

Exhibit 1

January 2023 and May 2023:

The Mayor had a conversation with me during a regular check-in about how wrong DEI is. He said that it only discriminates against white men like him. He then went on to share how wrong he thought trans people are and that when we're all dug up as bones they'll tell our sex by the anatomy. He said as far as he's concerned, you only need to look between someone's legs to tell what pronouns they use. I shared with him that we could get a discrimination lawsuit put on us if we don't use people's pronouns appropriately and he said he doesn't care about that and will take the risk. He asked me why I put my pronouns in my email and said he doesn't support it. He said he will not use someone's pronouns if he doesn't think they are accurate.

In early 2023, I brought up several concerns about Emily Schuh's changed behavior towards me since promoting to [REDACTED]. The mayor was initially supportive of my concerns and action, but later in the year mentioned several times that I need to work on my relationships with other [REDACTED]. This has allowed for ongoing bullying and concerns over Emily's behavior.

2/21/2023:

I had a meeting with the mayor and to tell him that I was pregnant. He immediately looked at my stomach and his eyes got wide. I shared with him that I would be taking 12 weeks of leave and he seemed concerned. He said I'll have to decide if I will keep working. I said of course I would and that I've invested a lot in my career and have no plans to stop working. A few check-in meetings later, he said "this is actually a good thing." He said that he tries to see the "whole self" with employees. After these meetings and my complaint regarding Henry Hash, the tone and treatment by the Mayor became negative and he started to reduce my role (see notes below).

5/9/2023:

The mayor told me at my check-in meeting that terminating [REDACTED] was going on my performance evaluation for the year and that Don Measamer, former Planning Director, failed in meeting that objective before he retired, so now it's on me.

5/18/2023:

On Thursday, May 18th, I made my official complaint to the Mayor regarding Henry Hash's treatment of me since the nepotism issue and the pregnancy comment (there are several separate documents regarding the content of the complaint). The mayor said that this is my area of expertise and that he expects me to advise him on what to do.

While discussing how we were going to respond to the issues I brought up regarding Henry Hash, the Mayor said no less than 3x that I didn't understand what he was saying due to generational differences. He said some issues he can just handle on a management level, and it doesn't need to be taken that far. I told him I disagreed because basic mistreatment of colleagues is against our personnel policies. I shared that in the last 2 months we terminated a probationary employee for less severe treatment of a colleague.

My ultimate advice was to work with outside counsel because it was a conflict of interest to involve me. I opened a pre-defense on the matter and Robin at WCIA.

5/22/2023 (example of Emily's inappropriate behavior since January 2023):

Emily told Jennifer Gundersen to make an offer for Jay Humberto Elizondo and said that it's Jose's (the position's supervisor) god son. HR was not informed of the relationship until the offer phase and was not present at many of the interviews. In fact, Jennifer was told she was not needed at a recruiting meeting when reviewing applications, contrary to HR's past practice. I went to Emily's office and asked what she thought about the relationship - asking if she had any concerns. She avoided the question and moved on to an assessment of the runner-up. I asked Emily that we be informed of candidate relationships (with the supervisor of the role) as soon as they're known. She mentioned Jay applied in the past and that the relationship was known. I agreed and said that I do not recall every familial relationship in recruiting, especially when it occurred almost a year ago, and Jennifer who was leading this recruiting was not hired when that occurred, so she had no way of knowing. Emily made a comment that she has 20 years of recruiting experience and I said this is not meant to be attacking. I said we would have made sure HR was present at the interviews to defend IS in the case that someone questioned the process. She said she doesn't even attend the last interviews. I updated her on the process that HR carries out recruiting now, but that's always subject to change especially when there may be a perceived conflict of interest. I said HR would have attended every interview to ensure there were no issues and to be able to defend the hire later on.

5/23/2023:

Had my check in with the Mayor. I shared with him that I was updating the performance reviews with our ECM Analyst. He then told me that I clearly have a stressor in my life (looked at my stomach) and mentioned my leave. He then said that I'm doing my job really well, almost too well and should slow down some. He said that I'm trying to step into Emily's shadow and I can't fill those shoes.

I shared with him that the Personnel Policy updates are almost done and I'd be bringing them to Council in the next few weeks. He said that Anthony Young will probably cause problems with DEI stuff. He said that he has a problem with DEI because, as he's mentioned to me before, he went to an AWC conference where DEI was talked about and he was discriminated against as a white male. He said that in the 80s they called that affirmative action and it doesn't hold up in the Supreme Court. He said equality to him is treating everyone nice not discriminating against white men.

I asked that I either cancel my weekly check-in with Henry or bring a third party with me. He said it was okay to move to ad hoc meetings with Henry. He said he had a coaching with Henry yesterday and told him to "tone it down 20 notches." He said that there will be an investigation, but it's likely going to end with this just being put on a watch. He said he knows what would hold up in a court of law and this is not enough. He said it'll probably end up with me and Henry having to "get along with each other." I shared that I have no problem working with Henry, so long as he doesn't bully me, especially in front of colleagues. He told me that I should've been telling Henry to stop as the first measure and that that's in our policies. I confirmed with the Mayor that I have asked Henry to stop his poor behavior on several occasions including in person when Henry called me "political." And again after the most recent interaction after Henry provided a job offer to an internal candidate without involving HR. I told Henry "I'm not okay with the way that he's cutting HR out of our responsibility areas." That's when Henry said,

"It's my department. I can hire, fire, and make any changes I want to." Our policy also states that victims of harassment only have to address the aggressor if they feel comfortable doing so.

I asked about the FTE request as we'd need to start recruiting in a month if it was approved. On April 28th, I asked the Mayor for an FTE in 2024 and he said we should just do it so that they can cover my leave too. Council was generally supportive of this change at the budget retreat. At the check-in on 5/23, the Mayor said he "shouldn't have put that idea in my head" and that he'll only approve a temp. He said there's "only a slight chance of an FTE next year." Later he said he'd be willing to throw hiring bonuses at police hires and I need to make sure I get that hiring done. I explained to him that I've recently been advised that hiring bonuses do not make a substantial difference in attracting police candidates (info from Summit Law at a conference). I said what I need help with is more staff to focus time on the recruiting of police.

5/25/2023:

I sent the mayor an email sharing information I learned that Henry Hash was continuing to make HR decisions without notifying HR at all (adjusting Sydney Neels job duties to absorb the Resource Conservation Manager). He ignored this email and never discussed it with me. These types of concerns continued after my initial complaint to the mayor and his assurance that he would manage them appropriately (see info re Tim Hohmann's and Mac Jackson's reclassification request as well as Brian Walkers FTE request).

6/6/2023:

At my regular check-in, the mayor shared with me Henry Hash's resignation letter. He said that the team already knew, so HR was one of the last parties to find out. He then said that he found out that Henry had been terminated from City of Tukwila for a hostile work environment claim. He pointed at me and said "it's on you for not finding that out." I asked for more details, and he shared that it was a severance agreement. In my experience severance agreements usually include a positive reference from future employers. I checked my emails and confirmed that I did complete full background checks on his past employers and they came back clear.

When we discussed DEI, he made comments about how having 230 employees speaking different languages doesn't help anything, in fact it's bad. Then he said that he knows the only two black people in town: Anthony and his friend's. He also said that as far as sexual orientation goes, he doesn't usually ask employees about who they're having sex with. He did mention that veterans shouldn't be discriminated against.

