And what was your  
14 decision with regard to those matters?

15           THE WITNESS: With respect to whether or not  
16 to hire him, because of my opinions that had built over  
17 that whole summer, I decided that it would not be prudent  
18 to hire him back. So I really made it a policy decision  
19 that he was going to be ineligible for company rehire.

20           With respect to --

21           INVESTIGATOR DOCKERY: Let me stop you there.  
22 Was that decision concurred with by -- you stated that  
23 your supervisor was the President of TAG. Did he concur  
24 with that decision?

25           THE WITNESS: Yes. I told him that I felt it

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1 would not be wise to hire him back. That was going to be  
2 my decision, and he agreed with that.

3 INVESTIGATOR DOCKERY: Okay. What about with  
4 respect to inquiries by Mr. Saporito or by a third party?

5 THE WITNESS: It was at this point in a  
6 discussion with Mr. Nexsen that I decided that we would  
7 refer all calls to Mr. Nexsen because of the reasons I  
8 stated before: just was afraid of what Mr. Saporito might  
9 lead somebody into saying or might accuse somebody of  
10 saying, falsely so later.

11 I don't think I ever advised Mr. McLaughlin  
12 about that decision. That's really kind of a detail  
13 thing.

14 INVESTIGATOR DOCKERY: Did you advise your  
15 subordinates of your decision in that regard?

16 THE WITNESS: Yes, I did, as well as any other  
17 recruiters that might receive such a phone call, such as  
18 out of the Phoenix office.

19 INVESTIGATOR DOCKERY: Okay. Now Mr. Saporito  
20 sees that as black-listing him. Are you familiar with the  
21 term "black-listing"?

22 THE WITNESS: Yes.

23 INVESTIGATOR DOCKERY: Okay. Did Mr.  
24 Saporito's name ever appear -- no, check that. Does TAG  
25 maintain any kind of list of employees that it considers -

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1 - prior employees that it considers no longer employable?

2 THE WITNESS: No. We do record in their  
3 personnel file if they are not eligible for rehire. But  
4 there's no list.

5 INVESTIGATOR DOCKERY: Okay. If I were to  
6 open up Mr. Saporito's personnel file -- first of all,  
7 does one still exist with TAG?

8 THE WITNESS: JWell yes, it exists.

9 INVESTIGATOR DOCKERY: What would it indicate  
10 with respect to whether or not he should be considering  
11 for rehiring?

12 THE WITNESS: It should show that he is not  
13 eligible for rehire. When we concluded the Unit Two  
14 outage in 1991, he was deemed eligible for rehire, got  
15 satisfactory ratings, etc. Everything was fine.

16 I believe it was in November or December after  
17 the trial when I finally made this decision that I  
18 personally went into the computer and changed "eligible  
19 for rehire" to a "no."

20 INVESTIGATOR DOCKERY: Are there others --  
21 other personnel files that contain a similar designation  
22 for one way or another within TAG?

23 THE WITNESS: Oh sure. There are other people  
24 who are not eligible for rehire for a variety of reasons.

25 INVESTIGATOR DOCKERY: You may have already

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1 answered this. Prior to Mr. Saporito, had there ever been  
2 a DOL complaint against TAG for violation of the Energy  
3 Reorganization Act?

4 THE WITNESS: Prior to Mr. Saporito?

5 INVESTIGATOR DOCKERY: Prior to Mr. Saporito.

6 THE WITNESS: No.

7 INVESTIGATOR DOCKERY: Is it kind of fair to  
8 say that you were on unchartered ground on dealing with  
9 this?

10 THE WITNESS: Oh absolutely. We didn't know  
11 what we were getting into.

12 INVESTIGATOR DOCKERY: Mr. Saporito's  
13 allegation of black-listing and conspiracy to black-list  
14 by -- within TAG or by TAG with other -- specifically he  
15 mentions APS. But he also implies that this is part of an  
16 industry-wide, your industry, the industry of providing  
17 contract temporary employees.

