RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
(County of Richland)

APPEAL FROM THE S.C. ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Case No. 2019-000301

Alicia Bolden, Appellant,

V.

South Carolina Department of Disabilities and Special Needs, Respondent.

RECORD ON APPEAL

RECEIVED
JUN 03 2019
SC Court of Appeals

Alicia Bolden (Appellant)
1115 Carnegie Avenue
Charleston, South Carolina 29407
(843) 709-5313

Tana Vanderbilt, Esq.
S.C. Dept. of Disabilities & Special Needs
Post Office Box 4706
Columbia, South Carolina 29240
(803) 898-9683
Attorney for Respondent

INDEX

SCALC Final Order of January 23, 2019 1

Respondent's Brief to the SCALC of December 19, 2018 7

Respondent's Motion to the SCALC of November 21, 2018 20

Respondent's Motion to the SCALC of November 14, 2018 22

Appellant's Brief to the SCALC of October 31, 2018 24

Appellant's Motion to the SCALC of August 15, 2018 52

SCALC Order of August 14, 2018 67

Motion to the SCALC of August 10, 2018 71

Emailed Communication to the SCALC of July 18, 2018 74

Appellant's Motion to the SCALC of July 19, 2018 75

Motion to the SCALC of July 11, 2018 83

SCALC Amended Notice of Assignment of May 30, 2018 86

Letter & Affidavit to the SCALC of May 29, 2018 87

Respondent's Letter to the SCALC of May 25, 2018 92

SCALC Notice of Assignment of May 25, 2018 93

Appellant's Financial Statement to the SCALC of May 18, 2018 94

Appellant's Request for Waiver and Affidavit to the SCALC of May 18, 2018 95

Appellant's Notice of Appeal to the SCALC of May 21, 2018 96

Letter to the SCALC of October 5, 2018 163

Record on Appeal to the SCALC of October 5, 2018: Case No. 18-ALJ-30-0182-AP 165

Termination Letter of April 25, 2012 513

Notice of Personnel Separation of April 20, 2012 514

Certificate of Appellant 515

Proof of Service for Record on Appeal of May 11, 2019 516

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, v. South Carolina Department of Disabilities and Special Needs, Respondent.	)	Docket No. 18-ALJ-30-0182-AP **FINAL ORDER**

This matter is before the Administrative Law Court (ALC or court) pursuant to a Notice of Appeal filed by Alicia Bolden (Appellant) on May 21, 2018. The Appellant seeks review of the final decision of the State Employee Grievance Committee (Committee) upholding the South Carolina Department of Disabilities and Special Needs (Department or Respondent) decision to terminate the Appellant's employment with the Department.

BACKGROUND

The Appellant began her employment with the Department as a Human Services Assistant II on March 2, 2008. On October 6, 2009, the Appellant was promoted to a Human Services Specialist II at the Coastal Regional Center (CRC). On February 23, 2017, the Appellant received a Written Warning for "Conduct Unbecoming a State Employee" based on a telephonic interaction with Ms. Claudette Fields, CRC Director of Residential Programs, that occurred on February 15, 2017 and was witnessed by another employee. During this incident the Appellant called Ms. Fields and began to raise her voice with Ms. Fields when she was not satisfied with Ms. Fields' response to her question. In the Recommendation for Disciplinary Action, Ms. Fields noted that the Appellant had been exhibiting some concerning behavior, to include forwarding emails regarding politics and religion as well as excessive tardiness. Ms. Fields asserted that the behavior had been occurring since July 2016, and that several meetings had been held with the Appellant in an attempt to address those concerns. Based upon this, the Appellant's problems with tardiness and attendance and her unbecoming telephone conduct resulted in an Oral Warning and a Written Reprimand.

FILED
JAN 23 2019
SC ADMIN. LAW COURT

On February 23, 2017, the Appellant received a memorandum from Ms. Fields directing her to adhere to her agreed upon assigned work hours (8:30 a.m. to 5:00 p.m. or 10:00 a.m. to 6:30 p.m.) and, effective immediately, to sign in and out of work at the switchboard. The Appellant was given the written directive due to her failure to adhere to her assigned work hours and excessive tardiness. The Appellant was advised that further tardiness would result in disciplinary action. The Appellant refused to sign the directive. Although the Appellant did sign out at the switchboard on February 23, 2017, she failed to sign in or out again as she had been directed to do.

On March 15, 2017, the Appellant was issued a Written Warning for "Insubordination" as a result of her continued failure to comply with the February 23, 2017 written directive. Then on April 10, 2017, in accordance with SCDDSN Directive 413-01-DD, Standards of Disciplinary Action, the Appellant was issued a three (3) day suspension for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." The Appellant's suspension was effective April 18 through 20, 2017. The Appellant was also advised that failure to demonstrate immediate and sustained improvement may result in further corrective action, to include termination.

The Appellant was terminated on June 20, 2017 for an accumulation of three (3) offenses within two (2) years where the first offense calls for a written reprimand in accordance with the Department's Standards of Disciplinary Actions. The Appellant appealed her termination to Rebecca Hill, Facility Director, CRC. Ms. Hill upheld the termination on July 17, 2017. The Appellant next appealed to the Department's State Director, Dr. Beverly Buscemi, who also upheld the Appellant's termination on September 8, 2017. The Appellant then filed an appeal with the Department of Administration, Director, Division of Human Resources. A hearing before the State Employee Grievance Committee was held on April 3, 2018 and in a decision dated April 23, 2018, the Committee upheld the Appellant's termination. This appeal followed.

STANDARD OF REVIEW

"In an appeal from the decision of an administrative agency, the [APA] provides the appropriate standard of review." *Chapman v. S.C. Dep't of Soc. Servs.*, 420 S.C. 184, 188, 801 S.E.2d 401, 403 (Ct. App. 2017), *reh'g denied* (July 17, 2017). Section 1-23-380(5) of the South Carolina Code (Supp. 2017) provides the standard used by appellate bodies to review

agency decisions under the Administrative Procedures Act. *See* S.C. Code Ann. § 1-23-600(D) (directing administrative law judges to conduct appellate review in the same manner prescribed in section 1- 23-380). That section states:

> The court may reverse or modify the decision [of an agency] if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions or decisions are:
>
> (a) in violation of constitutional or statutory provisions;
>
> (b) in excess of the statutory authority of the agency;
>
> (c) made upon unlawful procedure;
>
> (d) affected by other error of law;
>
> (e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or
>
> (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

§ 1-23-380(5).

A decision is supported by "substantial evidence" when the record as a whole allows reasonable minds to reach the same conclusion as the agency. *Friends of the Earth v. Pub. Serv. Comm'n of S.C.*, 387 S.C. 360, 366, 692 S.E.2d 910, 913 (2010). The fact that the record, when considered as a whole, presents the possibility of drawing two inconsistent conclusions from the evidence does not prevent the agency's findings from being supported by substantial evidence. *Waters v. S.C. Land Res. Conservation Comm'n*, 321 S.C. 219, 226, 467 S.E.2d 913, 917 (1996). In applying the substantial evidence rule, "a reviewing court will not overturn a finding of fact by an administrative agency 'unless there is no reasonable probability that the facts could be as related by a witness upon whose testimony the finding was based.'" *Sea Pines Ass'n for Prot. of Wildlife, Inc. v. S.C. Dep't of Natural Res.*, 345 S.C. 594, 603-04, 550 S.E.2d 287, 292 (2001) (quoting *Lark v. Bi-Lo, Inc.*, 276 S.C. 130, 136, 276 S.E.2d 304, 307 (1981)). When applying the substantial evidence rule, the factual findings of the administrative agency are presumed to be correct. *Rodney v. Michelin Tire Co.*, 320 S.C. 515, 519, 466 S.E.2d 357, 359 (1996). Furthermore, the reviewing court is prohibited from substituting its judgment for that of the agency as to the weight of the evidence on questions of fact. *Grant v. S.C. Coastal Council*, 319 S.C 348, 353, 461 S.E.2d 388, 391 (1995). Finally, the party challenging an agency action has the burden of proving convincingly that the agency's decision is unsupported by

substantial evidence. *Waters*, 321 S.C. at 226, 467 S.E.2d at 917.

DISCUSSION

On appeal, the Appellant contends that her due process rights were violated and that the findings and decision of the Committee are unsupported by substantial evidence and are clearly erroneous.

At the April 3, 2018 hearing with the State Employee Grievance Committee, Ms. Fields testified that as a direct service manager, the Appellant supervised twenty-three employees that she was responsible for training. Ms. Fields stated that the Department had a mandatory meeting every morning. Ms. Fields explained that this morning meeting was a communication meeting attended by the director of nursing, medical doctors, building managers, herself, the administer officer of the day, and service coordinators where customers' medical or behavioral issues were discussed. These required communication meetings began at 8:45 a.m. every morning, Monday through Friday. However, the Appellant rarely attended these meetings therefore, Ms. Fields and the Appellant's immediate supervisor, Valerie Williams Bryant, had to remind the Appellant on several occasions of the importance of attending them.

Ms. Fields also testified that on February 15, 2017, the Appellant had called her office regarding a staff personnel issue and when Ms. Field informed the Appellant that she would discuss the matter later because she had someone in her office, the Appellant became irate and unprofessional. Ms. Fields testified that due to this incident and the Appellant's failure to adhere to her work schedule, on February 23, 2017 she had a documented conversation with the Appellant reminding her of her agreed upon hours, the time she was supposed to report to work, about submitting her schedule in a timely manner to her supervisor, and how critical it was for the Appellant to attend the morning meetings. Due to the Appellant's actions on February 15, 2017, the Appellant received a warning notice for conduct unbecoming of an employee because of her behavior. Additionally, in an effort to address the Appellant's excessive tardiness, the Appellant was instructed to sign in and out at the switchboard area. After initially signing out that day, the Appellant refused to sign in or out again.

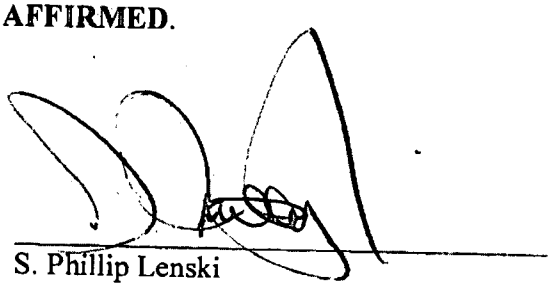
Ms. Fields testified that as a result of the Appellant's failure to sign in and out at the switchboard, on March 10, 2017 the Appellant received a written warning for insubordination. Thereafter, the Appellant then received a three (3) day suspension notice for April 18-20, 2017 for

refusing to accept a reasonable and proper assignment from an authorized supervisor. After the Appellant's continued refusal to sign in and out at the switchboard, on June 20, 2017 the Appellant was informed that her employment with the Department was terminated effective June 20, 2017 for an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand."

The Appellant acknowledges that she was repeatedly instructed to adhere to her authorized work schedule and to sign in an out at the switchboard every day and only argues that she failed to do so because she felt that the directive was discriminatory. However, the Appellant fails to provide any credible evidence to support her position. Alternatively, the Department provided testimony from several individuals who stated that requiring an employee to sign in and out at the switchboard was a common directive used to address tardiness or failure to adhere to an approved work schedule. Based on the foregoing, this court finds that the Department's decision was supported by substantial evidence.

IT IS HEREBY ORDERED that the Final Order of the State Employee Grievance Committee upholding the South Carolina Department of Disabilities and Special Needs' decision terminating the Appellant's employment is **AFFIRMED.**

AND IT IS SO ORDERED.



S. Phillip Lenski
Administrative Law Judge

January 23, 2019
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Erika S. Easler, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, in the Interagency Mail Service, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).

Erika S. Easler
Judicial Law Clerk

January 23, 2019
Columbia, South Carolina

Mary Poole
State Director
Rufus Britt
Interim Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Lisa Weeks
Interim Associate State Director
Administration

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Vicki A. Thompson
Secretary
Sam F. Broughton, Ph.D.
Chris G. Neeley
Lorri S. Unumb

December 19, 2018

The Honorable S. Phillip Lenski
South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201

RE: Alicia Bolden v. S.C. Department of Disabilities and Special Needs
Docket No.: 18-ALJ-30-0182-AP

Dear Judge Lenski:

Enclosed please find the original and two copies of the Respondent's Brief in regard to the above referenced matter. By copy of this letter with enclosure, I am serving same upon all parties involved. If you have any questions, please do not hesitate to contact me at 898-9683 or by email at tvanderbilt@ddsn.sc.gov. Please returns a filed copy in the enclosed self-addressed stamped envelope. Thank you.

Sincerely,

Tana Vanderbilt

Tana Vanderbilt
General Counsel

Encls.

cc: Ms. Alicia Bolden, Appellant via certified mail 7017 0190 0000 9625 8171

FILED
DEC 19 2018
SC ADMIN LAW COURT

TABLE OF CONTENTS

STATEMENT OF ISSUES ON APPEAL.....3

STATEMENT OF THE CASE.....4

ARGUMENTS

I. The decision of the Department of Administration, State Human Resources Division Employee Grievance Committee (Committee) should be upheld because it was not in violation of any constitutional or statutory provision.....5

II. The decision of the Committee was not based upon any unlawful procedure.....6

III. The decision of the Committee to uphold the termination was supported by reliable, probative and substantiated evidence.....8

IV. The decision of the Committee was not arbitrary or capricious or characterized by an abuse of discretion.....10

CONCLUSION.....12

PROOF OF SERVICE.....13

STATEMENT OF ISSUES ON APPEAL

I. Was the decision of the State Employee Grievance Committee in violation of any constitutional or statutory provision?

II. Was the decision of the State Employee Grievance Committee based upon any unlawful procedure?

III. Was the decision of the State Employee Grievance Committee supported by reliable probative and substantiated evidence?

IV. Was the decision of the State Employee Grievance Committee arbitrary, capricious or characterized by an abuse of discretion?

STATEMENT OF THE CASE

Respondent, the South Carolina Department of Disabilities and Special Needs, terminated the employment of Appellant, Alicia Bolden on June 20, 2017. The termination was for an accumulation of three offenses within two years where the first offense calls for a written reprimand in accordance with the South Carolina Department of Disabilities and Special Needs Standards of Disciplinary Actions.

Appellant appealed the termination to Rebecca Hill, the Facility Director at the Coastal Center. Ms. Hill upheld the termination on July 17, 2017. Appellant next appealed to the State Director of the South Carolina Department of Disabilities and Special Needs, Dr. Beverly Buscemi, who also upheld the termination on September 8, 2017. On October 6, 2017, Appellant filed an appeal to the Department of Administration, Division of Human Resources Director. A hearing before the State Employee Grievance Committee (Committee) was held on April 3, 2018. The decision of the Committee was dated April 23, 2018 and upheld the termination of Appellant from employment with the South Carolina Department of Disabilities and Special Needs in a five to zero vote.

It is the position of Respondent, the South Carolina Department of Disabilities and Special Needs, that the decision of the Committee should be affirmed.

ARGUMENT I.

The decision of the Department of Administration, State Human Resources Division Employee Grievance Committee (Committee) should be upheld because it was not in violation of any constitutional or statutory provision.

Appellant argues that she was forced to testify against herself when she was questioned by the attorney for the South Carolina Department of Disabilities and Special Needs. Appellant fails to understand that any witness is subject to cross examination as this is a basic tenet of the judicial process. Rule 611(b) SCRE and S.C. Code Ann. Reg. 19-718.07(11)(b).

The regulations that govern the Employee Grievance Committee state that evidentiary matters will be governed by the South Carolina Administrative Procedures Act. S.C. Code Ann. Reg. 19-718.07(E)(12). The Act states that any party may conduct cross-examination, S.C. Code Ann. § 1-23-330(3) (2005).

Appellant spends much of her argument alleging the Division of Human Resources altered or doctored the audio recording of the Employee Grievance Hearing conducted on April 3, 2018. These are unfounded allegations as is evidenced by the Affidavit filed with this court by Spencer Miller on May 29, 2018. The South Carolina Department of Disabilities and Special Needs declines to address these allegations as the Affidavit speaks for itself.

Clearly there was no violation of any statutory or constitution provision when Appellant was cross examined and the decision of the Committee to uphold the South Carolina Department of Disabilities and Special Needs termination must be affirmed.

ARGUMENT II.

The decision of the Committee was not based upon any unlawful procedure.

Appellant asserts that documents deemed not relevant by the Committee should have been admitted; however, Appellant failed to make a proffer as to the necessity of the evidence so as such this issue was not properly preserved for appeal. *State v. Jackson*, 384 S.C. 29, 681 S.E.2d 17 (2009). *State v. Santiago*, 370 S.C. 153, 634 S.E. 2d 23 (Ct. App. 2006). Even if the ruling of the Committee was incorrect as to excluding the evidence, there was no harm to the Appellant as she admitted in her testimony that she failed to follow the instructions of her supervisors. (R.p. 0037, lines 8-25) (R.p. 0038, lines 1-6, 21-25) (R.p. 0039, lines 1-13). Reversal by this Court is not needed because the ruling on the evidence was not prejudicial or harmful to Appellant. *State v. Sosebee* 284 S.C. 411, 326 S.E. 2d 654 (1985) *State v. White*, 371 S.C. 439, 639 S.E.2d 160 (Ct. App. 2006) . In addition, Appellant seeks to circumvent the ruling of the Committee by attaching the excluded evidence to her brief necessitating the South Carolina Department of Disabilities and Special Needs to file a Motion to Exclude this evidence which was granted on December 6, 2018. Appellant also refers to the excluded evidence in her brief on page 13.

Appellant argues that the two representatives of the South Carolina Department of Disabilities and Special Needs should have been sequested. The regulations permit each party to have two representatives in the hearing room. S.C. Code Ann. Regs. 19-718.07(C)(4). Representative and witness lists were exchanged at the beginning of the hearing. (R.p.0144) (R.p.0145). S.C. Code Ann. Regs. 19-718.(E)(8). Appellant was advised of such by the Chair of the Committee. (R.p. 007 lines 21-25) (R.p.008, lines 1-7). Therefore, this is a specious argument as it is a permitted practice before the Committee.

Appellant raises for the first time in appeal the order of the witnesses as presented by the South Carolina Department of Disabilities and Special Needs. No objection to such was made at the time of hearing; therefore, this issue is not preserved for appeal. An issue must be raised at the trial level and ruled upon by that tribunal or it is not to be considered upon appeal. *State v. Dunbar*, 356 S.C. 138, 587 S.E. 2d 691 (2003).

Appellant attempts to raise issues to prove the decision of the Committee was based upon unlawful procedure; however, those issues were not properly preserved for appeal and therefore may not be considered by this court. In addition, the procedures of the Committee comply with the regulations governing such. Therefore, the decision of the Committee must stand.

ARGUMENT III.

The decision of the Committee to uphold the termination was supported by reliable, probative and substantial evidence.

The Committee found there was substantial evidence to support the decision of the South Carolina Department of Disabilities and Special Needs termination of the employment of Appellant. (R.p. 0010). Additionally, the Committee found that the "Appellant provided no credible evidence to the Committee to support her claims." (R.p. 0011).

The basis of the decision by the South Carolina Department of Disabilities and Special Needs to terminate Appellant was the fact that she repeatedly failed to sign in and out in a designated notebook as required by her supervisors. Appellant was given numerous opportunities to follow this simple procedure. Appellant demonstrated she know how to do this as she did it exactly one time. (R.p. 0207).

Appellant was given the proper disciplinary notices when she failed to comply with the established procedure for signing in and out. Written Warning Notice dated March 10, 2017 (R.p. 0203); Suspension Notice dated April 10, 2017. (R.p. 0211). In addition, she was given a written warning notice dated February 22, 2017 for Conduct Unbecoming a State Employee. (R.p. 0195).

Most telling of all is that Appellant admitted that she refused to follow the orders of her supervisors to sign in and out in her testimony (R.p. 0037, lines 8-25) (R.p. 0038, lines 1-6, 21-25) (R.p. 0039, lines 1-13) and also in her brief to this court on page 17.

Appellant repeatedly claims in her brief that the request by her supervisors that she sign in and out was discriminatory. Yet she offered no testimony to contradict that of the South Carolina Department of Disabilities and Special Needs employees who testified that such

practice was used not only at the Coastal Center, but agency wide. The practice is used to ensure that employees adhere to their assigned work schedules. (R.p. 0094, lines 13-25) (R.p. 0095, lines 1-12) (R.p. 0071, lines 16-25) (R.p. 0072, lines 1-7) (R.p. 0081, lines 11-25) (R.p. 0082, lines 1-11).

The decision of the Committee to uphold the termination was based upon substantial evidence as stated in its decision (R.p. 0010). Substantial evidence as defined by case law is not a mere scintilla of evidence, nor the evidence when viewed blindly from one side of the case, but is evidence which, considering the record as a whole would allow reasonable minds to reach the same conclusion as the agency. *Friends of the Earth v. Pub.Serv. Commission of S.C.*, 387 S.C. 360, 692 S.E. 2d 910 (2010) citing *Lark v. Bi-Lo, Inc.*, 276 S.C. 130, 276 S.E. 2d 304 (1981).

In addition, the Appellant has the burden of proving that the decision of the Committee is unsupported by substantial evidence. *Waters v. S.C. Land Res. Conservation Commin*, 321 S.C. 219, 467 S.E. 2d 913 (1995). Appellant fails to make such a showing.