Later in the day, when [REDACTED] signed his separation agreement, the Mayor came into my office. He said congrats on getting rid of [REDACTED] If it wasn't already in your performance goals [to fire [REDACTED] it's going in now.

6/7/2023:

On 6/5/2023, I announced to the Personnel Committee that we would be hiring a temporary worker to cover for my absence in the fall. I explained that the Mayor and I were discussing that FTE request before we made any other moves. The following day, a council member sent an email asking that we

meet again to discuss the FTE. I checked in with the mayor in his office the afternoon of 6/7/2023 following this email. He raised his voice at me saying that I “spilled the beans” and that you can’t clean them up after they’ve been spilled. He said I should not have told council what I did and that this mess is my fault. I did not share anything that the mayor hadn’t already given me authorization to share (see email dated 5/11/2023 re Council Retreat Tuesday 16 May where I ensured he was comfortable with the topics I planned to cover). I did not speak to council regarding topics he had not already authorized.

6/9/2023:

I checked in with the mayor to discuss the Public Works Director recruiting. He said that he’s likely going to give it to his Navy buddy Chris who is working in Mount Vernon. He then asked me if it was illegal to not post the position. I shared with him that I’m not aware of any statutes or policies requiring us to post for a director role. I shared that I don’t think Council would be happy about them not going through the process and he snapped back at me and said “You think I don’t know that?”

6/12/2023:

In an executive meeting the Mayor said to all other directors he’d be meeting with Henry to discuss recruiting for Henry’s replacement. He did not mention HR in this process at all, despite me posting the position just minutes before. It’s concerning that he is aware of my complaints about Henry, Henry’s prior complaints/suit at a former employer, and the fact that Henry lied on his job application and is publicly carving me out of a strict HR responsibility and allowing Henry to take recruiting action (part of my initial complaint).

6/13/2023:

I had my check-in with the mayor. We discussed public works director recruiting and he mentioned that Henry is going to Mount Vernon to talk to his buddy Chris Phillips today about getting the job, but that he’s making \$181k/year, so he might not come. I asked why we were involving Henry in recruiting and the mayor got visibly upset with me and said sarcastically “what? I can’t do my own recruiting?” I told him that I’m not saying that, but I am concerned with Henry involving himself in recruiting when we know that he’s lied on his resume and I had made a harassment complaint against him. He was visibly upset and said something like “this is my friend of 25 years.” I said I don’t have concerns about his friend, I have concerns about Henry doing the recruiting when we know he lied on his resume. The mayor then told me it’s my fault again for not catching Henry’s Tukwila separation details. I explained to him that if he had a severance agreement it likely included a positive reference. I told him I checked my emails and confirmed that I did get good references and that part of my standard reference process is checking dates of employment and reason for leaving. He then said I need to let all the stuff with Henry go and that nothing would have come from it anyways, especially not in a court of law. He mentioned that I need to get along better with my directors. I shared with him that I feel like I’m going to be the one that suffers from bringing these complaints and he said “no” to that. He mentioned my relationship with Emily. I shared with him that it was confusing that Emily was my advocate and then immediately became an adversary when I was promoted to a director and held her to the same standard as other directors. I shared with him that it’s very difficult to come to work and have fellow directors treat me discourteously, even if it’s not illegal and carve me out of my own job. He mentioned that he’s the only one that can be rude and mean to people at work – it’s hard for him to get fired. At the end of this topic he said “counseling complete.”

He mentioned that in his line of work, that people died. He had six colleagues die, so all of this isn't that big of a deal and I need to start letting things go and that some people aren't just "bad" and I can't put them in that box. He said Henry isn't all bad. He mentioned that I need to work on getting along better with my colleagues – primarily directors.

Later in the conversation, he made comments that he has no concerns with my work product and that I'm still learning a lot being so new in my role. He mentioned that he has 35 years of management experience and that's something I have to remember.

We discussed hiring a temp for my leave. At the end of that conversation he said, "That solves your leave problem."

6/26/2023:

The Mayor complimented the Police Chief for getting the police hires in during the executive meeting. He did not thank or mention HR for recruitment, despite being the Civil Service Secretary/Chief Examiner and recruiting department primarily responsible for this process. Emily Schuh mentioned that a representative from WCIA was coming to meet for a meet-and-greet. I work with WCIA on a daily basis (likely more than any other department head) and should have been invited to meetings like this (I do all the pre-defense work). I would have been invited in the past. If I brought this up to the Mayor, he would tell me that I'm overstepping again and that I'm not getting along with directors. I didn't say anything, but am distressed over not being included in meetings that HR would be essential at. Another example of this is the acquisition of a new ERP system. I initially asked Steve Hogle and Jose Cervantes to be included in this process as HR and Finance use them equally. When Emily became involved, I was not included in the meetings whatsoever.

6/27/2023:

I had my regular check-in with the mayor. We went through my list of agenda items. I then brought up having Jennifer serve as the interim Director during my leave. He said that was fine because it was only about \$1,500. I checked that he was comfortable adding her to the executive meetings. He then said that he's likely going to remove HR from the executive meetings and that yes, I am a director, but that there's no need for me to attend the executive group. I told him that I was strongly opposed to this as it's important for me to understand what's happening at the City and vice versa. He mentioned that I'm in a supportive role. He did not say that he would remove the Finance Director or City Attorney, also in supportive roles, from the meeting. As a side note, I was included in these executive meetings as an HR Manager at the advice of Emily Schuh and support of the Mayor in early 2022. They explained at the time that HR is vital to all departments and needs to stay informed and inform the other groups.

At one point in the meeting, he asked me why we can't contract the Civil Service Secretary/Chief Examiner duties to an outside party. I told him that it wouldn't really reduce my workload and I feel strongly that I should still be involved in the content of the examinations. A contractor would likely be more coordination on my part, causing more work. This concerns me as he's trying to reduce my authoritative responsibilities further without a logical reason for it (i.e., reduced workload, cheaper, etc.).

Later in the conversation he looked at my review from December of 2022. I shared with him that I had met all the listed goals that Emily Schuh listed for me. He said I'm doing a great job and he is having to

search for things to critique me on. He said the only thing that he wants me to remember is that yes, I have a director title, but I'm not the same as the others. He said that I'm in a supportive director role and don't have initiatives of my own and that I need to remember that. He then compared it to a military setting where you have combat commanders and supportive commanders. He said that combat commanders are the ones actually going out into the battle and dealing with the problems and then the supportive commanders are the ones that do things like logistics. He said that I need to remember all of this as I move forward in my role. He did not say that Finance or Legal were "supportive" departments although I would consider them equivalent in that sense to HR. He only mentioned HR. This treatment and threatened reduction in workload and public acknowledgement only occurred after my complaint regarding Henry and notification of pregnancy status.

6/28/2023:

In the department head meeting, the Mayor announced that there was a potential reorganization going on at Skagit Transit where he is on the board. He said that all the other board members are bringing their [REDACTED], but, [REDACTED], I didn't invite you. It's just preliminary, so I won't need you. This is in front of all the other [REDACTED]. In a recent department head meeting, he said that he was bringing our new planning director, John Coleman, around to show him off at a festival or public event. I have never been brought to an event by the Mayor or invited to networking opportunities.