18 Have you or are you aware of anybody in your  
19 organization ever contacting any other contract employee  
20 provider regarding Mr. Saporito?

21 THE WITNESS: No, absolutely not. They can  
22 have him. You're talking about our competition.

23 INVESTIGATOR DOCKERY: Yes, I am.

24 THE WITNESS: Go ahead. I'm sorry. Pass his  
25 phone number along.

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1 INVESTIGATOR DOCKERY: Well, I do have to  
2 address --

3 THE WITNESS: No, I did not.

4 INVESTIGATOR DOCKERY: They are rather  
5 nebulous claims, but I want to --

6 THE WITNESS: And as well, we did not receive  
7 any reference checks from any other companies that I know  
8 of other than the DRC, Documented Reference, check.

9 INVESTIGATOR DOCKERY: Which you are aware Mr.  
10 Saporito himself contracted for?

11 THE WITNESS: Oh, I assumed all along that he  
12 did.

13 INVESTIGATOR DOCKERY: Yes. Did anybody  
14 within your industry come to you --

15 THE WITNESS: No.

16 INVESTIGATOR DOCKERY: -- and ask you about --  
17 have they since then?

18 THE WITNESS: No.

19 INVESTIGATOR DOCKERY: Ms. Taylor, if I were  
20 to call, I being someone within the nuclear industry, a  
21 licensee or whatever, were to call TAG -- that's not a  
22 fair question. You're no longer with TAG.

23 Up until the time you left, which I think you  
24 said was last April?

25 THE WITNESS: Yes.

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1 INVESTIGATOR DOCKERY: If I had --

2 MR. NEXSEN: This April.

3 THE WITNESS: April '95.

4 INVESTIGATOR DOCKERY: The April most recently  
5 occurring.

6 MR. NEXSEN: Okay, thank you.

7 INVESTIGATOR DOCKERY: If somebody had called  
8 up until that time making a reasonable inquiry about Mr.  
9 Saporito, references, previous employment information or -  
10 -

11 THE WITNESS: As if they were trying to get  
12 employment reference checks?

13 INVESTIGATOR DOCKERY: Yes.

14 THE WITNESS: He was going to employment?

15 INVESTIGATOR DOCKERY: What would be the --  
16 we'll go off the record.

17 (Whereupon, the proceedings went off the  
18 record at 2:38 p.m. and resumed at 2:40 p.m.)

19 INVESTIGATOR DOCKERY: We're back on the  
20 record, and I'd remind you again, Ms. Taylor, that you're  
21 under oath here.

22 THE WITNESS: Yes. In answer to your question  
23 --

24 INVESTIGATOR DOCKERY: Do you remember what it  
25 was?

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1 THE WITNESS: Yes.

2 INVESTIGATOR DOCKERY: Fine, go ahead.

3 THE WITNESS: They would be told to contact  
4 our attorney and given our attorney's name and phone  
5 number. I'm still afraid of him.

6 INVESTIGATOR DOCKERY: Fine, fine. Ms.  
7 Taylor, as I mentioned to you earlier, and we started to  
8 get into it, Mr. Saporito's fourth general allegation is  
9 that somewhat unspecified instances of perjury or material  
10 false statements may have occurred during the DOL  
11 proceedings.

12 Now that -- I think by that he also means the  
13 discovery, basically the deposition up to and including  
14 the trial testimony in that proceeding.

15 Now I will say that I don't think he has ever  
16 indicated that you specifically were -- he didn't  
17 indicate to me anybody specifically. It's just the  
18 general -- to the NRC, his allegation to the NRC was that  
19 somebody, unidentified employees of TAG may have engaged  
20 in perjury, in giving perjured testimony, or have been  
21 less than truthful.

22 My reading of the depositions, the documents  
23 that exist in this case, I think very clearly there was a  
24 conflict between his testimony via affidavit and complaint  
25 and what Mr. Engelking, William Engelking, has testified

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1 to, both in hearing and affidavit.

2 First of all, with respect to Mr. Engelking's  
3 testimony, do you have any feeling for that one way or the  
4 other?