This court in the review of the decision of the Committee, under the substantial evidence rule must consider the findings of fact by the Committee to be presumed true and it cannot substitute its judgment for that of the Committee on the weight of the evidence on questions of fact. *Grant v. S.C. Coastal Council*, 319 S.C. 348, 461 S.E. 2d 388 (1995).

The decision of the Committee was solidly based on substantial evidence, including the admissions of Appellant, and therefore should be affirmed.

ARGUMENT IV.

The decision of the Committee was not arbitrary or capricious or characterized by an abuse of discretion.

There was no abuse of discretion in the decision of the Committee to uphold the termination of Appellant by the South Carolina Department of Disabilities and Special Needs.

Testimony of Deidre Blake-Sayers, former Human Resources Director for the South Carolina Department of Disabilities and Special Needs, showed that the South Carolina Department of Disabilities and Special Needs tried to work with Appellant to assist her to keep her job, but still she refused to do what was required of her. She refused to do the simple task of signing in and out. (R.p. 0083, lines 16-25) (R.p. 0084, lines 1-4).

In her testimony, Rebecca Hill, the Facility Director of the Coastal Center where Appellant was employed, stated that having employee sign in and out was a practice that was used routinely and was not applied solely to Appellant. (R.p. 0094, lines 13-25) (R.p. 0095, lines 1-12).

John Dooney, District II Human Resources Director for the South Carolina Department of Disabilities and Special Needs, also stated that signing in and out was a disciplinary practice used throughout the agency to correct tardiness. (R.p. 0071, lines 16-25) (R.p. 72, lines 1-10).

The disciplinary actions as discussed previously were done in accordance with the policy of the Agency. (R.p. 0227 through R.p. 0235).

The Committee's decision was not arbitrary or capricious as the Appellant testified that she was not complying with the simple procedure of signing in and out; therefore, the Committee had no choice but to find that the termination was proper. (R.p. 0037, lines 8-25) (R.p. 0038, lines 1-7).

Deirdre Blake-Sayers also confirmed this was an agency wide practice (R.p. 0081, lines 1 1-25) (R.p. 82, lines 1-11). As argued previously, Appellant admitted that she did not follow the instructions of her supervisors (R.p. 37, lines 8-25) (R.p.0038, lines 1-7, 21-25) (R.p. 0039, lines 1-4, lines 11-13).

Appellant continuously argues that the Committee was biased and acted improperly when none of these issues were raised at the hearing and therefore are without merit and cannot be first raised on appeal. For an issue to be properly before this court, it must have been raised and ruled upon by the trial court. Issues not raised and ruled upon at the Committee level cannot be considered on appeal. *State v. Dunbar* 356 S.C. 138, 587 S.E. 2d 691 (2003).

Just because Appellant does not like the decision of the Committee this does not make it arbitrary or capricious or an abuse of discretion. The decision to uphold the termination was clearly warranted.

CONCLUSION

Much of the Brief of Appellant is based on her opinion and beliefs unsupported by any evidence on the record so the arguments are without merit.

The decision of the Committee to uphold the termination of Appellant is validated by the substantial reliable and probative evidence presented at the hearing.

Appellant failed to establish that decision of the South Carolina Department of Disabilities and Special Needs to terminate her employment violated any of the provisions of S.C. Code Ann. § 1-23-380(5) (Supp. 2017).

Therefore, the decision of the Committee to uphold the termination of the Appellant from the South Carolina Department of Disabilities and Special Needs must be affirmed.

Respectfully Submitted,

Tana Vanderbilt

Tana Vanderbilt

PROOF OF SERVICE OF BRIEF OF RESPONDENT

THE STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW COURT

The Honorable s. Phillip Lenski, Administrative Law Judge

Case No. 18-ALJ-30-0182-AP

Alicia Bolden,

Appellant,

vs.

S.C. Department of Disabilities and Special Needs,

Respondent.

PROOF OF SERVICE

I certify that I have served the Brief of Respondent on Alicia Bolden, 1115 Carnegie Avenue Charleston, SC 29407, by depositing a copy of it in the United States Mail, postage certified mail, on 12/19/2018.

Date: 12/19/2018

Tana Vanderbilt

Tana Vanderbilt
General Counsel
South Carolina Department of Disabilities
and Special Needs
P.O. Box 4706
Columbia, SC 29240
Attorney for Respondent

Mary Poole
State Director
Rufus Britt
Interim Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Lisa Weeks
Interim Associate State Director
Administration

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Vicki A. Thompson
Secretary
Sam F. Broughton, Ph.D.
Chris G. Neeley
Lorri S. Unumb

November 21, 2018

The Honorable S. Philip Lenski
Administrative Law Judge
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201

RE: Alicia Bolden vs. SCDDSN
18-ALJ-030-0182-AP

Dear Judge Lenski:

Enclosed for filing in the above-referenced appeal is a Motion. We request removing attachments which were included in the Brief of Appellant.

By copy of this letter, we are notifying Appellant of the request for an enlargement of time.

Please return a filed copy of this motion in the enclosed self-addressed stamped envelope. Feel free to contact me at (803) 898-9683 or by email at tvanderbilt@ddsn.sc.gov if you have any questions or if I can be of assistance.

Sincerely,

Tana Vanderbilt

Tana Vanderbilt
General Counsel

cc: Ms. Alicia Bolden, Appellant **VIA CERTIFIED MAIL 7017 0190 0000 9625 8164**

FILED
NOV 21 2018
SC ADMIN. LAW COURT

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

DISTRICT I
Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

DISTRICT II
Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alici a Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs Respondent,	)	**MOTION** **DOCKET NO.: 18-ALJ-30-0182-AP**

TO: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the Rules of Procedure for the Administrative Law Court, the South Carolina Department of Disabilities and Special Needs respectfully moves for an order removing attachments to Appellants Brief as not being part of the Record on Appeal. Attachments were not attached to Brief served on the South Carol ina Department of Disabilities and Special Needs, but are referenced in Brief of Appellant. In support thereof the South Carolina Department of Disabilities and Special Needs states as follows:

The following attachments to the Brief of Appellant are not part of the Record on Appeal as complied and submitted by the South Carolina Division of State Human Resources because they were ruled inadmissible at the hearing on April 3, 2018.

1. Letter dated April 25, 2012. (Not in Record on Appeal)
2. Notice of Personnel Action dated April 20, 2012 (Not in Record on Appeal).
3. Group A Documents were ruled inadmissible. (Record on Appeal R.p.24, lines 22 through R.p.25 line 12)
4. Group E ruled inadmissible after first two pages. (Record on Appeal R.p.24, lines 1-12)
5. Group F, page 2 was ruled inadmissible. (Record on Appeal R.p.29, lines 16-23)

Appellant seeks now to have these documents added to the record by way of attaching them to her Brief when there was no proffer of proof offered during the hearing.

WHEREFORE, the South Carolina Department of Disabilities and Special Needs respectfully requests that the attachments to the Brief of Appellant be removed and not considered by the court in this matter.

GRANTED

December 6, 2018
Date

Judge

Tana Vanderbilt
General Counsel
South Carolina Department of Disabilities and Special Needs
P.O. Box 4706
Columbia, SC 29240
Telephone: (803) 898-9683
Fax: (803) 898-9656

FILED
NOV 21 2018
SC ADMIN. LAW COURT

Mary Poole
State Director
Rufus Britt
Interim Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Lisa Weeks
Interim Associate State Director
Administration

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Vicki A. Thompson
Secretary
Sam F. Broughton, Ph.D.
Chris G. Neeley
Lorri S. Unumb

November 14, 2018

The Honorable S. Philip Lenski
Administrative Law Judge
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, SC 29201

RE: Alicia Bolden vs. SCDDSN
18-ALJ-030-0182-AP

Dear Judge Lenski:

Enclosed for filing in the above-referenced appeal is a Motion for Enlargement of Time. We request an extension until December 21, 2018 to file the Brief of Respondent.

By copy of this letter, we are notifying Appellant of the request for an enlargement of time.

Please return a filed copy of this motion in the enclosed self-addressed stamped envelope. Feel free to contact me at (803) 898-9683 or by email at tvanderbilt@ddsn.sc.gov if you have any questions or if I can be of assistance.

Sincerely,

Tana Vanderbilt

Tana Vanderbilt
General Counsel

cc: Ms. Alicia Bolden, Appellant **VIA CERTIFIED MAIL 7017 0190 0000 9625 8157**

FILED
NOV 14 2018
SC ADMIN. LAW COURT

DISTRICT I
P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

DISTRICT II
Pee Dee Center - Phone: 843/664-2600
Saluda Center - Phone: 843/332-4104

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs Respondent,	**MOTION FOR ENLARGEMENT OF TIME** **DOCKET NO.: 18-ALJ-30-0182-AP**

TO: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the Rules of Procedure for the Administrative Law Court, the South Carolina Department of Disabilities and Special Needs respectfully moves for an enlargement of time in which to file the Brief of Respondent in the captioned matter, and in support thereof states as follows:

1. The South Carolina Department of Disabilities and Special Needs has only one attorney to represent the Agency in all legal matters.

2. The Brief of Appellant was received by the Agency on November 1, 2018 and the only attorney for the Agency was out of the country until November 13, 2018.

3. The attorney for the Agency has nine hearings across the state between November 14, 2018 and December 21, 2018.

WHEREFORE, the South Carolina Department of Disabilities and Special Needs respectfully requests an enlargement of time until December 21, 2018 in which to file the Brief of Respondent.

Tana Vanderbilt

Tana Vanderbilt
General Counsel
South Carolina Department of Disabilities and Special Needs
P.O. Box 4706
Columbia, SC 29240
Telephone: (803) 898-9683
Fax: (803) 898-9666

GRANTED

Nov 19, 2018

S. Phillip Lenski
SC Administrative Law Judge
Date

FILED

NOV 14 2018

SC ADMIN. LAW COURT

The State of South Carolina
In the Administrative Law Court

The Honorable S. Phillip Lenski, Administrative Law Judge

Ms. Alicia Bolden

(Appellant)

V.

S.C. Dept. of Administration – Division of State Human Resources
State Employee Grievance Committee

And

S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center

(Respondents)

Appeal
(Amended, Supplemented, and/or Modified from the Notice of Appeal)
Docket No. 18-ALJ-30-0182-AP
10/31/2018

Ms. Alicia Bolden appeals the final decision of the S.C Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) dated April 23, 2018. Appellant received written notice of this final decision (via certified mail) on April 26, 2018.

Appellant's Brief
Grounds for Appeal (S.C. Code Ann. 1-23-380(5))

Ms. Alicia Bolden (Appellant)
1115 Carnegie Avenue
Charleston, SC 29407
Alicia_Bolden@bellsouth.net
(843) 709 – 5313 (Cell)

FILED
OCT 31 2018
SC ADMIN. LAW COURT

Table of Contents

Table of Authorities 03

Statement of the Issues on Appeal 05

Statement of the Case 06

Arguments:

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (a) in violation of constitutional or statutory provisions. 07

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and was (c) made upon unlawful procedure. 09

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record. 11

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. 18

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision upheld, maintained, assisted, and defended the S.C. Dept. of Disabilities & Special Needs (Coastal Regional Center's) decision to terminate the Appellant's employment; therefore the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. The State Employee Grounds for Appeal Form is applicable to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision and it is applicable to the S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant's employment. 21

Conclusion 27

Proof of Service 28

Table of Authorities

Cases

Coleman v. New York City Tr. Auth., 37 NY2d 137, 142 (1975) 12

Geders v. United States, 425 U.S. 80, 87, 96 S.Ct. 1330, 47 L.Ed.2d 592 (1976) 11

Knight v. State, 746 So.2d 423, 430 (Fla. 1999), quoting Ehrhardt, Florida Evidence § 616.1, at 506 (West Pub. Co 1998 ed.) 11

Lee v. Thornton, 174 N.C. 288, 289 (1917) 11

Levy v. Outdoor Resorts of South Carolina, 304 S.C. 427, 405 S.E.2d 387 (1991) 10

McMillan v. Ridges, 229 S.C. 76, 91 S.E.2d 883 (1956) 11

North Greenville College v. Sherman Const. Co., Inc., 270 S.C. 553, 243 S.E.2d 441 (1978) .. 12

People v. Brown, 26 NY2d 88, 94-95 (1970) 12

People v. Webster, 139 NY 73, 85 (1893) 12

State v. Brewington, 267 S.C. 97, 226 S.E.2d 249 (1976) 12

State v. Jackson, 309 N.C. 26 (1983) 11

State v. Nathari, 303 S.C. 188, 399 S.E.2d 597 (Ct. App. 1990) 11

State v. Petit, 144 S.C. 452, 142 S.E. 725 (1928) 10

Winburn v. Minnesota Mut. Life Ins. Co., 261 S.C. 568, 574, 201 S.E.2d 372, 374-5 (1973) 10

Statutes

18 U.S.C. § 1519 08
18 U.S.C. § 1621 08
18 U.S.C. § 1505 08
18 U.S.C. § 1506 08
18 U.S.C. § 1001 08
S.C. Code Ann. § 16-9-10 08
S.C. Code Ann. § 16-9-340 (a) (2) 08
SC Code § 19-11-80 (2013) 09

Rules

Federal Rules of Evidence – Article IV Relevance and its Limits – Rule 401 10

Federal Rules of Evidence – Article IV Relevance and its Limits – Rule 402 10

Federal Rules of Evidence - Article IV Relevance and It's Limits: Methods of Proving Character – Rule 405 13

Federal Rules of Evidence – Article IV Relevance and It's Limits: Habit; Routine Practice – Rule 406 13

Federal Rules of Evidence - Article VI Mode and Order of Examining Witnesses and Presenting Evidence – Rule 611(a) 11

Other Authorities

Barron's Law Dictionary, p. 434 (2d ed. 1984) 09

McCormick §162, p. 340 13

6 Wigmore on Evidence – Evidence in trials at Common Law §1837 at 455-456 (Wolters Kluwer 4th ed. 2011 Supp.) 10

Statement of the Issues on Appeal

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (a) in violation of constitutional or statutory provisions.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (c) made upon unlawful procedure.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision upheld, maintained, assisted, and defended the S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant's employment; therefore the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. The State Employee Grounds for Appeal Form is applicable to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision and it is applicable to the S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant's employment.

Statement of the Case

On June 19, 2017, Appellant was terminated from the S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center via the termination letter dated June 16, 2017. The agency alleges Appellant was terminated for an "accumulation of three offences within two (2) years where the first offense calls for a written reprimand".

Appellant was terminated for asserting her legal rights to be treated fairly and equally in the workplace. Appellant was terminated for not adhering to an unfair, prejudicial, and discriminatory employment practice. Appellant appealed the termination because the action violates her rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

On June 28, 2017, Appellant initiated the State Employee Grievance Process and formally grieved (appealed) the termination to the Facility Administrator – Rebecca D. Hill.

On July 19, 2017, Appellant received (via certified mail) a letter of the Facility Administrator's decision. Rebecca D. Hill (FA) upheld the termination and denied Appellant's appeal.

On July 21, 2017, Appellant appealed the Facility Administrator's decision in writing to the State Director of the S.C Dept. of Disabilities & Special Needs – Dr. Beverly Buscemi.

By letter dated September 8, 2017, the Human Resources Director – Deirdre Blake Sayers upheld the decision of the Facility Administrator – Rebecca D. Hill.

On September 23, 2017, Appellant appealed the decision of the Human Resources Director – Deirdre Blake Sayers to the State Human Resources Director. A Grievance Hearing (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center) was scheduled before the State Employee Grievance Committee and was held on April 3, 2018 at 9:00 am at 8301 Parklane Road, Suite A220, Columbia, South Carolina (Richland County).

Appellant received written notice of the final decision from the State Human Resources Director (via certified mail) on April 26, 2018. The S.C Dept. of Administration – Division of State Human Resources State Employee Grievance Committee upheld the S.C. Dept. of Disabilities & Special Needs decision to terminate Appellant and denied the relief sought.

Appellant appealed the final decision of the S.C Dept. of Administration – Division of State Human Resources (State Human Resources Director) State Employee Grievance Committee dated April 23, 2018 to the S.C. Administrative Law Court (via certified mail) on May 21, 2018. On May 21, 2018, Appellant served the Notice of Appeal (via certified mail) to the S.C Dept. of Administration – Division of State Human Resources and to the S.C. Dept. of Disabilities & Special Needs.

Arguments

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (a) in violation of constitutional or statutory provisions.

On April 4, 2018, the Appellant submitted a written request (via email) to Mr. Spencer Miller of the S.C. Dept. of Administration – Division of State Human Resources requesting copies of all audio records and written transcripts from the Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email), "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow" (see attached supporting email).

On April 9, 2018, the Appellant received the audio recording in the mail, but the audio recording had been altered and changed. Testimony that was given during the hearing had been changed, edited, or omitted. The audio recording also included additional testimony that was not given during the grievance hearing the Appellant attended. This discovery was very troubling. On April 9, 2018 the Appellant emailed the State Human Resources Director requesting to be sent a true authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish (see attached supporting email). To date, this information has still not been provided.

The S.C. Dept. of Administration – Division of State Human Resources falsified and altered the audio recording of the grievance hearing held on April 3, 2018 (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center). Mr. Spencer Miller of the S.C. Dept. of Administration – Division of State Human Resources then mailed the falsified and altered audio recording to the appellant to have transcribed for future court proceedings. This is fraud. This is deliberate deception. The falsified and altered audio recording was passed off as genuine when Mr. Miller knew it was not.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions and intentional misrepresentation of fact is perjury and violates the law. Mr. Spencer Miller intentionally made a false audio recording of the Grievance Hearing for use in upcoming legal proceedings. Mr. Miller manipulated and falsified sworn testimony that was given under oath before the State Employee Grievance Committee. Mr. Miller perjured testimony when he altered and manipulated the audio recording of the grievance hearing. He then sent the audio recording to me (the appellant) by mail as if it was a true, genuine, authentic representation of the testimony that was given during the April 3, 2018 grievance hearing when he knew it was false. Falsifying documents (written or oral) by altering, changing, adding, editing, modifying, deleting, and manipulating its original contents for the purpose of deceiving others is defined as fraud and it is defined as perjury. Mr. Spencer Miller knowingly distributed a fake document.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions are a breach of trust. The S.C. Dept. of Administration is responsible for keeping an official record on each appeal (grievance). This includes all documents (written and oral) related to the appeal. A dishonest act which distorts and falsifies official records on an appeal (hearing) is considered a breach of trust. Breach of trust is dishonest actions intended to defraud, cheat, and deceive. The S.C. Dept. of Administration – Division of State Human Resources violated the duties entrusted to them when they altered and manipulated the audio records. They violated the seal

of trust, promise, and confidence when they falsified the audio recording (official records) from the April 3, 2018 Grievance Hearing.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions violate a code of ethics. Mr. Miller's decision to falsify, alter, and manipulate the grievance hearing audio records violates many ethical laws. It is also unlawful procedure. The S.C. Dept. of Administration is bound by standards of ethical conduct. They are an executive branch. They are expected to exercise the highest level of integrity, ethics, confidentiality, fairness, and objectivity in their actions and in their decisions. Falsifying audio records demonstrates partiality. It proves bias and it shows prejudice. The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions prejudices the Appellant's substantial rights and their final decision lacks both credibility and objectivity.

On March 21, 2018, the S.C. Dept. of Administration – Division of State Human Resources received documentary evidence from the Appellant that disclosed an active federal investigation into a charge of employment discrimination against the S.C. Dept. of Disabilities & Special Needs (see attached supporting document). The S.C. Dept. of Administration – Division of State Human Resources knew an official proceeding or investigation was pending or was about to be instituted when they tampered with and/or fabricated physical evidence. Their actions are in violation of constitutional and/or statutory provisions (18 U.S. Code § 1519; 18 U.S. Code § 1621; 18 U.S.C. § 1505; 18 U.S.C. § 1506; 18 U.S. Code § 1001; S.C. Code Ann. § 16-9-10; S. C. Code Ann. § 16-9-340(a) (2)).

On August 18, 2018, the Appellant received a duplicate audio recording (cd) from Mr. Spencer Miller. The duplicate cd is a copy of the audio recording (cd) previously sent to the Appellant on April 9, 2018 by Mr. Miller. The two audio recordings (cd's) that were sent by Mr. Spencer Miller to the Appellant are exactly the same. Testimony that was given during the hearing has been changed, altered, edited, or omitted. The audio recordings (cd's) also included additional testimony that was not given during the grievance hearing the Appellant attended. On August 20, 2018, the Appellant sent the duplicate cd (audio recordings) out for transcription services. The transcript of the audio recordings (cd) that was sent (via certified mail) by Mr. Spencer Miller on August 18, 2018 will be reflected in the Record on Appeal. The transcript is not a true and accurate representation of the testimony(s) given at the April 3, 2018 Grievance Hearing.

The S.C. Dept. of Administration – Division of State Human Resources altered and manipulated the audio record of the April 3, 2018 Grievance Hearing (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center). Mr. Spencer Miller (S.C. Dept. of Administration – Division of State Human Resources) is not a licensed court reporter. A licensed court reporter is to ensure and protect the integrity and competency of the official record and the lawful reporting (recording) practice. A licensed court reporter is to be neutral; governed by standards and a code of ethics. A licensed court reporter would have nothing to gain and everything to lose by engaging in dishonest acts to misrepresent the official (original) record.

