



**Executive Summary
Report of Investigation
Allegations Against Joe Wolfe
City of Yelm**

During April, 2019, I investigated allegations of violations of City of Yelm (“City”) policies concerning workplace violence and other inappropriate behavior on the part of City Finance Director Joe Wolfe. I interviewed twelve current employees and officials and reviewed a number of written documents.

Since I am not an attorney, nothing in this report is intended, or should be taken, to constitute legal advice. My findings are based on the information I was provided during interviews and the written documents given to me. My remarks should be viewed as the analysis and findings of a professional private investigator who, over 20 years, has conducted in excess of 450 workplace investigations of allegations of discrimination, harassment, hostile work environment, employee misconduct and related issues.

Statements in quotation marks are direct quotations from those interviewed, either from the interviews or from written documents.

I. Background

In Fall, 2018, City Administrator Michael Grayum, together with City department heads, reorganized the customer service function by splitting it off from the Finance Department and establishing a separate Customer Service team. To effectuate that change, two positions previously in the Finance Department (Administrative Assistants Ashlee Sund and Michelle Christin) were moved to the new Customer Service team, to be headed by newly promoted Manager of Customer Services Dana Spivey.

Shortly after the change took place, City offices were moved to a new building. Based on the interviews conducted, those involved never agreed either upon the duties of the new Customer Services team or the role and authority of their new manager. Conflicts/ disagreements between Ms. Spivey and Mr. Wolfe, and between Finance Department and Customer Services employees ensued.

On April 2, 2019, Ms. Spivey lodged a “formal complaint” against Mr. Wolfe, based upon her list of alleged “examples” of Mr. Wolfe’s behavior directed toward herself and

others (some of which dated to April, 2018). Mr. Wolfe was subsequently placed on administrative leave, and I was engaged to conduct this investigation.

I interviewed:

- all Customer Service staff members,
- all Finance Department staff members,
- one Council member,
- one department head,
- City Administrator Michael Grayum, and
- Joe Wolfe.

II. Complainant and Witness Examples of Joe Wolfe's Concerning Behavior

The following summarizes examples of Mr. Wolfe's alleged behavior based on Ms. Spivey's complaint and investigation interviews with her and other witnesses:

- He sometimes becomes angry and defensive during meetings, as evidenced by making short, clipped comments, over-reacting, facial redness, and sudden outbursts.
- He became very angry during a December, 2018, meeting concerning front desk responsibility for responding to questions from the public. When Customer Service staff disputed the Billing Clerk's assertion about the number of calls forwarded to her, he "stormed" into her office and "basically accused" one of the front desk staff members of lying.
- He has physically demonstrated anger by repeatedly slamming his phone down after a conversation, repeatedly slamming a desk drawer, pounding his desk and smashing a cup.
- He has spoken inappropriately, disrespectfully, and accusingly to Customer Services team members.
- He threatened to close City Hall illegally.
- One day in March, 2019, he went outside, smashed a cup he was holding, swept up the shards, threw them away, and returned to work.

- Additionally, some employees stated that they are frightened of him.

III. Finance Department Staff Members' Perspective of Joe Wolfe

The three current Finance Department employees were uniformly supportive of Mr. Wolfe. They stated that he has never treated them with anything but professionalism, has supported them, and said that they have not experienced any concerning behavior from him. They witnessed some of the above behaviors, but interpreted them very differently than those who have issues with Mr. Wolfe. For example,

- Several of those interviewed were present at a December, 2018, meeting when Mr. Wolfe allegedly “accused” one of the Customer Services staff members of lying about the number of calls she was sending to the Utility Billing Clerk, and “stormed” into her office with the intent of playing those voice messages. Finance Department staff members saw this very differently. They described a lively discussion about who should be responding to questions about utility billing, which Mr. Wolfe attempted to reasonably resolve by going to the Billing Clerk’s office and playing the messages that had been forwarded to her.
- None of the Finance Department staff members have heard him repeatedly closing drawers, slamming down the phone, or pounding his desk, and feel they would have heard such actions had they occurred, because of their proximity to his office.
- None of the Finance Department staff members saw the incident where Mr. Wolfe broke a cup.
- None of the Finance Department staff members recalled Mr. Wolfe ever speaking disrespectfully or rudely to anyone. They noted that he may become frustrated at times, but that his behavior, even at those times, remains within the bounds of acceptable workplace behavior.
- None of the Finance Department staff members are frightened of Mr. Wolfe.

IV. Other Perspectives of Joe Wolfe

The other interviewees had all witnessed unusual behavior from Mr. Wolfe. They did not identify it as “angry”; however, they *did* describe him as:

- Over-focusing on an issue, and becoming too intense in addressing it;
- Sometimes behaving in an intimidating manner. One example that was given involved a meeting with a Finance Department and a Police Department staff member. After the Police Sergeant told the Police Chief he was disturbed about Mr. Wolfe's behavior in that meeting, the Chief asked him to write up the situation. The Chief forwarded that write-up to the City Administrator. When I asked this Finance Department member about the situation, she said she had not been offended, and was surprised that Mr. Wolfe later apologized to her for his behavior.
- Once, in a 2018 meeting with Mr. Grayum, the City Administrator said he felt like he needed to "get ready to be punched" by Mr. Wolfe, because of Mr. Wolfe's aggressive behavior.
- Concerning what Mr. Grayum described as Mr. Wolfe's "strange behavior" when asked by the City Administrator about the cup he had smashed, Mr. Grayum said that Mr. Wolfe asked who had reported him, and whether he should apologize to *that person*. He also explained how he came to smash the cup, and said that he had a smile on his face while he was doing so.