5 THE WITNESS: His affidavit?

6 INVESTIGATOR DOCKERY: Yes.

7 THE WITNESS: Or both, all of it?

8 INVESTIGATOR DOCKERY: Anything. There are  
9 some direct conflicts I think you probably are aware of --

10 THE WITNESS: Yes.

11 INVESTIGATOR DOCKERY: -- between what Mr.  
12 Saporito has claimed Mr. Engelking said and did and what  
13 Mr. Engelking claims was said and done.

14 THE WITNESS: My first reaction when I saw Mr.  
15 Saporito's -- what's it called -- second motion to amend  
16 complaint --

17 INVESTIGATOR DOCKERY: Yes, that would have  
18 been dated --

19 THE WITNESS: -- which is dated May seventh,  
20 and the affidavit which was May seventh, my first reaction  
21 was extreme surprise at the allegations he was making  
22 against Bill Engelking.

23 Bill had been with us since the early to mid-  
24 80's, supervising since I think 1985, trained in  
25 supervisory skills, etc., etc. A very good employee, very

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1 honest, fair. I mean, he's really the model kind of a  
2 supervisor.

3 He treated the employees well. I had never  
4 had a complaint about him before. I have not had a  
5 complaint about him since then.

6 The things that Mr. Saporito said that Bill  
7 said, they just were so -- I think he went too far. Maybe  
8 if he had toned it down a little bit, it would have been  
9 more credible. It just went so far overboard.

10 Mr. Engelking is a firm believer in our  
11 grievance procedure. And if Mr. Saporito on January 2,  
12 1992, had said "I have this problem with the Atlantic  
13 Group or with these employees," Bill would have known and  
14 would have instructed him to check his grievance procedure  
15 and file a grievance so that he could take care of it the  
16 proper way.

17 I don't think it ever came up in conversation.

18 The threats that he allegedly made, I did call  
19 Bill. I was kind of embarrassed to do so, but I felt I  
20 needed to investigate, call Bill and ask him what in the  
21 world was going on? And of course, he denied it, as I  
22 felt bad about even having to call him and ask him about  
23 it.

24 There were no other witnesses, so there wasn't  
25 anybody to validate one word over another. I take Bill,

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1 who I've known since '85 against Mr. Saporito, who I don't  
2 know anything about, negative or positive at that point,  
3 and I've got to believe that what Bill said was so.

4 INVESTIGATOR DOCKEY: Okay. Now you  
5 mentioned earlier in your testimony that Mr. Saporito had  
6 either directly or indirectly stated the believe that you  
7 may have perjured yourself. Is that correct?

8 THE WITNESS: When we were in the courtroom,  
9 we were discussing the Entergy resumes. And he was  
10 questioning me in a way to -- it made it look as if he  
11 didn't believe that we had actually submitted him for a  
12 resume.

13 He went on and on about, "Well, why didn't you  
14 contact me?" And it looked like he was discrediting my  
15 testimony. I think the judge must have gone off the  
16 record because when I went back through my own testimony  
17 to find it, I couldn't have found it. But I remember the  
18 judge saying something to the effect that "Are you  
19 accusing her of perjuring yourself?"

20 The judge being surprised, I'm being shocked,  
21 and I remember Dennis McLaughlin sitting in the back of  
22 the courtroom with his mouth just hanging open. So I  
23 guess he thought that I had doctored up the resumes or had  
24 somehow slipped in Saporito's to make it look like we had  
25 submitted him for something when of course, we hadn't.

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1                   INVESTIGATOR DOCKERY: Well, I read your  
2 testimony as I did everybody else's testimony from the  
3 transcript. I don't recall that exchange taking place, so  
4 I also feel that it must have been off the record.

5                   I understand then you think it had to do with  
6 the fact that he believed -- Saporito believed you may  
7 have changed a resume or --

8                   THE WITNESS: I don't think he believed that  
9 we actually submitted his resume with the Entergy  
10 proposal.

11                   INVESTIGATOR DOCKERY: But that's fairly --  
12 well, was there any way to show that that was the case?