False, fabricated, inaccurate, and incomplete information that is transmitted from one party to the next can affect the outcome of an investigation, legal proceeding, or a court proceeding (such as an appeal to the S.C. Administrative Law Court). The use of false, fabricated, inaccurate, and incomplete information is prejudicial to the Appellant's substantial rights to fair processes and fair conclusions. No ruling, decision, or outcome can be fair when inaccurate, false, fabricated, erroneous, and incomplete information is used to reach those decisions.

On April 3, 2018, the Appellant's Fifth Amendment rights were violated. The Fifth Amendment (Amendment V) to the United States Constitution is part of the Bill of Rights and, among other things, protects individuals from being compelled to be witnesses against themselves. The Fifth Amendment of the Constitution establishes the privilege against self- incrimination. The privilege against compelled self-incrimination is defined as "the constitutional right of a person to refuse to answer questions or otherwise give testimony against himself or herself which will subject him or her to self-incrimination. This right under the Fifth Amendment is now applicable to the states through the due process clause of the Fourteenth Amendment, 378 U.S. 1,8, and is applicable in any situation, civil or criminal where the state attempts to compel incriminating testimony" (Barron's Law Dictionary, p. 434 (2d ed. 1984)).

On April 3, 2018, the Appellant was compelled (by the Committee Attorney) to be a witness against herself at the Grievance Hearing. No person shall be required to answer any question tending to incriminate himself (SC Code § 19-11-80 (2013)). The Appellant objected to being called as a witness against herself and the Committee Attorney overruled the Appellant's objection and compelled the Appellant to answer counsel's (Tana Vanderbilt – S.C. Dept. of Disabilities & Special Needs) questions. The Appellant's original (compelled) testimony was then altered, edited, changed, and manipulated on the audio recordings (cd's) that was sent in the mail by Mr. Spencer Miller. The audio recordings (cd) and its corresponding transcript are not a true and accurate representation of the Appellant's compelled testimony from the April 3, 2018 Grievance Hearing. There are changes, modifications, alterations, additions, and deletions to the Appellant's authentic (original) compelled testimony.

First, the Appellant was compelled to be a witness against herself; then the Appellant's compelled testimony was manipulated, altered, and changed. Mr. Spencer Miller then sent the Appellant audio recordings (cd's) that were inaccurate, altered, and changed from the original. The S.C. Dept. of Administration – Division of State Human Resources actions violated and violates the Appellant's substantial rights to fair processes (treatment). The S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee's) actions are in violation of constitutional or statutory provisions.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and was (c) made upon unlawful procedure.

On April 3, 2018 (during the grievance hearing) the Committee Attorney excluded very credible and very relevant documentary evidence that I (the Appellant) presented as part of my Grounds for Appeal Form to support the claims made within. This action was unfair, biased, and prejudices the Appellant's substantial rights. The evidence excluded proves that the South Carolina Dept. of Disability and Special Needs decision to terminate the Appellant's employment was (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The South Carolina State Employee Grievance Committee Grounds for Appeal Form has been included for this court to review. I (the Appellant) have included all of the documentary evidence that support the arguments (claims) made within the Grounds for Appeal Form as well. Supporting documents that were excluded during the Grievance Hearing by the Committee Attorney were as follows: All of Group A, All of Group E (except for the top two (2) pages), and All of Group F. Group F did contain documents that were already a part of the Committee

Exhibit No.1, but Group A and Group E did not. Group F also contained two (2) email correspondences and a two (2) page agency directive (405-01DD) that were not already a part of the Committee Exhibit No.1, but all of Group F was excluded. I (the appellant) introduced a total of nineteen (19) pages of documentary evidence at the Grievance Hearing to the Grievance Committee and the Committee Attorney only allowed two (2) pages of my (the Appellant) supporting documents to be entered into evidence. They (the Committee Attorney and the State Employee Grievance Committee) did not want reliable evidence. They did not want the truth. They did not want me to prove my case.

Evidence is relevant if it has the "tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence" (Federal Rules of Evidence – Article IV. Relevance and its Limits – Rule 401). Relevant evidence is admissible unless any of the following provides otherwise: the United States Constitution; a federal statute; these rules; or other rules prescribed by the Supreme Court (Federal Rules of Evidence – Article IV. Relevance and its Limits – Rule 402). This rule is the federal rule amended to reference South Carolina law. The rule reflects the law in South Carolina (Levy v. Outdoor Resorts of South Carolina, 304 S.C. 427, 405 S.E.2d 387 (1991); State v. Petit, 144 S.C. 452, 142 S.E. 725 (1928)).

The Grounds for Appeal Form that was submitted to the Grievance Committee was six (6) pages long. The information and supporting documents from this form is barely mentioned in the findings of facts (final decision) and I (the Appellant) actually provided factual, reliable, and credible evidence to support my claims only to have them excluded by the Committee Attorney. All that is required to render evidence admissible is that "the facts shown legally tend to establish, or to make more or less probable, some matter in issue, and to bear directly or indirectly thereon. Relevancy of evidence means the logical relation between the proposed evidence and a fact to be established" (Winburn v. Minnesota Mut. Life Ins. Co., 261 S.C. 568, 574, 201 S.E.2d 372, 374-5 (1973)). The Committee Attorney abused his discretion, violated evidentiary rules and procedures, and prejudiced the Appellant's substantial rights when he excluded documentary evidence the Appellant presented at the April 3, 2018 Grievance Hearing.

In addition, two (2) witnesses were allowed to sit in the entire hearing from start to finish and they also gave their testimony last. These two (2) witnesses (Rebecca Hill & Deidre Blake - Sayers) were then able to contradict, correct, and repeat testimony given by previous witnesses. There was a total of five (5) agency witnesses.

Rebecca Hill and Deirdre Blake – Sayers were not sequestered; these witnesses should have been sequestered. Furthermore; at the time of the Grievance Hearing (April 3, 2018), Deidre Blake – Sayers was no longer an employee with the S.C. Dept. of Disabilities & Special Needs. The Committee Attorney abused his discretion, violated witness sequestering rules and procedures, and prejudiced the Appellant's substantial rights when he allowed these two witnesses to sit in the entire Grievance Hearing from start to finish.

Witnesses should be sequestered from hearing the testimony of other witnesses, commonly called being "excluded," until after he/she has testified, supposedly to prevent that witness from being influenced by other evidence or tailoring his/her testimony to fit the stories of others. The practice of sequestering witnesses is based in the common law (See 6 Wigmore on Evidence – Evidence in trials at Common Law §1837 at 455-456 (Wolters Kluwer 4th ed. 2011 Supp.)).

The United States Supreme Court has stated that the purpose of the rule is two-fold – "It exercises a restraint on witness 'tailoring' their testimony to that of earlier witnesses; and it aids in detecting testimony that is less than candid" (Geders v. United States, 425 U.S. 80, 87, 96 S.Ct. 1330, 47 L.Ed.2d 592 (1976). "The purpose of the rule of sequestration is 'to avoid a witness coloring his or her testimony by hearing the testimony of another,' thereby discouraging fabrication, inaccuracy, and collusion" (Knight v. State, 746 So.2d 423, 430 (Fla. 1999), quoting Ehrhardt, Florida Evidence § 616.1, at 506 (West Pub. Co 1998 ed.)).

Additionally, the three witnesses that were sequestered were all allowed to be seated together in the same area outside the hearing room. These witnesses were allowed to interact with each other before and after they gave their testimony to the committee. "The idea of keeping witnesses from interacting with each other is to detect fabrications" (State v. Jackson, 309 N.C. 26 (1983). As early as 1917, the N.C. Supreme Court noted that "no harm can come from separation of the witnesses, and much injury might result if it is not done" (Lee v. Thornton, 174 N.C. 288, 289 (1917)). The three sequestered witnesses (Valeria Bryant, Claudette Fields, and John Dooney) should have been separated and not seated in the same area together.

The Committee Attorney did not control the order of the witness's testimony. Rebecca Hill and Deidre Blake – Sayers should have given their testimony 1st and 2nd; not 5th and last, and not in the presence of other witnesses. "The court should exercise reasonable control over the mode and order of examining witnesses and presenting evidence so as to: (1) make those procedures effective for determining the truth; (2) avoid wasting time; and (3) protect witnesses from harassment or undue embarrassment" (Federal Rules of Evidence VI. Mode and Order of Examining Witnesses and Presenting Evidence – Rule 611(a)). The language of this rule is identical to that used in this State. See McMillan v. Ridges, 229 S.C. 76, 91 S.E.2d 883 (1956); State v. Nathari, 303 S.C. 188, 399 S.E.2d 597 (Ct. App. 1990). Again, the Committee Attorney did not control the mode and order of the witnesses' testimony and this action was prejudicial to the Appellant's substantial rights.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and was made upon unlawful procedures.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The final decision is erroneous because the finding of facts is erroneous. The finding of facts is erroneous and biased because it is based solely on the erroneous information and alleged testimony provided by the witnesses listed for the S.C. Dept. of Disabilities & Special Needs. All five (5) of the witnesses that testified against the Appellant had a hand in the Appellant's termination; they all had an interest in the outcome of the April 3, 2018 Grievance Hearing. The State Employee Grievance Committee disregarded these witnesses' biases, prejudices, and interests in the Appellant's sustained termination.

By evidence in the record, all five (5) witnesses were biased and prejudiced against the Appellant; all five (5) witnesses had a shared interest in the Appellant's sustained termination. All five (5) witnesses assisted (had a hand in) and supported the Appellant's termination. A witness's partiality for or against a party in a proceeding may be shown to impeach the witness's credibility; "the relevancy of all facts which bear on the probable partiality" of a witness for

impeachment purposes (Coleman v. New York City Tr. Auth., 37 NY2d 137, 142 (1975)). All five (5) witnesses bias, prejudice, and support for the discriminatory employment practice and for the Appellant's termination is evident in the record (via disciplinary actions, email correspondences, signatures, etc.). Illustrative examples of partiality recognized by the court include a witness's bias in favor of the party calling the witness (People v. Webster, 139 NY 73, 85 (1893)). Bias is always of importance in determining credibility (People v. Brown, 26 NY2d 88, 94-95 (1970).

Bias, prejudice, or any motive to misrepresent may be shown to impeach the witness either by examination of the witness or by evidence otherwise adduced (State v. Brewington, 267 S.C. 97, 226 S.E.2d 249 (1976); North Greenville College v. Sherman Const. Co., Inc., 270 S.C. 553, 243 S.E.2d 441 (1978)). All five (5) witnesses lack credibility due to their bias, hostility, and interest in the outcome of the grievance proceedings by evidence of their involvement in the Appellant's termination. Their alleged testimonies should not have been relied upon in the State Employee Grievance Committee's final decision (findings of facts); particularly where the information was new, unproven, and not previously mentioned in the record.

The audio recording of the grievance hearing that was sent to the Appellant on April 9, 2018 is erroneous. The audio recording has been edited, changed, altered, and manipulated. The Appellant has made several attempts to obtain an authentic (official) copy of the audio recording from the grievance hearing held on April 3, 2018. To date, these requests have been denied. The Administrative Law Court will need an official transcript from the grievance hearing held on April 3, 2018, but the Appellant is unable to provide this information to the court because it has not been provided to her. The S.C. Dept. of Administration – Division of State Human Resources expects me (the Appellant) to transcribe the altered, manipulated, and erroneous audio recording (cd) they sent, but I (the Appellant) will not provide a fabricated, falsified, and erroneous transcript to this court. The audio recording is not authentic.

Since filing the Notice of Appeal to the S.C. Administrative Law Court on May 21, 2018, the Appellant has made additional attempt to obtain an authentic (true) copy of the April 3, 2018 Grievance Hearing audio recording; those additional attempt were unsuccessful. Since filing the Notice of Appeal to the S.C. Administrative Law Court on May 21, 2018, the Appellant has had the altered, manipulated, inaccurate, and erroneous audio recording (cd) sent by Mr. Spencer Miller transcribed; the transcript of the cd has been provided to this court by the S.C. Dept. of Administration – Division of State Human Resources.

Counsel for the S.C. Dept. of Administration – Division of State Human Resources submitted a May 29, 2018 signed affidavit by Mr. Spencer Miller to the S.C. Administrative Law Court. The signed affidavit alleges that the April 3, 2018 Grievance Hearing (Alicia Bolden v. the S.C. Dept. of Disabilities & Special Needs) began at 8:07 a.m. and ended at 10:28 a.m.

By evidence on page 186 of the Committee Exhibit No.1, the April 3, 2018 Grievance Hearing was scheduled for 9:00 a.m., not 8:00 a.m. The Appellant arrived at 8301 Parklane Road, Suite A220 in Columbia S.C. on April 3, 2018 at approximately 8:50 a.m. The Appellant (along with the five witnesses and Counsel for the S.C. Dept. of Disabilities & Special Needs) all sat down in the lobby waiting to be called for the Grievance Hearing. At approximately 9:30 a.m., we were all called by Mr. Spencer Miller and we all took an elevator up to the hearing room; the hearing opened (began) as soon as we were all in the hearing room. The recording time(s) listed in the affidavit are unreliable (erroneous); it is not a true and accurate representation of the time(s) the April 3, 2018 Grievance Hearing actually took place.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision was made using unreliable (erroneous) information that is both wrong and deceptive. Alleged testimonial evidence referenced in the finding of facts is just not true. This is an unfair, erroneous, and ambiguous standard. If a witness testifies to information being a fact (truth), then the witness should be able to support that fact with credible evidence. The grievance committee's interpretation of facts (what's true) is just not accurate; it is erroneous (unreliable).

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision (findings of facts) excludes relevant, credible, and reliable documentary evidence that the Appellant provided. The final decision (findings of facts) is factually inaccurate due to erroneous admission of deceitful, untrue, inaccurate, and incorrect information and the exclusion of relevant, credible, and reliable evidence.

Claudette Fields (the Service Director for the Coastal Regional Center) is the author of all the disciplinary actions administered against me (the Appellant). Most of the information in these actions is just not true and is intentionally misleading. It is important for the Administrative Law Court to know that this is not the first time that Claudette Fields has told lies on me (the Appellant) to cause my employment with the S.C. Dept. of Disabilities & Special Needs to come to an end (please see attached supporting documents dated April, 2012).

On April 25, 2012 I (the Appellant) received the attached termination letter from Claudette Fields (Service Director) and from Sandra Capers (Human Resources Director). The termination letter says, "Effective April 26, 2012, upon the recommendation of your Service Director your employment with Coastal Regional Center has ended. The reason for this termination is Improper Conduct and Violation of Written Rules (Equal Opportunity Employer). The S.C. Dept. of Disabilities & Special Needs Notice of Personnel Separation says, "Not recommended for re-employment; Violation of Fair Labor Standards Act. Claudette Fields told lies to bring about the end of my (the Appellant's) employment on April 26, 2012. The charges against the Appellant in the April 25, 2012 termination letter were all lies (erroneous).

Evidence and/or material of a person's habit or routine practice are admissible to prove the person acted in accordance with the habit (Federal Rules of Evidence IV. Relevance and It's Limits: Habit; Routine Practice – Rule 406; Federal Rules of Evidence IV. Relevance and It's Limits: Methods of Proving Character – Rule 405). "Character and habit are close akin. Character is a generalized description of one's disposition, or of one's disposition in respect to a general trait, such as honesty, temperance, or peacefulness. 'Habit,' in modern usage, both lay and psychological, is more specific. It describes one's regular response to a repeated specific situation. A habit is the person's regular practice of meeting a particular kind of situation with a specific type of conduct" (McCormick, §162, p. 340).

Claudette Fields is dishonest and corrupt. Claudette Fields past history proves she is unreliable. When officials in positions of power and authority can say (lie) and do anything; unlawful acts will occur. When corruption is ignored and/or is accepted; history will often repeat itself. The S.C. Dept. of Administration – Division of State Human Resources chose to disregard Claudette Fields prior bad acts. The State Employee's Grievance Committee's final decision findings of facts are not facts at all; it is a collection of lies and misleading statements by Claudette Fields used to bring the Appellant's employment to an end (for a second time).

Misleading, inaccurate, and erroneous information was used in all disciplinary actions against the Appellant. The State Employee Grievance Committee then used this erroneous information

to construct their final decision findings of facts. The Committee's final decision is factually inaccurate. The State Employee Grievance Committee did not require Claudette Fields to prove or offer any documentary evidence to back any of her claims (lies) regarding the Appellant's performance prior to (or after) February 23, 2017; yet all of this inaccurate, misleading, and erroneous information factored into their final decision. The State Employee Grievance Committee cut and pasted all of Claudette Fields lies into their final decision (findings of facts).

Additionally, the State Employee Grievance Committee's final decision (findings of facts) further confused what was already erroneous and misleading information in the record. Information in the final decision is erroneous, deceptive, and inaccurate from the original record. The State Employee Grievance Committee should have used the original erroneous information as it was provided and in the context it was provided; without further inaccuracies. The erroneous information in the State Employee Grievance Committee's final decision (findings of facts) represents all the erroneous and misleading information the Committee used to reach their final decision (findings of facts).

The State Employee Grievance Committee also used new, unproven, undocumented bits of erroneous information in their final decision (findings of facts) even when the information was not previously reflected in the record. The Appellant should not have to defend herself against all these new lies, unproven charges, and erroneous accusations; especially when they weren't the reasons given for the Appellant's termination. The pile on of added erroneous information, charges, and accusations throughout this entire process has been endless.

The State Employee Grievance Committee accepted all of the erroneous charges against the Appellant without regard for reliable and credible evidence. The Appellant disputes all of the new, erroneous, unproven charges in the State Employee Grievance Committee's Final Decision (findings of facts). The Appellant has already disputed the erroneous claims and unproven charges in the documented record via the Appellant Exhibit no.2 (State Employee Grounds for Appeal Form) with supporting documentary evidence.

Re: Informational Meetings (Final Decision p. 4 Section 10). Mrs. Fields never expressed any concerns or gave any reminders to the Appellant regarding attending the daily morning meetings (informational meetings). The final decision is the first time and the first place where this erroneous allegation/accusation is seen or made. Although daily morning meetings (informational meetings) were never mentioned in any of the administered disciplinary actions or in the discriminatory employment practice; the State Employee Grievance Committee regards it as information they used in their final decision from alleged testimony. These are the types of inaccurate and incomplete information the Committee used to reach their final decision.

The Appellant was a Direct Service Manager. Unlike other Administrative Personnel who only worked 8:30-5:00 such as Qualified Intellectual Disability Professionals, the Facility Administrator, Department Directors, Program Coordinators, etc.; Direct Service Managers work hours varied day to day and were very flexible. The Appellant was responsible for creating her own work schedule every month. Claudette Fields then approved the Appellant's work schedule. The Appellant's scheduling pattern was always consistent and aligned with the Appellant's approved scheduling privileges. Again, these privileges had been permitted for over two years.

Prior to February 23, 2017, the Appellant was not required to work the 6:00 – 2:30 shift. This was due to the Appellant's full time night job and the overlap in working hours. The Appellant's February 2017 schedule can be found on page 58 of the Committee Exhibit no. 1. As can be verified, the Appellant worked the 10:00-6:30 shift more so than the 8:30-5:00 shift. The

Appellant's March 2017 schedule can be found on page 59 of the Committee Exhibit no.1. This schedule reflects the same scheduling pattern. This pattern of scheduling is what made the Appellant unavailable in the early morning hours to attend the daily informational meetings. The Appellant could only attend the morning meetings when she was present at work in the early morning hours (8:30-5:00). The daily morning (informational) meetings were scheduled for 8:45 a.m. each day.

So for the entire month of February the Appellant only actually worked 8:30-5:00 a total of five (5) days. Some months would be more, but this was about the norm for the Appellant (with regards to the 8:30-5:00 shift) given the Appellant's scheduling privileges. So for the entire month of February the Appellant would have only been available to attend the daily morning informational meetings a total of five (5) times. The accusation against the Appellant with regards to the daily morning informational meetings is very misleading; intentionally misleading.

The S.C. Dept. of Disabilities & Special Needs misled the Committee and misrepresented a lot of information. They fed the Committee bits and pieces of information. Their goal was to convince the Committee that the Appellant was not adhering to her assigned work schedule, but that is just not true. Furthermore, attending (or not attending) the morning (informational) meeting(s) is a separate issue entirely. Not attending the morning meetings is not equivalent to failure to adhere to assigned work schedule (hours). Nonetheless, the State Employee Grievance Committee has founded their final decision (findings of facts) on inaccurate and incomplete bits of information that has been provided to them by the S.C. Dept. of Disabilities & Special Needs. The State Employee Grievance Committee accepted all of the S.C. Dept. of Disabilities & Special Needs erroneous information at face value. If it was said by S.C. Dept. of Disabilities & Special Needs; it was so (true) in the eyes of the Committee.

Re: Mrs. Hill's alleged testimony (Final Decision p. 3 Section 9). Much of the erroneous information pulled from Mrs. Hill's alleged testimony in the Committee's final decision (findings of facts) is opinionated fluff and exaggerations; it is almost laughable how a thirty second phone call was viewed this way. I (the Appellant) get the strategy behind the exaggerations and that takes away the funny because I know the truth, but the State Employee Grievance Committee has devoured all of Mrs. Hill's embellishments. How did Mrs. Hill know that the Appellant was not satisfied with her response? When did it become a crime to not be satisfied with someone's response? I imagine all of these things are crimes when retaliation is involved. Mrs. Hill's alleged testimony is erroneous and inaccurate. The erroneous, inaccurate, and incomplete information just kept on evolving, but has been used and relied upon in the State Employee Grievance Committee's final decision (findings of facts).

