



November 14, 2024

Mayor's Office
Attn Mayor Satya Rhodes-Conway
210 Martin Luther King Jr Blvd
Room 403
Madison WI 53703

Subject: Formal Complaint Regarding Workplace Misconduct by Director Norman Davis – Request for Independent Investigation

Mayor Rhodes-Conway,

The Madison Professional & Supervisory Employees Association (MPSEA) is submitting this complaint on behalf of current and former employees of the City of Madison Department of Civil Rights (DCR) who have experienced harassment, discrimination, and retaliation under Director Norman Davis. To protect these individuals from further retaliation, MPSEA has been asked to represent their concerns and ensure their voices are heard.

The Department of Civil Rights is tasked with promoting equal rights and ensuring compliance with civil rights laws, fostering a fair and inclusive environment for both employees and the community. However, Director Davis's behavior—including patterns of harassment, discrimination, retaliation, toxic management practices, and disregard for employee well-being—directly contradicts the department's mission. His actions have created a hostile work environment, undermining the very values DCR is meant to uphold. As a result, the department has seen an unusually high turnover rate, with numerous dedicated employees leaving due to Director Davis's actions. MPSEA has received multiple complaints from both current and former staff detailing instances of harassment and discrimination, and many have faced retaliation for raising concerns. This misconduct not only affects staff but also hinders the department's ability to serve the community effectively.

MPSEA submits this complaint to bring these serious issues to your attention and requests the assignment of an impartial, third-party investigator. An independent investigation is necessary to ensure accountability and restore the integrity of the Department of Civil Rights. MPSEA also reserves the right to amend this complaint should further allegations or evidence of misconduct surface during the course of any investigation.

Sincerely,

Dan Rolfs
MPSEA President

Enclosures: Complaint Against Director Norman Davis: Disability Discrimination, Sex Discrimination, and Executive Misconduct in the Department of Civil Rights

***Complaint Against Director Norman Davis:
Disability Discrimination, Sex Discrimination, and Executive Misconduct in the
Department of Civil Rights***

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BACKGROUND

Director Norman Davis holds a key leadership position as the head of the City of Madison's Department of Civil Rights (DCR). In this role, he is responsible for overseeing the department's mission to promote equity, inclusivity, and respect throughout City operations and to uphold civil rights protections for employees and community members. As Director, Davis is tasked with ensuring fair treatment of all department staff, managing personnel functions effectively, and creating a supportive, transparent work environment aligned with the City's core values and policies.

This complaint compiles experiences shared by ten current and former City employees who came forward to report specific incidents of misconduct involving Director Davis. Given their expressed concerns about potential retaliation, all names have been anonymized, and incidents are described succinctly. These employees provided detailed accounts of violations of City policies and professional standards, underscoring a concerning pattern of behavior by Director Davis that may constitute serious breaches of his employment contract and of the City's policies designed to protect employee rights and foster a fair workplace.

ALLEGATIONS OF MISCONDUCT BY DIRECTOR DAVIS

I. Discrimination Against Employees with Disabilities

Testimonies establish a pattern of Director Davis discriminating against employees with disabilities. Reported actions include unreasonable inquiries, intimidation, harassment, and constructive discharge. Director Davis's actions violate multiple City policies and federal laws, including:

- *APM 2-21: Family and Medical Leaves of Absence*
- *APM 2-22: Workplace Accommodations*
- *APM 2-33: Standard Expectations and Rules of Conduct*
- *APM 2-35: Alternative and Flexible Work Schedules*
- *APM 3-5: Prohibited Harassment and/or Discrimination Policy*
- *APM 2-40: Fitness for Duty Examinations*
- *The Americans with Disabilities Act*

These violations reflect a disregard for legally protected rights that are fundamental to the department's mission. The following sections summarize incidents reported and the impact of Director Davis's conduct on employees with disabilities.

A. Director Davis's Denial of Reasonable Accommodations to Employees with Disabilities

Incidents: Witness statements detail an ongoing incident beginning in 2018, when employees with disabilities experienced recurring thefts of their medications at the DCR office over a

year-long period. Employee E explained, “These medications couldn’t simply be refilled immediately, meaning the affected employees were forced to go without necessary treatments for weeks, directly impacting their ability to manage their disabilities.” Records confirm that Director Davis was aware of the situation and its impact on employees with disabilities. Employee A explains that as their health began to deteriorate due to these thefts, they requested a short-term, reasonable accommodation to telework, which was denied by Director Davis. Records do not show that the accommodation would have altered the nature of Employee A’s work nor caused an undue hardship upon the City. “Director Davis worked from home every day to pick up his children from school,” Employee A noted. “He was happy to have the accommodation but didn’t allow others to do the same.” Employee A stated that Director Davis subsequently refused to engage in an interactive dialogue about reasonable alternatives.

In January 2023, Employee H attended a meeting with Director Davis and discussed reasonable accommodations about office noise levels due to sensitivity related to their medical condition. Employee H recounted that Director Davis compared their documented medical condition to “other employees’ mere preferences regarding food smells in the office.” Employee H was informed that DCR would not alter in-office etiquette policies, such as encouraging headphones to be used for virtual meetings to reduce noise. Employee H was advised to address noise concerns directly with noisy colleagues by explaining their condition to them.

In late 2023, records show Employee E requested to be excused from a meeting with Director Davis, explaining that the nature of a discussion item would trigger an episode of their disability. As an alternative, Employee E referred Director Davis to their direct manager, who was familiar with the discussion item, for briefing. Director Davis denied Employee E’s reasonable accommodation request by replying, “The meeting today is not optional at your discretion. As the Department Head, I am scheduling this meeting with you. I expect you to attend.” Documentation does not show that Employee E’s request was unreasonable, that it posed an undue hardship on the City, or that it altered the nature of their work.

According to statements, Employee H transitioned to a fully remote work in November 2023 as a reasonable accommodation for their disability. According to Employee H, their direct manager approved this accommodation, understanding that their condition includes unpredictable symptoms and fluctuations in severity. On July 12, 2024, Director Davis reversed the approval by Employee H’s direct manager, citing “all staff must work in-office two days per week.” Employee H expressed concern that this rationale did not account for the specific impact of their condition, noting that no individualized assessment of their request’s feasibility was provided.

Violations: Under APM 2-22, the City is required to “provide reasonable accommodations to employees with disabilities unless doing so would cause undue hardship,” in alignment with the Americans with Disabilities Act (ADA). Witnesses describe multiple instances in which Director Davis refused accommodations without considering alternative solutions or engaging in required

interactive dialogue, violating both City policies and legal standards designed to protect these employees. These actions also contravene APM 2-33, which mandates that employees are to “meet performance expectations” with “courtesy and respect” toward individual needs, creating a workplace that supports inclusivity and equity.

It is problematic that Director Davis’s denials of reasonable accommodations lack legitimate business reasons; and, in some instances, were inconsistently applied. For example, while he permitted himself telework accommodations for personal reasons, he denied similar requests from employees with documented disabilities. Employee F highlighted this disparity: “A colleague with similar duties was denied telework as an accommodation, while I was granted it due to performance.” This unequal treatment suggests the selective application of accommodations, undermining the credibility of DCR’s commitment to a fair and inclusive workplace.

The EEOC explicitly recognizes telework as a viable accommodation when it meets the needs of the employee, even when an employee’s role involves collaboration, noting that “an employer should not...deny a request to work at home as a reasonable accommodation solely because a job involves some contact and coordination with other employees.” The City’s Alternative and Flexible Work Schedules (APM 2-35) policy further supports the appropriateness of telework when it can be reasonably applied, particularly as an accommodation. Despite this, Director Davis denied reasonable telework accommodations for both Employee H and Employee A in violation of APM 2-22, 2-35, and the ADA.

Director Davis’s instruction to Employee H—whose accommodation request addressed noise sensitivity—to manage disruptive noise by directly disclosing their medical condition to colleagues was an unreasonable response to their request. This directive not only infringes upon Employee H’s right to privacy and voluntary disclosure under the ADA but also raises questions about Director Davis’s competency in overseeing the City’s Disability Rights and Services program. Advising employees to disclose their disabilities to colleagues, rather than providing reasonable accommodations, reflects poor leadership and fails to uphold the privacy and protections guaranteed to employees with disabilities.

Impact: DCR is recognized as the City’s most diverse workforce, with notable representation among employees with disabilities. Many employees have regarded DCR as a safe, supportive workplace, assuming its leaders are knowledgeable and committed to upholding disability rights. However, Director Davis’s actions have not only failed to meet legal standards but also run counter to the fundamental mission of a department responsible for protecting civil rights.

Director Davis’s approach to disability accommodations has taken a serious toll on the health and morale of employees. As Employee H described, “My concerns were not addressed in a way that considered my specific accommodation needs,” underscoring a lack of empathy and

understanding of disability rights. In addition to managing their conditions, employees now face the emotional strain of being dismissed and feeling discriminated against by the very department expected to safeguard their rights. This experience of having medical conditions minimized by leadership has left many employees feeling unsupported in a space where they had expected inclusivity.

The impact of this breakdown in trust has been profound. Employee E remarked, “I no longer trust Director Davis or HR to handle accommodation requests appropriately,” reflecting a significant decline in morale and confidence in leadership. Director Davis’s approach has transformed what should be a safe workplace into one where employees with disabilities feel uncertain about the department’s commitment to its core values.

B. Director Davis’s Unreasonable Inquiries into Employees’ Disabilities

Incidents: Witness statements describe incidents where Director Davis engaged in unreasonable inquiries into employees’ disabilities. Employee A recounted experiencing inappropriate questioning by Director Davis concerning their use of disability-related FMLA leave. “I had FMLA when I was employed with DCR, some of which was consecutive, but mostly intermittent,” Employee A explained. However, in 2016, Director Davis challenged the legitimacy of this medical leave. Employee A recalls that Director Davis met with them, “to find out why I took leave on certain days, insinuating that it was not tied to something medical, but rather that I was taking time off to have a long weekend or break up my week.”

