

November 7, 2018  
Final Update: November 12, 2018

## MEMO FOR RECORD

On Tuesday, November 6<sup>th</sup>, 2018 at approximately 10:15 a.m. [REDACTED] [REDACTED] told me that Clarence Kiolbassa called the front desk and needed to speak to me. He had relayed to [REDACTED] that one of the Utilities employees was "assaulted" at work and was being taken to Concentra to be looked at. I called Clarence at approximately 10:30 a.m. and he informed me that Alfred Rakowitz had struck [REDACTED] in the face with a pipe. He also told me that [REDACTED] wanted to speak to me about the matter.

At approximately 12:00 p.m. on this same day I met with [REDACTED] and Clarence and had asked [REDACTED] to witness the conversation. [REDACTED] relayed to us that he was in the shop area talking to [REDACTED] and Alfred started making a lot of noise to get his attention. [REDACTED] stated that Alfred was in a loft area and always "behaves this way to get his attention" so he ignored him. According to [REDACTED], Alfred continued making noises to get his attention and was getting agitated. Alfred then yelled an obscenity at [REDACTED] and [REDACTED] walked towards the area where Alfred was. [REDACTED] stated that he told Alfred he has a name and will not respond to him when he makes noise or uses profanity to get his attention. Alfred then became angry and threw a PVC pipe at [REDACTED] hitting him on the bridge of his nose. [REDACTED] walked away from Alfred to rinse the blood from his nose and to go speak to Clarence about the matter.

[REDACTED] was very upset about the whole incident and mentioned on more than one occasion that he expected Alfred to be fired immediately. I told [REDACTED] I would investigate the incident and that I needed him to go home for the day so he could cool off. I also told him if he felt like he needed Wednesday (November 7<sup>th</sup>) off that he could take that day with pay as well.

[REDACTED] then asked me if he could speak to me without Clarence and [REDACTED] in the room. When they left he relayed to me that Alfred had hit him once before and that former employee [REDACTED] had told him that he

would take care of it and that [REDACTED] should not talk to anyone else about the incident. I asked [REDACTED] if anyone could corroborate that previous incident. [REDACTED] said that [REDACTED] witnessed that incident as well. [REDACTED] and I talked for about 20 more minutes and [REDACTED] brought up several examples of times where he felt like he was not being treated fairly. He also brought up examples of other employees who were behaving in a manner that concerned [REDACTED]

After [REDACTED] left I called John Gomez and asked him about the incident. I was troubled to learn that John G knew about it but had not notified me or John Chisholm. I also asked if he knew about the previous incident and he said he did not. I asked him if he would ask [REDACTED] to write a statement about both incidents between Alfred and [REDACTED]. At 1:31 p.m. I received [REDACTED]'s statement (attached). [REDACTED]'s statement was consistent with what [REDACTED] had told me although [REDACTED] was cautious about how he viewed the intent of both incidents.

I was facilitating a mindfulness class on this date so I went back to the Salado room to complete the training. I then spoke to both John Chisholm (3:15 p.m.) and Suzanne Scott (3:45 p.m.) about the issue. I told them I would meet with Alfred and John G on Wednesday morning to get Alfred's description of what happened. John C was also invited to the meeting.

On Wednesday, November 7<sup>th</sup> I met with Alfred, John G, and John C about the incident in question. Alfred admitted being upset but he said he tossed the PVC pipe to [REDACTED] and it was not his intent to injure him. I then asked Alfred for a written statement (attached). We spoke for several more minutes and Alfred mentioned several times that he was upset with [REDACTED] but did not intend to injure him. I told Alfred that we were going to suspend him with pay pending an investigation and that he was not to have any contact with [REDACTED]

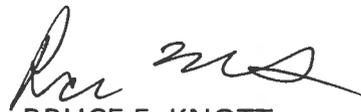
When Alfred left John G told me that the previous day (Tuesday) Alfred had mentioned to him that he was upset and threw the PVC pipe at [REDACTED]. He stated that he knew he "screwed up" but was very angry.

On Thursday, November 8<sup>th</sup> I met with John C at about 2:45. He stated that both he and John G felt that Alfred should be terminated for his role in this incident. At 3:00 p.m. on this same day I spoke to Suzanne about it. We discussed if Alfred should be suspended without pay and required to complete an anger management program or if he should be terminated. I relayed to her that John G and John C felt like termination was appropriate. She asked me to talk to Clarence to get his feelings on the subject. I spoke to Clarence on Friday, November 9<sup>th</sup> and he said he also felt like termination was the appropriate action. I spoke to Suzanne about it on Saturday, November 10<sup>th</sup> and she approved the termination of Alfred for violating our workplace violence policy.

On Monday, November 12<sup>th</sup> I was prepared to terminate Alfred but was told he came in early and turned in a resignation letter.

There are three attachments to this memo:

1. [REDACTED] Statement
2. Alfred Rakowitz Statement
3. Picture of PVC pipe in Question



BRUCE E. KNOTT

Director of Human Resources