7/11/2023:

I had my check-in meeting with the Mayor. The following conversations happened:

1. He informed me that he will not be signing the Receipt of Personnel Policies that each employee is required to sign. He said he talked to a private attorney and won't be making himself liable in that way. I said I would remove him from the reminder notifications.
2. While reviewing Public Works Director applicants, I said we need to be comfortable foregoing the requirement of a PE license. I mentioned that Henry didn't have a PE while here in a neutral tone – having nothing to do with my history with Henry – and the Mayor told me sternly that, "I need to move on from Henry, remember?" I was not complaining about Henry, I was actually saying that we didn't need the PE license as it's a pure management role.
3. While talking about no applicants for the Temp HR position, he said I know that's going to stress you way out. Then he questioned "what would you have done if you and [REDACTED] were both on leave at the same time?" I responded to him and said, "I'm not sure what we would've done." He laughed at me and said, "I knew you wouldn't have known what to do." I mentioned that we can reach out to temp agencies.
4. I shared with him that the HR Generalist was going on a leave in February. I said she'll be announcing this in about 2 weeks and that it's private until then. He scoffed and then asked what dads get when they have babies. I said plenty of other departments have expecting dads right now including fiber, fire, and police and they get the full 12 weeks of bonding too.

7/17/2023:

Wil Ludemann (operations manager who used to report to Henry Hash) stopped in to check in on his employee items. He shared that Mac Jackson made a wage reclassification request to Henry and Henry

already got it approved by the Mayor. This is specifically an HR task that has always come to my office at the same time or prior to going to the Mayor. I've also mentioned in the past week that these types of requests need to come to me in writing first as we're approaching budget season. The same thing occurred with Brian Walker's FTE request. Henry sent this to the Mayor without including HR and the Mayor later told me about it. It's my job to vet these requests from a staffing/HR standpoint, including internal equity. Brian Walker told me on the phone today he was shocked that Henry hadn't told me about it. The Mayor raises his voice at me if I bring up concerns with Henry's approach after my initial complaint, so I don't feel comfortable addressing this with him, although it's in direct contradiction with our past practice. The Mayor is also allowing this type of procedure to go on without including me properly. This is a reduction in my capacity that has been present for the past 20 years for the HR Director. At the end of the conversation with Wil, he said "I'm really happy I get to work with you again now that Henry's gone."

7/19/2023:

Tim Hohmann stopped into my office and shared that he recently received an offer from the City of Bellingham and declined it. He shared that he asked Henry for more money and asked if I had heard about this. I had not. He said that it went to the Mayor and the mayor decided to give him the interim assignment instead. I never heard of this counter offer and it falls squarely under HR to assess reclassifications with the Mayor. This was also kept private from me by the Mayor – who has yet to even mention that our City Engineer requested a reclassification. This is another reduction in my prior capacity – even as HR Manager I was at the table with Emily Schuh and the mayor for these discussions.

7/25/2023:

I had my check-in with the Mayor. He raised his voice at me and talked to me in a demeaning manner when I shared that we declined an applicant for the temp HR assistant. He said that I "better not be acting like this is a full FTE." As I had mentioned to him moments before, I declined this individual for many reasons, one being that she said she did not want a temp role. I felt that it was not a good fit given that an FTE wasn't a given. He was visibly angry with me. He was also angry with me when I said I did not post it on SHRM's website. My recommendation was that no one with a SHRM certification will take a temp role, nor are we looking for someone with lots of HR experience. He said "he doesn't buy my argument." I said I would post on SHRM if he felt strongly about it.

Later when we were waiting for our next meeting with Steve, he got up to leave the office and said feel free to look at all my secrets (referring to the papers on his desk). When he came back in, he said "remember you're the one that can be fired, not me." Then he got into details about how I could run a recall campaign against him because I'm a resident, but I'd need to have something illegal on him. I tried to chuckle these statements off despite them making me extremely uncomfortable.

Over the last year, the mayor has made comments along these lines including "I'm the only one that can fire you," etc. Other directors have mentioned this as well. These make me feel uncomfortable and threatened for my job.

8/15/2023:

We had an FTE request meeting with the Mayor, [REDACTED] [REDACTED] [REDACTED] and myself at about 2:15pm on 8/15. This was to present all of the departments' requests for new FTEs in 2024. We went

through each department in alphabetical order. When we came to HR, I said that we had the FTE request that the mayor was already aware of. He asked me if I had any new information or reasons for asking for this position and chuckled. I said no and that my case remained the same. I said the only thing that has changed is that the HR Generalist is now going on leave in February of 2024, so we'll need the support even more – or we'll have to hire another temp 3 months after the old temp. He then said he had a sexist thought that he'll keep to himself. Then he said he's going to make risk assessments in each of the other departments on women of childbearing years and see who's an issue for him. He looked at me and said that would be an objective business assessment wouldn't it? He said in the military back in the stone ages that two women got pregnant and they couldn't fly anymore. He said that it's the women that always need the leave. I said that's incorrect, any parent is entitled to 12 weeks of leave. I said that every other department has had multiple parents go on leave and in fact, the police and fire departments have the most frequent parental leaves with plenty of dads going out for 12 weeks at a time. He turned to [REDACTED] and said that [REDACTED] isn't a risk for him because [REDACTED] is already a grandpa and there's no leave for grandparents, right? And I said no, but [REDACTED] could trip down the stairs tomorrow and need medical leave. I said anyone could need leave at any moment in time, so you can't assess people based on that. I referenced an employee in Finance who is on medical leave right now and said they are the perfect example of needing a leave but it having nothing to do with having children. Then he said alright let's move on.

This conversation is extremely distressing to me being 2 weeks out from my due date. I feel that I was disrespected, harassed, and discriminated against. What's ironic is that we have a training going on right now that covers these topics (and uses pregnancy as an example) and the mayor does not seem to understand or care what discrimination is. He has not taken this training. I feel that he made blatantly discriminatory comments towards me, our HR Generalist, and any other young woman who may have a child while employed at the City.

Exhibit 2

Employment

Policy 201 Equal Employment Opportunity

The City of Anacortes is an equal opportunity employer. The City of Anacortes does not discriminate in employment decisions or policies in violation of law on the basis of protected class. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

1. Reasonable Accommodation of Disabilities
 - a. The City of Anacortes complies fully with its duty to provide reasonable accommodation to allow an employee with physical or mental disabilities to perform the essential functions of the employee's job. Employees who have a disability that limits their ability to perform their job should contact Human Resources to inform the City of their disability and request for accommodation.
 - b. In order to provide a reasonable accommodation, the City of Anacortes may seek to communicate with the employee's medical provider to gain a better understanding of any limitations they possess, and given those limitations, the means by which an accommodation would allow the employee to perform the essential functions of a position. Employees may be asked to submit to a medical examination by an independent medical provider to confirm their medical condition and resulting limitations. After returning from disability-related leave, the City of Anacortes may request that an employee undergo a fitness for duty examination to ensure that they are capable of performing the essential functions of the job.
 - c. If an employee qualifies, the City of Anacortes will work with the employee and their medical providers to provide the employee with reasonable accommodation so that the employee can continue to perform the job. This may include making changes to the employee's work schedule, changing some of the job duties or transferring the employee to another position that the employee is able to perform.
2. Reasonable Accommodation of Religious Beliefs:
 - a. The City of Anacortes complies fully with its duty to provide a reasonable accommodation of any employee's sincerely held religious beliefs, unless the City of Anacortes believes such an accommodation would create an undue hardship or is contrary to the City's commitment to equal opportunity. For example, if an employee requires a certain work schedule or a particular day off for religious observance, or to dress or attire oneself in a way that varies from any dress code adopted by the City, the employee must contact Human Resources to request accommodation.
3. Reasonable Accommodation of Pregnancy:
 - a. An employee who needs accommodation due to pregnancy may be afforded the following accommodations with or without medical certification: frequent, longer, or flexible restroom breaks; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less. In addition, a pregnant employee may be entitled to other workplace accommodation(s), as long as there is no significant difficulty or expense and subject to written certification from a health care professional regarding the need for the requested accommodation.