On September 9, 2024, Employee H’s pursuit of telework accommodations led to Director Davis requesting an independent medical evaluation despite Employee H having already provided the necessary medical documentation required by APM 2-22. Testimony indicates that Human Resources informed Employee H that Director Davis had requested the evaluation through the City’s Fitness for Duty policy (APM 2-40) without any valid, non-discriminatory business reason. “The City has provided no objective evidence that my behavior or performance suggest I am unable to fulfill my job duties, regardless of where they are performed,” Employee H observed, “Director Davis’s request appears to be a direct response to my accommodation request to telework, rather than a legitimate concern about my ability to perform my job.” This indicates a concerning lack of justification for the request, raising questions about the intent behind invoking the Fitness for Duty policy in this context.

Violations: The ADA protects individuals with disabilities from unnecessary or intrusive questioning—termed “unreasonable inquiry”—that is neither job-related nor consistent with business necessity. This protection is essential to prevent employers from probing into the specifics of an employee’s disability or scrutinizing their use of accommodations or medical leave without a legitimate, work-related justification. Director Davis’s inquiries into employees’ medical accommodations and leave were excessive and lacked a valid, non-discriminatory basis,

thereby undermining employees' rights. His questioning extended beyond any job-related necessity, amounting to repeated invasions of privacy.

Director Davis's questioning of Employee A's pre-approved, medically certified FMLA leave demonstrates a clear violation of both ADA protections against unreasonable inquiry and the City's own APM 2-21 policy. APM 2-21 explicitly mandates that employees should not face discrimination or undue scrutiny for utilizing FMLA leave. By questioning the legitimacy of this leave, Davis not only disregarded APM 2-21 but also encroached upon federally protected FMLA rights, reflecting a troubling pattern of intrusive oversight of employees' disabilities. Director Davis's actions also breached APM 2-22, in which managers are instructed to consult with the specialist rather than intervene directly in an employee's medical accommodations. However, Director Davis bypassed this process, ignoring the role and decisions of Human Resources in favor of his own unsubstantiated, unreasonable inquiries.

Director Davis introduced an unnecessary level of scrutiny without legitimate, non-discriminatory justification by compelling Employee H to undergo an independent medical evaluation under APM 2-40, despite Employee H having already complied with medical documentation requirements under APM 2-22. This action constitutes an unreasonable inquiry into Employee H's disability, violating both the ADA and APM 2-22. Employee H expressed concerns about this process, stating, "I believe this is an inappropriate use of the City's FFD policy, an unreasonable medical inquiry, and a thinly veiled effort to discriminate by forcing me out of my role." This misuse of power not only disregards established accommodations protocols but also indicates a discriminatory intent, undermining Employee H's right to a fair and inclusive workplace.

Impact: The impact of Director Davis's actions on Employee H, Employee A, and the department as a whole is significant. Employee A recounted the discomfort of being questioned about their FMLA leave, which was approved and medically certified. Director Davis's questioning, which implied that the leave was for non-medical reasons, disregarded the legitimacy of their medical needs and unnecessary emotional strain and contributed to distrust within the workplace. This added layer of scrutiny felt to Employee H like a violation of their privacy and autonomy and undermined their faith in the City's commitment to equitable treatment of employees with disabilities.

Director Davis's lack of respect for the ADA and City policies protecting the rights of employees with disabilities has eroded trust in leadership and diminished the perceived safety and inclusivity that the department, in theory, should uphold. This breakdown in trust and morale not only affects individual employees but also hampers the overall mission of the DCR, casting doubt on its commitment to protecting the civil rights of its own workforce, let alone the city of Madison community.

C. Director Davis's Intimidation of Employees with Disabilities

Incidents: Testimonies reveal that Director Davis has intimidated employees with disabilities through actions that coerce, threaten, or create undue pressure on employees. Employee A's statement indicates that when they were approved for consecutive leave under FMLA to manage their disability, Director Davis expressed visible frustration with the extended time off. "He and I had a meeting in which he was clearly upset I would be taking off for multiple weeks," Employee A recounted. Hesitant to further provoke Director Davis, Employee A adjusted their schedule to work three half-days per week against their medical advice.

Employee E similarly described an incident in which Director Davis labeled their request for reasonable accommodation as "insubordination." Employee E, who stated they had never faced disciplinary action, feared further antagonizing Director Davis and complied, foregoing their accommodation needs to appease Director Davis.

Employee C described experiencing similar treatment when they required accommodations and FMLA for a disability. According to Employee C, "When I had to take FMLA for a life-threatening condition, I was not supported and had to beg for accommodations, being bullied and made to feel I shouldn't be asking."

Violations: In these instances, Director Davis's actions extended well beyond passive resistance, actively discouraging employees from exercising their rights. By expressing frustration and exerting pressure on Employee A to alter their medically approved schedule, Director Davis created unnecessary barriers to FMLA-protected leave, directly violating APM 2-21 and Employee A's FMLA protections. His reframing of Employee E's formal accommodation request as "insubordination" highlights a pattern of intimidation toward employees with disabilities, essentially penalizing them for seeking support they are legally entitled to receive. This behavior exemplifies what the U.S. Equal Employment Opportunity Commission (EEOC) describes as a "chilling effect" on employees with disabilities—a legal concept where individuals are discouraged from exercising their rights due to fear of negative repercussions.

Moreover, Director Davis's actions disregarded and undermined the role of Human Resources, specifically the Occupational Accommodations Specialist, who is responsible for evaluating and approving accommodations and FMLA requests based on professional expertise and legal standards. By dismissing accommodations and FMLA leave pre-approved by the Occupational Accommodations Specialist, Director Davis not only disrespected the authority and expertise of HR personnel but also treated their determinations as subject to his discretion. His interference signals a disregard for the established FMLA and reasonable accommodation procedures outlined in APM 2-22.

Impact: This concession to Director Davis’s intimidation had serious repercussions for Employee A. Their health continued to decline as they were unable to allocate the time recommended by their healthcare provider for rehabilitation. “I ended up not getting any short-term disability pay for the time I was absent,” Employee A noted, underscoring the financial toll that resulted from Director Davis’s intimidating actions.

After Director Davis intimidated Employee E by framing their reasonable accommodation request as an act of “insubordination,” Employee E ignored their medical needs to appease Director Davis. According to Employee E’s testimony, they subsequently experienced a medical episode related to their disability, resulting in having to use two days of personal leave and increase their prescribed medication. “I now avoid asking for accommodations altogether, as I fear that doing so will result in retaliation or punishment from Director Davis,” Employee E shared, highlighting how Davis’s intimidation has created a toxic environment that deters employees from advocating for their disability rights.

These incidents illustrate a workplace environment in which employees feel unable to pursue necessary disability-related support without fear of punitive consequences. Director Davis’s behavior has fostered a work environment that discourages employees with disabilities from seeking accommodations to which they are legally entitled. Director Davis has fostered an atmosphere of fear and mistrust by establishing a precedent in which employees face adverse consequences for requesting accommodation, effectively undermining the department’s commitment to civil rights.

D. Director Davis’s Harassment Toward Employees with Disabilities

Incidents: Testimonies describe a pattern in which Director Davis has sought to sever the employment of individuals who sought assistance from Human Resources or the City Attorney’s Office to challenge his unlawful denials of their reasonable accommodation requests. According to documentation, in 2023 and 2024, Director Davis implemented an office renovation plan requiring non-management employees to move from private offices to cubicles. This plan disregarded Employee G’s documented need for a private workspace to accommodate their disability. Despite multiple requests and clear documentation, Director Davis refused to provide the necessary accommodation, including dismissing a manager’s offer to arrange alternative accommodations that would have met Employee G’s needs. Employee G sought intervention from Human Resources and the City Attorney’s Office, which resulted in the accommodation being granted. Shortly afterward, Director Davis proposed eliminating Employee G’s position as part of the 2025 budget cuts. Statements indicate that during a staff meeting on July 24, 2024, Director Davis announced that cutting Employee G’s position would result in an estimated 10% budget reduction for the department, even though only a 5% reduction was required. Employee G’s role is one of the longest-standing positions in the Department of Civil Rights, consistently included in the budget for decades, with highly specialized responsibilities not transferable to

other roles within the department. Witness statements indicate that Director Davis suggested outsourcing Employee G's duties; however, testimonies claim that a cost analysis was not presented.

Employee H describes an experience similar to that of Employee G. In August 2024, after Director Davis denied Employee H's request for a telework accommodation, they sought assistance from Human Resources to review the decision. During this review under APM 2-22, Director Davis requested Employee H undergo a Fitness for Duty Examination (APM 2-40). Records indicate Employee H was placed on indefinite administrative leave as of September 9, 2024, pending an Independent Medical Evaluation (IME). Employee H has not been permitted to return to work as of this report.

Violations: The EEOC defines unlawful harassment as severe or pervasive conduct that creates a hostile, intimidating, or abusive work environment, particularly when it impedes an employee's ability to perform their job effectively. According to witness testimonies, Director Davis's proposal to eliminate Employee G's position raised concerns among colleagues. Employee E noted that this drastic proposal appeared driven by hostility toward Employee G rather than necessity. Reflecting on the events, Employee E remarked, "It seems likely Director Davis planned to propose eliminating [Employee G's] position from the outset, as he withheld budget numbers, skipped discussions, and dismissed staff recommendations by falsely claiming they 'didn't add up.'" Director Davis's suggestion to outsource Employee G's duties without conducting a cost analysis not only contradicts his initial proposal but raises credibility issues about the intent behind the proposal, particularly as outsourcing these unique responsibilities could exceed the department's budget. Witnesses described these measures as "unprecedented," even in challenging budget years, raising concerns that Director Davis's actions were a pretext to harass Employee G for seeking assistance from Human Resources and the City Attorney's Office after his initial denial of their accommodation request.

