

Columbia County

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MEMO

To: Todd Dugdale, Land Development Services Director
From: Jean Ripa, Director
Re: Analysis and Conclusion of Investigation into David Somman Complaint Against Casey Garrett
Date: January 7, 2016

On December 11, 2015, [REDACTED] Facilities Services Technician, told you that he overheard his supervisor, Casey Garrett, Facilities Services Manager, refer to his staff as “niggers”.

Later as I conducted my investigation, another allegation came out, which I am including in this same report. That allegation is that Garrett told [REDACTED] and [REDACTED], also a Facilities Services Technician, that they were not allowed to come to the Courthouse without his express approval.

The allegations to consider are as follows:

1. Did Garrett refer to his staff as “niggers”?
2. Did Garrett prohibit [REDACTED] and [REDACTED] from coming to the Courthouse?

Overall Analysis:

I have interviewed the following County employees with notes on file:

Casey Garrett



Todd Dugdale

Henry Heimuller

I choose not to interview [REDACTED] about any of these issues both because it did not appear that he could provide relevant information and since his testimony would be considered biased given that Garrett spoke to him about the first issue.

Garrett denies ever using the word “nigger” at any time or in any context.

Somman states clearly that he was in the vault (the Maintenance work area) in the basement of the Old Courthouse. This occurred sometime a few months after Garrett was hired. Garrett was outside the Maintenance Office and he clearly heard Garrett say that “people working for me are niggers”. Somman says he doesn’t know who Garrett was talking to but thought he might have been on the phone. He was insulted by this and it just increased the feeling that he has that Garrett does not have any respect for his

staff. He never heard Garrett use the word any other time.

Since the incident occurred here at the Courthouse, I decided to talk to [REDACTED]. I asked [REDACTED] if he had ever heard Garrett use the word "niggers". [REDACTED] was reluctant to talk to me about it but he finally told me about an incident which occurred while the Courthouse roof was being replaced in the early summer of 2015. He and Garrett had been out with the roofing crew and were walking back to Garrett's office in the first floor of the Courthouse Annex. They were concerned about whether or not the roofing crew was getting what needed to be done and were talking about contractors' crews. [REDACTED] said that Garrett said something along the lines of: "yeah, I always used to treat my crews like niggers". [REDACTED] said he was startled by that statement but thought Garrett was joking. At the time, he talked to [REDACTED] President of Local 1442 about it, but he told her that he didn't want to file any complaint. [REDACTED] confirmed this conversation and the approximate timing.

I asked Smith if he ever heard Garrett use the word any other time. He initially said no but he went on to describe a few other incidents where he was concerned about Garrett's habit of doing things quickly and cheaply. He was describing an incident where some pipe had been laid but done wrong, so when it was inspected, it had to be re-done. He had asked Garrett then what he did when he ran a crew, if he just intended to do this quickly and cheaply and hope not to get caught. In narrating this story, he said that Garrett responded with "I just would have one of my niggers redo it". [REDACTED] stopped with a start and said he guessed there was this one other time he heard Garrett use this word and he had just forgotten it until he was describing the story.

I asked [REDACTED] if he ever heard [REDACTED] use the word "nigger", since he had worked closely with [REDACTED] for over two years at this point. He said he had never heard [REDACTED] use the word.

When I was speaking with [REDACTED] on this issue, he also said that he and [REDACTED] were banned from coming to the Courthouse by Garrett unless Garrett told them they could come to the Courthouse.

Shortly after this, Commissioner Henry Heimuller came to my office and described an incident where [REDACTED] had said the same thing to him. This came up in context of the Holiday Lunch and why [REDACTED] and [REDACTED] did not attend. Heimuller had demanded to know of Garrett what was going on and Garrett made the clear statement to Heimuller that he never said any such thing and could not imagine what he could have said for them to have that perception.

Though this came up in the context of the Holiday Lunch, [REDACTED] later clarified that Garrett never prohibited them from coming to the Lunch.

I talked to [REDACTED] and he clearly described a staff meeting which occurred after [REDACTED] was assigned to the Justice Facility, wherein Garrett told [REDACTED] that he should not have responded to the Courthouse to respond to an employee email to Maintenance about the heat. Both [REDACTED] and [REDACTED] clearly remember Garrett telling them that they were not to come to the Courthouse unless he assigned them explicitly to do work here. The subject of removing [REDACTED] and [REDACTED] from the Maintenance email group was also suggested by Garrett but you apparently nixed that.

