

I am writing this to recap the events that took place this morning 5/7/20 – all written comments are and conversation are written down to the best of my memory.

I arrived at the Maintenance facility at 7:48 and walked toward Bob Magee who was on the phone discussing operational tasks with one of his crew members at roughly 7:55 Bob was off of the phone and I initiated the conversation regarding a safety incident from the previous week.

Josh: Bob – this is hard for me to do and is not what I had planned for the day – It has been brought to my attention that a serious safety violation took place last week at the EDOC and as a director I am taking action (handed Bob the disciplinary letter).

Bob: what are you talking about, what safety violation

Josh: the details are in the letter and the District is going to have a neutral party investigate the safety incident.

Bob: what are you talking about what did I do wrong (paraphrase)

Josh: it has to do with a loader

Bob: what loader

Josh: you got in the bucket loader to do some work

Bob: was it Josh (Esty) or Lee (Tuure) that ratted me out – it had to be them who else looks at the cameras.

Josh: getting into a bucket is a serious safety violation and should never happen

Bob: I was only in the bucket for like five minutes – you gave me a task list to finish what else was I supposed to do, I have to get things done for the district and you people never understand what we do here. I wasn't going to rent a basket (articulating boom lift) for 15 minutes of work it is a waste of money and time. We work hard down here and you do not understand what it takes, the district has been out to get me since Brian (Wright, previous supervisor) wrote me up for having steel lifted in the shop and the guys working under it. you gave me a task list and it is almost done, we have to do trucking here at Williston and don't have time for all of these projects that you people want us to get done.

Josh: this doesn't have anything to do with Brian or anything that happened in the past – this is hard for me and was not something that I want to do but I have to ask you to go home. You are on administrative leave effective immediately and need to go home. The administrative leave is with pay and benefits. We will have a neutral party contact you do discuss what happened and will investigate the incident.

Bob: you are going to have Lee (Tuure) or Amy (McVey or Jewell, not sure) conduct the interview. That rat, I know he did it and now I have to talk to him. He has been trying to get me fired since day one.

Josh: it will be a neutral party and we are not sure who it is yet. You will need to be very honest with what happened when the investigator calls you.

Bob: so who ratted me out on this.

Josh: I can't say – I am here as a director to give you this letter and ask you to go home. I do not feel good about this and you have every right to be mad. This is hard for me but you need to get into your truck and drive home.

Bob: what about Joe (P) he threw his trash away and didn't get fired for it. Dave (H.) throws his garbage away all of the time and gets away with and no one fires him, the DOC people are getting away with everything and Lee does nothing and I am in trouble. You need to know what they are doing – you people don't care about wasting money or what we do down here. How am I supposed to get your task list done. We do everything and no one knows anything. One little thing and you give me this, we have to get work done, this is ridiculous.

Josh: Bob – please get in your truck and go home (other maintenance and roll-off employees, Joe/Shane are starting to pick up on what is happening and looking over at us from about 150 feet away).

Bob: what about Shane and Ryan what are you doing to them.

Josh: I am talking to them next – I cant talk to them until you get into your truck and drive home. I have letters for them as well. Please get in your truck and go home.

Bob: mutters some profanity and slowly walks to his truck. He turns around and says you people have no idea what we do this is ridiculous one little thing and this happens (more low volume profanity). Ryan pulls up with the loader (coming from ODF) close to where we are talking and notices the body language and stays in the loader.

Bob slowly walks to his truck – gets in and drives slowly in a u-turn past the maintenance facility and slowly drives away. Ryan is out of the loader and Shane and Joe are with in 20 feet of me. Bob leaves with out incident. Out from my view and off of the property.

Shane: so what was that

Josh: ok everyone (Joe/Shane/Ryan) listen up, an incident has come to my attention about a serious safety violation that happened last week at the EDOC. I have just spoken with Bob about it and now I am talking to you. (Josh hands Shane and Ryan letters)

Shane: what are you talking about

Josh: it's in your letters – it was last Thursday and involved a loader (Ryan and Shane are looking at me confused) – it had to do with unsafe practices

Shane: looking at Ryan, shit the loader – I told Bob not to get in it.

Ryan: we both said that it was a very bad idea and that we wouldn't do it.

Josh: riding in the front bucket of a loader to do work is a really big deal –it's the first thing you see or hear at a construction safety training. It's a really big deal

Ryan: I told him that Josh (Esty) could stop by and that they check the cameras

Shane: I wasn't going to get into the bucket

Josh: Bob was sent home on administrative leave – paid with benefits. We will have a neutral party investigate the incident. You guys are still here and we still need to work. My advice is that when the neutral party calls you that you be completely honest about what happened.

Joe: if Bob wrote us up because we wouldn't do something like that what would happen?

Josh: the write up would come to me and I would call Bob and say, what are you talking about, you cant do this and then we would take action about the write up because it would be thrown out. Do you think he would have written you up if you said something about this? I understand he may not have written you up but you may have been yelled at or other actions would have been taken against you because you wouldn't do what bob said.

Shane: Bob probably wouldn't have written us up but he would have made our lives miserable and would have yelled at us – also he would hold our step bump at evaluation against us because we didn't do what he said. Every year he does that – he will bring up times that we didn't listen to him or he was mad at us and threaten to not give us a pay increase.

Joe: I herd him talking about me and getting in trouble for dumping trash.

Josh: yes he brought that up – it is my recommendation that you write everything down that you can think of regarding the incident. The interviews will happen and then we will make a decision.

Ryan: I've been here 17 years and have not had one mark on my record.

Josh: I would bring that up in your interview – I will probably get interview also and will be completely honest about what I know. This is not a witch hunt for you guys or even bob for that matter. We are just trying to figure out what happened on the 30th

Joe: well bob is our manager and he told us to do that and we are the employees – how does that work

Josh: I expect that different rolls will be weighted differently when the interviews are finished and we are making a decision. I may not even be a part of the decision process. I have worked with you for over 5 years and respect your work ethic and safety practices – when/if I am interview I will make sure that I say that you guys are hard workers with no past disciplinary actions.

Joe: I've seen it a bunch of times Bob will throw anyone under the buss if it means that he can get out of trouble.

Josh: this is a time to be completely honest when interviewed and bring everything you can think of up – this is the time to let it all out. Again I am not going after Bob but if there are things that you need to tell the neutral party – please be honest and try to think of as many things as you can.

Joe: am I being interviewed?

Josh: No you were out that day

Joe: thank god

Ryan: so are we going to have a job?

Josh: Bob was sent home and you weren't – the different levels of management will have different consequences as I said before I will do my best to make sure it is known you guys are hard and honest workers and will do all that I can to support you through this process.

Ryan: what do we do now?

Josh: we keep working – Ryan was identified as the one to be called for all things roll off related and Shane was identified as the one to call with all things maintenance related. I reminded them that they cant talk about this with Bob or each other as the letter says and that I will let them know when the neutral party is scheduled. I told them to please not discuss this with bob and that they don't have to take a phone call from him if he calls. I also said that this will be held confidential because we are going to be conducting an investigation so please do not discuss with any other employees.

I was finished with the conversation at about 8:40. I made sure to tell Ryan and Shane to be honest when contacted and that I have nothing but respect for them and will support their position to my fullest ability. Ryan and Shane were very concerned about their jobs and I told them to call me with any questions, I may not know the answer.

Josh Tyler

Director of Operations

(802) 872-8100 x210 | CELL (802) 338-5304



ADMINISTRATIVE
OFFICE
1021 Redmond Rd
Williston, VT 05495
www.cswd.net

Facebook / Twitter / Instagram