13                   THE WITNESS: We had a copy of -- we had our  
14 copy of the Entergy proposal, which of course we keep in  
15 our corporate files. And that, I believe, was introduced  
16 into evidence. Or if not the whole proposal, the resumes  
17 and a cover letter I believe was introduced into evidence.

18  
19                   And I think he was questioning the validity of  
20 that evidence. We didn't go to the point and he didn't go  
21 to the point of subpoenaing, if that's the right word,  
22 from Entergy the actual response to their proposal.

23                   INVESTIGATOR DOCKERY: Was there any other  
24 instance of -- where he indicated somebody may have been  
25 untruthful?

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1 THE WITNESS: During the discovery process,  
2 and I don't think it ever got discussed in the actual  
3 trial, he alleged that either Ellen Simmons or I, and he  
4 couldn't remember which Ellen, but in the initial  
5 conversations about Unit Two, he alleged that we promised  
6 that he would be working for both outages.

7 And he went on about "Well, I wouldn't have  
8 gone across the country for just one outage." And I know  
9 very well that I certainly wouldn't have said that and I  
10 train my people very carefully to never make any promises  
11 or guarantees because of the nature of the industry.

12 And what everybody had been closely instructed  
13 to say was, "Right now we're talking about this outage.  
14 There is going to be -- an outage is scheduled for  
15 January. There is a possibility we may need I and C  
16 technicians for that outage. And if everything works out  
17 right, we may be able to roll you over into that next  
18 outage."

19 But we couldn't make any guarantee.

20 INVESTIGATOR DOCKERY: Was there anything in  
21 writing that considered to be contractually implying that?

22 THE WITNESS: No, no. All we had sent him was  
23 an employee agreement in which it had a start date and a  
24 pay rate and that kind of information. No ending date.

25 The travel pay was also an issue. He claims

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1 that we told him he'd get paid 25 cents a mile each way.  
2 Well, when he got the employee agreement and it said 25  
3 cents one way, he never questioned it, never said "You  
4 told me this." All these things came out afterwards.

5 INVESTIGATOR DOCKERY: In his complaint, his  
6 most detailed complaint, which is dated June 29, 1992,  
7 against TAG --

8 THE WITNESS: Is this to the NRC or the DOL?

9 INVESTIGATOR DOCKERY: This is the second  
10 amended DOL complaint.

11 THE WITNESS: Okay. For the first case?

12 INVESTIGATOR DOCKERY: Yes.

13 THE WITNESS: In Unit One, okay.

14 INVESTIGATOR DOCKERY: Yes. I've got a copy  
15 of it here if you'd like to look at it, but this is going  
16 to be almost verbatim of one of the elements of his  
17 complaint. He asserts that, "I contacted TAG again in  
18 January 1992 by telephone seeking employment as an I and C  
19 technician and was informed by Ms. Ellen Simmons that no  
20 positions were available at that time."

21 Do you know anything about that telephone  
22 call?

23 THE WITNESS: I certainly don't recall the  
24 telephone call. I don't think she would either. But I'm  
25 sure what she said was true because at that point, we had

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1 finished our hiring for the January openings.

2 INVESTIGATOR DOCKERY: That's what's really  
3 significant to me. If he had a reasonable expectation  
4 that he should have been hired at that time --

5 THE WITNESS: No, he did not.

6 INVESTIGATOR DOCKERY: He then states, "I  
7 contacted TAG again in March of 1992 by telephone seeking  
8 employment as an I and C technician and was informed by  
9 Ms. Ellen Simmons that no positions were available at that  
10 time."

11 THE WITNESS: And that's true.

12 MR. NEXSEN: What's true.

13 THE WITNESS: That's true that there were no  
14 openings, not that she said it. I don't know whether or  
15 not she said it.

16 INVESTIGATOR DOCKERY: Okay. He next asserts  
17 that, "On April 27, 1992, I again sought employment as an  
18 I and C technician with TAG by written letter to Ms. Ellen  
19 Simmons sent by certified mail, but I have received no  
20 employment offer from TAG to this date." And the date of  
21 this assertion would have been June 29, 1992.