Under APM 2-40, a Fitness for Duty Examination is intended for cases where an employer has documented reasonable concerns about an employee's physical or mental capacity to perform essential duties, typically arising from observed behaviors or performance issues suggesting unfitness for duty. The process mandates that the department head must have a clear, documented basis to believe that the employee cannot safely or effectively fulfill essential job functions. Several colleagues confirmed that the employee had no documented performance issues; in fact, their direct manager had recommended them for a level progression promotion in August 2024. Further testimony reveals that Director Davis placed the employee on indefinite leave without consulting their manager, who was on a pre-planned vacation and did not authorize nor agree with the action. These details reinforce concerns that Director Davis's severe actions were an attempt to harass the employee and reassert authority after the employee sought a review of his denial of their accommodation request rather than addressing any legitimate performance issue.

Director Davis's refusal to grant reasonable accommodations to Employee G and Employee H, followed by his attempts to eliminate their positions after they appealed his unlawful denials, constitutes harassment severe enough to violate both APM 3-5 and ADA regulations. His actions also conflict directly with the standards set by APM 2-33, which explicitly prohibits "bullying, abusive, or intimidating behavior." This pattern of hostility reflects a punitive response toward employees who exercised their rights to appeal discriminatory treatment, fostering a workplace climate where employees felt at risk for advocating for themselves.

Impact: The forced administrative leave not only negatively impacted Employee H but also had significant repercussions for the department. Employee E described the absent colleague as "incredibly skilled and dedicated," emphasizing that their absence left a "noticeable gap" in the department's ability to manage its workload effectively. Furthermore, Director Davis's actions carried substantial fiscal consequences. Despite Employee H's effective performance, they were removed from their duties at a critical time, coinciding with the department's contract obligations to the EEOC. Required submissions to the federal government were due by the end of September to receive credit for fiscal year 2024; however, Director Davis neither informed team members nor the manager of the employee's leave, nor provided any plan for managing their workload, which ultimately went unattended. As a result, the department failed to meet its contract requirements with the federal government, resulting in the loss of thousands of dollars in funding for fiscal year 2024.

Witness statements describe an environment in which employees were forced to choose between safeguarding their health and maintaining job security, ultimately undermining both individual rights and the department's functionality. "It's difficult to work in an environment where our leadership's actions are not only unethical but also violate the very civil rights we are tasked with protecting," Employee E remarked. Employee G echoed this concern, stating, "What I have heard from other employees about Mr. Davis's refusal to accommodate legitimate needs and his insistence that things run 'his way or the highway' is extremely distressing and disappointing."

E. Director Davis's Discriminatory Actions Resulting in Constructive Discharge

Incident: The following account demonstrates how Director Davis's ongoing refusal to engage in reasonable accommodation discussions ultimately led to Employee A's resignation. According to testimony, Employee A's health and job satisfaction declined after Director Davis denied their requests for reasonable accommodations. Employee A notified Director Davis that they would resign if the necessary accommodations were not granted. Testimony indicates Director Davis refused to engage in any meaningful dialogue to explore solutions, and Employee A subsequently resigned from their employment.

Violations: Constructive discharge occurs when an employer’s actions make the workplace so intolerable that a reasonable employee feels compelled to resign. Under disability discrimination laws, this includes situations where an employer repeatedly denies reasonable accommodations, forcing an employee to choose between protecting their health or continuing their employment. Employee A’s final attempt to secure accommodations through an ultimatum—making it clear that their continued employment depended on receiving flexibility—demonstrates the untenable position created by Director Davis’s conduct. His refusal to address Employee A’s concerns highlights a failure to uphold the legal and ethical obligations under the ADA, FMLA, APM 2-21, and APM 2-22. Beyond these laws and policies, Director Davis’s actions also fundamentally breached the principles of respect, fairness, and professionalism required by APM 2-33.

Impact: The impact on DCR extends beyond individual instances of harm, striking at the core of the department’s mission and operational integrity. Director Davis’s repeated denials of reasonable accommodations and unwillingness to engage in fair, supportive dialogues have created conditions resembling constructive discharge for employees with disabilities. For employees within DCR, this has forced them to choose between their health and their careers—a situation fundamentally opposed to DCR’s mission of equity and inclusion. Employee A’s experience underscores the severity of this impact: “I really liked my job and was good at it,” Employee A reflected, “but I felt like I had no choice.”

These actions have resulted in a breakdown of trust in leadership, impeding DCR’s ability to embody and promote civil rights standards within City government. Director Davis’s approach not only compromises employee well-being but also jeopardizes DCR’s credibility as an inclusive workplace, raising concerns about its ability to effectively serve as a model for other City agencies under his management.

II. Discrimination Against Female Employees

Several employees reported experiencing and witnessing sex-based discrimination by Director Davis against women. Identified behaviors range from sex-based harassment and retaliatory disciplinary actions to refusal to support accurate job classifications and fair wages. Director Davis’s actions constitute a violation of several policies and laws that safeguard women’s rights to a workplace free from discrimination, including:

- *APM 2-33: Standard Expectations and Rules of Conduct*
- *APM 3-5: Prohibited Harassment and/or Discrimination Policy*
- *City of Madison Personnel Rules*
- *The Equal Pay Act*
- *Title VII of the Civil Rights Act*

The following accounts detail Director Davis’s violations and underscore the impact of his behavior both on female staff and the overall DCR work environment.

A. Director Davis’s Harassment of Female Employees

Incidents: Several female employees reported being held to different standards of appearance and communication by Director Davis than their male colleagues. In February 2023, while serving on an interview panel, Employee E listened as a female panelist, a DCR employee, shared that shortly after beginning her role, Director Davis had commented on her manner of speaking, saying she “sounded too educated” and instructing her to alter how she spoke. Employee E noted that male employees in the department—some with multiple degrees from prestigious institutions—regularly spoke in an educated manner without issue.

Employee E experienced consistent critique from Director Davis on her communication style. Specifically, Employee E reports that Director Davis advised her to adopt a “softer tone”—an expectation she understood as sexist. Employee E explained that as a woman in a field historically dominated by men, she had intentionally developed a confident vocal register to be taken seriously. She remarked, “I’ve never heard him give this feedback to male employees.”

Employee C described similar treatment, citing Director Davis’s persistent focus on her “tone,” particularly through emails, which she identified as “bullying” and “creation of hostile work environment.”

Statements identify a third female employee, who was also witnessed to have experienced this treatment. Director Davis required her to submit her emails for review prior to sending, specifically monitoring for “tone.” Employee E, who observed this, noted, “I never once saw her raise her voice or act unprofessionally.”

Testimony identified a fourth female employee, Employee H, who confided in Employee E their discomfort about Director Davis’s ongoing focus on her “tone” both verbally and through email - fixations unrelated to her actual job performance.

Additionally, Employee E described Director Davis’s remarks about her appearance during meetings. Employee E recounted that Director Davis reported to her manager that he didn’t “like the way her face looked,” which she interpreted as an expectation to “smile more.”

Statements also describe Director Davis singling out female employees regarding camera use in virtual meetings. Despite following the same virtual meeting etiquette as male colleagues, Director Davis reported Employee E and Employee H to their manager when they did not have their cameras on. “This left me feeling singled out and focused on in a way that was inappropriate and uncomfortable,” Employee E noted.

Violations: Under EEOC guidelines, sex-based harassment includes unwelcome conduct based on gender or rooted in stereotypical gender roles, such as expectations that women should conform to traditionally “feminine” behavior. Testimonies from both current and former employees—including those whose employment did not overlap—indicate a consistent pattern of Director Davis’s micromanagement of female employees’ communication and appearance. Notably, no male employees reported experiencing similar levels of scrutiny or monitoring, underscoring a clear disparity in Director Davis’s treatment of female staff. His consistent fixation on women’s tone, appearance, and communication style strongly suggests a bias rooted in gender, further highlighting the discriminatory nature of his actions.

The City of Madison, through APM 3-5 and Title VII of the Civil Rights Act, commits to fostering a work environment free of discrimination and harassment. Director Davis’s insistence on controlling women’s verbal and physical presentation and applying double standards to female staff members contravened both the spirit and the letter of APM 3-5 and Title VII. The impact of Director Davis’s actions over his tenure has created a hostile work environment for female employees.

Furthermore, APM 2-33 mandates that all employees contribute to a respectful and inclusive work environment, explicitly prohibiting “bullying, abusive, or intimidating behavior.” Director Davis’s targeted criticisms and excessive monitoring of female employees violate these standards and disregard the City’s commitment to creating a work environment where all employees are respected and valued.

Impact: Director Davis’s behavior has had a profoundly detrimental impact on female employees within the department, fostering an environment that many describe as stifling, discriminatory, and overbearing. The Department of Civil Rights, as a majority-female workforce in historically male-dominated roles, is meant to serve as a model of inclusivity for other City agencies. However, Director Davis’s conduct has undermined this mission. Persistent scrutiny has caused significant stress among female employees; as Employee C explained, “He made me constantly nervous [and] anxiety-stricken [because] of his constant, unnecessary overblown monitoring.” Reflecting on her experience, Employee E noted the effect of being persistently judged against stereotypical gender norms, stating, “His constant focus on how I presented myself—whether through my voice, writing, appearance, or expressions—seemed rooted in a perception that I wasn’t conforming to traditional, stereotypical expectations of how a woman should behave in the workplace.” This relentless oversight left her feeling forced into a mold she did not fit, ultimately stifling her confidence and self-expression.

The restrictive and demoralizing environment has had tangible effects on team morale and retention. Employee D observed a noticeable decline in motivation across the team, noting that, “Employees have become disengaged, and if it continues, it may lead to a reduction in productivity.” The lack of recognition, compounded by constant criticism, has left many

employees feeling undervalued and has significantly decreased their engagement. In fact, the majority of women identified in this section have sought other employment opportunities, indicating the high turnover driven by Director Davis's actions.