I've talked to you and to [REDACTED] and neither of you have a recollection of this meeting. Neither of you say that it didn't happen, just that you don't remember it. But, then it did not affect you either directly, so

you have no particular reason to remember it.

These types of investigations are very difficult and I have to assess credibility of the various people involved based on known histories, my own experiences, that of other people, who may or may not be mentioned in the report, who have had experience with the individuals involved, as well as simply my own well trained and experienced investigative skills, all of which would let an investigator apply credibility where it seemed appropriate.

Findings regarding Allegation #1. Did Garrett refer to his staff as “niggers”?

I find this allegation to be sustained but not based on ██████'s complaint and not as stated (referring to his current staff as “niggers” vs using the word to refer to others). If that were all there were to this, there is no way I could sustain or reject this allegation because both ██████ and Garrett make firm statements that are completely contradictory. Without a third party, ██████'s allegation itself could not be sustained.

██████'s statements on his experience with Garrett on this same issue appear credible. ██████ did not file a complaint at the time but he did talk to someone else who verifies that conversation and who is a reliable and credible witness. ██████ is not known to be unreliable or untruthful. In fact, he is known to be very open about his feelings and concerns, at times going too far with how he expresses himself boldly and bluntly. There is no past experience which would indicate that he manufactured this event, was manipulative enough to speak to someone about it at the time but not take any action until months and months later when another employee brought up a similar incident. That would require a level of Machiavellian intrigue of which I do not believe ██████ capable.

Findings regarding Allegation #2. Did Garrett prohibit ██████ and ██████ from coming to the Courthouse?

I find this allegation to be sustained yet I do not believe it was done in the malicious sense in which it was taken by ██████ in particular, and ██████ to a lesser extent. I believe that Garrett was attempting to direct ██████ and ██████ that they were not to respond to Courthouse requests for Maintenance assistance unless he specifically assigned them to do so. Whether or not that was necessary or advisable is irrelevant, it is within his supervisory rights to make this declaration. Given the total lack of trust and respect between staff and supervisor, ██████ and ██████ heard, clearly, that they were not to come to the Courthouse unless Garrett authorized it. Therefore, in an odd way, both parties are right in their statements. ██████ and ██████ were told not to come to the Courthouse unless authorized by Garrett. This was said in the course of work assignments and in no way referenced personal visits, employee events or any other reason and both ██████ and ██████ are over-reacting if they took it this way (██████ did not). Garrett is right in that he did not prohibit them from coming to the Courthouse but he should have remembered this conversation and understood how and why his staff could have come to this conclusion.

Recommendation:

Clearly, the relationships between Garrett and his staff are toxic. They don't trust him and don't feel that he respects them. Garrett feels that they could work harder and are just resisting his supervisory status over the unit since they have not had a very hands on supervisor for much of their work at the County. I

think both sides have some validation for their feelings.

Ultimately, however, the supervisor must be held responsible for the status of his staff. I have myself witnessed Garrett making the choice of statements to his staff that inflame the situation for no real purpose rather than choosing to use words that could repair fences and build relationships (and yet reach the same goal of the work that needs to be done).

The situation cannot continue as it is. The harm to the County is significant both in terms of general employment relationship (and the County values its good employee relations), problems with the labor unit, lack of productivity, possible legal liability rising and the waste of scarce resources in more than one department in addressing the continual issues that arise.

I recommend that you:

- Consider an appropriate level of discipline for the sustained allegations
- Require Garrett to attend appropriate supervisory training to expand his skills in developing the long term positive and effective staff relations which every department must have. While at the same time learning how to keep his staff on goal and focused on the work which needs to be done while processes and procedures change. This may include some training in change management with a focus on how to positively engage staff during periods of change.
- Require Garrett, [REDACTED] and [REDACTED] to undergo a structured mediation session with a professional employment mediator. These sessions, while we have already tried several in -house (which have clearly been unsuccessful), can be very helpful when an external person helps everyone to air the issue, then lay down an agreement for how the relationships will work going forward with an emphasis on everyone's effective participation. The focus would not just be on Garrett's participation and supervisory style but also on the recognition by staff that they have an obligation to work effectively with their supervisor and to process change as it happens rather than throwing up roadblocks.

Submitted by,



Jean Ripa
Human Resources Director