22 Between April the 27th, 1992, and June 29th,  
23 1992, was --

24 THE WITNESS: We had no openings.

25 INVESTIGATOR DOCKERY: Okay.

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1 THE WITNESS: He seems to think that we have a  
2 lot more openings for I and C technicians. I wish we had  
3 all the openings he thinks we've got. We just don't do  
4 that much of that work.

5 INVESTIGATOR DOCKERY: And in an interview  
6 that I took part in of Mr. Saporito --

7 THE WITNESS: Oh, you've met this man?

8 INVESTIGATOR DOCKERY: Yes, I have.

9 THE WITNESS: He made the comment, "I'm  
10 allowed to file suit against any company that I feel is  
11 retaliating against me because I raised safety concerns.  
12 And they're not allowed to discriminate against me because  
13 I exercised my right under the Act."

14 MR. NEXSEN: That's a statement of law.

15 INVESTIGATOR DOCKERY: "Because that's going  
16 on" -- he asserts, "Because that's treating me different  
17 than if you were calling for a job and you say 'Oh, I'm  
18 John Brown and I'd like an I and C job'" -- basically what  
19 he's saying is he took exception to the fact that at a  
20 certain point, any calls he made to TAG seeking  
21 employment, he was referred to legal counsel.

22 He also made the point to me that he thought  
23 that was highly unusual.

24 THE WITNESS: And he's right. He's the only  
25 one of all of our employees that we are treating that way.

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1 And if that's black-listing, then we're doing that.

2 INVESTIGATOR DOCKERY: He also made the  
3 assertion during my interview of him that with regard to  
4 not receiving a response, any type of response from the  
5 Atlantic Group -- I'm not clear exactly what he expected  
6 in the way of a response, but he made the statement,  
7 "That's pretty unusual," that it was unusual for him not  
8 to receive some sort of response.

9 And I think you said today that you reached  
10 the point where it was just not possible to respond.

11 THE WITNESS: Maybe he feels it's unusual in  
12 the industry and he's comparing us to other contractors  
13 because I do know other contractors that do send responses  
14 and other contractors that don't. We do not.

15 So if he means it's unusual that he's not  
16 getting it and our other candidates are, he's wrong. No  
17 candidates are getting a response, or were at that time.

18 MR. NEXSEN: Are other like employer agencies  
19 like you don't send responses that you know of?

20 INVESTIGATOR DOCKERY: I'd have to make that  
21 assumption. I don't send resumes to them, so I don't  
22 know.

23 INVESTIGATOR DOCKERY: Ms. Taylor, do you have  
24 any feel for within your industry, the relevant volume of  
25 referrals or resumes that TAG handles as compared to other

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1 contract services?

2 THE WITNESS: That's a real hard question.  
3 Contractors really run the gambit from the little mom and  
4 pop shop in some utility's backyard where they probably  
5 have a fairly small database, all the way to the really  
6 large technical firms.

7 I would put us in the middle somewhere. We  
8 are not a large contractor, but we are also not a little  
9 tiny mom and pop shop either. I know that in request for  
10 proposals, utilities always want to know how many resumes  
11 do you have in your database?

12 And we hear quoted back, "Oh, you know,  
13 hundreds of thousands of resumes." And we take exception  
14 to that. If we counted all the way back to the beginning  
15 of our existence, it improbably numbers that. But I like  
16 to keep a current count.

17 And in a year's time, we get in 2,000 to  
18 3,000.

19 INVESTIGATOR DOCKERY: I'd like to ask you  
20 something. I don't want to get into proprietary  
21 information, but who would you include as TAG's closest  
22 competitors in this industry?

23 THE WITNESS: Do you mean in terms of revenues  
24 or do you mean in terms of business?

25 INVESTIGATOR DOCKERY: I guess whatever would

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1 be the most appropriate way to judge it.