A concerning cultural shift has also emerged within the department, underscoring the gravity of the issue. Many female employees now remind each other to be "good little women" around Director Davis—a phrase from *Little Women* by Louisa May Alcott. As Employee E shared, "We say this as a way of coping with the absurdity of our circumstances and the pressures we face to conform to outdated gender roles." This shared expression underscores the lengths to which female employees have gone to adapt to an environment where conforming to traditional stereotypes is valued over their individual merit, skill, and contributions.

B. Director Davis's Retaliatory Discipline for Opposing Sexist Behavior

Incidents: Testimonies describe Director Davis's one-on-one behavior with female employees as "sexist" and "authoritarian." Statements show employees shared their concerns with Director Davis. Due to previous interactions with Director Davis, Employee H arranged for Employee B to attend a meeting on November 9, 2023, with Director Davis as a third-party support. Statements show Director Davis had been informed in advance of Employee B's attendance. Upon entering the meeting and seeing Employee B, Director Davis became "visibly upset" and accused Employee H of insubordination for including third-party support. Employee H recalled that "Director Davis interrupted and spoke over me 26 times during the meeting, which lasted less than ten minutes." Statements indicate that despite both employees expressing their wish to proceed with the meeting, Director Davis abruptly ended it. Employee B noted that Director Davis's focus was less on the meeting's agenda and more on asserting authority over Employee H, stating that "Mr. Davis's conduct during this meeting was one of a bully who felt he could act with impunity toward someone without the ability to refuse him."

Records show that on November 13, 2023, Director Davis issued Employee H a formal Letter of Instruction, citing an APM 2-33 violation of insubordination for including third-party support in the November 9, 2023 meeting. In a follow-up meeting on November 20, 2023, intended to discuss this action, records show Director Davis insisted on "no obstructions" in future interactions, stating, "[Employee H], I want you to be aware of the fact that I don't want you telling me no," an expectation that, according to statements, he does not impose on male staff.

In early January 2024, Employee E corroborated these observations, raising concerns with Employee D about Director Davis' possessive behavior toward female staff and his insistence on private meetings, including both herself and Employee H. Employee D noted that Director Davis did not exhibit this behavior with him or other male employees and that Director Davis typically preferred a third-party presence in their own meetings.

On January 10, 2024, Employee H, following instructions from the Human Resources Director, scheduled a virtual meeting with Director Davis and her direct manager. However, Director Davis insisted the meeting be held in person, at a coffee shop, without Employee H's manager. Statements show that Employee H expressed her discomfort with Director Davis's arrangement due to his previous comments, including, "I don't want you telling me no." Employee H requested a virtual format and suggested the presence of a neutral third party, like the Employee Assistance Program (EAP), to help facilitate the conversation.

According to records, the meeting subsequently took place on January 31, 2024 within the presence a Human Resources representative. During this meeting, Director Davis questioned Employee H's decision to involve a third party in their meetings. Records show that Employee H explained, "As a female subordinate, your previous comments make me feel uncomfortable, and I feel safer with a third-party present." The Human Resources representative inquired if Employee H had similar concerns with other male managers, and Employee H clarified her issues were specific to Director Davis. Records show Director Davis interrupted, asserting, "I don't hear the truth in your comments," and added that he would "speak the truth" regarding Employee H's "perceptions." He reiterated Employee H's hesitation in meeting him one-on-one amounted to insubordination.

Violations: It is understood that Letters of Instruction are not considered formal discipline by the City. However, it is critical to note that the EEOC defines any action that impacts an employee's terms or conditions of employment—including informal reprimands, letters of instruction, and verbal warnings—as disciplinary in nature. Given this guidance, both of Director Davis's actions against Employee H are considered punitive under the legal framework.

Records show Director Davis failed to demonstrate that he had followed the City's guidelines for establishing just cause prior to taking disciplinary action against Employee H. Without any legitimate business justification for these disciplinary actions, Director Davis's actions establish a pretext for retaliatory treatment against Employee H for opposing his sexist behavior. This incident exemplifies Director Davis's pattern of leveraging his position to assert dominance over female employees rather than fostering a respectful work environment. Director Davis's actions directly undermine the City's standards for a safe, respectful workplace, violating Title VII, the Personnel Rules, APM 3-5, and APM 2-33.

Director Davis's insistence on controlling the conditions under which he meets with female staff in DCR raises concerns about what may be said or done in these closed-door settings that he appears unwilling to have witnessed or documented. His conduct effectively discourages women from voicing their discomfort or concerns, raising questions about the culture he promotes within the Department of Civil Rights—a department ostensibly dedicated to upholding the rights of all employees.

Impact: Employee H's experience highlights the damaging impact of Director Davis's punitive conduct toward female employees who seek to establish professional boundaries. Reflecting on their follow-up conversation, Employee H felt Director Davis's approach was less focused on her conduct and more about asserting control, retaliating against her for opposing his discriminatory behavior. She described his approach as akin to gaslighting, reinforcing a dynamic where her concerns and autonomy were dismissed. Employee H's treatment has sent a broader message to female employees within DCR, leaving them feeling restricted in their ability to advocate for themselves without fear of retaliation.

C. Director Davis's Obstruction to Accurate Job Classifications for Female Employees

Incidents: Witnesses report a pattern of Director Davis's obstruction of reclassification and progression requests by female employees, marked by extensive delays or, in some cases, a complete lack of response. Employee C states Director Davis "failed to show up to support my reclassification work on behalf of me and several coworkers," despite the employees meeting the required standards for reclassification.

Employee E described another female colleague's multi-year struggle to obtain an accurate job classification, despite making repeated revisions at Director Davis's request. "This pattern of undermining and devaluing the contributions of female employees was consistent with how Director Davis treated many women in the department," Employee E observed. His frequent absences from scheduled meetings and failure to follow up have left this colleague's role misclassified to date.

Statements indicate in December 2023, Director Davis engaged in a pattern of behavior obstructing Employee E from submitting an accurate position description for a City-wide Compensation Study. In subsequent discussions, he challenged multiple responsibilities outlined in Employee E's updated description. Although in disagreement, Employee E made Director Davis's requested modifications, and Director Davis agreed to finalize the submission. Records show Employee E did not receive any confirmation that it was submitted on time, nor any legitimate business reason for the delay.

Witness statements reveal Employee E's experience was not isolated. Another female employee who sought to update her position description faced similar barriers: despite reflecting her actual duties, Director Davis scrutinized each section, challenging her responsibilities. This employee ultimately submitted an incomplete description, and shortly thereafter, she left the department.

Statements explain an equity analysis was conducted on the reclassification process for level increases within two key job classifications in DCR due to repeated barriers DCR employees have faced in reclassification efforts. Per recommendations of the equity team, the classifications were restructured into a progressive series. Despite the streamlined process, statements show

Director Davis has continued obstructing the level progression for female employees. In the spring of 2024, Employee D requested the progression of Employee H from Level 1 to Level 2. Employee D's request demonstrated that Employee H was already performing at Level 2 standards, and the department had both the budget and the operational need to support her advancement. Employee H recounted, "Director Davis took months to respond, ultimately refusing to approve the request. This delay has stalled my advancement without any valid or transparent explanation, and this resistance to promoting or advancing female employees is an overarching theme within the department." In August 2024, Employee D renewed the request for Employee H to advance to Level 2. As of this complaint's filing, Director Davis has still not responded.

Statements describe a separate female employee's issue with Director Davis's obstruction to her level progression. Despite her longer tenure and greater experience entering the role, she remains at a Level 2 after more than five years, while a male predecessor reached Level 3 within just three years. This employee disclosed to Employee E that she no longer wants to pursue progression due to the overwhelming stress and repeated obstacles imposed by Director Davis.

Violations: Director Davis's ongoing failure to follow the City of Madison Personnel Rules on job classification has fostered a work environment that undermines the City's commitment to fairness and inclusivity under APM 3-5. The Personnel Rules require accurate job classifications based on the actual work performed to ensure equitable compensation and promote employee retention. Director Davis's disregard for these standards has hindered the advancement of qualified female employees, creating a culture of inequity within the department.

By obstructing reclassification efforts, Director Davis has effectively under-compensated female employees, contrary to the Equal Pay Act's requirement for equal pay for equal work. His actions also pose legal risks, as his obstruction prevents women not only from promotion but from receiving fair compensation that reflects their responsibilities. This pattern of delay and refusal violates Title VII, which mandates equitable treatment in all terms, conditions, and privileges of employment, including job classification. The sustained barriers he has placed on female employees' reclassifications have limited their advancement, infringing upon their rights under Title VII.

This obstruction of fair compensation and promotion opportunities for female employees violates City policy and legal obligations for equitable treatment in the workplace. Director Davis's repeated delays and denials to promote qualified women exemplify gender-based discrimination that limits their professional growth, contravening APM 3-5's prohibition on discrimination and commitment to a workplace free from gender bias. Moreover, by refusing to support fair advancement without documented rationale, he disregards the Personnel Rules and the City's commitment to equal opportunity, perpetuating inequities and restricting career growth for qualified female staff, directly opposing the City's values of equity and inclusivity.

Impact: Testimonies indicate that Director Davis’s obstruction of reclassification requests has reinforced a "glass ceiling" effect within DCR, contributing to low morale and attrition among female employees while exacerbating structural inequities in the department. Statements reveal that many female employees refrained from escalating their requests to Human Resources—even when delays exceeded 30 days—out of fear of potential retaliation from Director Davis.

Employee E suspected that Director Davis’ last-minute objections to her reclassification request were deliberate attempts to prevent her updated job description from accurately reflecting her expanded responsibilities. As she repeatedly advocated for fair treatment, she described the process as “exhausting and demoralizing,” remarking, “I constantly feel that my efforts are being undermined and that I am being held back professionally for reasons beyond my control.”

Employee E was especially concerned that the outdated job description would misrepresent her current responsibilities and negatively affect her compensation, underscoring the real financial and professional consequences of Director Davis’s actions. She noted a troubling dynamic, sensing that his reluctance to support her updated description was aimed at controlling a team composed entirely of women, stating, “This behavior contradicts the very values of equity and civil rights that our department is supposed to uphold.”