Numerous interviewees, Finance Department and Customer Services staff as well as others, reported that Mr. Wolfe would regularly apologize for his behavior when he believed he had behaved inappropriately.

V. Joe Wolfe's Perspective

Mr. Wolfe confirmed that there has been a great deal of change at City Hall over the past year, including the physical move to a new building, the reorganization mentioned above, and the implementation of a new computer system. He said he feels that the roles and responsibilities of the newly established Customer Services Department were never well defined, and that this caused some of the issues and crises over the past months. As an example, he said that repeatedly he felt that details had been worked out, only to discover that Ms. Spivey "has never been clear about her role."

Mr. Wolfe asserted that he repeatedly attempted to clarify responsibilities between Finance and Customer Service. He said he was attempting to do exactly that during the aforementioned December, 2018, meeting. He recalled that, in that meeting, Ms. Spivey

questioned his assertion that the Customer Service staff were transferring all utility billing questions (even though they were expected to answer some). He said that in order to support his assertion, he went to play back messages that had been transferred. He stated that he believed he had done so calmly, using a conversational tone of voice, but that nonetheless Ms. Spivey began to cry and left the meeting.

Asked about the other allegations, above, Mr. Wolfe responded as follows:

- He never slammed the phone down repeatedly.
- He did recall having some difficulties closing a file drawer at one point, and said he could well have attempted to do so several times, sounding like he was slamming it shut when that was not what was happening.
- He did smash a coffee cup outside. He explained that he had brought this cup to work, that it had a crack and was leaking, and he became frustrated with it. He decided it would make him feel good to go outside and smash it, so he retrieved a broom, went outside, and threw it to the ground. He said he “felt pretty stupid” after that, and that it “wasn’t the closure I wanted.” Nonetheless, he swept up the shards, threw them out and returned to his office. He said this was a planned action, not from anger, but that he “should have walked a lot further from City Hall” before smashing the cup.
- He explained that he does not become angry, but that sometimes his frustration shows through. When that happens, he becomes more direct and also quieter. He said he does not raise his voice, and consistently talks in a conversational tone, though if he does become frustrated he may also talk a bit faster.
- He confirmed that he was frustrated during a meeting between the Finance and Customer Service teams before they moved to the new building. He said that Customer Service staff answered calls during the meeting, and that he might have made a comment about closing City Hall down while they were in that meeting. However, he added that he realizes that they cannot do that without notice to the public, and said he knew that at the time he made the comment.
- He confirmed that he apologizes to staff if he feels he has behaved in a way requiring apology. As an example, he said he recently apologized to one of the Finance Department staff members when he thought he might have been too forceful in a meeting with a Police Sergeant. *Investigator’s note: as noted above,*

when I asked the staff member about that, she said she was not offended by his behavior in the meeting and was surprised he had apologized.

Mr. Wolfe noted that he has had several conversations with the City Administrator concerning various issues about his behavior. Initially, he said that no one has ever told him he is “intimidating”. However, later in my the interview with him, he recalled that Mr. Grayum has “kind of told me” that he does sometimes “come across” as intimidating. He said he never wants to be perceived that way, and does what he can to mitigate that (like sitting or kneeling when talking to someone in their cubicle, since he is quite tall.) He added that he also doesn’t want to act in any other way that is not appropriate, and that if he does, he apologizes.

Mr. Wolfe added that he would like to “figure out a way to develop enough trust” to have “frank conversations” to resolve the current and underlying issues described above.

In conclusion, Mr. Wolfe added that on April 5, 2019, he submitted FMLA paperwork because he has been “getting resistance” from Mr. Grayum for taking time off for medical appointments. He noted that this “seemed like a new position that Michael (Grayum) had taken”, and felt that he needed to be on FMLA “to protect myself.”

VI. Analysis

By and large, all of those with whom I spoke described events and Mr. Wolfe’s behavior in much the same way. (The one exception was that one Customer Service staff member reported hearing Mr. Wolfe slam the phone down repeatedly, but no-one else heard that, and Mr. Wolfe denied ever doing that). However, their *interpretation* of what they saw and heard (even when they saw and heard the same things) varied greatly.

Some of the variance seemed to depend on whether or not the individuals contacted “like” Mr. Wolfe: all current Finance Department employees apparently like Mr. Wolfe, and so explained his behavior as demonstrating frustration, and being within the range of normal and acceptable workplace behavior. Conversely, current Customer Service staff (two of whom reported to Mr. Wolfe before the reorganization), describing the same behavior, labeled it as angry and totally outside acceptable and normal workplace behavior.

Interviewees outside of these two departments seemed to like Mr. Wolfe and respect his subject matter expertise, but found some specific behaviors worrisome and appeared somewhat puzzled as to how to interpret them.

VII. Finding

The City of Yelm Personnel Policy 8.14.050 states, in part

A. Violent or intimidating behavior is unacceptable. Violence means an act or behavior that:

1. Is physically assaultive
2. a reasonable person would perceive as obsessively directed, e.g., intensely focused on an grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property,
3. consists of communicated or reasonably perceived threat to harm another individual, or in any way endangers the safety of an individual,
4. would be interpreted by a reasonable person as carrying potential for physical harm to the individual,
5. is a behavior, or action, that a reasonable person would perceive as menacing,
6. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening;
or
7. consists of a communicated or reasonably perceived threat to destroy property.
8. Physically intimidating others including such acts as obscene gestures, getting in your face and fist-shaking.
(*sic.*)

It is more likely than not that Joe Wolfe has sometimes behaved in an unusual and questionable manner in a workplace setting. Because different people have interpreted his behavior in such diverse ways, it is not clear that this behavior ever rises to the level of a violation of this policy.

This concludes my report in this matter.

Submitted this 17th day of May, 2019

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