Exhibit 3

Policy 202 Productive Work Environment (Complaints of Unlawful Discrimination, Harassment, or Retaliation)

The City of Anacortes promotes a productive work environment and does not tolerate unlawful discrimination, harassment, or retaliation.

1. The City of Anacortes is committed to providing a workplace that is free from unlawful discrimination. Unlawful discrimination occurs when an employee is disciplined, terminated, demoted, or suffers some other adverse consequence in their employment on the basis of protected class (referred to in this policy as “protected classes” or “protected class status”).
2. The City of Anacortes is committed to providing a work environment which is free from unlawful harassment. The City expressly prohibits any form of unlawful harassment by or against its employees on the basis of any protected class status.
3. Sexual harassment is conduct that is directed at an employee because of their sex, is unwelcome, and is offensive. Each supervisor and manager have a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee’s refusal or willingness to submit to sexual advances will affect the employee’s terms or conditions of employment. Romantic or sexual relationships between co-workers where one individual has influence or control over the other’s conditions of employment can create a range of potential issues, including actual or perceived favoritism, bias, conflicts of interest and even harassment. As a result, supervisors and employees are required to disclose such a relationship to Human Resources so that the City may evaluate the need for changes in reporting relationships or other modifications to avoid actual or potential problems.
4. Other sexually harassing or offensive and discriminatory conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Prohibited conduct includes, but is not limited to:
 - a. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - b. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
 - c. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
 - d. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
 - e. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.Any of the above conduct, or other offensive conduct directed at individuals on the basis of protected class status is strictly prohibited.
5. The City of Anacortes is committed to providing a workplace that is free from unlawful retaliation. The City of Anacortes prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City’s discrimination and harassment policies, and for participating in the investigation of any complaint of discrimination or harassment. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee’s participation in protected activity. Employees who bring complaints may be subject to discipline if the investigation reveals that the complaint was made in bad faith.
6. Complaint Process. An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that does not work or if the employee is uncomfortable confronting the offending individual, the employee should report the incident

promptly. A complaint can be made verbally or in writing to Human Resources. In the alternative, as the employee may wish, the complaint may be brought to the attention of the Mayor. If an employee brings the complaint to the attention of another manager, the manager is obligated to report the complaint to Human Resources and/or the Mayor within one day.

A harassment complaint generally will be handled as follows:

- a. Every complaint is to be reported promptly, whether by the complainant or by the person receiving the complaint. If reported verbally, the person taking the complaint should produce a written statement for the complainant to review and sign.
 - b. The complaint will be investigated as soon as reasonably practicable. Choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
 - c. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
 - d. There shall be no retaliation by the City, its officers, managers, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint. Any person who feels they have been retaliated against, should immediately report their concern to Human Resources. The City strictly prohibits retaliation under this policy, and any sustained allegations of retaliation will lead to discipline, up to and including termination.
 - e. Where the investigation confirms the allegation of unlawful harassment or retaliation, the City will take prompt corrective action, and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, demotion, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
7. All officers and managers are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Managers must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality, and objectivity. A manager's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

Exhibit 4

Policy 204 Hiring

The City of Anacortes is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled.

1. The City of Anacortes will normally try to fill job openings above entry level positions by promoting from within if qualified internal applicants are available (**see** Policies 207 Transfer and 208 Promotion). In addition, the City of Anacortes will normally give consideration to any known qualified individuals who are on layoff status before recruiting applicants from outside the organization (**see** Policy 212 Layoff and Recall).
2. The City of Anacortes will consider a member of an employee's immediate family for employment if the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if the employment would:
 - a. Create either a direct or indirect supervisor/subordinate relationship with a family member; or
 - b. Create an actual conflict of interest or the appearance of a conflict of interest.
3. These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes: the employee's spouse, domestic partner, brother, sister, mother, father, stepmother, stepfather, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.
4. Former employees who left the City of Anacortes in good standing may be considered for re-employment. Former employees who resigned without advance notice or who were dismissed for disciplinary reasons may not be considered for re-employment (**see** Policy 213 Termination of Employment).
5. A former employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than 6 months, in which case the employee will retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan (**see** Policy 501 Health and Welfare Benefit Disclosure).
6. Employees who retire may be eligible, in certain circumstances, to be considered for rehire (**see** Policy 214 Retirement).

Exhibit 5

From:

Sent:

To:

Subject:

Attachments:

[REDACTED]
[REDACTED]
[REDACTED]
Thursday, May 18, 2023 5:03 PM

Matt Miller

Notes re Henry Hash

Notes on Events.docx

Mayor,

I've attached my notes on my interactions with Henry. I started to write these down in late-April after the issue with the position posting came up.

After our conversation today, Wil stopped by my office to clear the air. I've copied my notes on that interaction below. Wil wouldn't directly say it but indicated several times that Henry directed him to keep me out of the process.

5/18/2023 @ 3:45pm:

Wil came into my office to check in on the email exchange earlier today. He asked if he was in trouble. I said that he was not. I asked him about why the decision happened that way. Wil told me that, "Henry talks. He says that it's his department and he gets to run it." Wil shared that he would have included me in the process, like always, if it was up to him and Henry wasn't involved. He shared that he was in a really hard spot having to follow the direction of his boss. I asked him if he felt like HR ever tries to get in the way of his department. He said, "No. You're always really helpful."

After some further thought, I think it would make sense to open a pre-defense on this matter even if it rises only to the level of a coaching and counseling. Because this is involving me, I don't want it to appear like a conflict of interest if I assist you. If you agree, I can connect you with a pre-defense attorney.



[REDACTED]
[REDACTED]
City of Anacortes

904 6th Street | Anacortes, WA 98221

[REDACTED] | Fax: (360) 299-1982

[REDACTED] | www.anacorteswa.gov

Notes on ongoing issues with Henry Hash

Nepotism Issues:

- On approximately January 23rd, 2023 the HR Department posted the PCED Program Coordinator. Prior to this, Henry Hash came to me saying that his son, Sam Hash might apply and he'd be a good candidate. I told him that I didn't think this violated our family member hiring policy. Sam applied and after an initial review, Don Measamer and I decided to reject him due to lack of qualifications. Henry came to my office shortly after Sam was rejected and complained that he was qualified and should've gotten the position. I explained that he may be a better fit for our upcoming Permit Services Coordinator, and we would agree to interview him. To note, he was not well-qualified for the Program Coordinator role.
- After this instance, Henry continued to reach out to Don and I trying to influence the hiring process and advocating for his son. I would say Henry came directly to me no less than five times attempting to advocate for Sam's hiring. Each time I saw Henry, he would bring this up and ask me what the status was or share information about his son's experience. This made me extremely uncomfortable. Don and I communicated about this on an ongoing basis as it was occurring to both of us.
- On one specific instance, Henry came to me after the initial rejection of his son for the PCED Program Coordinator position saying that he believes he has a case for discrimination because his son was rejected. I told him that I disagreed with this and oversaw the entire hiring process. He then told me that I was acting "political" and he didn't like this side of me. My understanding is that he complained to the Mayor about the hiring process.
- On another instance, Henry mentioned to me that if his son is not hired, his wife will not move to Anacortes from Arizona. He closed this point out with a skeptical tone. This led me to believe that Henry wanted me to know that if I didn't hire Henry's son and his wife didn't move here, his tenure at the City would not be long.
- At this point, Don informed me he complained to the Mayor about Henry's inappropriate behavior. I also mentioned it to the Mayor a few times during regular check-ins. My understanding is the Mayor told Henry to stop interfering with the hiring process. At this point, Henry stopped contact with me on the topic.
- A panel of 4 interviewed Sam Hash for a second, in-person interview on March 27th. Sam Hash performed poorly, and it was a unanimous decision to reject him as a candidate. I asked Jennifer Gundersen, HR Assistant, to take detailed notes on this decision, which are saved to the recruiting file.