This reluctance to support accurate job classification for female employees reflects a broader trend of Director Davis expecting women to perform duties beyond their classifications without receiving the corresponding status or pay. For Employee E and her colleagues, these persistent delays not only compromise their compensation but also cultivate an environment where their contributions are systematically undervalued, and their career advancement is hindered.

III. Executive Misconduct and Neglect of Managerial Duties

Several employees reported experiencing and witnessing executive misconduct and neglect of managerial responsibilities by Director Davis. Alleged actions include failure to adhere to mandatory reporting protocols, refusal of Madison Professional Supervisory Employee Association (MPSEA) representation and Employee Assistance Program (EAP) support, failure to resolve critical workplace safety issues, exploitation of labor and purposeful work slowdowns, and retaliation against employees for raising workplace concerns. These behaviors indicate significant breaches of his obligations as Director of Civil Rights, impacting employee well-being and undermining the department’s mission. Director Davis’s actions constitute violations of several policies and contractual standards governing executive leadership and managerial duties, including:

- *APM 2-12: Employee Assistance Program*
- *APM 2-25: Workplace Violence and Prevention Policy*
- *APM 2-33: Standard Expectations and Rules of Conduct*
- *APM 3-5: Prohibited Harassment and/or Discrimination Policy*

- *City of Madison Personnel Rules*
- *General Municipal Employees Handbook*
- *Professional, Confidential, and Supervisory Employees Handbook*

The following accounts detail instances of Director Davis's executive misconduct and neglect of managerial duties, illustrating the harmful impact on employees and the Department of Civil Rights as a whole.

A. Failure to Adhere to Mandatory Reporting Protocols

Incidents: Statements show Employee A observed significant cultural issues within the workplace, particularly between employees in different divisions and across age groups. Employee A identified an older employee interacting with Employee A in an increasingly hostile manner, "There were a few times in 2015-2016 that she yelled at me or came to my office to scream at me about payroll," Employee A explained. "I mentioned it once in a meeting, but Norman did not allow the conversation to continue," Employee A recounted.

In response to Director Davis's refusal to honor their accommodation request, Employee E complained to Director Davis through email about discrimination, emphasizing the importance of an inclusive work environment and the potential legal implications of denying accommodations. According to records, Director Davis did not acknowledge Employee E's complaint. Employee E stated after receiving this email, Director Davis verbally instructed them "not to send any future concerns in writing, insisting that all conversations be conducted verbally, without intermediaries or written records." Employee E understood this as an effort to avoid accountability.

Violations: Under the provisions of APM 3-5, which requires department heads and supervisors to report any potential violations of discrimination and harassment policies promptly, Director Davis has failed to uphold his mandatory reporting obligations.

For example, Employee E submitted a complaint of discrimination regarding Director Davis's refusal to honor their accommodation request. This complaint explicitly raised issues related to workplace inclusivity and the potential legal implications of denying accommodations. However, records indicate that Director Davis did not acknowledge Employee E's complaint nor take steps to report or address it appropriately. Instead, Director Davis verbally instructed Employee E that all subsequent communications would be handled without any written documentation. This approach directly contradicts APM 3-5's expectation for mandatory reporters to take all complaints seriously and violations to document and forward any allegations of policy violations promptly.

Similarly, Employee A's testimony describes unresolved workplace hostility due to payroll errors, with an older colleague's behavior escalating to inappropriate outbursts and unprofessional conduct. Employee A recounted instances of yelling and unprofessional confrontations that

contributed to a hostile work environment. Despite mentioning these concerns in meetings, Director Davis dismissed the conversation without investigating or reporting the incidents as required under APM 3-5.

Impact: The impact of Director Davis's failure to address mandatory reporting obligations has perpetuated a negative and unresolved work environment, particularly regarding generational conflicts and issues of workplace bullying. By dismissing opportunities to engage with reported conflicts and refusing to address serious allegations, Director Davis has reinforced a culture where employees feel unsupported and believe that reporting workplace issues is futile. Employee A described feeling a profound sense of frustration and helplessness, noting, "It felt like you couldn't report to anyone." The lack of responsiveness discouraged Employee A from reporting further incidents, as their experiences demonstrated that management did not prioritize resolving conflicts or supporting employees in distress.

Director Davis's neglect of his responsibilities under mandatory reporting policies have contributed to a workplace where issues of bullying and discrimination remain unaddressed. His inaction undermines trust in management, further exacerbates conflict among employees, and diminishes the department's ability to serve as a model for civil rights compliance and employee support.

B. Refusal of MPSEA Representation and EAP Benefits

Incidents: Witnesses describe an encounter with Director Davis during a November 9, 2023, meeting concerning safety concerns raised by Employee H. The purpose of the meeting was to discuss JE, an individual with a history of abusive behavior toward staff, who had recently contacted Employee H. Due to concerns about safety and the sensitive nature of the matter, Employee H requested MPSEA support during the meeting. However, Director Davis immediately resisted the MPSEA's representative's presence, insisting they leave and stating that he would only speak with Employee H without a representative present. When Employee H declined to dismiss their representative, Director Davis ended the meeting, declaring their actions insubordinate and, shortly thereafter, issued disciplinary action to Employee H for having MPSEA representation at this meeting.

According to statements, Director Davis scheduled a mandatory meeting with another employee in November of 2023 to debrief on his decision to reopen communication with a community member, JE, after staff reported safety concerns. The employee requested via email that EAP attend the meeting for support. Director Davis visited their workstation and verbally refused EAP support, asserting he did not want a third party present during their meeting.

Violations: Director Davis's refusal to allow MPSEA representation for Employee H's meeting regarding unresolved safety concerns constitutes a violation of the City of Madison Personnel

Rules and APM policies regarding safety and representation. The Personnel Rules ensure that employees have a right to representation when addressing unresolved safety issues, recognizing that labor associations like MPSEA are crucial in supporting employees during discussions that directly impact their safety and well-being in the workplace. This protection is essential for establishing a transparent and fair resolution process where employees feel secure in raising concerns without facing intimidation or reprisal. In this instance, by denying Employee H the right to MPSEA representation, Director Davis not only infringed on Employee H's rights but also obstructed a key procedural safeguard meant to ensure the matter would be handled openly and fairly. Refusing representation in a matter concerning safety undermines the Personnel Rules' intent to support employees facing potentially hazardous situations and disregards the obligation to provide a supportive, responsive process for resolving such issues. This act highlights a concerning disregard for established City policies designed to protect employees' rights in discussions that affect their personal safety and job security.

Based on the guidelines found in the City of Madison's Employee Benefits Handbook, Director Davis's refusal to allow EAP participation in the November 2023 meeting contravenes both the employee's rights to support and the intent of the Employee Assistance Program policy (APM 2-12). The EAP is described as a free, confidential, and voluntary program available for City employees, providing professional assistance in situations that may include work-related stress or safety concerns. In denying this request, Director Davis may have restricted the employee's access to confidential support mechanisms explicitly provided by the City to handle sensitive or distressing situations. The handbook emphasizes that EAP services are designed to assist employees in managing stress and interpersonal issues that may arise, which would reasonably include meetings concerning workplace safety concerns.

The refusal undermines the EAP's purpose as outlined, as employees are entitled to bring EAP into discussions where support is necessary, particularly in situations linked to workplace safety, to ensure they have access to the full spectrum of support resources guaranteed by City policy.

Impact: The impact of Director Davis's actions on the department extends well beyond the immediate denial of support to the employees involved. By refusing Employee H's request for MPSEA representation in a meeting addressing serious safety concerns and preventing another employee from bringing EAP support into a subsequent discussion, Director Davis disrupted fundamental workplace protections designed to ensure employee well-being. These actions represent a clear deviation from Personnel Rules and APM policies, which explicitly protect employees' rights to representation and support when dealing with sensitive, potentially hazardous matters. This disregard for policy not only undermines procedural integrity within the department but also sets a troubling precedent for how employee safety and support needs are handled.

The result of Director Davis's actions has been a palpable shift in the department's atmosphere, fostering what some employees perceive as a culture of intimidation and retaliation. Employee B noted, "Mr. Davis's focus during this meeting was to ensure that no one else, including myself or any other outside person, was present...to ensure that there were no threats, real or perceived, to his total and complete authority within DCR." This statement captures the overarching sentiment that Director Davis prioritized authority and control over a collaborative, transparent approach to addressing safety concerns. By characterizing Employee H's insistence on representation as insubordination and swiftly issuing disciplinary action in response, Director Davis sent a clear message that dissent or requests for support would not be tolerated. This approach discourages employees from voicing legitimate concerns, fearing that any challenge to his authority may be met with punitive measures.

The long-term effects of this environment are likely to be detrimental to both staff morale and the department's operational effectiveness. Employees who feel unsupported or unsafe may become less engaged, resulting in diminished productivity, higher absenteeism, and increased turnover as staff seek out workplaces where their rights and well-being are prioritized. The erosion of trust in leadership may further impede the department's ability to foster a strong, cohesive team, as employees feel a disconnect from the values of fairness and safety that are meant to underpin City policies. Additionally, Director Davis's actions undermine the department's safety culture, which relies on open dialogue and mutual respect to identify and address risks proactively. By dismissing Employee H's request for representation in a meeting specifically focused on a known safety threat, Director Davis has jeopardized the department's commitment to employee security. This disregard for employee input on safety matters creates a significant obstacle to establishing the kind of open, responsive environment necessary for effective risk management and conflict resolution.

C. Failure to Resolve Critical Workplace Safety Issues

Incidents: In 2018, incidents of personal property theft, including money and prescription medications, began occurring in the office, leading to increasing concern among staff. The thefts reportedly continued for several months, with employees expressing frustration over the lack of resolution. According to Employee A, there was minimal effort from Director Davis to address the ongoing issue, despite repeated concerns raised by staff members.

In response to the situation, Employee A decided to install a hidden camera in their office, personally financing the purchase. Employee A eventually captured footage of the thefts, identifying their direct manager as the individual responsible. This independent action ultimately resolved the issue, as the recorded footage provided conclusive evidence of the theft.