The State Employee Grievance Committees' understanding and interpretation of the erroneous information in the February 22, 2017 disciplinary action is erroneous (Final Decision p. 1 Section 2). Rebecca Hill never authored any disciplinary actions against the Appellant, Claudette Fields did. Rebecca Hill only echoes the lies Claudette Fields tells to give Mrs. Fields lies credence; it's strategic. They all knew Claudette Fields was telling lies, but two people telling the same lies do not equal the truth. Remember, this is the second time that Claudette Fields has wrongfully terminated the Appellant. Rebecca Hill (and others) tried to help her get it right this time around.

Claudette Fields placed a bulleted list of alleged (unproven) seven month old (undocumented) concerns into the February 22, 2017 disciplinary action titled "Conduct Unbecoming a State Employee" (Final Decision, p. 1 Section 2). This list of alleged (unproven) seven month old (undocumented) concerns is erroneous; nonetheless, the State Employee Grievance Committee relied on it and used this list of erroneous information in their final decision (findings

of fact). In the four (4) months after February 23, 2017, Claudette Fields created a book full of erroneous paper documentation against the Appellant; yet in the seven (7) months prior to February 23, 2017, Claudette Fields did not create a single piece of paper documenting any of her alleged concerns regarding the Appellant's work performance. The State Employee Grievance Committee just took Claudette Fields at her word; no proof or evidence required. The State Employee Grievance Committee just accepted Claudette Fields list of alleged (unproven) seven month old (undocumented) concerns and pasted it into their final decision. The bulleted list of alleged (unproven) seven month old (undocumented) concerns is a collection (list) of lies.

Claudette Fields just said these things about the Appellant and it was accepted and regarded as true, but it is not truth. It is a collection of lies, misleading (incomplete) statements, and erroneous information intended to paint a very inaccurate, deceptive, and false perception of the Appellant to sway suspecting and unsuspecting people's decisions. These collections of lies, misleading statements, and erroneous information were relied upon in the State Employee Grievance Committee's final decision (findings of facts).

Re: the February 23, 2017 discriminatory employment practice (Final Decision p. 2 Section 3). Employment policies, procedures, and practices are required by law to be equal. Federal legislation was enacted to protect workers from unfair and unequal work practices. The amount of unfairness, bias, prejudice, and partiality demonstrated towards the Appellant by the S.C. Dept. of Disabilities & Special Needs and by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee is substantial. The amount of unproven charges, lies, and erroneous information used against the Appellant by the S.C. Dept. of Disabilities & Special Needs and by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee is substantial. The degree of inequality, disparity, and discrimination displayed towards the Appellant by the S.C. Dept. of Disabilities & Special Needs and by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee is substantial.

The discriminatory employment practice was put in place to threaten and end the Appellant's employment; to retaliate against the Appellant. There is no evidence in the record to show that the Appellant has done anything wrong. The Appellant only asserted her legal rights to be treated fairly and equally in the workplace; to be free from employer discrimination, prejudice, retaliation, and harassment. The discriminatory employment practice was arbitrary and capricious; it was unfair and inconsistent. It was retaliatory. Employers should never arbitrarily and capriciously create rules, policies, and practices for one employee. Policies, practices, rules, and procedures that pertain to time keeping, overtime, leave practices, salary, and compensation (pay) should always be applied fairly and consistently among all employees.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision cites alleged testimony from Mrs. Hill, Mr. Dooney, and Mrs. Blake-Sayers writing, "testimony from Mrs. Hill, Mr. Dooney, and Mrs. Blake-Sayers substantiated that requiring an employee to sign in and out was used to correct tardiness when an employee was not abiding by assigned work hours" (Final Decision, p. 6).

The "substantiated" employment practice by Mrs. Hill, Mr. Dooney, and Mrs. Blake – Sayers is not an agency-wide established (known) written employment rule, policy, procedure, or practice. It is a discriminatory employment practice that was arbitrarily and capriciously created (made-up) by Mrs. Fields, Mrs. Hill, Mr. Dooney, and Mrs. Blake – Sayers to retaliate against the Appellant. The "substantiated" employment practice is discriminatory. It is discriminatory when it is not uniform, equal, fair, and consistent. It is discriminatory when it is selective and subjective.

It is discriminatory when it does not apply to all employees. Discrimination and retaliation come in many shapes and forms in the workplace, but it should never be allowed or tolerated. Employment rules, policies, procedures, and practices must always be uniform, equal, fair, and consistent. Employers should never have any unknown, made-up, secretive, arbitrary, random, capricious, selective, ambiguous, unfair, inconsistent employment rules, policies, procedures, or practices. When employment rules, policies, procedures, and practices are selective (discriminatory), arbitrary, and capricious; punishment and/or consequences for those rules are also selective (discriminatory), arbitrary, and capricious. Employees should never be treated differently in the workplace. Employment rules, policies, procedures, and practices must apply to all employees in the workplace.

The State Employee Grievance Committee wrote, "As for Appellant's argument that the directive given to her to sign in and out was discriminatory, the Committee finds that the Appellant offered no credible evidence or testimony to support her position" (Final Decision, p. 6). That's not true (see Appellant Exhibit No. 2 with all the supporting (credible) documentary evidence). The discriminatory employment practice was put in place on February 23, 2017; it was put in place specifically for the Appellant. No other Administrative Personnel was being required to sign in and out at the switchboard. In the almost ten (10) years the Appellant had been employed with the agency; the Appellant had never done this. The discriminatory employment practice was new news to the Appellant; the Appellant had no prior knowledge of such an unequal and unfair employment practice. Employment practices that are unfair, inconsistent, subjective, capricious, prejudicial, unequal, selective, and retaliatory are discriminatory; discriminatory is obvious and easily recognizable.

On February 24, 2017 the Appellant wrote, "Deirdre, this is retaliation. This is harassment. This is unfair and discriminatory employment practices. Deidre, I cannot adhere to this retaliatory and unfair employment practice which is being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the switchboard. This is harassment. This is retaliation" (Committee Exhibit No.1, p.75).

The February 23, 2017 discriminatory employment practice ended the Appellant's employment on February 23-24, 2017. The four months of erroneous progressive disciplinary documents that followed the February 23, 2017 discriminatory employment practice is a smoke screen and a cover-up. The Appellant's position (argument) regarding the discriminatory employment practice has been clear since February 23-24, 2017; the Appellant could not adhere to the discriminatory retaliatory employment practice, the Appellant would not be the only employee required to sign in and out at the switchboard.

The final decision (findings of facts) weighs heavily in favor to the erroneous, inaccurate, false, and misleading information in the progressive disciplinary documents that was put forth by Claudette Fields and the S.C. Dept. of Disabilities & Special Needs and disregards the grounds for which the Appellant filed the appeal entirely. The State Employee Grievance Committee did not address and/or examine the arguments, complaints, grievances, disputes, and evidence presented to them by the Appellant (employee) in the Grounds for Appeal Form; instead, they disregarded all of it. By evidence in sections 1, 2, 3, 4, 5, and 6 of the final decision (findings of facts); the final decision (findings of facts) is a cut and paste from all of Claudette Fields false, erroneous, inaccurate, and misleading information in the progressive disciplinary documents.

The Appellant disputes and has disputed all of the erroneous, inaccurate, false, and misleading information in the disciplinary documents that was put forth by Claudette Fields on or after February 23, 2017 (see Appellant Exhibit No. 2 with all the supporting documentary evidence). Nonetheless; the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee relied on all of the erroneous, inaccurate, false, and misleading information in the disciplinary documents that was put forth by Claudette Fields on or after February 23, 2017 in reaching and constructing their final decision (findings of facts).

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's use of erroneous, unreliable, inaccurate, false, fabricated, and incomplete information prejudices the Appellant's substantial rights; the Committee's final decision (findings of facts) is clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) abused their discretionary & executive powers when they provided assistance to the S.C. Dept. of Disabilities & Special Needs. They assisted when they altered and manipulated the audio recording of the Grievance Hearing and they assisted when they excluded credible and reliable evidence that I (the Appellant) presented at the Grievance Hearing. They ignored procedures when they allowed witnesses to remain in the hearing (from start to finish) which gave them (the (2) witnesses) advantages in structuring their own testimony. These two (2) witnesses' testimony(s) should be removed from the records. These witnesses should have been sequestered. These acts are wrong and unjust. It is a gross and serious misdeed; it is a dishonest and wrongful exercise of discretion. The final decision was unfair and unjust and was characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The State Employee Grievance Committee(s) findings of fact (final decision) include opinions formed by the Grievance Committee that attempts to counter and disprove claims I (the Appellant) made in the State Employee Grounds for Appeal Form. The Grievance Committee offers a counter rationale and a justification for why they (the Grievance Committee) believe the S.C. Dept. of Disabilities & Special Needs slow walked my dismissal (for four long months) writing, "the Committee notes that Appellant could have been terminated for a first offense of Conduct Unbecoming a State Employee, Insubordination, etc.; therefore, it appears to the Committee that the South Carolina Dept. of Disabilities & Special Needs was lenient in the application of its policy regarding Appellants corrective action for these particular offenses" (Final Decision, pg. 6). Committee notes that are made throughout the entire final decision are erroneous, unfair, prejudicial, and characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The State Employee Grievance Committee provides assistance to the S.C. Dept. of Disabilities & Special Needs by attempting to counter or disprove claims I (the Appellant) made in the State Employee Grounds for Appeal Form. They formed opinions and then drew conclusions from those opinions. The opinions formed by the Grievance Committee should not have been included as part of the Committee's final decision; especially when those opinions are attacking claims I (the Appellant) made in the Grounds for Appeal Form. This is prejudicial. Final

decisions should be objective and drawn from facts; not from opinions or by abusing one's discretion.

The Committee "note" referenced and quoted in the paragraphs above is also very inappropriate and very offensive. I (the Appellant) endured all of this. My employment was threatened for four (4) long months. I (the Appellant) was humiliated, harassed, and pressured. This was not leniency; this was torture. This was strategic and deliberate. It is the four months of progressive disciplinary actions that the Grievance Committee cites as its findings of facts. It is the four months of progressive disciplinary actions (torture) that produced these documents and created this paper trail. These actions were calculated and planned. This had nothing to do with leniency. I was terminated. The agency kept me employed for four additional months just so they could create these documents to cover-up, camouflage, and distort what they all knew was retaliation.

Prior to February 23, 2017, the Appellant's personnel file was exceptional and her performance reviews were consistently satisfactory. The State Employee Grievance Committee disregarded this fact. All of Claudette Fields disciplinary actions against the Appellant were administered on or after February 23, 2017. Claudette Fields did not document any concerns regarding the Appellant prior to February 23, 2017 because there were no concerns to document. It is all lies. Lies told to cover up and camouflage retaliation. The Appellant had to watch the corruption, injustice, and hypocrisy occur right before her very own eyes.

The employment practice that was put in place on 2/23/17 is discriminatory and retaliatory. The disciplinary actions that were administered for not adhering to the discriminatory employment practice are discriminatory and retaliatory. The Appellant's termination is arbitrary, capricious, erroneous, dishonest, discriminatory, retaliatory, and illegal. The S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) chose to disregard the facts as well as the laws (equal employment laws, whistleblower laws, fair labor laws, etc.).

The disciplinary actions that were administered for not adhering to the discriminatory employment practice were (is) unfair and inconsistent. It was humiliation, it was intentional, and it was intimidation. It was harassment, it was retaliation, and it was discrimination. It was unlawful, it was improper, and it was wrongful termination (for the second time).

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's support for the discriminatory employment practice is evident in their final decision. By evidence seen throughout the final decision (specifically final decision p.6 paragraphs 3, 4, 5, and 6); the S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) supports employment rules, policies, procedures, and practices that are unfair, inconsistent, discriminatory, subjective, and retaliatory towards employees. "Specifically, on February 23, 2017, Appellant was given a directive to sign in and out at the switchboard which the Committee finds was a reasonable request" (Final Decision, p.6). Employees should never be required, directed, or requested to follow rules, instructions, or orders that are discriminatory and would result in discrimination. If it applies to one employee; it should apply to all employees.

The evident bias, partiality, and support shown by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee for the discriminatory employment practice and for the Appellant's termination undermine their credibility, objectivity, and ability to be fair. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's biases, prejudices, and misconduct has been

demonstrated throughout the entire State Employee Grievance process; from the inequitable Grievance Hearing, to the fabricated audio recordings, to the erroneous final decision (findings of facts).

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is arbitrary and capricious; it is characterized by abuse of discretion or clearly unwarranted exercise of discretion. The State Employee Grievance Committee did not rely on reliable and credible evidence to reach their final decision; they relied on abuse of discretion (discretionary powers).

The S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant is subjective, arbitrary, erroneous, discriminatory, retaliatory, and unjust. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee adopted, embraced, supported, and defended the S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant. There is no evidence in the record that proves or shows the Appellant has done anything wrong. The Appellant merely asserted her legal rights to be treated fairly and equally in the workplace. The Appellant could not follow rules or practices that were discriminatory. The Appellant could not and would not accept different treatment between herself and other employees. All employees have the right to be treated fairly and equally in the workplace and to be protected from retaliation, harassment, and discrimination.

Additionally, the Appellant is entitled to have her grievance heard by impartial, unbiased, objective individual(s). The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is not impartial, unbiased, objective, or credible. The Appellant was also required to move forward with her brief (appeal) to the S.C. Administrative Law Court without an accurate, authentic, and complete audio record (transcript) of the April 3, 2018 Grievance Hearing. This is significantly prejudicial to the Appellant's appeal. The transcript that was submitted is inaccurate. The S.C. Dept. of Administration – Division of State Human Resources court reporting (audio recording) practices of Grievance Hearings are unethical and/or abusive and is in need of reform. Testimony given by the Appellant has been manipulated, altered, changed, moved around, and even omitted. The transcript is not a true and accurate representation of the Appellant's testimony given under oath at the April 3, 2018 Grievance Hearing.

Evidence presented to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee by the Appellant was not even considered. The Committee Attorney abused his discretion and excluded relevant evidence presented by the Appellant to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee. The Committee Attorney's conduct throughout the Grievance Hearing was unfair, biased, and prejudicial. Like the S.C. Dept. of Disabilities & Special Needs, the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee was not interested in the truth (facts); they were not interested in being fair either. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's biases regarding the discriminatory employment practice influenced both their final decision and their unethical conduct. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee supports unfair, inconsistent, subjective, selective, retaliatory, and discriminatory employment practices in the workplace.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee abused their discretion (discretionary powers) to treat the Appellant

unfairly. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is abusive, subjective, unethical, arbitrary, biased, partial, capricious, erroneous, unfair, and prejudicial for all the reasons stated in the Appellant's brief.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's biases, misconduct, and abuse of discretionary powers prejudices the Appellant's substantial rights to fair treatment, a fair process, and fair outcomes. The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision should be rejected for being prejudiced. The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices the Appellant's substantial rights and is arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision upheld, maintained, assisted, and defended the S.C. Dept. of Disabilities & Special Needs (Coastal Regional Center's) decision to terminate the Appellant's employment; therefore the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. The State Employee Grounds for Appeal Form is applicable to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision and it is applicable to the S.C. Dept. of Disabilities & Special Needs decision to terminate the Appellant's employment.

The State Employee Grounds for Appeal Form is as follows:

Please identify which ground(s) listed below from § 8-17-340(E) of the S.C. Code of Laws you contend would require the Committee to change the agency's decision. In addition, state why these grounds are relevant to your appeal.

The agency's decision to terminate my employment is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and is (f) arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is (a) in violation of constitutional or statutory provisions.

The agency's decision to terminate my employment is in violation of constitutional or statutory provisions. (Please see supporting documents – Group A)

The agency's decision to terminate my employment is (c) made upon unlawful procedure.

The agency's decision to terminate my employment on 6/19/2017 was made upon unlawful procedure. On 2/23/17, the S.C. Department of Disabilities and Special Needs – Coastal Regional Center put in place a new, unlawful, prejudicial, unfair, and discriminatory employment practice against me that subjected me to unlawful, unfair, prejudicial disciplinary actions that ended my employment. Any and all terms and conditions of employment should be universal in

the workplace. Employers should follow established policies and procedures that meet the requirements of being uniform, fair, and consistent and should not make up unlawful practices or procedures to carry out their own corrupt agendas.

The agency's decision to terminate my employment is (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The agency's decision to terminate my employment is clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

Claudette Field's charge (disciplinary action) against me for Conduct Unbecoming a State Employee is completely erroneous. This disciplinary action was only the starting point for her ending goal; which was to terminate my employment. This disciplinary action was then followed by an erroneous, improper, unfair, and inconsistent employment practice that was put in place on 2/23/17 specifically for me. Mrs. Fields actions were malicious, improper, corrupt, dishonest, unethical, and just plain wrong. This is the second time that Claudette Fields has just made stuff up and pulled things out of thin air to wrongfully, improperly, and unlawfully terminate my employment.

The disciplinary action titled, "Conduct Unbecoming a State Employee" was administered maliciously and with one end goal in mind. It was just the beginning of Claudette Fields retaliation efforts to bring about the end of my employment. In this disciplinary action I was called irrational and disruptive, but I am not (nor was I) irrational or disruptive and these inflammatory remarks are very inappropriate and very untrue.

The internal transfer process is pretty cut and dry. The staff (Latichia Gadson) wanted to voluntarily transfer from 1st shift in 110 to 2nd shift in 110. On 2/15/17, I informed Mrs. Fields of the staff members transfer request. Mrs. Fields then expressed (via a phone conversation) her desire to re-assign the staff member to unit 320 instead. Mrs. Fields response to the staff members transfer request was contradictory and inconsistent to the established internal transfer policy. It was also inconsistent with how Mrs. Fields have handled past staff members internal transfer request. Her response to this transfer request was more in line with an involuntary re-assignment because the staff member did not want to transfer to 320; she wanted to remain in the unit she was already working in. Unit 110 currently had four 2nd shift vacancies. Two days later (on 2/17/17), the staff member changed her mind and withdrew her transfer request.

This was not the first time that I've had communications with Mrs. Fields regarding a staff member wanting to transfer from one shift to another. Mrs. Gadson's transfer request was in no way different from transfer requests made to Claudette Fields in the past; the only difference was Mrs. Fields response to it (Please see supporting documents – Group E). Transfer requests are required to be done fairly and in a consistent manner. Everyone is knowledgeable regarding the established policies and procedures regarding the internal transfer request process. The disciplinary action titled, "Conduct Unbecoming a State Employee" was certainly unwarranted and the language Mrs. Fields used in it to describe me is very opinionated and very untrue.

Claudette Fields knew on 2/23/17 that she would end my employment, but she knew she had to camouflage her retaliatory efforts so they weren't so blatantly evident. Conduct unbecoming a state employee carries a punishment of suspension to dismissal for the first offense. This charge against me is erroneous and Claudette Fields knew it was erroneous. It is all to evident that Claudette Fields didn't even believe and/or couldn't even convince herself of her own hype regarding the charges in this disciplinary action. Why issue a written warning (lenient

punishment) for such an egregious charge. Claudette Fields knew this charge was completely erroneous and she also knew that she took away my right to formally grieve this charge when she issued a mere written warning. This was so malicious!

The charge listed on the termination letter for an accumulation of three offenses is completely erroneous. Please do not be confused or misled by all the varying language that's used in the disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning). These three disciplinary actions (despite its title or contents) were all administered for not adhering to the new, arbitrary, improper, discriminatory, prejudicial, and retaliatory employment practice that was put in place on 2/23/17. This was not an accumulation of offenses. The agency opted to slow walk me out the door by using their progressive disciplinary action guidelines. They did this so they would be able to count one (single) arbitrary, retaliatory, unfair, and discriminatory charge as three (3) offenses.

There is absolutely nothing fair or consistent about what this agency has done to me. Consistency and fairness is essential when developing workplace policies and practices. It is illegal to single out one employee for disciplinary actions and/or consequences for rules, policies, and practices that are not applicable to all employees. On 2/23/17, I informed Mr. John Dooney that I could not adhere to the new practice because it was discriminatory and prejudicial against me. On 2/24/17, I informed Mrs. Deirdre Blake – Sayers that I could not adhere to the new practice because it was discriminatory and prejudicial against me.

The charge listed on the termination letter is for an Accumulation of Three Offenses within Two (2) Years where the First Offense calls for a Written Reprimand. This is the charge that Claudette Fields worked so hard to achieve. She tortured me for four long months by using the agency's progressive disciplinary action guidelines to achieve this. In a matter of four months (not 2 years); Claudette Fields was confident she had an accumulation of three offenses, but this conclusion is wrong (erroneous). The charge then says - where the first offense calls for a written reprimand. According to the agency's guidelines for employee progressive disciplinary action; Improper Conduct or Conduct Unbecoming a State Employee actually calls for Suspension to Dismissal for the first offense, not a written warning (reprimand).

Claudette Fields actions to terminate my employment with the agency were deliberate, strategic, calculated, malicious, unfair, inconsistent, erroneous, abusive, prejudicial, retaliatory, and so much more. The one question this begs me to ask is why (what motive(s)) did three other top agency officials (John Dooney, Rebecca Hill, and Deirdre Blake-Sayers) all have individually or collectively to go along with and support Claudette Fields in her efforts to terminate my employment. I believe I know the answer to this question, but it only causes me to have more questions and more concerns regarding their ethics in these matters.