Behavior After Sam Hash Recruiting:

- Henry stopped all non-essential conversation with me. This is a drastic change from our prior working relationship, which was frequent, casual, and friendly.
- I noticed changes in Henry's behavior such as deliberately running late to our check-in meetings and a discontinuation of small talk. His interactions with me became unfriendly and rude. He stopped making eye contact with me in group settings or acknowledging my presence when I talked.

Resource Conservation Position:

- Since Henry's hiring in July of 2022, we have had a vacant Resource Conservation position in his group. I have told him since then that as soon as he decides on any changes to the job description, I am happy to post the position for recruiting.

- On Wednesday, April 12th, Steve Hoglund came into my office and said he was concerned about a change in this position and asked if I had heard about it. I had not. About an hour later, I had my regular check-in with Henry and he brought up changing this position to a union position (facilities maintenance technician) and adjusting some of the job duties. I shared my concerns with adjusting the job duties in a pre-existing title and job description that other Teamsters fill. I also informed Henry that I'd like to run it by the Mayor myself, talk to Steve to ensure he was in agreement, and then finally run it by the Union as it's a change to their bargaining unit (positive or not). Typically, HR and Finance are involved in the initial brainstorming phases of reorganizations, even prior to the pitch to the Mayor. We did not discuss timing of posting the role as we had many to-dos prior to that.
- Later that day, Wil Ludemann emailed me and asked when I was going to post the position. I said that this still had some to-dos. It's clear there was a different message from Henry about the timing. See attached email.



RE Facilities pos
.msg

- The next week (April 17th-21st) I was on vacation. This was well-known to all department directors. The week after that, I was in all-day EOC trainings. Henry was present at these trainings as well. In a break on Tuesday, April 25th, Henry pulled me aside to ask about why I hadn't posted the position yet. I reiterated to him that I wanted to chat with the Mayor about the reorganization and needed to talk to the Teamsters rep, who was out on vacation this week. He was agitated with this response and pushed on why I can't just get it posted and why I'm delaying. I asked Henry to give me some patience while I work to post it in the next 10 business days. I ended this conversation as quickly as possible due to Henry's brash demeanor.
 - I complained to the Mayor on Wednesday, April 26th about the interaction sharing that Henry was aggressive with me in demeanor and was inappropriately pushing boundaries for work in HR.
- On Friday, April 28th I met with Mac Jackson, Wil Ludemann, and Henry in Henry's office on an unrelated matter. This was regarding filling a recently vacant supervisor position at Ops. Henry opened the conversation with "I'm not sure why [REDACTED] is here" despite the meeting being set by me and explained to him on the phone prior as a discussion on whether or not we were immediately recruiting for the role. We had spoken about this exact topic the night before at about 4:30pm and Henry shared his understanding on the phone call and said he wanted to attend the in-person meeting. This is a matter that falls under my department. We continued with our conversation. At the end, Henry asked for another update on "why I haven't posted the job yet." I shared with Henry that as I said on Tuesday, I had to get buy-in from other parties before moving forward. He pushed on this and was visibly frustrated. The manner in which he addressed me was aggressive. I shared with Henry that this position is not an emergency because: 1) It's been vacant since before July of 2022; 2) the HR department has other legal priorities occurring in his department that he is aware of; and 3) I am getting back up to speed after being unable to handle daily operations for nearly two weeks. Henry said he disagrees with me that the position has been vacant since July of 2022. I said that I disagree with him. He then got up to open the door, although I did not see anyone there. I said thank you and left the room.
 - I assume that given the way Henry spoke to me in this meeting, Mac and Wil came down to my office afterwards to check in on me. They came in separately. I was visibly upset by the time I got down to my office. They both agreed that the position is not an emergency and understand why I need time before posting. This is not typically a delay I

have to justify outside of the HR department. They both said they support me and appreciate the work that HR is doing. Mac said that I should let Henry's behavior slide off my back.

- Henry came down to my office about an hour and a half after the meeting. He spoke about unrelated items, but then said he thought I seemed upset in the meeting. I shared with him that I was frustrated due to his repeated nagging about the position posting. He said, "usually you're pretty good about getting these things done." Jennifer Gundersen could overhear parts of this conversation as the door was cracked. Henry did not acknowledge or apologize for his behavior in the meeting and only criticized HR's inability to post the position immediately.
- I complained to the Mayor about this second interaction with Henry at a 1pm meeting with him.

5/1/2023:

I shared my concerns with [REDACTED] as the issue seemed to be escalating and I don't have my own HR rep to go to. [REDACTED] shared that on Friday, April 28th after my meeting with Henry, he came into her office and asked [REDACTED], "Are pregnant women more irritable?" I am visibly pregnant and told Henry earlier this year that I was pregnant.

5/18/2023 10am:

Wil sent the email attached below. I went to Henry's office to ask him about this. Henry said he didn't know why I was upset. I asked clearly, "Did you give an offer without including HR?" He shared similar terms that Wil sent in his email. I told him I'm very upset with the way that he's been carving HR out of HR items. He told me I should listen to him. He said he didn't understand why I would be involved. He said that it's his department and he has final authority on hiring, firing, and changes in his group. I left his office. I complained to the Mayor about this behavior in the afternoon.

This is not the way the City has been run. HR is the lead on organization changes and hiring processes and has always been. Henry was an advocate for this process prior to the issues regarding nepotism towards the beginning of the year. He would always advocate to let HR run what fell under its authority and shared that with his direct reports. Henry never involved himself in employee discussions and would let HR lead with the manager in attendance, as is City practice. No other department head would feel entitled to make major employment changes without the buy-in from HR. If Henry continues to carve HR out of HR-related employment items, I cannot continue to fully do my job and mitigate one of the largest legal risks in the City: people. Henry's treatment of me has risen to the level where I do not feel comfortable communicating with him without a third-party present. I believe that he will continue to retaliate against me for refusing to hire his son.



RE_SW
Supervisor.msg

5/18/2023 @ 3:45pm:

Wil came into my office to check in on the email exchange earlier today. He asked if he was in trouble. I said that he was not. I asked him about why the decision happened that way. Wil told me that, "Henry talks. He says that it's his department and he gets to run it." Wil shared that he would have included me in the process, like always, if it was up to him and Henry wasn't involved. He shared that he was in a

really hard spot having to follow the direction of his boss. I asked him if he felt like HR ever tries to get in the way of his department. He said, "No. You're always really helpful."