Director Davis opted not to reprimand Employee A for installing the hidden camera, despite earlier guidance against such measures. However, he indicated that his decision to forgo

disciplinary action was a discretionary choice, which Employee A interpreted as a reminder of the hierarchical dynamics within the department.

In 2021, Employee E conducted an investigation involving an individual known as JE, who had been convicted of stalking and had begun to exhibit a troubling fixation on the department and its personnel. This pattern of behavior led Director Davis to issue a no-contact letter to JE to protect the safety and well-being of the employees. However, in late 2023, following his release from incarceration, JE resumed this concerning behavior, targeting department staff once again. This prompted additional efforts by staff, including Employee E, to address the potential risks posed by JE's actions.

In October 2023, Employee H contacted the DCR Leadership Team to inform them that JE, despite the previously issued no-contact letter, had renewed contact with the department and its personnel. Employee H included a photo of JE and requested that leadership remind staff of the protocol for handling interactions with him should he visit or contact the office. Affirmative Action Manager Tracy Lomax, acting in place of Director Davis, responded that JE's photo and related protocol would be distributed to staff. However, as of the latest reports, this communication had not occurred, leaving staff feeling unprotected.

On November 3, 2023, JE participated in a virtual training session conducted by Employee H, during which his behavior raised concerns. JE's persistent questioning, unrelated to the training, caused noticeable discomfort for Employee H and colleagues, especially in light of JE's history, which included making threats to other organizations. Following this encounter, Employee H expressed safety concerns to DCR Leadership, specifically requesting that JE's no-contact letter, photo, and relevant protocols be shared with the team.

The situation escalated when, on November 8, 2023, Employee H received an invitation for a "Discussion with Norm" scheduled for the following day, with no agenda or explanation provided. Concerned that the meeting might involve disciplinary action due to recent distress leave, Employee H requested MPSEA representation. Director Davis ended the meeting during the November 9, 2023 meeting due to Employee H's MPSEA representation. Director Davis did not address Employee H's safety concerns regarding JE, leaving unresolved tensions around both the safety issue and the process for raising concerns within the department. Statements indicate that as of the date of filing this complaint, Director Davis has yet to provide staff with a safety protocol or resolution for this issue.

Violations: Director Davis's actions concerning the theft incidents in 2018 and the handling of JE's renewed threats in 2023 reveal significant violations not only of the City of Madison's Personnel Rules and APM 2-33 but also of APM 2-25, the Workplace Violence and Prevention Policy. This policy is explicitly designed to protect employees from violence, intimidation, and unsafe conditions by mandating a proactive, preventive approach from management. Director

Davis's lack of action and transparency in both situations left employees vulnerable and unsupported, compromising their safety and violating several critical mandates.

In 2018, employees reported multiple incidents of personal property theft, including valuable and sensitive items like prescription medications. However, despite these repeated complaints, Director Davis reportedly took minimal action to investigate or resolve the issue. APM 2-25 requires management to take prompt, concrete steps to mitigate threats and ensure a secure workplace. By not addressing the thefts decisively, Director Davis neglected his duty to provide a safe environment, undermining the security and trust employees expect in their workplace. This lack of response also violated APM 2-33's commitment to safety and accountability, leaving employees feeling disregarded and at risk. Moreover, Director Davis's inaction led to Employee A personally financing and installing a hidden camera to identify the culprit in the thefts. This independent action underscores a breakdown in trust in leadership's ability to resolve workplace safety issues. According to both APM 2-25 and APM 2-33, employees should be able to rely on management to implement formal processes to address safety concerns. By not taking preventive measures or ensuring transparency in handling these incidents, Director Davis not only failed to uphold these policies but also demonstrated a disregard for employee well-being, forcing staff to resort to self-help measures.

The handling of the JE threat in 2023 similarly reflects a failure to uphold APM 2-25's preventive measures and safety planning requirements. After JE's release from incarceration, he resumed contacting the department and attending virtual sessions in ways that raised employee concerns. Employee H and others requested that Director Davis update the staff with JE's no-contact order, photo, and specific protocols to follow if he attempted contact. However, despite these repeated requests, Director Davis did not provide this critical information, leaving employees unsure how to handle interactions with JE. This lack of response ignored the urgency of the situation and contravened APM 2-25's mandate for proactive violence prevention measures.

Director Davis's handling of these situations reveals a pattern of violations across key City policies designed to maintain safety, transparency, and a supportive workplace culture. His inaction and lack of transparency regarding both the theft incidents and JE's renewed threats contravened the mandates of APM 2-25, APM 2-33, and the Personnel Rules. By failing to prioritize employee safety, enforce clear communication, and support employees' right to representation, Director Davis compromised the safety culture within the department and eroded the supportive environment that these policies are intended to protect.

Impact: Director Davis's handling of safety concerns, particularly in the cases of JE's fixation on staff and the unresolved theft incidents, had a profound impact on the department's morale, stability, and trust in leadership. Employee E highlighted the emotional toll on the team, expressing a deep concern for colleagues' well-being and stability, fearing that ongoing safety

issues might drive them to leave. “I feared they might quit if they didn’t feel safe at work,” Employee E noted, capturing the precarious atmosphere created by JE’s behavior and the absence of a clear safety plan. This anxiety contributed to an environment of pervasive uncertainty and fear, where leadership’s lack of action eroded individual morale and overall team cohesion.

Statements show that the cumulative effect of these experiences created a chilling atmosphere where employees felt unsupported, undervalued, and increasingly disillusioned with leadership. The resulting decline in morale and trust has ultimately jeopardized the department’s mission, as talented employees are forced to choose between their safety and their careers.

D. Exploitation of Labor and Purposeful Work Slowdown

Incidents: In 2018, following significant turnover within the department, Employee E found themselves as the sole remaining member of their team, managing the entire workload alone. Despite the mounting pressures, there was limited urgency from Director Davis to prioritize hiring new staff to fill the vacant positions. During a staff meeting, when it was Employee E’s turn to discuss their workload, they unexpectedly broke down in tears. “This was extremely out of character for me, especially in a professional setting, and I felt deeply embarrassed,” Employee E admitted. Although Director Davis was aware of the overwhelming workload, he did not prioritize hiring additional staff. Employee E reflected on that experience: “That incident was a turning point, where I felt publicly humiliated and exploited by my employer.” Employee A, who recalled this staff meeting, attempted to advocate for Employee E by addressing concerns about the understaffing with Director Davis in multiple one-on-one meetings. “He did not care, and he did not expedite the hiring process,” Employee A recounted. As a result, the team remained understaffed for over a year, forcing Employee E to handle the responsibilities of many people while also training new hires. “This period marked the beginning of a pattern of exploitative labor practices that would continue to intensify in the years to come,” Employee E reflected.

In 2019, following Employee A’s team member’s passing and their manager’s termination, Director Davis reportedly expected Employee A to assume the responsibilities of both roles. “Director Davis expected me to take on the workload of two higher-classification roles, and I didn’t receive any additional compensation for it,” Employee A recalled. Despite raising concerns about the increased workload and requesting support, Employee A noted that no steps were taken to secure resources or prioritize hiring, leaving them to manage the duties of both positions.

Meanwhile, statements indicate that Director Davis delegated a significant portion of his own Department Head duties to Employee D. Even after HR instructed Director Davis to reclaim these responsibilities, “nothing changed.” Employee E observed that Employee D confided that they couldn’t refuse Davis’s directives without fear of disciplinary action.

In 2020, Director Davis convened a meeting with a DCR team to propose that they assume a portion of the workload traditionally managed by a higher-classified role. During the discussion, Employee E asked whether this shift was a temporary measure to address a backlog. Director Davis clarified that it was intended as a permanent reassignment. Concerned about the long-term implications, Employee E pointed out that reassigning these higher-level responsibilities to lower-classified employees without addressing the underlying workload issues could create additional challenges. Taking a proactive approach, Employee E presented data to support alternative solutions and requested clarification on whether the expanded responsibilities would come with overtime or out-of-class pay. Director Davis abruptly ended the meeting and reportedly called Employee E, suggesting their inquiries for fair compensation were unreasonable and questioning Employee E's commitment to teamwork and departmental values.

By 2022, following additional turnover, Employee E again found themselves as the sole member of their team, managing an increased workload that had nearly doubled since previous years. The team remained understaffed until 2024, during which time Employee E handled the workload with only limited overtime hours despite needing significantly more time to complete required tasks. "I submitted multiple proposals for out-of-class pay and for hiring additional support staff, but all these proposals went unanswered," Employee E explained. As the staffing shortage continued, Employee E's manager continued advocating for hiring. However, Director Davis reportedly dismissed these requests, remarking, "Why would I hire [staff] when [Employee E] can do the work of four people?" This comment left Employee E feeling devalued. Eventually, Employee E decided to act by refusing additional work and directing them to contact Director Davis with further inquiries. "My heart broke for [the community members]," Employee E explained, "but the stress of potentially losing my job felt more bearable than the constant pressure and overwhelming workload." This decision ultimately prompted management to prioritize hiring, but the delay created an unprecedented backlog of work that staff is still managing to resolve at the time of the filing of this complaint.

In early 2023, another key position on a critical team became vacant, leaving one remaining team member responsible for covering the responsibilities of both roles until additional staff could be hired. After several months, the position was briefly filled, but the new hire quickly resigned due to issues related to "management." This turnover created a cycle where the employee was again expected to manage the workloads of both positions, ultimately leading to their decision to leave the department.

Violations: APM 2-33 requires employees and management alike to perform duties "efficiently and effectively," with an expectation of timely workload management and responsiveness to operational needs. However, following a significant turnover in 2018, Employee E was left to manage the workload of their entire three-person team alone, a scenario that continued into subsequent years due to delayed hiring. By not prioritizing the timely hiring of additional staff,

Director Davis may have compromised the department's ability to meet performance expectations under the policy. Employee E's eventual need to notify community members their services would be delayed due to staffing shortages demonstrates how the lack of urgent action in filling vacancies led to service interruptions, contrary to APM 2-33's expectations for efficient, uninterrupted service.