The agency's decision to terminate my employment is (f) arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. On February 23, 2017, I was expected to submit to an improper, unfair, arbitrary, capricious, discriminatory, prejudicial, and retaliatory employment practice or I would surely suffer the consequences (termination) for asserting my legal rights to be treated fairly and equally in the workplace. I was expected to be humiliated, to be harassed, to be made a mockery of, to be treated differently, to be abused, to be violated, to be broken down, to be scrutinized, and to be treated unfairly and unequally or to be terminated. I was terminated.

Employment practices that pertain to compensation, pay, salary, leave practices, time keeping, and transfers (just to name a few) must me practiced equally among all employees (especially employees of the same job classification or the same job position). Equal employment practices are required by law to be equal. All employees must be informed of these practices and these practices must be made available to all employees in some written form (handbooks, directives, etc....) Policies, procedures, and employment practices that establish rules, regulations, and guidelines for employees must be uniform and applicable to all employees.

The disciplinary action dated April 6, 2017 states, "it is difficult for your supervisor to determine the correct time you are reporting to work". The truth is that it is difficult for everyone's supervisor to determine the correct time they are reporting to work. This applies to all Administrative Personnel. If the goal was to address this universal concern; then a uniform, fair, and consistent employment practice would have been implemented. An agency with hundreds of employees cannot honestly believe that holding one employee (among a classification or group of employees) to a different set of standards regarding a time keeping practice is a fair and consistent act.

One person signing in and out means only one person is being held accountable. One person signing in and out means only one person is being humiliated and laughed at. One person signing in and out means only one person is being pressured to report to work on time each and every day while having to simultaneously watch others around them stroll in to work whenever they feel like it. One person signing in and out means only one person is subjected to punitive disciplinary actions for every second or minute they are late while others go unpunished for committing the same infraction/offense. What kind of workplace environment is this; a very hostile and intimidating workplace environment. Why would this be allowed?

The disciplinary action dated April 6, 2017 states that this agency is grounded on fair and consistent measures when administering disciplinary actions, but this statement cannot be true. The discriminatory employment practice was put in place specifically for me. I was the only one being required to adhere to it. In the almost ten years that I have worked for DDSN, I have never done this. To put this new, extremely questionable, and very contentious practice in place for one person arbitrarily, subjectively, and selectively violates every aspect of what it means to be equal, fair, and consistent.

On February 2, 2015, I contacted Claudette Fields to discuss my work schedule and my desire to take on a full time night job. I knew that this night job would interfere with my day time job and I knew that I could not take on this kind of obligation without Mrs. Fields approval because I would absolutely need to have more flexibility with my scheduling. I have included the initial email that started conversations between me and Mrs. Fields regarding all of this. (Please see supporting documents – Group F) These conversations ultimately resulted in me accepting the full time night job because Claudette Fields extended privileges to me regarding my scheduling that enabled me to take this on.

The disciplinary action dated March 10, 2017 makes mention of these privileges very vaguely wherein Mrs. Fields is withdrawing the privileges writing "there is no additional grace period" and that "my scheduled working hours would be amended to include the 6:00-2:30 shift". Prior to February 23, 2017 there was an additional grace period and I was not required to work the 6:00-2:30 shift.

February 23, 2017 was the very first time that Claudette Fields ever expressed concerns and/or desires to pull back these privileges; however, she did it in a very dishonest and malicious way. She painted a picture that was very inaccurate and she did so to accomplish a goal she probably would not have been able to achieve otherwise (i.e. the discriminatory employment practice). She intentionally backed me into a corner knowing full well it would be her word against mine and that people would be more inclined to believe her. These privileges had been permitted for over two years and Claudette Fields (in her retaliation efforts) went to great heights to not only bring them to an end, but to bring my employment to an end also.

Claudette Fields is dishonest, corrupt, and malicious. This was not about tardiness; this was about retaliation. Tardiness is probably the most common violation that occurs in all workplaces; but policies, practices, and procedures to address it must always be equal, fair, and consistent.

Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake - Sayers all supported the discriminatory employment practice that was put in place on 2/23/17. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all knew on 2/23/17 or 2/24/17 that I could not adhere to the discriminatory employment practice. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all tortured me with the threat of termination for four months (2/23/17 through 6/19/17) just so they could (1) apply maximum pressure to force me to quit my job, (2) create a paper trail, (3) say they did progressive disciplinary actions, (4) charge me with an accumulation of offenses, and (5) camouflage their retaliation plan. Their actions were surely arbitrary and capricious as well as discriminatory, prejudicial, and viciously cruel. February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable.

(E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:

(1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in Section 43-35-10 or 63-7-20, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:

(a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;

(b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or

(c) The agency's action was arbitrary and capricious.

(2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:

(a) in violation of constitutional or statutory provisions;

(b) in excess of the statutory authority of the agency;

(c) made upon unlawful procedure;

(d) affected by other error of law;

(e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

Please return this form to: Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Also, please send a completed copy of this document to the agency.

Conclusion

The misconduct and partiality exhibited by the S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) invalidates their final decision and prejudices my (the Appellant's) substantial rights. I am appealing the final decision of the S.C. Dept. of Administration – Division of State Human Resources Grievance Committee and I contend that their decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

I (the Appellant) am asking the S.C. Administrative Law Court to reject the final decision issued by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee for all the reasons (grounds) outlined (argued) in the Appellant's Brief.

I (the Appellant) am asking the S.C. Administrative Law Court to review the entire employee grievance record (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center) - including the excluded Appellant evidence/documents and the authentic grievance hearing recording/transcript - concerning the Appellant's appeal and to issue a final decision regarding the appeal.

As previously stated in the record (Committee Exhibit No.1, pg. 3), the Appellant is asking to be reinstated to her same position with the S.C. Dept. of Disabilities & Special Needs (Coastal Regional Center) as a Direct Service Manager in Highlands 110.

The State of South Carolina
In the Administrative Law Court

Alicia Bolden, Appellant, Vs. S.C. Dept. of Disabilities & Special Needs Respondent	)	**Proof of Service** Docket No. 18-ALJ-30-0182-AP

I hereby certify that I have served the **Appellant's Brief** (Description of the Document) in the above-captioned matter by depositing it in the United State Mail, postage prepaid, on **October 31, 2018** (Month/Day/Year) to the below named parties at their address of record:

Molly R. Crum
S.C. Dept. of Administration
Asst. General Counsel
1200 Senate Street, Suite 460
Columbia, SC 29201

Tana Vanderbilt, Esq.
S.C. Dept. of Disabilities & Special Needs
Counsel for Respondent
P.O. Box 4706
Columbia, SC 29240

This is the thirty-first day of October 2018.

Alicia Bolden (Pro Se Appellant)
1115 Carnegie Avenue
Charleston, South Carolina 29407
Alicia_Bolden@bellsouth.net
(843) 709 – 5313

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

DENIED
S. Phillip Lenski
SC Administrative Law Judge
August 21, 20
Date

Alicia Bolden,
Appellant,

vs.

S.C. Dept. of Disabilities & Special Needs
Respondent

Motion to Compel The Production Of The Original Audio Recordings

Docket No. 18-ALJ-30-0182-AP

To: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the South Carolina Appellate Court Rule 1002 of Article X., Appellant respectfully moves the court for an order compelling the S.C. Dept. of Administration – Division of State Human Resources to produce the original audio files/tapes/recordings of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) and permit the inspection and copying by or on behalf of the Appellant of the original audio files/tapes/recordings of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs), and in support thereof says the following:

1. To prove the content of a writing, recording, or photograph; the original writing, recording, or photograph is required (South Carolina Appellate Court Rule 1002). This is the best evidence rule.

2. On April 4, 2018, Appellant requested the audio recordings and written transcripts of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) from Mr. Spencer Miller (employee) of the S.C. Dept. of Administration – Division of State Human Resources (via electronic mail). Mr. Spencer Miller is **not** a licensed Court Reporter; however he was the individual assigned to record the April 3, 2018 Grievance Hearing.

3. On April 4, 2018, Mr. Spencer Miller replied to Appellants request (via electronic mail) writing, "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow".

4. On April 9, 2018, Appellant received the CD sent by Mr. Spencer Miller; however the audio recording had been altered and changed. Testimony that was given during the hearing had been edited or omitted. The audio recording included additional testimony that was not given during the grievance hearing the Appellant attended.

5. On April 9, 2018, Appellant submitted a complaint of her findings concerning the CD of the audio recording to the S.C. Office of Inspector General.

6. On April 9, 2018, Appellant submitted a complaint of her findings concerning the CD of the audio recording to the S.C. Dept. of Administration Division of State Human Resources Office.

FILED
AUG 15 2018
SC ADMIN. LAW COURT

Human Resources Director (Kim Aydlette) (via electronic mail). With this complaint, Appellant requested a true authentic copy of the April 3, 2018 Grievance Hearing. Appellant requested an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish.

7. On April 11, 2018, Appellant submitted a complaint of her findings concerning the CD of the audio recording to the S.C. Dept. of Administration – Division of State Human Resources - Assistant Division Director (Kevin Paul) (via electronic mail). With this complaint, Appellant asked Mr. Paul to send the requested information; a true authentic copy of the audio recording of the April 3, 2018 Grievance Hearing.

8. On April 11, 2018, (in an email correspondence) Appellant requested an authentic copy of the audio recording of the April 3, 2018 Grievance Hearing from Mr. Terry M. Baggott (S.C. Dept. of Administration – Division of State Human Resources Assistant Director).

9. On April 13, 2018 (in an email correspondence) Appellant requested an authentic copy of the audio recording of the April 3, 2018 Grievance Hearing from Mr. Terry M. Baggott (S.C. Dept. of Administration – Division of State Human Resources Assistant Director).

10. To date a true, accurate, authentic copy of the audio recording of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) has not been provided to the Appellant by the S.C. Dept. of Administration – Division of State Human Resources despite Appellant's numerous request.

11. The Appellant is entitled to receive a true, accurate, authentic copy of the audio recording of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) from the S.C. Dept. of Administration – Division of State Human Resources.

12. The admission and acceptance of a fabricated, inaccurate, false audio recording and its transcript into the Record on Appeal violates the best evidence rule. The risk of inaccuracy is substantial to the Appellant's appeal to this court.

13. Production is to be by production of the original audio recordings/files/tapes of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) on the original recording device (laptop) for inspection and copying at the S.C. Dept. of Administration – Division of State Human Resources at: 8301 Parklane Road A220 Columbia, South Carolina 29223. Date and time of production to be set.

Wherefore, the Appellant respectfully requests the court to issue an order to compel the S.C. Dept. of Administration – Division of State Human Resources to produce the original audio files/tapes/recordings of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs) and permit the inspection and copying by or on behalf of the Appellant of the original audio files/tapes/recordings of the April 3, 2018 Grievance Hearing (Alicia Bolden vs. S.C. Dept. of Disabilities & Special Needs).

This is the fifteenth day of August 2018.

Alicia Bolden (Pro Se Appellant)
1115 Carnegie Avenue
Charleston, South Carolina 29407
(843) 709 – 5313

CERTIFICATE OF SERVICE

I [illegible] do hereby certify that I have this date [illegible] the above entitled action upon the [illegible] by depositing a copy thereof [illegible] postage paid in the [illegible] addressed to [illegible] (their attorney(s)).

21st August 2018

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant/Petitioner, vs. S.C Dept. of Disabilities & Special Needs Respondent.	Docket No. 18 -ALJ- 30 - 0182 - AP
	PROOF OF SERVICE

I hereby certify that I have served the Motion to Compel The Production Of The Original Audio Recordings (Description of the document) in the above-captioned matter by depositing it in the United State Mail, postage prepaid, on August 15, 2018 (Month/Day/Year) to the below named parties at their address of record:

Molly R. Crum - S.C. Dept. of Administration - Asst. General Counsel
Name
1200 Senate Street, Suite 460
Address
Columbia, SC 29201
City/State/Zip

Name
Address
City/State/Zip

Tana Vanderbilt, Esq. - S.C. Dept. of Disabilities & Special Needs-
Name
P.O.Box 4706
Address
Columbia, SC 29240
City/State/Zip

Name Counsel for Respondent
Address
City/State/Zip

Alicia Bolden
(Print Your Name)

(Your Signature)

1115 Carnegie Avenue
(Street)

Charleston, SC 29407
(City, State, Zip Code)

Subject: RE: Request for Audio Records & Written Transcripts

From: Miller, Spencer (Spencer.Miller@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Wednesday, April 4, 2018 4:39 PM

Good Afternoon Ms. Bolden,

COPY

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordings in the mail to you tomorrow.

Thanks,

Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

SC.GOV The Official Web Site of the State of South Carolina

COPY

SOUTH CAROLINA
Office of Inspector General

Complaint Submitted

Your complaint has been sent. A summary of your complaint is displayed below. Please print this page and/or note the confirmation number for future reference with the SC Office of Inspector General.

Complaint Confirmation Number: 00550

Date complaint was submitted: 04/09/2018 06:21:16 PM

Complaint Summary

Agency Information

Category: Executive Branch of S.C. (incl. public colleges)

Agency: Human Resources, Division of State (Department of Administration)

Confidentiality

Requesting Confidentiality? No

If yes, why:

Your Personal Data

Name: Alicia Bolden

Address: 1115 Carnegie Avenue
Charleston SC 29407

Email Address: Alicia_Bolden@bellsouth.net

Home Phone:

Cell Phone: 843-709-5313

Your Work Data

56

Place of Employment:

Position:

Email Address:

Work Phone:

Agency Individuals Involved

Brief Description: Misconduct & Wrongdoing

Individual 1 Spencer Miller

Witness 1

Name:

Other Involved Entities

What recourse have you taken with the agency?

What action was taken?

What is the status on the matter?

Has there been, or is there any litigation pending concerning this complaint? No

If so, what is the current status?

Complaint Specifics

Personal or Direct Knowledge? Personal or direct knowledge

Other Knowledge?

Are there any relevant documents that support your allegation(s)? Yes

Complaint Description

57

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied via email: "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today April 9, 2018, but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited and omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018 and Mr. Spencer Miller's misconduct and wrongdoing in these matters should be addressed. Spencer Miller works for the Dept. of Administration Division of State Human Resources.

Copyright © 2018 State of South Carolina

58

Subject: Complaint Confirmation - Confirmation Number 00550

From: OIGNoReply@messaging.sc.gov (OIGNoReply@messaging.sc.gov)

To: Alicia_Bolden@bellsouth.net;

Date: Monday, April 9, 2018 6:21 PM

I am writing in response to the complaint filed with the SC Office of the Inspector General regarding your concerns. Please be assured the information you sent is being reviewed for possible action.

Thank you for registering your complaint with the SC Office of the Inspector General.

Subject: Misconduct and wrongdoing within the Department of Administration

From: alicia bolden (alicia_bolden@bellsouth.net)

To: kim.aydlette@admin.sc.gov;

Date: Monday, April 9, 2018 9:38 PM

April 9, 2018

To Kim Aydlette (State Human Resources Director),
Department of Administration - Division of State Human Resources

COPY

Re: Misconduct and wrongdoing within the Department of Administration

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email): "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today (April 9, 2018), but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited or omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018.

The audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered. This discovery is very troubling.

Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

Subject: Misconduct and wrongdoing within the Department of Administration

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Kevin.Paul@admin.sc.gov;

Date: Wednesday, April 11, 2018 2:36 PM

April 11, 2018

To Kevin Paul (Assistant Division Director),
Department of Administration - Division of State Human Resources

COPY

Re: Misconduct and wrongdoing within the Department of Administration

Mr. Paul, I sent this information (below) to Kim Aydlette on April 9, 2018 and I have not heard back from her. Will you please look into this and send the requested information. Thanks, Alicia Bolden

On Monday, April 9, 2018 9:38 PM, alicia bolden <alicia_bolden@bellsouth.net> wrote:

April 9, 2018

To Kim Aydlette (State Human Resources Director),
Department of Administration - Division of State Human Resources

Re: Misconduct and wrongdoing within the Department of Administration

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email): "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today (April 9, 2018), but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited or omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018.

The audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered. This discovery is very troubling.

Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

Subject: Recordings of April 3rd Committee Hearing

From : Baggott, Terry (Terry.Baggott@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Wednesday, April 11, 2018 4:42 PM

COPY

Ms. Bolden,

Please see the attached letter.

Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*

Assistant Director, Division of State Human Resources

The South Carolina

Department *of* Administration

8301 Parklane Road, Suite A220, Columbia, SC 29223

(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Attachments

- Ltr. to Alicia Bolden.docx (2.31MB)

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

April 10, 2018

COPY

Via Electronic Mail Only

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

This office has received your email dated April 9, 2018, regarding the compact disc (CD) sent to you containing the recordings of your April 3, 2018 hearing before the State Employee Grievance Committee. In your email, you state in part that, "[t]he audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered...Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018."

So that this office has a clearer understanding of your allegations, please provide to this office a response citing specifically what testimony was added and what testimony is missing or edited from the recordings on the CD.

Sincerely,

Terry M. Baggott
Assistant Director

Subject: Re: Recordings of April 3rd Committee Hearing

From : alicia bolden (alicia_bolden@bellsouth.net)

To: Terry.Baggott@admin.sc.gov;

Date: Wednesday, April 11, 2018 5:35 PM

Mr. Baggott,

COPY

Thanks for acknowledging my concerns.

The audio recording that was sent to me on April 9, 2018 has been altered in too many ways for me to explain. I honestly don't even know where to begin or how best to describe what has been done. Audio manipulation is very easy to do, but it is also very easy to detect. I will need to have a forensic scientist (audio expert) to analyze the audio recording and issue a report of findings.

For now I am simply asking to receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. This recording was done by Mr. Spencer Miller on April 3, 2018. This hearing was scheduled for 9:00 a.m. and started approximately 9:30 a.m. and lasted for about three hours. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

On Wednesday, April 11, 2018 4:42 PM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
Please see the attached letter.
Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Subject: Re: Recordings of April 3rd Committee Hearing

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Terry.Baggott@admin.sc.gov;

Date: Friday, April 13, 2018 8:14 AM

COPY

Mr. Baggott,

I am not permitted to return the audio recording sent to me by Mr. Spencer Miller on April 9, 2018 and I cannot comment beyond just saying that. I am permitted and required to request and receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. I need to receive an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true genuine form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313

On Thursday, April 12, 2018 9:16 AM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
I am happy to send you another CD containing the recordings of your hearing before the Grievance Committee on April 3, 2018. I would ask, however, that you first return the CD you currently have so there is no confusion in the future.
I can assure you that there have been no deletions, alterations, additions, etc. made by anyone at the Division of State Human Resources of the recordings of your hearing. I will personally send you an "authentic" copy of your hearing of April 3, 2018, once I receive the CD you currently have in your possession. You may send the CD to my attention at the address below.
Thank you,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 11, 2018 5:35 PM
To: Baggott, Terry <Terry.Baggott@admin.sc.gov>
Subject: Re: Recordings of April 3rd Committee Hearing

Mr. Baggott,

Thanks for acknowledging my concerns.

The audio recording that was sent to me on April 9, 2018 has been altered in too many ways for me to explain. I honestly don't even know where to begin or how best to describe what has been done. Audio manipulation is very easy to do, but it

is also very easy to detect. I will need to have a forensic scientist (audio expert) to analyze the audio recording and issue a report of findings.

For now I am simply asking to receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. This recording was done by Mr. Spencer Miller on April 3, 2018. This hearing was scheduled for 9:00 a.m. and started approximately 9:30 a.m. and lasted for about three hours. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

On Wednesday, April 11, 2018 4:42 PM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
Please see the attached letter.
Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, v. South Carolina Department of Disabilities and Special Needs, Respondent.	)	Docket No. 18-ALJ-30-0182-AP **ORDER DENYING APPELLANT'S MOTION TO COMPEL TRANSCRIPT ORDER AND ORDER TO SERVE TRANSCRIPT**

On July 13, 2018, the South Carolina Department of Administration (DOA) filed a Motion for Enlargement of Time with the Administrative Law Court (ALC or court) requesting a thirty (30) day extension of time to file the Record on Appeal (ROA) in this matter.[1] In its motion, the Respondent asserts that the transcript of testimony from the hearing – which is necessary for completion of the ROA – has not been provided to the Respondent by Alicia Bolden (Appellant), as required by Administrative Law Court Rule (ALC Rule) 35. The court granted the Respondent a thirty (30) day extension until August 15, 2018 to file the ROA. On July 19, 2018 the Appellant filed a Motion to Compel Transcript Order requesting the court for an Order compelling DOA to accept and prepare a transcript of the Appellant's hearing.

Pursuant to SCALC Rule 36(A), the ROA is due within forty-five (45) days of the date of the Notice of Assignment. The amended date of assignment in this case was May 30, 2018.