Exhibit 6

From:

Sent:

To:

Subject:

[REDACTED]
[REDACTED]
[REDACTED]
Thursday, May 11, 2023 7:10 AM

Matt Miller

RE: Council Retreat Tuesday 16 May

Mayor,

Thanks for the guidance on the retreat. I am looking forward to it. Below I've included my informal notes on HR/Personnel in case I need to supplement the councilmembers. Do you have any issues with these points, specifically the HR FTE request being mentioned? I can share the Budget Related Items with the Personnel Committee via email if you're comfortable with that. Our conversation was similar to the those points on Tuesday.

Thank you,

[REDACTED]

PERSONNEL COMMITTEE BUDGET PRIORITIES

Budget Related Items:

- Human Resources request for additional FTE: HR Assistant
 - Workload has increased with City growth, but HR has only seen a .2 FTE addition in the last 22 years.
 - Below average regional staffing levels: average HR Ratio is 2.16, Anacortes is at 0.76 (lowest in a survey of about 30 agencies). Still manages the average 4 collective bargaining agreements (which is the regional average) with 2 FTEs despite the average HR staffing at 7.38.
 - Immediate increase in Civil Service recruiting work due to the addition of 13 FTEs through the Levy Lid Lift.
 - Mention of lead time for civil service hires.
- Support to legal department with addition of an in-house prosecutor. Deferring to our City Attorney and Public Safety Committee to discuss budget effect of this addition in more detail.
- Support to other departments with any other additional FTEs or major staffing changes that occur between now and January 1, 2024.

Operational Initiatives in addition to Regular Business (if needed):

- Implementation of NeoGov recruiting software in 2023
- Establishing new contractor for Civil Service Promotional testing in Spring of 2024. We have 4 promotional tests at that time (Fire Captain & Lieutenant, Police Sergeant & Corporal). Work on this has already begun.
- Other initiatives:
 - Compete update of Personnel Policies
 - Increased city-wide training: onboarding, DE&I, anti-harassment, de-escalation, etc.
 - Revised performance review system
 - Increased accessible HR Service Model with automation to benefit employee experience
 - Major file transition and reorganization from paper to digital

[REDACTED]
City of Anacortes

[REDACTED] (w) | [REDACTED] (c)



From: Matt Miller <mattm@cityofanacortes.org>
Sent: Wednesday, May 10, 2023 5:49 PM
To: Dept. Heads <Dept.Heads@cityofanacortes.org>
Subject: Council Retreat Tuesday 16 May

Directors,

This afternoon we met with Kevin Meenaghan to finalize the agenda for our Council Budget Retreat on Tuesday May 16th. I will share the agenda with you once Kevin incorporates the final changes that we discussed today. On Tuesday, we will have fruit/muffin type stuff (Continental?) in the am and then lunch provided. A substantial portion of time will be set aside for each Council Committee to share their budget/priorities to help guide us in the City's 2024 budget development.

At today's staff meeting I referred to department heads being prepared with a slide deck – don't do this...what I was trying to say was, be ready to back up the Councilmembers if they are unable to come up with anything when Kevin asks the Council Committees to present their priorities. Again, It is not necessary for you to prepare a PowerPoint presentation, but I expect that you will be able to augment the conversations with your Committees as appropriate – you all know what's going on with your Department and with your Committees. Darcy will be prepared to discuss the Blake Decision and the ripple effects, and capacity shortfalls likely in the form of one FTE in-house prosecutor. If you intend to ask for any increases in personnel through your committee, please be sure that I am aware in advance. I would prefer we talk capacity shortfalls vice FTEs at the retreat.

Thank you for all the preparation work that you are doing with your council committees.

Best/Matt

Matt Miller
Mayor
Anacortes, WA
[\(360\) 299-1950](tel:3602991950)

Exhibit 7

From:

Sent:

To:

Subject:

[REDACTED]
Monday, May 8, 2023 7:17 AM

Matt Miller

RE: Personnel Policy Updates - Summary for your review

Eventually, we'll need to just say "protected classes under local, state, or federal law."

I'll keep moving with this project. Thanks for your review.

[REDACTED]
City of Anacortes

[REDACTED] w) | [REDACTED] (c)
[REDACTED]

From: Matt Miller <mattm@cityofanacortes.org>

Sent: Friday, May 5, 2023 1:51 PM

To: [REDACTED]

Subject: RE: Personnel Policy Updates - Summary for your review

[REDACTED]
I've reviewed. Looks all looks okay to me.

The politician in me must make one snark comment – at some point with so many "protected classes" wouldn't it be easier if everyone was in a protected class? – editorial complete.

Matt

From: [REDACTED]

Sent: Tuesday, May 2, 2023 5:04 PM

To: Matt Miller <mattm@cityofanacortes.org>

Subject: Personnel Policy Updates - Summary for your review

Mayor,

[REDACTED]. I also ran this by Chief Harris.

With that, I am ready for you to take a look at the final redline of changes to our personnel policies. I've also attached a summary document that outlines the substantial changes. The summary document does not include all the minor changes I've made to the personnel policies.

To note, I am suggesting that we allow those with TRICARE coverage to backdate to January 1 for dual insurance incentive. This is not outlined in the policies.

Plan of Action:

After I receive your final buy-in on these changes, I will open a two-week comment period for employees. I do not plan to hold a meeting for group comment, as was done in the past, but will make available time for employees to meet with HR directly to provide feedback.

After that, I need to provide the changes to the unions in case they would like to “bargain the effects” of any of the policy changes. I do not anticipate any of these changes will result in the need for extensive bargaining. I will also keep this review period brief.

Finally, I will hold another personnel policy to go over the changes. Then will wrap up with a new resolution at council.

Happy to answer any questions you have.

Thank you,



[REDACTED]
[REDACTED]
City of Anacortes

904 6th Street | Anacortes, WA 98221

P: [REDACTED] | Fax: (360) 299-1982

[REDACTED] | www.anacorteswa.gov

Exhibit 8

TUHLWLA
2022
- PERFORMANCE
NOT WELL
TEST RELATION

18 MAY
MEETING W/ REPLY
DESCRIBE HENRY BEHAVIOR AS
BRUTISH

Notes on ongoing issues with Henry Hash

MY RESPONSE SEARAGE - PERS MR
VIOLATION FROM
PROFESSIONAL

Nepotism Issues:

- On approximately January 23rd, 2023 the HR Department posted the PCED Program Coordinator. Prior to this, Henry Hash came to me saying that his son, Sam Hash might apply and he'd be a good candidate. I told him that I didn't think this violated our family member hiring policy. Sam applied and after an initial review, Don Measamer and I decided to reject him due to lack of qualifications. Henry came to my office shortly after Sam was rejected and complained that he was qualified and should've gotten the position. I explained that he may be a better fit for our upcoming Permit Services Coordinator, and we would agree to interview him. To note, he was not well-qualified for the Program Coordinator role.
- After this instance, Henry continued to reach out to Don and I trying to influence the hiring process and advocating for his son. I would say Henry came directly to me no less than five times attempting to advocate for Sam's hiring. Each time I saw Henry, he would bring this up and ask me what the status was or share information about his son's experience. This made me extremely uncomfortable. Don and I communicated about this on an ongoing basis as it was occurring to both of us.
- On one specific instance, Henry came to me after the initial rejection of his son for the PCED Program Coordinator position saying that he believes he has a case for discrimination because his son was rejected. I told him that I disagreed with this and oversaw the entire hiring process. He then told me that I was acting "political" and he didn't like this side of me. My understanding is that he complained to the Mayor about the hiring process.
- On another instance, Henry mentioned to me that if his son is not hired, his wife will not move to Anacortes from Arizona. He closed this point out with a skeptical tone. This led me to believe that Henry wanted me to know that if I didn't hire Henry's son and his wife didn't move here, his tenure at the City would not be long.
- At this point, Don informed me he complained to the Mayor about Henry's inappropriate behavior. I also mentioned it to the Mayor a few times during regular check-ins. My understanding is the Mayor told Henry to stop interfering with the hiring process. At this point, Henry stopped contact with me on the topic.
- A panel of 4 interviewed Sam Hash for a second, in-person interview on March 27th. Sam Hash performed poorly, and it was a unanimous decision to reject him as a candidate. I asked Jennifer Gundersen, HR Assistant, to take detailed notes on this decision, which are saved to the recruiting file.