2 THE WITNESS: That's a really hard --

3 INVESTIGATOR DOCKERY: How about just the  
4 number of placements? I guess you wouldn't have any way  
5 of knowing what other people are placing.

6 THE WITNESS: No, I really don't know. Let me  
7 think for a minute. The problem is that companies all  
8 specialize in different things, and I can pick the most  
9 like competitor in several different areas of our  
10 business, but not our total business because we have say  
11 five or six different offerings.

12 INVESTIGATOR DOCKERY: How about if we just  
13 say I and C technicians?

14 THE WITNESS: What is I told you how many  
15 placements that we do on a year?

16 INVESTIGATOR DOCKERY: Okay, I have a document  
17 --

18 THE WITNESS: We've got that number.

19 INVESTIGATOR DOCKERY: I have a document here  
20 that Mr. Nexsen provided me with this morning, a couple of  
21 documents that address that.

22 THE WITNESS: Yes, we pulled that off of the  
23 computer recently.

24 MR. NEXSEN: Well, why don't we talk about I  
25 and C techs?

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1 INVESTIGATOR DOCKERY: If you can, that's  
2 fine.

3 THE WITNESS: Okay. If you're talking  
4 specifically about I and C openings, we're very small. We  
5 are almost a non-player. We are just starting to get our  
6 foot in the door.

7 We are having trouble competing against I  
8 think GTS is a pretty big company. Cadillac I think is a  
9 large company. We've broken into the I and C business at  
10 Fermi and Palo Verde by nature of our staff augmentation  
11 contract. It's included.

12 And at Virginia Power, we have a staff aug  
13 contract where we do I and C. Those are the only three  
14 utilities where we supply outage-related, fairly sizable  
15 numbers of I and C technicians.

16 INVESTIGATOR DOCKERY: I see.

17 MR. NEXSEN: What other type of employees do  
18 you place? I wanted to throw that out to see if it makes  
19 sense.

20 THE WITNESS: Our structure is that we've got  
21 a division that specializes in condenser retubing and  
22 repair. That's probably one of the leaders in the  
23 industry. We have a division that specializes in valve  
24 overhaul. I wouldn't say we were the leader. I would say  
25 we're top ten maybe.

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1           We have two divisions that specialize in staff  
2 augmentation. You're familiar with that term?

3           INVESTIGATOR DOCKERY: Yes.

4           THE WITNESS: One is west of the Mississippi,  
5 one is east of the Mississippi. It's simply geographics.  
6 And those are the two divisions under which the I and C  
7 technicians would fall.

8           And then we have a very small division that  
9 specializes in steam generator support, nozzle dam work,  
10 that sort of thing.

11           INVESTIGATOR DOCKERY: Okay. I've got a  
12 couple of documents here, one of which you have in front  
13 of you there that Mr. Nexsen provided at my request.  
14 Let's deal with the first one that the Atlantic Group  
15 nuclear employees that is headed up year, number of  
16 placements, number of employees.

17           THE WITNESS: Did you understand the  
18 distinction between the number of placements and the  
19 number of employees?

20           INVESTIGATOR DOCKERY: I think so.

21           THE WITNESS: We have a lot of employees that  
22 work for us more than one time. It's preferable to  
23 rehire. So to give you an adequate number, we also gave  
24 you placements, but that 1,728 actually reflects 1,030  
25 different names, okay?

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1 INVESTIGATOR DOCKERY: Gotcha, 1,728 potential  
2 jobs --

3 THE WITNESS: Yes, exactly.

4 INVESTIGATOR DOCKERY: -- filled by 1,030  
5 during the course of 1990.

6 THE WITNESS: Right. So a number of those  
7 people worked more than one period.

8 INVESTIGATOR DOCKERY: Now this would include  
9 I and C technicians and other --

10 THE WITNESS: All of our nuclear workers. I  
11 pulled this by nuclear site off of a computer.

12 INVESTIGATOR DOCKERY: Okay. I have another  
13 document here that is made up of --

14 THE WITNESS: These were our openings of I and  
15 C technicians in that time frame, January of '92 until  
16 April of '92.