[1] The court is unclear about the DOA's relationship to this case. The matter was originally captioned *Alicia Bolden, Appellant v. South Carolina Department of Administration, Division of State Human Resources and South Carolina Department of Disabilities and Special Needs*. On May 25, 2018, the court received correspondence from Tana Vanderbilt, Esquire, informing the court that she was the attorney of record for the Department of Disabilities and Special Needs (DDSN) and requesting all correspondence be sent to her. On May 29, 2018, the court received correspondence "in lieu of a formal motion" from Molly R. Crum, Esquire, Associate General Counsel for the Department of Administration. She asserted that the Department of Administration was not a proper party to the action as the Appellant was an employee of DDSN, and that South Carolina Code of Laws Section 8-17-340(F) and S.C. Code Regs. 19-718.09(H) established that. The court then issued an Amended Notice of Assignment on May 30, 2018, re-captioning the matter *Alicia Bolden, Appellant v. South Carolina Department of Disabilities and Special Needs*. Despite this, all correspondence to the court, as well as two motions filed by the Respondent, have been filed by counsel for DOA, Ms. Crum, in her capacity as DOA's Associate General Counsel. As of this date, DOA has not sought to intervene in this case. [S.C. Code Ann. §8-17-340(F)]. While none of this affects this Order, it is imperative that DOA clarify its relationship to this case if it intends to continue participating in the proceedings.

FILED
AUG 14 2018
ADMIN. LAW COURT

Therefore, pursuant to SCALC Rule 36(A), the ROA was originally due on or before July 16, 2018.[2] ALC Rule 36(B)(6) provides that the ROA shall include the transcript of the testimony taken during the proceeding, which, pursuant to ALC Rule 35, must be provided to the agency charged with preparing the ROA by the party filling the Notice of Appeal. In this case, the Appellant filed the Notice of Appeal on May 21, 2018, and is therefore responsible for providing the transcript to DOA. Therefore, the court denies the Appellant's Motion to Compel Transcript Order seeking to have the Respondent prepare the transcript of the Appellant's hearing.

The court recognizes that the Appellant is *pro se*, but this does not absolve her of the requirement to comply with the applicable rules of procedure. The court finds that the Appellant has notice of her responsibility to provide Respondent with a transcript of her State Grievance Appeal hearing and has had ample time to do so. Therefore, to avoid further prolonging this matter, within five (5) days of this Order, the Respondent shall provide the Appellant with another copy of the audio recording of her April 3, 2018 hearing, at no cost to the Appellant. The Appellant then has thirty (30) days from the date of receipt of the audio recording to comply with ALC Rule 35 and provide the Respondent with a transcript of the hearing. Failure to provide the Respondent with a transcript of the hearing within that timeframe will constitute grounds to dismiss the appeal. *See Georganne Apparel, Inc. v. Todd*, 303 S.C. 87, 92, 399 S.E.2d 16, 19 (Ct. App. 1990) ("There is a limit beyond which the court should not allow a litigant to consume the time of the court . . . ."). Failure to do so may result in the court entering an order dismissing her case pursuant to ALC Rule 38. Upon receipt of the transcript, the Respondent shall have 30 days to prepare and submit the Record on Appeal.[3]

THEREFORE, the Appellant's Motion to Compel Transcript Order is hereby **DENIED.**

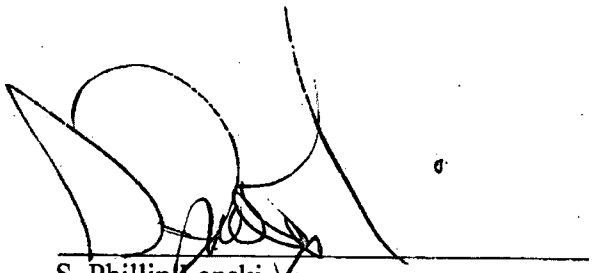
IT IS FURTHER ORDERED that the Respondent provide the Appellant with an audio recording of the hearing no later than five (5) days from the issuance of this Order and that the

[2] Though forty-five (45) days from the amended date of assignment is July 14, 2018, a Saturday, pursuant to ALC Rule 3(A), the period is extended until the end of the following non-holiday weekday.

[3] Various communications to the court by the Appellant indicate the Appellant believes that any recording of her hearing by the Department may be incomplete or that the record of her hearing may be otherwise incomplete or inaccurate. This does not excuse the Appellant from preparing and submitting the transcript of the hearing. If, having had the hearing transcribed and providing the transcript to the Respondent the Appellant believes the transcript is incomplete, or that the Record on Appeal is incomplete or inaccurate, the Appellant may address that concern with the court in an appropriate motion.

Appellant provide DOA with a copy of the transcript no later than thirty (30) days from the date she receives the audio recording.

AND IT IS SO ORDERED.



S. Phillip Lenski
Administrative Law Judge

August 14, 2018
Columbia, South Carolina

CERTIFICATE OF SERVICE

I, Erika S. Easler, hereby certify that I have this date served this Order upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, in the Interagency Mail Service, or by electronic mail to the address provided by the party(ies) and/or their attorney(s).

Erika S. Easler
Judicial Law Clerk

August 14, 2018
Columbia, South Carolina

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* THE EXECUTIVE DIRECTOR

August 10, 2018

The Honorable S. Phillip Lenski
Administrative Law Judge
Edgar A. Brown Building
1 205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

RE: ***Alicia Bolden vs. South Carolina Department of Disabilities and Special Needs***
18-ALJ-30-0182-AP

Dear Judge Lenski:

Enclosed for filing in the above-referenced appeal is a *Motion for Enlargement of Time*. The Record on Appeal in this case is due August 15, 2018. We request an extension of 30 days in which to file the Record on Appeal.

By copy of this letter, we are notifying Appellant and Respondent's counsel of our request for an enlargement of time.

Please return a filed copy of this motion in the enclosed self-addressed stamped envelope. Feel free to contact me at (803) 734-8120 if you have any questions or if I can be of assistance.

Sincerely,

Molly R. Crum
Assistant General Counsel

Enclosure

cc: Alicia Bolden
Tana Vanderbilt, Esq.

FILED
AUG 13 2018
SC ADMIN. LAW COURT

South Carolina Department of Administration
1200 Senate Street, Suite 460 Columbia, SC 29201
Post Office Box 2825, Columbia, SC 29211

Ph: 803.734.8120
Fx: 803.734.9002
www.admin.sc.gov

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs Respondent.	)	**MOTION FOR ENLARGEMENT OF TIME** DOCKET NO. 18-ALJ-30-0182-AP

To: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the Rules of Procedure for the Administrative Law Court, the South Carolina Division of State Human Resources ("DSHR") respectfully moves for an enlargement of time in which to file a Record on Appeal in the captioned matter, and in support thereof states:

1. The Amended Notice of Assignment was filed on May 30, 2018.

2. Pursuant to Rule 36(A) of the Rules of Procedure for the Administrative Law Court, the Record is due within 45 days of the date of the Notice of Assignment, which was July 16, 2018.

3. DSHR previously requested a 30 days extension in which to allow Appellant to provide DSHR with the transcript and for DSHR to prepare and file the Record on Appeal; subsequently, Your Honor granted an extension until August 15, 2018.

4. Appellant has not provided DSHR with a transcript of testimony taken during the hearing as required by Rule 35 of the Rules of Procedure for the Administrative Law Court. Inclusion of the transcript is necessary for the Record on Appeal; therefore, DSHR, by and through its undersigned counsel, respectfully requests an enlargement of time in which to allow Appellant to provide DSHR with a transcript of the hearing below and for DSHR to prepare and file the Record on Appeal.

5. DSHR requests a thirty (30) day extension in order to file the Record on Appeal.

WHEREFORE, the Division of State Human Resources respectfully requests a thirty (30) day enlargement of time until **September 14, 2018** in which to file the Record on Appeal.

Molly R. Crum
Assistant General Counsel
South Carolina Department of Administration
1200 Senate Street, Suite 460
Columbia, SC 29201
(803) 734-8120

FILED
AUG 3 2018
ADMIN. LAW COURT

Columbia, South Carolina
August 10, 2018.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs, Respondent.	**Docket No. 18-ALJ-30-0182-AP** **CERTIFICATE OF SERVICE**

I, Kim Lee, an employee of the South Carolina Department of Administration, Office of the Executive Director, do hereby certify that I have this day served a copy of the attached ***Motion for Enlargement of Time*** on the parties by causing same to be deposited in the United States mail, postage pre-paid, and addressed as follows:

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
Appellant

Tana Vanderbilt, Esq.
SC Dept. of Disabilities & Special Needs
P.O. Box 4706
Columbia, SC 29240
Counsel for Respondent

Kim Lee

Columbia, South Carolina
August 10, 2018.

Erika S. Easler

From: alicia bolden <alicia_bolden@bellsouth.net>
Sent: Wednesday, July 18, 2018 7:52 PM
To: Crum, Molly
Cc: Erika S. Easler; James Bracken; Vanderbilt,Tana G.
Subject: Re: Granted-Motion for Enlargement of Time to file ROA 18a0182

Hello Molly,

Aside from the fact that the cd sent to me in April by Mr. Spencer Miller is not a true and accurate representation of the April 3, 2018 Grievance Hearing; the cd that was sent to me cannot be transcribed. It is also my understanding that private transcriptions of unauthenticated audios are not admissible in any court of law. Lastly, I am unclear as to what you are referring to regarding copying costs of providing the Record on Appeal. It is my understanding that I am only responsible for paying the costs associated with the transcript order request.

Alicia Bolden (Appellant)

On Wednesday, July 18, 2018 11:28 AM, "Crum, Molly" <Molly.Crum@admin.sc.gov> wrote:

Dear Ms. Bolden:

In response to your email below, please note that neither I nor the Division of State Human Resources (DSHR) can accept requests for the order of a transcript. Since you are the party filing the Notice of Appeal, you are responsible for ordering, and paying for, the transcript of the audio recordings (the recordings were provided to you by DSHR in April) from a certified transcription services provider. Once you receive a certified transcript, please provide it to DHSR at the following address:

SC Department of Administration
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, SC 29223

If you and the SC Department of Disabilities and Special Needs have agreed, in writing, that a transcript of the hearing, or parts of the hearing, is unnecessary, please advise DSHR.

If the transcript will not be available by August 3, 2018, please advise DSHR. Once DSHR receives the transcript, DSHR will compile and have copied the Record on Appeal and provide it to the SC Administrative Law Court in accordance with its Rules of Procedure. DSHR will then notify you of the applicable copying cost of providing the Record on Appeal and the payment due from you to DSHR for this amount.

Below I have included an applicable rule, statute and regulation that govern the process. If you have further questions, please let us know.

> Rule 35 of the Rules of Procedure for the Administrative Law Court states: "[t]he party filing the notice of appeal shall be responsible for ordering a transcript and shall file a copy of the

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. S.C. Dept. of Disabilities & Special Needs Respondent	)	**Motion to Compel Transcript Order** Docket No. 18-ALJ-30-0182-AP

To: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the Rules of Procedure for the S.C. Administrative Law Court, Appellant respectfully moves the court for an order compelling the S.C. Dept. of Administration – Division of State Human Resources to accept and prepare the Appellant's Transcript Order Request, and in support thereof says the following:

1. Pursuant to Rule 35 of the Rules of Procedures for the Administrative Law Court, the party filing the notice of appeal shall be responsible for ordering a transcript and shall file a copy of the request for a transcript with the Notice of Appeal.

2. The Transcript Order Request was filed with the Notice of Appeal to the S.C. Administrative Law Court on May 25, 2018.

3. The Transcript Order Request was mailed (via certified mail) to the S.C. Dept. of Administration – Division of State Human Resources with the Notice of Appeal on May 21, 2018. The Appellant ordered the entire transcript of the April 3, 2018 Grievance Hearing.

4. Prior to filing the Notice of Appeal, the Appellant sent a Transcript Order Request to the S.C. Dept. of Administration – Division of State Human Resources on April 28, 2018 (via certified mail).

5. The initial Transcript Order Request was sent to Mr. Spencer Miller on April 4, 2018 (via electronic mail). Mr. Spencer Miller of the S.C. Dept. of Administration – Division of State Human Resources is the Court Reporter who was assigned to record the proceedings.

6. On July 18, 2018, the Appellant sent another Transcript Order Request to the S.C. Dept. of Administration – Division of State Human Resources (via certified mail).

7. The S.C. Dept. of Administration – Division of State Human Resources possesses the entire record required for filing the Record on Appeal.

8. Pursuant to Rule 35 of the Rules of Procedures for the Administrative Law Court, the Appellant is responsible for ordering a transcript and paying the costs for the preparation of the transcript.

FILED
JUL 19 2018
SC ADMIN. LAW COURT

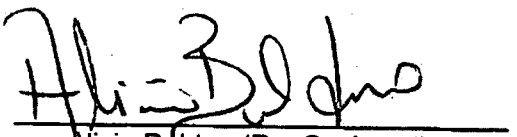
9. The S.C. Dept. of Administration – Division of State Human Resources continues to reject the Appellant's Transcript Order Request. They also refuse to provide the Appellant with the costs for preparation of the Transcript Order Request. To date, the transcript order has not been processed and provided despite Appellant's continued requests.

10. The Transcript Order Request is for the transcript of the April 3, 2018 Grievance Hearing – Alicia Bolden vs. S.C Dept. of Disabilities &Special Needs. On April 3, 2018 the Grievance Hearing – Alicia Bolden vs. the S.C. Dept. of Disabilities & Special Needs was held before the State Employee Grievance Committee at the S.C. Dept. of Administration – Division of State Human Resources in Columbia in Richland County, S.C. The Grievance Hearing was scheduled for 9:00 a.m. and the Committee Attorney assigned to the hearing was Mr. Parkin Hunter.

11. The transcript of the testimony taken during these proceedings is necessary for filing the Record on Appeal; therefore the S.C. Dept. of Administration – Division of State Human Resources should be compelled to accept and prepare the Appellant's Transcript Order Request.

Wherefore, the Appellant respectfully requests the court to issue an order to compel the S.C. Dept. of Administration – Division of State Human Resources to accept and prepare the Appellant's Transcript Order Request. Appellant understands that she is responsible for the costs associated with the preparation of this transcript pursuant to Rule 35 of the Rules of Procedure for the Administrative Law Court; however Appellant is currently experiencing a financial hardship and will need to make financial arrangements with the agency to pay for the Transcript Order.

This is the nineteenth day of July 2018.



Alicia Bolden (Pro Se Appellant)
1115 Carnegie Avenue
Charleston, South Carolina 29407
(843) 709 – 5313

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant/Petitioner, vs. S.C Dept. of Disabilities & Special Needs, Respondent.	Docket No. 18 -ALJ- 30 - 0182 - AP **PROOF OF SERVICE**

I hereby certify that I have served the Motion to Compel Transcript Order (Description of the document) in the above-captioned matter by depositing it in the United State Mail, postage prepaid, on July 19, 2018 (Month/Day/Year) to the below named parties at their address of record:

Molly R. Crum - S.C. Dept. of Administration - Asst. General Counsel
Name
1200 Senate Street, Suite 460
Address
Columbia, SC 29201
City/State/Zip

Name
Address
City/State/Zip

Tana Vanderbilt, Esq. - S.C. Dept. of Disabilities & Special Needs-
Name
P.O.Box 4706
Address
Columbia, SC 29240
City/State/Zip

Name Counsel for Respondent
Address
City/State/Zip

Alicia Bolden
(Print Your Name)

(Your Signature)

1115 Carnegie Avenue
(Street)

Charleston, SC 29407
(City, State, Zip Code)

COPY

7/18/2018
(Certified Mail)

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Re: Rule 35. Ordering and Filing of Transcript

To: State Human Resources Director,

Pursuant to Rule 35 of the S.C. Administrative Law Court and Pursuant to South Carolina Appellate Court Rule 607; I, Alicia Bolden (Appellant) am writing to order a transcript of the April 3, 2018 Grievance Hearing – Alicia Bolden v. the S.C. Dept. of Disabilities & Special Needs. This order (request) is for the entire transcript. On April 3, 2018 the Grievance Hearing – Alicia Bolden v. the S.C. Dept. of Disabilities & Special Needs was held before the State Employee Grievance Committee at the S.C. Dept. of Administration – Division of State Human Resources in Columbia at the address above in Richland County, S.C. The Grievance Hearing was scheduled for 9:00 a.m. Mr. Spencer Miller of the S.C. Dept. of Administration – Division of State Human Resources was the court reporter assigned to record the proceedings. The Committee Attorney assigned to the hearing was Mr. Parkin Hunter. Please provide the cost associated with this order along with the name and address where I need to send the payment. I will pay the costs for the transcript when the amount is provided. After payment has been received, please forward this transcript to the S.C. Administrative Law Court with the Record on Appeal.

Sincerely,

Alicia Bolden (Appellant)

FILED
JUL 19 2018
SC ADMIN. LAW COURT

7017 1000 0000 2294 9015

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

COLUMBIA, SC 29223

Certified Mail Fee	$3.45
Extra Services & Fees (check box, add fee as appropriate)	$2.75
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.50
Total Postage and	$6.70
Sent To	
Street and Apt. No.	
City, State, ZIP+4	

0245
05

Postmark Here

07/18/2018

State Human Resources Director
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, S.C. 29223

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

COPY



May 21, 2018
(Certified Mail)

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Re: Letter Requesting a Written Transcript of the (below) Grievance Hearing Held April 3, 2018

Ms. Alicia Bolden (Appellant)
Vs.
S.C Dept. of Disabilities & Special Needs – Coastal Regional Center (Agency)

To: State Human Resources Director,

On April 3, 2018, the above Grievance Hearing was held before the State Employee Grievance Committee, S.C. Dept. of Administration – Division of State Human Resources, in Columbia South Carolina. Mr. Spencer Miller of the S.C. Dept. of Administration (Division of State Human Resources) was the recorder and reporter for this Grievance Hearing. I am writing to request that you provide me (the appellant) with a written transcript of the above listed Grievance Hearing Proceedings that was held on April 3, 2018 and was scheduled for 9:00 a.m. Please provide the written transcript for the entire record. The entire (full) Grievance Hearing Proceeding should include pre sessions, swearing in of witnesses, opening statements, all witness testimony, all examinations and cross examinations, all oral arguments, all committee panel questions and statements, all of the committee attorney's instructions questions & statements, post session rulings and final decision. Please provide the transcript for the entire record. Please mail the transcript to the address listed below.

Sincerely,

Ms. Alicia Bolden
1 115 Carnegie Avenue
Charleston, SC 29407

Enclosure:
Notice of Appeal

April 28, 2018
(Certified Mail)

COPY

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Re: Letter Requesting a Written Transcript of the (below) Grievance Hearing Held April 3, 2018

Ms. Alicia Bolden (Appellant)
Vs.
S.C Dept. of Disabilities & Special Needs – Coastal Regional Center (Agency)

To: State Human Resources Director,

On April 3, 2018, the above Grievance Hearing was held before the State Employee Grievance Committee, S.C. Dept. of Administration – Division of State Human Resources, in Columbia South Carolina. Mr. Spencer Miller of the S.C. Dept. of Administration (Division of State Human Resources) was the recorder and reporter for this Grievance Hearing. I am writing to request that you provide me (the appellant) with a written transcript of the above listed Grievance Hearing Proceedings that was held on April 3, 2018 and was scheduled for 9:00 a.m. Please provide the written transcript for the entire record. The entire (full) Grievance Hearing Proceeding should include pre sessions, swearing in of witnesses, opening statements, all witness testimony, all examinations and cross examinations, all oral arguments, all committee panel questions and statements, all of the committee attorney's instructions questions & statements, post session rulings and final decision. Please provide the transcript for the entire record. Please mail the transcript to the address listed below.

Sincerely,

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Enclosure:
S.C. Administrative Law Court
III. Rule 33 (D)

Subject: Re: Request for Audio Records & Written Transcripts

From : alicia bolden (alicia_bolden@bellsouth.net)

To: Spencer.Miller@admin.sc.gov;

Date: Friday, April 6, 2018 1:41 PM

Hello Mr. Miller,

I will need you to provide me with as much information as possible regarding the committee members and the committee attorney for the transcription of the audio recording. I have to assist in this process and I only remember everyone's faces. I need the committee members name, agency or organization they work for, their position title, their role at the hearing, their photographs, their voices, and all other pertinent information required for transcription.

I also need you information Mr. Miller. I know you recorded the hearing.

I think I know enough about the witnesses and Mrs. Vanderbilt but if you have other identifiers that would be helpful, please send those also. You can mail all of this information to the same address I've already provided.

Thanks, Alicia Bolden

On Wednesday, April 4, 2018 4:39 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordings in the mail to you tomorrow.

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

COPY

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* THE EXECUTIVE DIRECTOR

July 11, 2018

The Honorable S. Phillip Lenski
Administrative Law Judge
Edgar A. Brown Building
1 205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

RE: ***Alicia Bolden vs. South Carolina Department of Disabilities and Special Needs***
18-ALJ-30-0182-AP

Dear Judge Lenski:

Enclosed for filing in the above-referenced appeal is a *Motion for Enlargement of Time*. The Record on Appeal in this case is due July 16, 2018. We request an extension of 30 days in which to file the Record on Appeal.

By copy of this letter, we are notifying Appellant and Respondent's counsel of our request for an enlargement of time.

Please return a filed copy of this motion in the enclosed self-addressed stamped envelope. Feel free to contact me at (803) 734-9260 if you have any questions or if I can be of assistance.

Sincerely,

Molly R. Crum
Assistant General Counsel

Enclosure

cc: Alicia Bolden
Tana Vanderbilt, Esq.