Behavior After Sam Hash Recruiting:

- Henry stopped all non-essential conversation with me. This is a drastic change from our prior working relationship, which was frequent, casual, and friendly.
- I noticed changes in Henry's behavior such as deliberately running late to our check-in meetings and a discontinuation of small talk. His interactions with me became unfriendly and rude. He stopped making eye contact with me in group settings or acknowledging my presence when I talked.

Resource Conservation Position:

- Since Henry's hiring in July of 2022, we have had a vacant Resource Conservation position in his group. I have told him since then that as soon as he decides on any changes to the job description, I am happy to post the position for recruiting.

SUMMIT
ROBIN ARNOLD
(206) 291-4113
PRE DEFENSE

CONDUCT
(4 PROTECT)

- On Wednesday, April 12th, Steve Hoglund came into my office and said he was concerned about a change in this position and asked if I had heard about it. I had not. About an hour later, I had my regular check-in with Henry and he brought up changing this position to a union position (facilities maintenance technician) and adjusting some of the job duties. I shared my concerns with adjusting the job duties in a pre-existing title and job description that other Teamsters fill. I also informed Henry that I'd like to run it by the Mayor myself, talk to Steve to ensure he was in agreement, and then finally run it by the Union as it's a change to their bargaining unit (positive or not). Typically, HR and Finance are involved in the initial brainstorming phases of reorganizations, even prior to the pitch to the Mayor. We did not discuss timing of posting the role as we had many to-dos prior to that.
- Later that day, Wil Ludemann emailed me and asked when I was going to post the position. I said that this still had some to-dos. It's clear there was a different message from Henry about the timing. See attached email.



RE Facilities pos
.msg

- The next week (April 17th-21st) I was on vacation. This was well-known to all department directors. The week after that, I was in all-day EOC trainings. Henry was present at these trainings as well. In a break on Tuesday, April 25th, Henry pulled me aside to ask about why I hadn't posted the position yet. I reiterated to him that I wanted to chat with the Mayor about the reorganization and needed to talk to the Teamsters rep, who was out on vacation this week. He was agitated with this response and pushed on why I can't just get it posted and why I'm delaying. I asked Henry to give me some patience while I work to post it in the next 10 business days. I ended this conversation as quickly as possible due to Henry's brash demeanor.
 - I complained to the Mayor on Wednesday, April 26th about the interaction sharing that Henry was aggressive with me in demeanor and was inappropriately pushing boundaries for work in HR.
- On Friday, April 28th I met with Mac Jackson, Wil Ludemann, and Henry in Henry's office on an unrelated matter. This was regarding filling a recently vacant supervisor position at Ops. Henry opened the conversation with "I'm not sure why [REDACTED] is here" despite the meeting being set by me and explained to him on the phone prior as a discussion on whether or not we were immediately recruiting for the role. We had spoken about this exact topic the night before at about 4:30pm and Henry shared his understanding on the phone call and said he wanted to attend the in-person meeting. This is a matter that falls under my department. We continued with our conversation. At the end, Henry asked for another update on "why I haven't posted the job yet." I shared with Henry that as I said on Tuesday, I had to get buy-in from other parties before moving forward. He pushed on this and was visibly frustrated. The manner in which he addressed me was aggressive. I shared with Henry that this position is not an emergency because: 1) It's been vacant since before July of 2022; 2) the HR department has other legal priorities occurring in his department that he is aware of; and 3) I am getting back up to speed after being unable to handle daily operations for nearly two weeks. Henry said he disagrees with me that the position has been vacant since July of 2022. I said that I disagree with him. He then got up to open the door, although I did not see anyone there. I said thank you and left the room.
 - I assume that given the way Henry spoke to me in this meeting, Mac and Wil came down to my office afterwards to check in on me. They came in separately. I was visibly upset by the time I got down to my office. They both agreed that the position is not an emergency and understand why I need time before posting. This is not typically a delay I

have to justify outside of the HR department. They both said they support me and appreciate the work that HR is doing. Mac said that I should let Henry's behavior slide off my back.

- o Henry came down to my office about an hour and a half after the meeting. He spoke about unrelated items, but then said he thought I seemed upset in the meeting. I shared with him that I was frustrated due to his repeated nagging about the position posting. He said, "usually you're pretty good about getting these things done." Jennifer Gundersen could overhear parts of this conversation as the door was cracked. Henry did not acknowledge or apologize for his behavior in the meeting and only criticized HR's inability to post the position immediately.
- o I complained to the Mayor about this second interaction with Henry at a 1pm meeting with him.

5/1/2023:

I shared my concerns with [REDACTED] as the issue seemed to be escalating and I don't have my own HR rep to go to. [REDACTED] shared that on Friday, April 28th after my meeting with Henry, he came into her office and asked [REDACTED] "Are pregnant women more irritable?" I am visibly pregnant and told Henry earlier this year that I was pregnant.

Pg 29 "SHOULD IMMEDIATELY TELL OFFENDING INDIVIDUAL" - RETALIATION

VIOLATION POLICY 2022 UNLAWFUL DISCRIMINATION
"SUPPORTS SOME OTHER ADVERSE CONSEQUENCES"

5/18/2023 10am:

Wil sent the email attached below. I went to Henry's office to ask him about this. Henry said he didn't know why I was upset. I asked clearly, "Did you give an offer without including HR?" He shared similar terms that Wil sent in his email. I told him I'm very upset with the way that he's been carving HR out of HR items. He told me I should listen to him. He said he didn't understand why I would be involved. He said that it's his department and he has final authority on hiring, firing, and changes in his group. I left his office. I complained to the Mayor about this behavior in the afternoon.

This is not the way the City has been run. HR is the lead on organization changes and hiring processes and has always been. Henry was an advocate for this process prior to the issues regarding nepotism towards the beginning of the year. He would always advocate to let HR run what fell under its authority and shared that with his direct reports. Henry never involved himself in employee discussions and would let HR lead with the manager in attendance, as is City practice. No other department head would feel entitled to make major employment changes without the buy-in from HR. If Henry continues to carve HR out of HR-related employment items, I cannot continue to fully do my job and mitigate one of the largest legal risks in the City: people. Henry's treatment of me has risen to the level where I do not feel comfortable communicating with him without a third-party present. I believe that he will continue to retaliate against me for refusing to hire his son.



RE_SW
Supervisor.msg

5/18/2023 @ 3:45pm:

Wil came into my office to check in on the email exchange earlier today. He asked if he was in trouble. I said that he was not. I asked him about why the decision happened that way. Wil told me that, "Henry talks. He says that it's his department and he gets to run it." Wil shared that he would have included me in the process, like always, if it was up to him and Henry wasn't involved. He shared that he was in a

really hard spot having to follow the direction of his boss. I asked him if he felt like HR ever tries to get in the way of his department. He said, "No. You're always really helpful."