17 MR. NEXSEN: Does it just go through April of  
18 '92?

19 THE WITNESS: In actuality, it goes up until  
20 August 31st, '92, because we didn't have any openings  
21 between April and that first Firmi August 31 date.

22 MR. NEXSEN: To clarify, there is one list  
23 that is not on there. Adn that would be the Unit One --

24 THE WITNESS: Palo Verde.

25 MR. NEXSEN: -- Palo Verde, which is the

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1 second. Don't mean to trip up my own client.

2 INVESTIGATOR DOCKERY: Well yes, but not to  
3 make too fine of a distinction though, wouldn't the Unit  
4 One selections were a fate accompli as of the middle --  
5 roughly the last two weeks of December 1991.

6 THE WITNESS: December 23rd is when the list  
7 was finalized, I think.

8 MR. NEXSEN: But so was these others. By  
9 December of 1991 also Chalk Point would have been  
10 determined. Monroe, I don't now --

11 INVESTIGATOR DOCKERY: Oh, I see what you're  
12 getting at.

13 MR. NEXSEN: So would North Anna.

14 THE WITNESS: North Anna we had recruited  
15 already as of December, and gave no consideration to  
16 anybody at Palo Verde because we knew they were staffing  
17 at the same time, and we didn't want to pull from their  
18 database.

19 MR. NEXSEN: Explain that. I just saw a  
20 question --

21 INVESTIGATOR DOCKERY: No.

22 MR. NEXSEN: Okay.

23 INVESTIGATOR DOCKERY: Let me ask it this way,  
24 Ms. Taylor. Going back to the document reflecting Chalk  
25 Point, Monroe and North Anna, when -- at one point had

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1 these positions been selected and were no longer open?

2 THE WITNESS: Okay, I can't give you actual  
3 dates.

4 INVESTIGATOR DOCKERY: Okay.

5 THE WITNESS: North Anna, which is the largest  
6 and really the only one he would have been actually  
7 eligible for, we starting staffing that late November,  
8 early December. It would have been staffed certainly  
9 before the Christmas holidays because the first people are  
10 starting as of January second.

11 We would not have even thought about the  
12 people at Palo Verde. They were still working in  
13 December, and we knew that they were under some sort of  
14 selection process for Unit One. So that was pretty well  
15 done by the Christmas holidays.

16 Monroe was staffed out of our Houston office.  
17 They are refinery people, not nuclear people. It's really  
18 a different business. To tell you the truth, I didn't  
19 know until they had those openings until we went into  
20 discovery and started pulling up, in answer to a question,  
21 whether openings were there.

22 INVESTIGATOR DOCKERY: These do reflect I and  
23 C tech positions?

24 THE WITNESS: Yes. And then Chalk Point,  
25 those two people had worked at Chalk Point before and were

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1 requested by name.

2 INVESTIGATOR DOCKERY: So --

3 THE WITNESS: So the only thing he could  
4 possible have been eligible for would have been Unit One  
5 because of the timing for it.

6 INVESTIGATOR DOCKERY: That's the way I  
7 interpret what you're telling me.

8 THE WITNESS: Right. We didn't even have an  
9 opportunity to discriminate against him.

10 INVESTIGATOR DOCKERY: Do you know if -- did  
11 Mr. Saporito ever make any distinction with regard to the  
12 fact that he wanted to be considered for only nuclear work  
13 or nuclear and non-nuclear?

14 THE WITNESS: Oh no. He made it clear that he  
15 wanted to be considered for everything, and not just I and  
16 C work. Everything.

17 INVESTIGATOR DOCKERY: Okay. Then I think  
18 we've pretty much established that the Unit One I and C  
19 staffing at Palo Verde which was decided by December 23rd  
20 to your recollection --

21 THE WITNESS: That was the one he was not  
22 selected for.

23 INVESTIGATOR DOCKERY: He was not. But to  
24 your knowledge, did the Atlantic Group have any input in  
25 whether or not he was selected for that outage?