Additionally, APM 2-33 emphasizes the City's commitment to a respectful, inclusive, and supportive work environment. By repeatedly dismissing requests for additional staffing support and fair compensation for out-of-class work, Director Davis contributed to a strained environment where employees felt unsupported and undervalued. Employee E and others reported feeling exploited due to unmanageable workloads without recognition or relief. This lack of responsiveness and consideration for employee welfare contradicts APM 2-33's stated intent to maintain a fair and supportive work environment.

APM 2-33 explicitly prohibits behaviors that "attempt to interrupt or prevent the performance of work." While typically directed at deliberate actions by employees, Director Davis's delayed hiring practices and refusal to address workload concerns indirectly contributed to a departmental slowdown, which ultimately interrupted service delivery. Employee E's decision to pause case progress and redirect clients to contact Director Davis reflected the strain caused by insufficient staffing. This outcome effectively compromised the department's ability to meet the policy's expectations for seamless work performance and adherence to standards of timeliness and reliability.

In addition to APM 2-33, Director Davis's actions appear to conflict with the City of Madison Personnel Rules, which reinforce principles of fair workload distribution, responsive management, and safeguarding employee well-being. The Personnel Rules require employees to perform their duties efficiently and within a manageable scope, an expectation that extends to managerial responsibilities in supporting their teams. By not addressing staffing needs proactively, Director Davis's actions indirectly prevented employees from meeting these performance expectations under reasonable working conditions, which in turn affected service quality and employee morale.

The Personnel Rules further emphasize fair and equitable work assignments and compensation. Director Davis's delegating higher-level tasks to lower-classified employees without offering out-of-class pay suggests a potential breach of these standards. Employee E and Employee A, among others, took on responsibilities outside their job classifications without compensation, which runs contrary to the rules' guidelines on fair compensation practices and the expectation for equitable assignment of work. While the Personnel Rules may not explicitly mandate hiring timelines, they prioritize the City's commitment to a safe and supportive work environment. The protracted understaffing that led to employee distress, physical and emotional fatigue, and, eventually, Employee E's decision to notify clients of delays raises concerns about the

department's compliance with the Personnel Rules' broader principles of workplace safety and well-being. Director Davis's lack of action to alleviate these stressors, despite multiple requests from employees, potentially contravenes the City's standards for promoting a safe workplace.

Director Davis's delayed hiring practices and reallocation of responsibilities without additional support or compensation appear inconsistent with the fundamental principles set forth in both APM 2-33 and the City of Madison Personnel Rules. His decisions led to inefficiencies, delayed work performance, and a work environment where employees felt unsupported and undervalued. The failure to act in alignment with these policies compromised both employee well-being and the department's operational integrity, highlighting the importance of responsive, fair, and supportive management practices as outlined in the City's policies.

Impact: The prolonged exploitation of labor and hiring delays under Director Davis's leadership have had significant impacts on both individual employees and the department as a whole, fostering a work environment characterized by stress, burnout, and an overall sense of being undervalued. This lack of support and acknowledgment has contributed to a sense of inequity and disregard for staff well-being. The repeated expectation for employees, like Employee E, to assume higher-level tasks without appropriate support or compensation has intensified workload demands, leaving staff feeling both exploited and unrecognized for their contributions.

The extended period of understaffing and the relentless workload took a severe toll on Employee E's health, ultimately leading them to seek medical intervention. They shared, "I was placed on three different anxiety medications, and I have not been able to stop taking them since," underscoring the profound emotional strain they experienced as a result of their work conditions. Even in retrospect, Employee E found it painful to revisit these experiences, saying, "Even writing about it brings me to tears." They characterized Director Davis's approach as "toxic," reflecting how his control-oriented and unsympathetic management style created a damaging work environment with lasting effects on their well-being.

The impact of this environment has extended beyond individual employees to affect the department's overall health. Employee D, for instance, reported feeling exhausted from balancing both their responsibilities and tasks under the purview of Director Davis's duties, leading to concerns that they may eventually leave the department due to burnout. This strain was exacerbated by what employees described as unrealistic demands and constant pressure from Director Davis, who demonstrated little regard for the effects of his expectations on staff workloads and morale. Employee D observed that "Norman places unrealistic demands and constant pressure, especially when he does not know how what he is demanding may affect others and their current workload." This lack of empathy and awareness has fostered an environment where burnout and turnover are frequent consequences.

The department's overall functioning has also suffered, as critical tasks were either delayed or put on hold due to insufficient staffing, resulting in service backlogs. Employee E's decision to inform clients of delays and redirect inquiries to Director Davis highlighted the operational impact of his management style as the department struggled to meet its commitments to the community. Meanwhile, Director Davis's approach to staffing, which appeared to prioritize salary savings over employee well-being, compounded the strain on the department. Employees noted that by keeping the department understaffed, he was able to project an image of fiscal responsibility, albeit at the expense of service delivery and staff health.

Director Davis's exploitation of labor and delayed hiring have resulted in a work environment marked by high stress, emotional exhaustion, and a pervasive feeling of undervaluation among employees. This approach has not only affected individual well-being but has also compromised the department's operational efficiency, leading to burnout and significant turnover concerns. The cumulative effect of these actions has left a lasting impact on both the morale of the team and the department's ability to serve the community effectively.

E. Retaliation Against Employees for Raising Workplace Concerns

Incidents: Following their departure, Employee A participated in an exit interview with the Mayor's Office, where they shared their experiences and challenges within the Department of Civil Rights. During this meeting, Employee A described a range of difficulties, including the denial of accommodations, an overwhelming workload, and a lack of departmental support. Soon after, Director Davis confronted Employee A, expressing displeasure and implying that their comments were motivated by personal spite rather than a legitimate effort to report workplace issues. Instead of acknowledging the hardships Employee A faced, Director Davis reframed the conversation around his own perceived grievances, failing to address or take responsibility for the issues they raised.

Employee E observed that Director Davis appeared unable to recognize that Employee A's statements were not personal attacks but rather honest reflections of their experiences and challenges under his leadership. According to Employee A, they had made multiple attempts to address departmental concerns directly with Director Davis, yet their efforts were consistently met with resistance. "I met with Norman after leaving, and he felt like the things I said in the Mayor's Office were an attack on him or my revenge," Employee A explained. This reaction was particularly disheartening, as "everything I said during the meeting in the Mayor's Office were things I had mentioned to Norman more than once, but he did not want to hear them."

Employee A further highlighted that the department's significant internal challenges had previously prompted a culture study, despite its small size—a clear indicator of the systemic issues within the team. Director Davis's reaction to Employee A's exit interview underscored their frustration that he seemed to take these concerns seriously only once they were raised with higher authorities. This lack of action and openness to feedback was perceived by Employee

A as a substantial barrier to resolving the department's ongoing issues, leaving them feeling that genuine concerns about workplace conditions were dismissed until they affected Director Davis's reputation.

Violations: Director Davis's actions regarding Employee A's exit interview feedback reflect several potential violations of APM 2-33, which mandates respectful, fair, and supportive management practices to maintain a healthy work environment. His dismissive and potentially retaliatory response to Employee A's feedback suggests a failure to uphold key expectations of this policy, creating an environment where employees may feel discouraged from voicing legitimate concerns about workplace conditions.

APM 2-33 emphasizes the importance of creating a respectful and supportive workplace. Rather than acknowledging Employee A's challenges—such as the denial of accommodations, overwhelming workloads, and insufficient departmental support—Director Davis reframed their feedback as a personal affront. By interpreting their comments as “attacks” or “revenge,” he missed the essential purpose of Employee A's remarks: to share genuine experiences and to advocate for needed improvements within the department. This behavior falls short of the standard set by APM 2-33, which encourages managers to listen empathetically and to take employee concerns seriously, focusing on creating a fair and welcoming environment.

APM 2-33 encourages managers to be open and receptive to feedback, maintaining clear lines of communication and valuing employees' perspectives on workplace issues. Employee A's account suggests that they had raised concerns directly with Director Davis on several occasions but was met with resistance. When they took these concerns to the Mayor's Office as part of their exit process, Davis finally acknowledged those concerns—but only to confront them, implying that their comments were personal grievances rather than constructive feedback. His dismissive response could create an environment where employees feel their voices are disregarded unless elevated to higher authorities, which undermines APM 2-33's call for open communication within departments.

APM 2-33 discourages any behavior that could be perceived as retaliatory, recognizing that employees must feel secure in voicing workplace issues without fear of reprimand. Director Davis's decision to confront Employee A after their exit interview, suggesting that their feedback was an attack on him, implies a personal response to legitimate concerns. His reaction may reasonably be perceived as retaliatory, creating a chilling effect where employees feel they could face negative consequences for sharing honest feedback. This is contrary to the purpose of APM 2-33, which seeks to foster an environment where concerns are met with openness and a genuine willingness to improve.

The policy also emphasizes the need for a positive, inclusive workplace culture, that is proactive in addressing and responding to employee concerns. Director Davis's approach to Employee A's

feedback, only taking it seriously after it reached his superiors, highlights a lack of responsiveness to concerns raised within the department. Employees are likely to feel frustrated and unsupported if they sense that issues are only addressed when escalated beyond their managers. APM 2-33 calls for management to build a trusting environment where employees feel their concerns are valid and will be acted upon without fear of retaliation or dismissal.

Director Davis's handling of Employee A's feedback appears to violate APM 2-33's principles of respect, empathy, and support in management practices. His focus on his own grievances rather than the challenges raised by Employee A demonstrates a failure to uphold a supportive work environment. His actions may be seen as retaliatory, discouraging employees from offering honest feedback about workplace conditions. Ultimately, these behaviors undermine the policy's goals of promoting accountability, fostering a positive culture, and ensuring employee voices are valued within the department.