23 MAY REGULAR DELIVER 11
TOLD HER I WAS INVESTIGATING COMPLAINT. WEF
RETALIATION FROM HENRY CREATING HOSTILE WORK ENVIRONMENT
(FOR NOT HAVING SAM)

22 MAY 150 PM ROBIN ARONSON, RISK SERVICES

→ LOOK ~~IN TO~~ ~~IN TO~~ BULLYING
→ HARASSMENT / HOSTILE WORK PLACE

→ #
→ SETTING UP PRE-DEFENCE

→ "TALK TO

→ PER ROBIN — WAS SEPARATED FROM

TUKWILA AS PW DIRECT — "SEPERATION AGREEMENT"

+ POOR PERFORMANCE & BUDGETING

(ON HH RESUME
SAID "RETIRED")

|

22 MAY 1415

- 1 U/I W/ HENRY — REGULAR SCHEDULE

- SUBJECT OF HIRING STEEL TO MATT K: OLD JOB:

- I CONFRONTED HENRY TO REMIND HIM NOT TO TAKE
OUT ON [REDACTED] NOT HIRING SON (SAM NASH). HH ONCE

AGAIN CLAIMED HE ONLY TALK TO [REDACTED] 1 TIME ABOUT SAM
(I TOLD HIM NOT WHAT DON MEASURING)

- TOLD HH "LET HR DO THEIR JOB — TONE DOWN BEHAVIOR
W/ [REDACTED], AND I'LL ASK [REDACTED] TO ACCEPT PW DIRECTOR MGR"

- BOTH NEED TO WORK POSITIVELY TOGETHER

Exhibit 9

Matt Miller

From: Robin Aronson <robina@wciapool.org>
Sent: Friday, June 9, 2023 2:41 PM
To: Matt Miller
Subject: RE: pre defense

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

I am sorry you weren't able to connect with Suzanne Michael. I will let her know this is resolved.

I suppose you could have asked specifically how he departed Tukwila. Many times as you know you don't get much more than a date of hire and departure.

Hopefully this matter is fully concluded.

Robin

Robin E. Aronson, JD, CPCU, ARM, AIC
Risk Services Manager

Washington Cities Insurance Authority
P.O. Box 88030, Tukwila, WA 98138
Direct Line: 206-687-7900/ Office: 206-575-6046 Ext. 234
Fax 206-575-7426



From: Matt Miller <mattm@cityofanacortes.org>
Sent: Friday, June 9, 2023 2:37 PM
To: Robin Aronson <robina@wciapool.org>
Subject: RE: pre defense

Robin,

I never had a chance to talk to Suzanne, we played some "email tag" where I gave her my cell and some times to call (and asked for her number – I didn't get it).

Anyway, the issue is moot as Henry has resigned. Letter attached.

Thanks for your help with this, it was much appreciated.

Also, one lesson learned for me, I think we missed in our background check some important details of Henry's departure from Tukwila that would have been nice to know about. The separation agreement (or that there was some pre-defense work prior to his "retirement" from that job). Any advice there appreciated, I suspect if we just needed to ask harder question of the references.

Thanks again for the work!

Best/Matt

Matt Miller
Mayor
Anacortes, WA
(360) 299-1950

From: Robin Aronson <robina@wciapool.org>
Sent: Thursday, May 25, 2023 1:17 PM
To: Matt Miller <mattm@cityofanacortes.org>
Cc: Robin Aronson <robina@wciapool.org>
Subject: pre defense

***** This email is from outside the City of Anacortes network. Please use caution when clicking on links, opening attachments, or replying. *****

Hi,

Hope you are enjoying your vacation.

Attorney Suzanne Michael from the law firm Fisher Phillips has taken the assignment. She is on vacation until Tuesday so although she may e-mail you, its likely you will speak next week when you both return.

I provided Suzanne Michael the Notes you sent to me and briefed her on the issue.

If you decide with Suzanne that an outside investigator is needed, WCIA cost shares with the member for this additional expense on a 50-50 basis. WCIA will pay 100% of Ms. Michael's services.

Take care,

Robin E. Aronson, JD, CPCU, ARM, AIC
Risk Services Manager

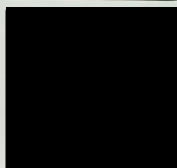
Washington Cities Insurance Authority
P.O. Box 88030, Tukwila, WA 98138
Direct Line: 206-687-7900/ Office: 206-575-6046 Ext. 234
Fax 206-575-7426



Exhibit 10

1:14

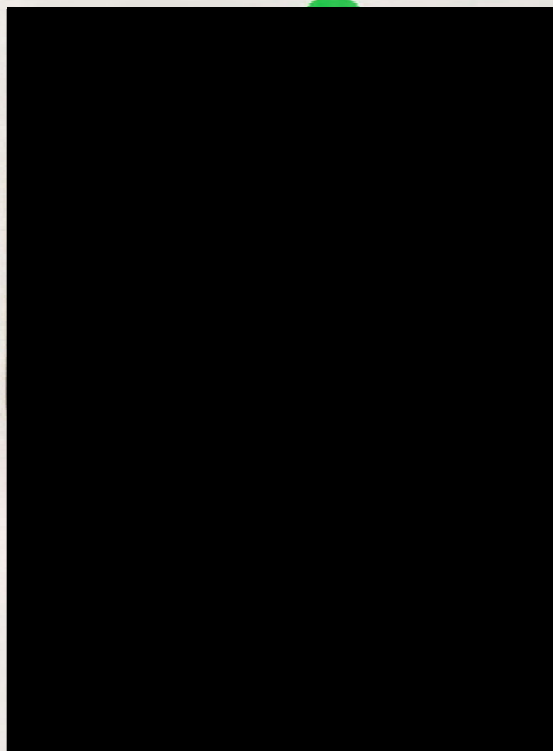
LTE 79



Wed, Sep 6 at 8:09 AM

Didn't want to bother you -
but was thinking about
you over "Labor" day.
Hope all is going well. Matt

Fri, Sep 8 at 11:12 AM



Text Message



1:14

LTE 79



Just now checking back into reality! Dózsa was finally born on [REDACTED] 8lbs 9oz. Thanks for checking in!

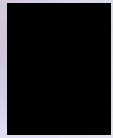


Text Message



1:14

LTE 79



Just now checking back into reality! Dózsa was finally born on [REDACTED] 8lbs 9oz. Thanks for checking in!



I got some "intel" yesterday at a ribbon

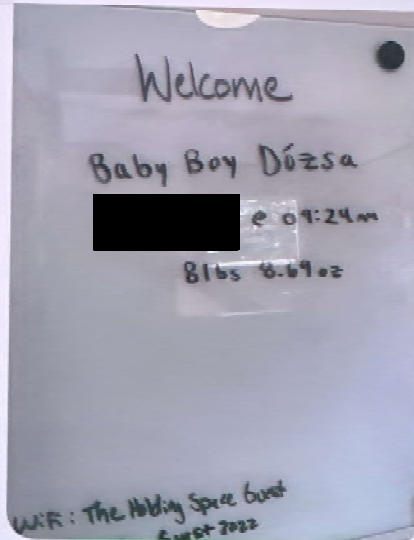


Text Message



1:14

LTE 79%



I got some "intel" yesterday at a ribbon cutting! Congrats!

Haha! Small world. Thank you!

Fri, Sep 15 at 1:20 PM

Wondering if there is a



Text Message