South Carolina Department of Administration
1200 Senate Street, Suite 460 Columbia, SC 29201
Post Office Box 2825, Columbia, SC 29211

Ph: 803.734.8120
Fx: 803.734.9002
www.admin.sc.gov

FILED
JUL 13 2018
SC ADMIN. LAW COURT

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs Respondent.	)	**MOTION FOR ENLARGEMENT OF TIME** DOCKET NO. 18-ALJ-30-0182-AP

To: The Honorable S. Phillip Lenski, Administrative Law Judge

Pursuant to the Rules of Procedure for the Administrative Law Court, the South Carolina Division of State Human Resources ("DSHR") respectfully moves for an enlargement of time in which to file a Record on Appeal in the captioned matter, and in support thereof states as follows:

1. The Amended Notice of Assignment was filed on May 30, 2018.

2. Pursuant to Rule 36(A) of the Rules of Procedure for the Administrative Law Court, the Record is due within 45 days of the date of the Notice of Assignment, which is July 16, 2018.

3. Appellant has not provided DSHR with a transcript of testimony taken during the hearing as required by Rule 35 of the Rules of Procedure for the Administrative Law Court. Inclusion of the transcript is necessary for the Record on Appeal; therefore, DSHR, by and through its undersigned counsel, respectfully requests an enlargement of time in which to allow Appellant to provide DSHR with a transcript of the hearing below and for DSHR to prepare and file the Record on Appeal.

4. DSHR requests a thirty (30) day extension in order to file the Record on Appeal.

WHEREFORE, the South Carolina Division of State Human Resources respectfully requests a thirty (30) day enlargement of time until **August 15, 2018** in which to file the Record on Appeal.

GRANTED

S. Phillip Lenski
SC Administrative Law Judge

July 16, 2018
Date

CERTIFICATE OF SERVICE
This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the interagency Mail Service addressed to the party(ies) or their attorney(s).
This 16th day of July 2018

Judicial Law Clerk

Molly R. Crum
Assistant General Counsel
South Carolina Department of Administration
1200 Senate Street, Suite 460
Columbia, SC 29201
(803) 734-9260

FILED
JUL 13 2018
SC ADMIN. LAW COURT

Columbia, South Carolina
July 11, 2018.

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs, Respondent.	)	**Docket No. 18-ALJ-30-0182-AP** **CERTIFICATE OF SERVICE**

I, Kim Lee, an employee of the South Carolina Department of Administration, Office of the Executive Director, do hereby certify that I have this day served a copy of the attached ***Motion for Enlargement of Time*** on the parties by causing same to be deposited in the United States mail, postage pre-paid, and addressed as follows:

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
Appellant

Tana Vanderbilt, Esq.
SC Dept. of Disabilities & Special Needs
P.O. Box 4706
Columbia, SC 29240
Counsel for Respondent

Kim Lee

Columbia, South Carolina
July 11, 2018.

FILED
JUL 13 2018
SC ADMIN. LAW COURT

NOA AP OTH
July 2016

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden, Appellant, vs. South Carolina Department of Disabilities and Special Needs, Respondent.	**AMENDED NOTICE OF ASSIGNMENT** DOCKET NO. 18-ALJ-30-0182-AP

NOTICE IS GIVEN that a notice of appeal seeking review of agency action was filed on May 21, 2018. In accordance with S.C. Code Ann. § 1-23-570 (Supp. 2017), the **Honorable S. Phillip Lenski,** Administrative Law Judge, was assigned to preside in this appeal. Due to a clerical error, the Caption was incorrect on the original Notice of Assignment. Therefore, this Amended Notice of Assignment is issued to reflect the correct Caption. The Administrative Law Judge may be contacted by mail at 1205 Pendleton Street, Suite 224, Columbia, South Carolina 29201, and by telephone at (803) 734-0550. Pursuant to SCALC Rule 4A, all future filings must be filed directly with the above assigned Judge and shall include the docket number.

FURTHER, NOTICE IS GIVEN that the parties are required to meet the following deadlines, unless otherwise ordered by the assigned Administrative Law Judge:

Record on Appeal	Due within forty-five (45) days of the date of this Notice **(to be filed by the agency)**
Appellant's Brief	Due within thirty (30) days after the Record on Appeal is filed
Respondent's Brief	Due within thirty (30) days after the Appellant's Brief is filed
Reply Brief	Due within ten (10) days after the Respondent's Brief is filed

The parties are directed to the relevant provisions of the Rules of Procedure regarding these deadlines and other requirements applicable to the appeal process. Rules of Procedure governing matters before the Court may be obtained from the Clerk of Court or on the Court's website, **www.scalc.net**.

This the thirtieth day of May 2018.

Ralph King Anderson, III
Chief Administrative Law Judge

By: /s/ Jana E. Shealy
Jana E. Shealy, Clerk
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

FILED
MAY 30 2018
SC ADMIN. LAW COURT

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* THE EXECUTIVE DIRECTOR

May 29, 2018

Ralph K. Anderson, III
Chief Administrative Law Judge
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201
[Hand-delivered]

Re: Ms. Alicia Bolden v. S.C. Dept. of Administration-Division of State Human Resources and S.C. Dept. of Disabilities and Special Needs-Coastal Regional Center
Case No.: 18-ALJ-30-0482-AP

Dear Judge Anderson:

Please accept this letter in lieu of a formal motion.

On May 23, 2018, the South Carolina Department of Administration's Division of State Human Resources (DSHR) received a Notice of Appeal to the South Carolina Administrative Law Court captioned Ms. Alicia Bolden v. S.C. Dept. of Administration-Division of State Human Resources and S.C. Dept. of Disabilities and Special Needs-Coastal Regional Center. However, Appellant Bolden was an employee of the South Carolina Department of Disabilities and Special Needs (DDSN) and not the Department of Administration. Accordingly, the Department of Administration is not a proper party for the appeal based on State Human Resources Regulation 19-718.09(H) as well as S.C. Code of Laws Section 8-17-340(F).

Specifically, Reg. 19-718.09(H) states:

> "[n]either the Department of Administration nor DSHR nor the State Human Resources Director nor the Committee nor the mediator-arbitrator may be named in the notice of appeal to the Administrative Law Court. However, any of these entities are entitled to make a motion in the Administrative Law Court to be allowed to intervene to participate in the appeal for appropriate reasons including their interest in defending their policies."

S.C. Code Section 8-17-340(F) provides in relevant part:

> "[n]either the Department of Administration nor the Office of Human Resources nor the State Human Resources director nor the committee may be named in this notice of appeal. However, any of these entities are entitled to make a motion in the Administrative Law Court to be allowed to intervene to participate in the appeal for appropriate reasons including their interest in defending their policies."

FILED
MAY 29 2018
SC ADMIN LAW COURT

South Carolina Department of Administration
1200 Senate Street, Suite 460 Columbia, SC 29201
Post Office Box 2825, Columbia, SC 29211

Ph: 803.734.8120
Fx: 803.734.9002
www.admin.sc.gov

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

OFFICE *of* THE EXECUTIVE DIRECTOR

Therefore, the South Carolina Department of Administration moves to dismiss the South Carolina Department of Administration-Division of State Human Resources as a party in this appeal. If a formal motion is required, please let me know.

In addition, in the attached letter dated May 21, 2018 and received by DSHR on May 23, 2018, Appellant has requested DSHR prepare the transcript of the State grievance hearing. However, S.C. Code Section 8-17-340(F) further provides: "the covered employee or the agency who first files the notice of appeal seeking appellate review is responsible for preparation of a transcript and paying the costs of preparation of a transcript of the audio tapes of a hearing required for certification of the record to the Administrative Law Court." Therefore, Appellant is responsible for the preparation of the certified transcript and for providing it to DSHR in order for DSHR to file the Record on Appeal.

Further, DSHR has provided Appellant with the audio recordings of State grievance hearing. In her Notice of Appeal, Appellant contends that the content was "altered and changed" but has not provided DSHR with any specific information to support her contention. To the best of DSHR's knowledge, the recordings that were provided to Ms. Bolden contained a true and accurate representation of the hearing. See attached affidavit. DSHR reserves its right to respond further to this allegation at the appropriate time.

By copy of this letter, I am copying Appellant Bolden and SCDDSN's legal counsel. Feel free to contact me at (803) 734-9260 if you have any questions.

Sincerely,

Molly R. Crum
Assistant General Counsel
South Carolina Department of Administration

Enclosures

cc: Alicia Bolden, Appellant [via US mail and alicia_bolden@bellsouth.net]
Tana Vanderbilt, Esq. – Counsel for Respondent DDSN [via US mail and tvanderbilt@ddsn.sc.gov]

FILED
MAY 29 2018
SC ADMIN LAW COURT

South Carolina Department of Administration
1200 Senate Street, Suite 460 Columbia, SC 29201
Post Office Box 2825, Columbia, SC 29211

Ph: 803.734.8120
Fx: 803.734.9002
www.admin.sc.gov

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
)
)

AFFIDAVIT

PERSONALLY appeared before me, Spencer Miller, who, being duly sworn, deposes and states that:

1. I, Spencer Miller ("Affiant"), have personal knowledge of the matters contained herein.
2. Affiant is currently employed by the South Carolina Department of Administration's Division of State Human Resources ("DSHR") and assists with the administration of the State's grievance process.
3. Affiant is a duly authorized custodian of the business records mentioned below and certifies the following:
   a. I was present and recorded the audio of the State Grievance Appeal hearing in Alicia Bolden v. South Carolina Department of Disabilities and Special Needs at 8301 Parklane Road, Columbia, South Carolina 29223 on April 3, 2018.
   b. The audio recordings consisted of the following 10 tracks and were prepared and kept by DSHR in the ordinary course of business:

01 - Opening by Chair (Bolden v. DDSN)	4/3/2018 8:07 AM	MP3 Format Sound	8,894 KB
02 - Bolden Testimony	4/3/2018 8:17 AM	MP3 Format Sound	22,646 KB
03 - Claudette Fields Testimony	4/3/2018 8:42 AM	MP3 Format Sound	17,679 KB
04 - Valerie Bryant Testimony	4/3/2018 9:01 AM	MP3 Format Sound	13,169 KB
05 - John Dooney Testimony	4/3/2018 9:16 AM	MP3 Format Sound	9,609 KB
06 - Deirdre Blake-Sayers Testimony	4/3/2018 9:27 AM	MP3 Format Sound	6,191 KB
07 - Rebecca Hill Testimony	4/3/2018 9:34 AM	MP3 Format Sound	18,779 KB
08 - Closing Statements by Parties (Bolde...	4/3/2018 10:02 AM	MP3 Format Sound	2,092 KB
09 - CA Instructions (Bolden v. DDSN)	4/3/2018 10:05 AM	MP3 Format Sound	5,429 KB
10 - Vote Agency 5-0 (Bolden v. DDSN)	4/3/2018 10:28 AM	MP3 Format Sound	1,099 KB

   c.
   d. I confirm that the tracks above are a true and accurate reflection of what took place during the hearing.
   e. I did not alter, delete or add any testimony to any of the recordings.
   f. On April 5, 2018, I provided Alicia Bolden with a copy of these audio recordings upon her request.
   g. To the best of my knowledge, the tracks above were the tracks burned to the CD that was provided to Ms. Bolden.
   h. I used the same method/process using Windows Media Player to burn Ms. Bolden's CD as I do to burn other CDs that contain recordings of hearings.

W. Spencer Miller — Spencer Miller

5/29/18 — Date

SWORN before me this 29th day of May, 2018.

Notary Public
My Commission expires: 5/19/2020

FILED
MAY 29 2018
SC ADMIN LAW COURT



May 21, 2018
(Certified Mail)

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Re: Letter Requesting a Written Transcript of the (below) Grievance Hearing Held April 3, 2018

Ms. Alicia Bolden (Appellant)
Vs.
S.C Dept. of Disabilities & Special Needs – Coastal Regional Center (Agency)

To: State Human Resources Director,

On April 3, 2018, the above Grievance Hearing was held before the State Employee Grievance Committee, S.C. Dept. of Administration – Division of State Human Resources, in Columbia South Carolina. Mr. Spencer Miller of the S.C. Dept. of Administration (Division of State Human Resources) was the recorder and reporter for this Grievance Hearing. I am writing to request that you provide me (the appellant) with a written transcript of the above listed Grievance Hearing Proceedings that was held on April 3, 2018 and was scheduled for 9:00 a.m. Please provide the written transcript for the entire record. The entire (full) Grievance Hearing Proceeding should include pre sessions, swearing in of witnesses, opening statements, all witness testimony, all examinations and cross examinations, all oral arguments, all committee panel questions and statements, all of the committee attorney's instructions questions & statements, post session rulings and final decision. Please provide the transcript for the entire record. Please mail the transcript to the address listed below.

Sincerely,

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Enclosure:
Notice of Appeal

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Ms. Alicia Bolden, Appellant, vs. S.C. Dept. of Administration – Division of State Human Resources and S.C. Dept. of Disabilities & Special Needs – Coastal Juvenile Justice, Respondent.	**Docket No. 18-ALJ-30-_____-AP** **CERTIFICATE OF SERVICE**

I, Kim Lee, an employee of the South Carolina Department of Administration, Office of the Executive Director, do hereby certify that I have this day served a copy of the attached ***Motion to Dismiss a Party*** on the parties by causing same to be deposited in the United States mail, postage pre-paid, and addressed as follows:

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
Appellant

Tana Vanderbilt, Esq.
SC Dept. of Disabilities & Special Needs
P.O. Box 4706
Columbia, SC 29240
Counsel for Respondent DDSN

Kim Lee

Columbia, South Carolina
May 29, 2018.

FILED
MAY 29 2018
SC ADMIN LAW COURT

17-0182

Patrick Maley
Interim State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Mary Ellen Barnwell
Secretary
Sam F. Broughton, Ph.D.
Chris G. Neeley
Vicki A. Thompson
Lorri S. Unumb

May 25, 2018

Ms. Jane Shealy
Clerk, South Carolina Administrative Law Court
Edgar A. Brown Building
1205 Pendleton St., Suite 224
Columbia, SC 29201

RE: Alicia Bolden vs. SC Dept. of Administration-Division of State Human Resources and SC Dept. of Disabilities and Special Needs-Coastal Center

Dear Ms. Shealy:

The South Carolina Department of Disabilities and Special Needs (DDSN) received notice of the appeal filed in the above referenced matter. Please be advised that I am the attorney of record for DDSN and as such request that all correspondence concerning this appeal be sent to me at:

South Carolina Department of Disabilities and Special Needs
Attn: Tana Vanderbilt, General Counsel
P.O. Box 4706
Columbia, SC 29240

If you have any questions please free feel, to contact me at 898-9683 or by email at tvanderbilt@ddsn.sc.gov.

Sincerely,

Tana Vanderbilt

FILED
MAY 25 2018
SC ADMIN. LAW COURT

Tana Vanderbilt
General Counsel

cc: Ms. Molly Crum, Attorney for SC Department of Administration-Division of HR
Ms. Alicia Bolden

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

NOAAP.OTH
July 2016

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Alicia Bolden Appellant, vs. South Carolina Department of Administration, Division of State Human Resources and South Carolina Department of Disabilities and Special Needs, Respondents.	**NOTICE OF ASSIGNMENT** DOCKET NO. 18-ALJ-30-0182-AP

NOTICE IS GIVEN that a notice of appeal seeking review of agency action was filed on May 21, 2018. In accordance with S.C. Code Ann. § 1-23-570 (Supp. 2017), the **Honorable S. Phillip Lenski,** Administrative Law Judge, has been assigned to preside in this appeal. The Administrative Law Judge may be contacted by mail at 1205 Pendleton Street, Suite 224, Columbia, South Carolina 29201, and by telephone at (803) 734-0550. Pursuant to SCALC Rule 4A, all future filings must be filed directly with the above assigned Judge and shall include the docket number.

FURTHER, NOTICE IS GIVEN that the parties are required to meet the following deadlines, unless otherwise ordered by the assigned Administrative Law Judge:

Record on Appeal	Due within forty-five (45) days of the date of this Notice **(to be filed by the agency)**
Appellant's Brief	Due within thirty (30) days after the Record on Appeal is filed
Respondent's Brief	Due within thirty (30) days after the Appellant's Brief is filed
Reply Brief	Due within ten (10) days after the Respondent's Brief is filed

The parties are directed to the relevant provisions of the Rules of Procedure regarding these deadlines and other requirements applicable to the appeal process. Rules of Procedure governing matters before the Court may be obtained from the Clerk of Court or on the Court's website, **www.scalc.net**.

This the twenty-fifth day of May 2018.

Ralph King Anderson, III
Chief Administrative Law Judge

By: Jana E. Shealy
Jana E. Shealy, Clerk
Edgar A. Brown Building
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

FILED
MAY 25 2018
SC ADMIN. LAW COURT

Financial Statement
SC Administrative Law Court
1205 Pendleton St., Suite 224, Columbia, SC 29201

Full Name: Ms. Alicia Bolden I am 37 years of age

Employer's Name: _____ Full time: [ ] Part time: [ ] Hours per week: _____

Employer's Address: _____

Gross (before deductions) Monthly wages: _____ Hourly wages: _____

If unemployed, date and salary of last employment: 2/16/2018 - $7.25/Hr.

Other income per month:

Public Assistance:	$ 0.00
Unemployment:	$ 0.00
Child Support:	$ 0.00
Social Security:	$ 0.00
Gifts/Other:	$ 0.00

Monthly expenses:

Rent/Mortgage:	$ 800.00
Car lease/payment:	$ 560.00
Food:	$ 350.00
Utilities:	$ 765.00
Credit cards:	$ 800.00

Assets:

Checking Account:	$ 0.00
Savings Account:	$ 0.00
Est. Home Value:	$ Rent
Other Assets:	$ 0.00
Automobile:	Year: 2010
	Make/Model: Mercury/Mountaineer (Lease)

My Spouse/Partner/Live-in's Name is: _____ Age: _____ Check if no other adult in household: [X]

Employer's Name: _____ Full time: [ ] Part time: [ ] Hours per week: _____

Employer's address: _____

Gross (before deductions) Monthly wages: _____ Hourly wages: _____

If unemployed, date and salary of last employment: _____

Other household income and assets of Spouse/Partner/Live-in Companion:

Public Assistance:	$	Checking Account:	$
Unemployment:	$	Savings Account:	$
Child Support:	$	Other:	$
Social Security:	$	Automobile:	Year:
Gifts/Other:	$		Make/Model:

TOTAL MONTHLY HOUSEHOLD INCOME: $ 0.00

TOTAL MONTHLY HOUSEHOLD EXPENSES: $ 3,275.00

List the names and ages of all other members of your household whom you financially support: (use reverse side if more space needed)

Name: _____ Age: _____ Relation: _____

Name: _____ Age: _____ Relation: _____

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my financial condition.

Alicia Bolden
Signature

5/18/2018
Date

Request for Waiver and Affidavit
SC Administrative Law Court
1205 Pendleton St., Suite 224, Columbia, SC 29201

Ms. Alicia Bolden
Name of Requestor

1115 Carnegie Avenue
Address

(843) 709 - 5313
Home Phone Office or Cell Phone

Charleston, SC 29407
City State Zip

I, Alicia Bolden (your name), being duly sworn, state that I am requesting a hearing before the Administrative Law Court and that as shown on the **attached Financial Statement**, I do not have the funds available to pay the costs of filing this action. Therefore, I request that the filing fee associated with this action be waived.

Alicia Bolden
Signature of Requestor

Sworn to before me this
13 day of May, 2018

Notary Public of South Carolina

My Commissions expires: 2/25/24

JOSEPH THOMAS HELLEBUSCH NOTARY PUBLIC SOUTH CAROLINA My Comm. Exp. 02-25-2024

The section below to be completed by the Court

ORDER by the Court:

✓ Fee Waived (The action will be processed and assigned to a Judge.)

_____ Waiver Denied (The filing fee must be paid within 10 days of the receipt of this order.)

Ralph K. Anderson, III
Chief Judge

5/23/18
Date

Instructions - If you believe you are financially unable to pay the required filing fee in order to file a case with the Administrative Law Court, you will need to complete the Request for Waiver and Affidavit form and the Financial Statement form. (See ALC Rule 71). These forms must be completed in their entirety and must be signed by you and notarized by a Notary Public of South Carolina. The completed forms should be mailed to the Administrative Law Court at the address on the top of the forms, along with all of your documentation for filing your case. The Chief Judge will review your forms, and at his discretion, will either grant or deny your request to waive the filing fee. You will be notified in writing of his decision. If you have any questions regarding these forms, you may contact the Clerk's Office at (803) 734-0550.

18-ALJ-30-0182-AP

The State of South Carolina
In the Administrative Law Court

Ms. Alicia Bolden (Appellant)
v.
S.C. Dept. of Administration – Division of State Human Resources
and
S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center
(Respondents)

Notice of Appeal
5/21/2018

Ms. Alicia Bolden appeals the final decision of the S.C Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) dated April 23, 2018. Appellant received written notice of this final decision (via certified mail) on April 26, 2018.

General Statement
Grounds for Appeal (S.C. Code Ann. 1-23-380(5)

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (a) in violation of constitutional or statutory provisions.

On April 4, 2018, I submitted a written request (via email) to Mr. Spencer Miller (S.C. Dept. of Administration) requesting copies of all audio records and written transcripts from the Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email), "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow".

On April 9, 2018, I received the audio recording in the mail, but the audio recording had been altered and changed. Testimony that was given during the hearing had been changed, edited, or omitted. The audio recording also included additional testimony that was not given during the grievance hearing I attended. This discovery was very troubling. On April 9, 2018 I emailed the State Human Resources Director requesting to be sent a true authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. To date, this information has still not been provided.