Impact: Employee B also raised significant concerns about Director Davis's potential for retaliation, expressing a profound lack of trust in his ability to manage his power fairly. "Given what I have witnessed, her concerns regarding retaliation appear to be well-founded. I would not trust Mr. Davis to wield the power that comes with being the head of DCR, and thus the head of many investigations throughout the City, fairly or equitably," Employee B remarked. This statement underscores the pervasive fear of retaliation under Davis's leadership and casts doubt on his capacity to manage the responsibilities of his position with impartiality and integrity.

Director Davis's retaliatory behavior appears to have created a significant climate of distrust and fear within the department, affecting not only those directly involved but also other employees who witness or hear about these actions. This atmosphere of apprehension undermines staff morale, erodes confidence in leadership, and compromises the department's ability to operate with transparency and equity.

Employee B's concerns about Davis's capacity to manage his authority fairly underscore the broader impact of his perceived retaliatory behavior. Employee B articulated a "deep lack of trust" in Davis's judgment and ability to wield his power equitably, emphasizing that Davis's position as head of DCR places him in a role with considerable influence over investigations across the City. Such a perspective raises serious concerns about the department's integrity and ability to uphold fair standards, especially as Davis's actions suggest a tendency to view honest feedback as personal attacks rather than opportunities for improvement. This perception of retaliation erodes the department's culture, making employees hesitant to voice concerns or report issues for fear of retribution.

The presence of retaliation within leadership can also diminish the sense of safety and openness vital for a healthy, productive workplace. When employees perceive that feedback or concerns may lead to punitive responses, they may choose to remain silent on issues that are essential to departmental progress, transparency, and fairness. In Davis's case, his reported response to

Employee A's feedback has cast doubt on his willingness to receive input without bias, thereby stifling opportunities for improvement within the department.

This lack of trust also impacts the department's mission, particularly its commitment to impartial investigations across the City. Employee B's lack of confidence in Davis's fairness and impartiality raises concerns that his leadership could potentially influence investigations in a biased manner, either through direct involvement or by setting a tone that discourages employees from conducting thorough, objective work. When employees fear retaliation, it can compromise their willingness to uphold rigorous investigative standards, which is essential to the department's credibility and the public's trust in DCR.

In conclusion, Director Davis's retaliatory behavior creates an environment of fear and distrust that extends beyond individual instances to impact the department as a whole. This climate discourages open communication, risks undermining the impartiality of investigations, and threatens the department's overall effectiveness and morale. Employee B's statement underscores these concerns, casting doubt on Davis's capacity to manage his responsibilities with the integrity and impartiality required for his role.

VIOLATIONS OF THE EMPLOYMENT AGREEMENT BETWEEN CITY OF MADISON AND NORMAN D. DAVIS

Director Davis's actions, as described in the allegations, represent multiple violations of his employment contract. His conduct has breached key obligations set forth in the contract, particularly in areas related to his managerial responsibilities, adherence to City policies, and commitment to fostering a safe, equitable workplace. The following narrative outlines how Director Davis's behavior contradicts these contractual requirements, impacting both his employees and the operational integrity of the Department of Civil Rights.

Director Davis's employment contract explicitly requires that he perform his duties with a high level of professionalism and his competence (Section VI, C). However, the allegations reveal a pattern of retaliatory behavior, dismissal of legitimate employee concerns, and an apparent disregard for employee well-being—actions that not only have fostered a toxic work environment, but also violate the very laws DCR is mandated to enforce. His failure to address pressing workplace issues, such as understaffing and excessive workloads, reflects a lack of the competence and good faith essential to his position as a leader within the City. By neglecting these critical aspects of his responsibilities, Davis has compromised the standards of professional integrity mandated by his contract.

The contract assigns Davis clear responsibilities for managing personnel functions, including hiring, training, evaluating, and supporting his staff. Effective personnel management is critical to the success of any department, especially one tasked with upholding civil rights. Reports of Davis's dismissive responses to employee concerns, particularly regarding heavy workloads and inadequate staffing, indicate a failure to meet these obligations. His alleged reluctance to address staffing needs and apparent tendency to retaliate against employees who raise concerns undermines his duty to create a supportive environment where employees feel valued and heard. These actions run counter to the City's standards for effective and fair personnel management and violate the contractual requirement that he support and engage his team constructively.

Under Section VII of the contract, Davis is required to adhere to City work rules and policies that protect employees from unfair treatment and retaliation. These policies are in place to ensure that employees can raise concerns or report misconduct without fear of reprisal. Allegations of Davis's confrontational behavior and punitive responses to employees who voice workplace concerns indicate a disregard for these protections. By reportedly creating an environment where employees felt intimidated and reluctant to share feedback, Davis failed to uphold this fundamental responsibility. This conduct not only violates his contractual obligations but also erodes trust within the department, as employees no longer feel safe speaking out about critical issues impacting their work.

The contract mandates that Davis observe all relevant laws, ordinances, and City policies, which outline standards for workplace respect, safety, and inclusion. The allegations suggest that Davis's management style contravenes these principles, particularly in creating a hostile work environment and discouraging employees from voicing legitimate concerns. His disregard for these foundational City standards

represents a significant breach of his contractual duty to operate in compliance with all relevant policies. This non-compliance threatens the integrity and functionality of the department and undermines the City's commitment to fair and transparent operations.

As the Director of the Department of Civil Rights, Davis is not only responsible for upholding anti-discrimination and civil rights principles but also for embodying them within his department. Allegations of retaliation and discrimination against employees for raising workplace concerns and/or requesting reasonable accommodations fundamentally contradict the mission of his office. Creating an environment where employees fear speaking out about their experiences is antithetical to the department's role in advancing civil rights and ensuring fair treatment for all City employees. This behavior compromises the department's credibility and ability to serve as a model of equity and inclusion within the City.

Director Davis's alleged actions violate multiple provisions of his employment contract, particularly regarding his responsibility to manage his team effectively, ensure compliance with City policies, and foster an environment aligned with the City's values of fairness and equity. His reported conduct has not only affected individual employees but also impaired the Department of Civil Rights' ability to operate with integrity and uphold its core mission. These violations necessitate an immediate and thorough investigation, followed by corrective actions, to hold Director Davis accountable and to restore a supportive and transparent workplace environment within the department. The City's commitment to equity, transparency, and respect demands nothing less than addressing these serious contractual breaches to reestablish the standards expected of City leadership.

CALL TO ACTION

The severity and persistence of issues under Director Davis's leadership necessitate immediate and decisive action to protect the Department of Civil Rights' mission, maintain workplace morale, and rebuild employee trust in management. The call to action detailed below outlines a series of steps essential to restoring a supportive and fair work environment within the department, reinforcing the City's standards for leadership, and addressing the specific breaches of Director Davis's employment contract.

I. Immediate Investigation

Given the documented instances of retaliatory behavior, disregard for staffing needs, and a general failure to uphold the responsibilities outlined in his employment contract, a comprehensive, third-party investigation into Director Davis's conduct is essential. This investigation should thoroughly assess his compliance with the City's policies, personnel rules, and specific contractual duties. Such an inquiry will provide an objective basis for determining the extent of these violations and the appropriate level of accountability. The outcome should include a clear assessment of Davis' suitability to continue in a leadership role within the City.

II. Corrective Measures

If the investigation substantiates the reported violations, it is essential to implement corrective measures to address Director Davis's conduct, including disciplinary actions up to and including termination, as outlined in City policy. Given the depth and persistence of the issues reported, staff members have expressed a lack of confidence that training alone will effectively correct Director Davis's management behaviors. The concerns go beyond simple knowledge gaps, reflecting ingrained practices and attitudes that have repeatedly undermined morale, fostered a toxic work environment, and disrupted departmental efficiency. Therefore, disciplinary measures should prioritize concrete actions that ensure accountability and realignment with the City's standards, focusing on tangible outcomes rather than solely relying on corrective training.

III. Restorative Actions for Affected Employees

The adverse impact of Director Davis' management style on individual employees calls for significant restorative measures to support their well-being and recognize the additional burdens they have endured. As an immediate step, providing access to EAP) for affected staff will help address the emotional and mental strain stemming from the challenging work environment under Director Davis' leadership.

To ensure long-term support, it is essential that each staff member has appropriate accommodations in place, with immediate adjustments for those who were previously denied reasonable accommodations. Additionally, any employees who were forced to use personal leave due to Director Davis' refusal of accommodations should have that leave restored to their balances.

Furthermore, pending level progression requests must be promptly reviewed, with any denials from the past two years reassessed for accuracy and fairness. This process will ensure that employees' growth and progression within the department are supported and evaluated based on merit rather than bias.

Finally, employees should be granted the right to review their personnel files and be given the opportunity to remove any unlawful actions taken under Director Davis's tenure. This step is essential for restoring confidence in the fairness and transparency of departmental records and ensuring that employees' records accurately reflect their performance and contributions without the influence of prior, potentially discriminatory actions.

IV. Long-Term Oversight and Cultural Reform

Implementing structured oversight within the Department of Civil Rights is essential to preventing a recurrence of these issues. This may involve regular reviews of managerial practices, employee surveys, or external evaluations to ensure that future leaders maintain high standards of fairness, transparency, and responsiveness. The oversight process should also involve feedback mechanisms, allowing employees to voice concerns or suggestions without fear of retaliation. By fostering a culture of continuous improvement and accountability, the City can create a workplace where employees feel safe and supported, ensuring that the Department of Civil Rights operates in alignment with its core mission to uphold justice, equity, and integrity.

The proposed actions are necessary to address the systemic issues revealed under Director Davis's tenure. By prioritizing an independent investigation, implementing corrective and preventive measures, offering restorative support to affected employees, and establishing long-term oversight mechanisms, the City can restore a healthy work environment within the Department of Civil Rights. These steps not only address the immediate concerns but also reinforce the City's commitment to transparency, fairness, and accountability, ensuring that the Department of Civil Rights can fulfill its critical mission to serve the Madison community effectively.