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1 THE WITNESS: None.

2 INVESTIGATOR DOCKERY: That was -- if I  
3 understand correctly, that was one where the licensee or  
4 the utility wanted to make their own selection.

5 THE WITNESS: Yes, we contacted the people  
6 that were on the Unit Two crew to find out who would like  
7 to be submitted. All of those people that wanted to be  
8 submitted, we pulled their resumes and gave them to the  
9 Unit One supervisor for review, without any recommendation  
10 or anything.

11 I think we submitted something like 16 or 18  
12 resumes, and they narrowed it down and picked the ones  
13 that they wanted.

14 There was no input from anyone at the Atlantic  
15 Group.

16 INVESTIGATOR DOCKERY: Okay. Assuming that  
17 the Atlantic Group had an obligation to provide Palo Verde  
18 with Mr. Saporito's resume, did the Atlantic Group fulfill  
19 that obligation?

20 THE WITNESS: We provided them with his  
21 resume.

22 INVESTIGATOR DOCKERY: Do you know that first-  
23 hand, on a first-hand --

24 THE WITNESS: No, I did not provide the  
25 resume. Our administrative people out at Phoenix and Palo

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1 Verde supplied his resume among the others that were  
2 submitted.

3 INVESTIGATOR DOCKERY: It's your belief then  
4 that Palo Verde -- the selecting personnel at Palo Verde  
5 for Arizona Power were afforded the opportunities to  
6 select Mr. Saporito by the Atlantic Group?

7 THE WITNESS: What do you mean by the Atlantic  
8 Group? APS were the ones that were selecting who they  
9 wanted.

10 INVESTIGATOR DOCKERY: But they were given  
11 that opportunity, as evidenced by the fact that they had a  
12 copy of his resume to consider. Is that correct?

13 THE WITNESS: Yes.

14 INVESTIGATOR DOCKERY: Okay.

15 THE WITNESS: And it may important to add also  
16 in that same time frame is when that proposal for Entergy  
17 went out and his resume was submitted for that as well,  
18 even though it didn't translate into actual job openings.

19 INVESTIGATOR DOCKERY: Did you put that  
20 together or did somebody on your staff put it together?

21 THE WITNESS: I can't remember. It would have  
22 been me or someone within my department.

23 INVESTIGATOR DOCKERY: Ms. Taylor, are -- is  
24 there anything that you'd like to bring up that you feel I  
25 haven't asked that perhaps I should have or that you'd

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1 like to clarify your response to one of my questions or  
2 add something to it?

3 THE WITNESS: I don't think so. I think I  
4 would just want to reiterate that it was my decision not  
5 to hire Mr. Saporito. It was based on the fact that  
6 finally, over the course of about four or five months,  
7 determined that we could not trust him, that he had lied  
8 under oath, and that it was just not wise for us to hire  
9 him back and take the risk that he may sue us again in the  
10 future.

11 MR. NEXSEN: Do you believe that Mr. Saporito  
12 lied under oath?

13 THE WITNESS: Yes.

14 MR. NEXSEN: And why do you believe that?

15 THE WITNESS: Because I saw his affidavit  
16 which is under oath and he made the accusations against  
17 Bill Engelking which I do not believe to be true. That is  
18 just one example.

19 INVESTIGATOR DOCKERY: Mr. Nexsen, is there  
20 anything else you'd like to add to this record?

21 MR. NEXSEN: No, nothing. That's all there  
22 is.

23 INVESTIGATOR DOCKERY: Ms. Taylor, have I or  
24 anybody else from the NRC made any promises to you or  
25 threats regarding your testimony here today?

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1 THE WITNESS: No.

2 INVESTIGATOR DOCKERY: Have you been afforded  
3 an opportunity to bring out everything you wanted to bring  
4 out regarding this matter?

5 THE WITNESS: Yes.

6 INVESTIGATOR DOCKERY: Thank you for coming  
7 here today and with that, we'll conclude the record.

8 (Whereupon, the interview was concluded at  
9 3:07 p.m.)

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