The S.C. Dept. of Administration – Division of State Human Resources falsified and altered the audio recording of the grievance hearing held on April 3, 2018 (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center). Mr. Spencer Miller (S.C. Dept. of Administration) then mailed the falsified and altered audio recording to me (the appellant) to have transcribed for future court proceedings. This is fraud. This is deliberate deception. The falsified and altered audio recording was passed off as genuine when Mr. Miller knew it was not.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions and intentional misrepresentation of fact is perjury and violates the law. Mr. Spencer Miller intentionally made a false audio recording of the Grievance Hearing for use in upcoming legal proceedings. Mr. Miller manipulated and falsified sworn testimony that was given under oath before the State Employee Grievance Committee. Mr. Miller perjured testimony when he altered and manipulated the audio recording of the grievance hearing. He then sent the audio recording to me (the appellant) by mail as if it was a true, genuine, authentic representation of the testimony that was given during the April 3, 2018 grievance hearing when he knew it was false. Falsifying documents (written or oral) by altering, changing, adding, editing, modifying, deleting, and manipulating its original contents for the purpose of deceiving others is defined as fraud and it is defined as perjury. Mr. Spencer Miller knowingly distributed a fake document.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions are a breach of trust. The S.C. Dept. of Administration is responsible for keeping an official record on each appeal. This includes all documents (written and oral) related to the appeal. A dishonest act which distorts and falsifies official records on an appeal (hearing) is considered a breach of trust. Breach of trust is dishonest actions intended to defraud, cheat, and deceive. The S.C. Dept. of Administration – Division of State Human Resources violated the duties entrusted to them when they altered and manipulated the audio records. They violated the seal of trust, promise, and confidence when they falsified the audio recording (official records) from the April 3, 2018 Grievance Hearing.

The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions violate a code of ethics. Mr. Miller's decision to falsify, alter, and manipulate the grievance hearing audio records violates many ethical laws. It is also an unlawful procedure. The S.C. Dept. of Administration is bound by standards of ethical conduct. They are an executive branch. They are expected to exercise the highest level of integrity, ethics, confidentiality, fairness, and objectivity in their actions and in their decisions. Falsifying audio records demonstrates partiality. It proves bias and it shows prejudice. The S.C. Dept. of Administration – Division of State Human Resources fraudulent actions prejudices my substantial rights and their final decision lacks both credibility and objectivity.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and was (c) made upon unlawful procedure.

On April 3, 2018 (during the grievance hearing) the Committee Attorney excluded very credible and very relevant documentary evidence that I (the appellant) presented as part of my Grounds for Appeal Form to support the claims made within. This action was unfair, biased, and prejudiced my substantial rights. The evidence excluded proves that the South Carolina Dept. of Disability and Special Needs decision to terminate my employment was (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The South Carolina State Employee Grievance Committee Grounds for Appeal Form has been included for this court to review. I have included all of the documentary evidence that support the arguments (claims) made within the Grounds for Appeal Form as well. Supporting documents that were excluded during the Grievance Hearing by the Committee Attorney were as follows: All of Group A, All of Group E (except for the top two (2) pages), and All of Group F. Group F did contain documents that were already a part of the committee exhibit, but Group A and Group E did not. Group F also contained two (2) email correspondences and a two (2) page agency directive (405-01DD) that were not already a part of the Committee Exhibit, but all of Group F was excluded. I (the appellant) introduced a total of nineteen (19) pages of documentary evidence at the Grievance Hearing to the Grievance Committee and the Committee Attorney only allowed two (2) pages of my (the appellant) supporting documents to be entered into evidence. They did not want reliable evidence. They did not want the truth. They did not want me to prove my case.

The Grounds for Appeal Form that was submitted to the Grievance Committee was six (6) pages long. The information and supporting documents from this form is barely mentioned in the findings of facts (final decision) and I (the appellant) actually provided factual evidence to support my claims; only to have them excluded by the Committee Attorney.

In addition, two (2) witnesses were allowed to sit in the entire hearing from start to finish and they also gave their testimony last. These two (2) witnesses (Rebecca Hill & Deidre Blake Sayers) were then able to contradict, correct, and repeat testimony given by previous witnesses. There was a total of five (5) agency witnesses (please see the attached witness list).

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The final decision is erroneous because the finding of facts is erroneous. The finding of facts is erroneous and biased because it is based solely on the erroneous information and testimony provided by the witnesses listed for the S.C. Dept. of Disabilities & Special Needs. All five (5) witnesses that testified at the grievance hearing were biased and they all had a hand in bringing my employment to an end.

The audio recording of the grievance hearing that was sent to me on April 9, 2018 is erroneous. The audio recording has been edited, changed, altered, and manipulated. I have made several attempts to obtain an authentic (official) copy of the audio recording from the grievance hearing held on April 3, 2018. To date, these requests have been denied. The Administrative Law Court will need an official transcript from the grievance hearing held on April 3, 2018, but I am unable to provide this information to the court because it has not been provided to me. The S.C. Dept. of Administration – Division of State Human Resources expects me (the appellant) to transcribe the altered, manipulated, and erroneous audio recording (cd) they sent, but I will not provide a fabricated, falsified, and erroneous transcript to this court. The audio recording is not authentic.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision was made using erroneous information that is both wrong and deceptive. Testimonial evidence referenced in the finding of facts is just not true. This is an unfair, erroneous, and ambiguous standard. If a witness testifies to information being a fact (truth), then the witness should be able to support that fact with credible evidence. The grievance committee's interpretation of facts (what's true) is just not accurate; it is erroneous.

The final decision of the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee prejudices my substantial rights and is (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) abused their discretionary & executive powers when they provided assistance to the S.C. Dept. of Disabilities & Special Needs. They assisted when they altered and manipulated the audio recording of the Grievance Hearing and they assisted when they excluded credible and reliable evidence that I (the appellant) presented at the Grievance Hearing. They ignored procedures when they allowed witnesses to remain in the hearing (from start to finish) which gave them (the (2) witnesses) advantages in structuring their own testimony. These two (2) witnesses' testimony(s) should be removed from the records. These witnesses should have been sequestered. These acts are wrong and unjust. It is a gross and serious misdeed; it is a dishonest and wrongful exercise of discretion. The final decision was unfair and unjust and was characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The State Employee Grievance Committee(s) findings of fact (final decision) include opinions formed by the Grievance Committee that attempts to counter and disprove claims I (the appellant) made in the State Employee Grounds for Appeal Form. The Grievance Committee offers a counter rationale and a justification for why they (the Grievance Committee) believe the S.C. Dept. of Disabilities & Special Needs slow walked my dismissal (for four long months) writing, "the Committee notes that Appellant could have been terminated for a first offense of Conduct Unbecoming a State Employee, Insubordination, etc.; therefore, it appears to the Committee that the South Carolina Dept. of Disabilities & Special Needs was lenient in the application of its policy regarding Appellants corrective action for these particular offenses" (Final Decision, pg. 6). Committee notes that are made throughout the entire final decision are erroneous, unfair, prejudicial, and characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The State Employee Grievance Committee provides assistance to the S.C. Dept. of Disabilities & Special Needs by attempting to counter or disprove claims I (the appellant) made in the State Employee Grounds for Appeal Form. They formed opinions and then drew conclusions from those opinions. The opinions formed by the Grievance Committee should not have been included as part of the Committee's final decision; especially when those opinions are attacking claims I (the appellant) made in the Grounds for Appeal Form. This is prejudicial. Final decisions should be objective and drawn from facts; not from opinions or by abusing one's discretion.

The Committee "note" referenced and quoted in the paragraphs above is also very inappropriate and very offensive. I (the appellant) endured all of this. My employment was threatened for four (4) long months. I was humiliated, harassed, and pressured. This was not leniency; this was torture. This was strategic and deliberate. It is the four months of progressive disciplinary actions that the Grievance Committee cites as its findings of facts. It is the four months of progressive disciplinary actions (torture) that produced these documents and created this paper trail. These actions were calculated and planned. This had nothing to do with leniency. I was terminated. The agency kept me employed for four additional months just so they could create these documents to cover-up, camouflage, and distort what they all knew was retaliation.

The S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision upheld, maintained, assisted, and defended the S.C.

Dept. of Disabilities & Special Needs (Coastal Regional Center(s)) decision to terminate my (the appellant's) employment; therefore the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The State Employee Grounds for Appeal Form is applicable to the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee's final decision and it is applicable to the S.C. Dept. of Disabilities & Special Needs decision to terminate my employment.

The misconduct and partiality exhibited by the S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) invalidates their final decision and prejudices my substantial rights. I am appealing the final decision of the S.C. Dept. of Administration – Division of State Human Resources Grievance Committee and I contend that their decision is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The employment practice that was put in place on 2/23/17 is discriminatory and retaliatory. The disciplinary actions that were administered for not adhering to the discriminatory employment practice are discriminatory and retaliatory. The grounds for my dismissal were arbitrary, capricious, dishonest, retaliatory, and illegal. The S.C. Dept. of Administration – Division of State Human Resources (State Employee Grievance Committee) chose to disregard the facts as well as the laws (equal employment laws, whistleblower laws, fair labor laws, etc.).

The disciplinary actions that were administered for not adhering to the discriminatory employment practice were unfair and inconsistent. It was humiliation; it was intentional; it was intimidation. It was harassment; it was retaliation; it was discrimination. It was unlawful; it was improper; and it was wrongful termination (for the second time).

The final decision (findings of facts) weighs heavily in favor to the erroneous information and progressive disciplinary documents that was put forth by the S.C. Dept. of Disabilities & Special Needs and disregards the grounds for which I (the appellant) filed the appeal entirely.

I am asking the S.C. Administrative Law Court to reject the final decision issued by the S.C. Dept. of Administration – Division of State Human Resources State Employee Grievance Committee for all the reasons (grounds) outlined in this General Statement.

I am asking the S.C. Administrative Law Court to review the entire employee grievance record (Ms. Alicia Bolden v. S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center) - including the excluded appellant evidence/documents and the authentic grievance hearing recording/transcript - concerning my appeal and to issue a final decision regarding the appeal.

Additional information:

On April 3, 2018, a 9:00 a.m. scheduled Grievance Hearing was held at the S.C. Dept. of Administration – Division of State Human Resource before the State Employee Grievance Committee Panel in Columbia, South Carolina. In attendance were as follows: Alicia Bolden

(Appellant); Tana Vanderbit (General Counsel – S.C. Dept. of Disabilities & Special Needs); Ken Norris of Vocational Rehabilitation (Chairperson/Panel Member); Krissi Wicker of the Dept. of Motor Vehicles (Secretary/Panel Member); Cliff Miller of the Criminal Justice Academy (Panel Member); April Koon of the Dept. of Labor, Licensing, and Regulation (Panel Member); Stephen Lunsford of the Dept. of Corrections (Panel Member); Parkin Hunter of the Attorney General's Office (Committee Attorney);Spencer Miller of the Dept. of Administration - Division of State Human Resources (Reporter/Recorder); John Dooney (Agency Witness); Claudette Fields (Agency Witness); Rebecca Hill (Agency Witness); Valeria Bryant (Agency Witness); & Deirdre Blake – Sayers (Agency Witness).

The Committee Exhibit No. 1 is 190 pages long and has not been included with this notice. The Appellant Exhibit No. 2 (South Carolina State Employee Grievance Committee Grounds for Appeal Form) is six (6) pages long and has been included with this notice. The supporting documentary evidence that go along with the Grounds for Appeal Form is nineteen (19) pages long and has been included with this notice. The transcript from the Grievance Hearing held on April 3, 2018 has been requested, but has not been provided; therefore it has not been included with this notice. A request for a transcript was sent (via certified mail) to the S.C Dept. of Administration - Division of State Human Resources on April 28, 2018 and a request for a transcript was sent (via certified mail) to the S.C Dept. of Administration - Division of State Human Resources on May 21, 2018 along with a copy of the Notice of Appeal.

I, Alicia Bolden (Appellant) am representing myself. I have received a copy of the S.C. Administrative Law Court's Rule 33 – Matters Heard on Appeal from Final Decisions of Certain Agencies. If there are any forms or any additional information that I need to provide to this court at this time (or any time), please contact me immediately and I will submit the required information or documents immediately. Thanks in advance.

Alicia B. Bolden

Ms. Alicia Bolden (Appellant)
1 115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)
Alicia_Bolden@bellsouth.net

Enclosure:
A copy of the final decision which is the subject of the appeal and the date received;
A copy of the request for a transcript; and
Proof of service of the notice of appeal on all parties

CC: (without enclosures)
State Human Resources Director
S.C. Dept. of Administration – Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223
(803) 896 – 5300

Department of Human Resources
S.C. Dept. of Disabilities & Special Needs – Coastal Regional Center
3440 Harden Street Ext
Columbia, South Carolina 29203
(803) 898 – 9600

admin

THE SOUTH CAROLINA
DEPARTMENT *of* ADMINISTRATION

COPY

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

April 23, 2018

CERTIFIED MAIL

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

In accordance with the State Employee Grievance Procedure Act, you are hereby advised of the final decision of your appeal against the South Carolina Department of Disabilities and Special Needs to the State Employee Grievance Committee. Pursuant to the Act, within twenty calendar days of the conclusion of the hearing, the State Employee Grievance Committee shall render its decision on the appeal. The Committee's decision is enclosed for your file.

Please advise us if you have any questions.

Sincerely,

Kim Aydlette
Director

Enclosure

c: Mr. Patrick Maley
Ms. Tana Vanderbilt

State Employee Grievance Committee

Final Decision

APPELLANT'S NAME: Alicia Bolden
JOB CLASSIFICATION: Human Services Specialist II
AGENCY: S.C. Department of Disabilities and Special Needs
DATE OF HEARING: April 3, 2018
NATURE OF CASE: Termination

FINDINGS AND RECOMMENDATIONS

Based on documentary evidence and testimony presented at the hearing of Alicia Bolden v. South Carolina Department of Disabilities and Special Needs (SCDDSN) held in Columbia, South Carolina, on April 3, 2018, the State Employee Grievance Committee (Committee) finds:

FINDINGS OF FACT

1. Ms. Alicia Bolden (Appellant) began her employment with SCDDSN on March 2, 2008, as a Human Services Assistant II. Appellant was promoted on October 6, 2009, to a Human Services Specialist II (internal title of Direct Support Manager) at the Coastal Regional Center (CRC). (Committee Exhibit #1, p. 91.)

2. On February 23, 2017, Appellant received a Written Warning dated February 22, 2017, for "Conduct Unbecoming a State Employee" based on Appellant's improper interaction on February 15, 2017, with Ms. Rebecca Hill (Ms. Hill), CRC Facility Administrator. During the interaction, another employee was in Ms. Hill's office discussing upcoming campus events. The Recommendation for Disciplinary Action notes state that, beginning in July 2016, Appellant began demonstrating some behaviors that were concerning and several meetings were held with Appellant to address those concerns. The areas of concerns were listed in the Recommendation for Disciplinary Action notes as follows:
   - Forwarding email regarding politics and religion.
   - Unfair disciplinary actions attempts [sic] toward non-preferred staff.
   - Excessive Tardiness.
   - Ensure staff are sufficiently trained to perform their assigned duties.
   - Lack of data collection for her assigned consumers.
   - Lack of initiative as a Manager.

   (Committee Exhibit #1, pp. 49-51.)

3. In a memorandum dated February 23, 2017, from Ms. Claudette Fields (Ms. Fields), CRC Director of Residential Programs, Appellant was directed to adhere to her agreed upon assigned work hours (8:30 a.m. to 5:00 p.m. or 10:00 a.m. to 6:30 p.m.) and, effective immediately, Appellant was to sign in and out at the switchboard. The February 23, 2017 written directive was given because of Appellant's failure to adhere to assigned work hours and excessive tardiness. The written directive advised Appellant that further tardiness would result in disciplinary action. Appellant refused to sign the directive. (Committee Exhibit #1, p. 53.) As indicated on the sign in/out sheets in the record, Appellant signed out on February 23, 2017, at the switchboard; however, Appellant failed to sign in or out again as directed in the February 23, 2017 memorandum. (Committee Exhibit #1, pp. 60, 61, 63, 64, and 69.)

4. On March 15, 2017, Appellant was issued a Written Warning dated March 10, 2017, for "Insubordination" as a result of her continued failure to comply with the February 23, 2017 written directive. The Written Warning indicated that Appellant remained "insubordinate regarding instructions given to her on February 23, 2017." The Recommendation for Disciplinary Action notes indicate that, in a meeting on February 23, 2017, Appellant's time and attendance and her unbecoming conduct were discussed which resulted in an Oral Warning and a Written Reprimand. The Recommendation for Disciplinary Action notes also indicate Appellant was informed it was critical that she report to work on time and any further tardiness would result in disciplinary action. Appellant refused to sign the Written Warning. (Committee Exhibit #1 pp. 55-57.)

5. In accordance with SCDDSN Directive 413-01-DD, Standards of Disciplinary Action, Appellant was issued on April 10, 2017, a three-day suspension for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Appellant's suspension was effective April 18, 19, and 20, 2017. According to the Recommendation for Disciplinary Action notes, Appellant was suspended based on her continuous refusal to sign in and out at the switchboard, thus, making it difficult for her supervisor to determine when she was reporting to work. Appellant was informed that failure to demonstrate immediate and sustained improvement may result in further corrective action, up to and including termination. (Committee Exhibit #1 pp. 65-67.)

6. On June 20, 2017, Appellant was informed by letter dated June 16, 2017, that her employment with SCDDSN was terminated effective June 20, 2017, for an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." Specifically, the three offenses include the February 22, 2017 Written Warning for "Conduct

Unbecoming a State Employee," the March 10, 2017 Written Warning for "Insubordination," and the April 18, 2017 suspension for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." (Committee Exhibit #1, pp. 47 and 176.)

7. According to SCDDSN's Directive 413-01-DD, Standards of Disciplinary Action Policy, the sanction for a first offense of an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand" ranges from a "Suspension to Dismissal." In addition, SCDDSN's Disciplinary Action Policy indicates:
   - the sanction for a first offense of "Conduct Unbecoming a State Employee" is "Suspension to Dismissal;"
   - the sanction for a first offense of "Insubordination" is "Suspension to Dismissal;"
   - the sanction for a first offense of "Failure to Observe Assigned Work Hours" is an "Oral Reprimand;" and
   - the sanction for a first offense of "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor" is "Dismissal."

   (Committee Exhibit #1, pp. 81-89.)

8. SCDDSN's Disciplinary Action Policy states, in part, that: "[d]isciplinary actions are subject to management's discretion. It should be emphasized that in some situations, dismissal may be appropriate depending on the severity of the action and the circumstances involved – even for a first offense occurrence." (Committee Exhibit #1, p. 82.)

9. Ms. Hill testified that Appellant supervised 24-hour operational staff, involving three different shifts. Ms. Hill also testified that Appellant was having trouble attending required informational meetings. In regard to the February 15, 2017 incident, Ms. Hill testified that, while participating in a meeting with another employee, she received a telephone call from Appellant and placed the call on speaker. Ms. Hill stated that Appellant was extremely upset during the telephone call. Ms. Hill explained to Appellant that she was currently in another meeting and could not speak with her. Ms. Hill testified that Appellant was not satisfied with her response. Ms. Hill explained that because of this incident, Appellant was issued a Written Warning dated February 22, 2017 for "Conduct Unbecoming a State Employee." Ms. Hill also testified that signing in and out was a common practice used to correct tardiness and normally instituted on a short term basis.

10. Ms. Fields testified that she issued Appellant the February 23, 2017 written directive instructing Appellant to adhere to her agreed upon work hours and

to sign in and out at the switchboard. (Committee Exhibit #1, p. 53) According to Ms. Fields, Appellant rarely attended the required informational meetings despite receiving multiple reminders. Ms. Fields testified that she met with Appellant to stress the importance of following her established work schedule and attending the informational meetings.

11. Mr. John Dooney (Mr. Dooney), SCDDSN's District 2 Human Resources Manager, testified that Appellant was issued a Written Warning dated March 10, 2017, for "Insubordination" because she refused to sign in and out at the switchboard. Mr. Dooney also testified that Appellant was issued a three-day suspension effective April 18, 2017, for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Mr. Dooney further testified Appellant's employment was terminated effective June 20, 2017, for an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." Despite efforts by SCDDSN to correct Appellant's tardiness issues, she failed to sign in and out at the switchboard. Mr. Dooney also testified that requiring SCDDSN employees to sign in and out was a normal practice when addressing tardiness and attendance issues.

12. Ms. Dierdre Blake-Sayers (Ms. Blake-Sayers) SCDDSN's Director of Human Resources at the time of Appellant's termination, testified that it is not unusual to request that an employee sign in and out when the employee is not abiding by scheduled work hours. Ms. Blake-Sayers also testified she had advised Appellant that if she had been given a directive to sign in and out at the switchboard, she should comply.

13. Appellant testified that, on more than one occasion, she was told by her supervisor to sign in and out at the switchboard. Appellant also testified that she failed to follow the February 23, 2017 directive to sign in and out at the switchboard except to sign out on February 23, 2017. Appellant stated that she understood how to sign in and out at the switchboard, but considered the instruction unfair and discriminatory. Appellant testified that she received a Written Warning, three-day suspension, and was terminated for not complying with the directive.

14. Appellant argues that SCDDSN's actions were discriminatory and prejudicial. Appellant contends that her termination was in violation of constitutional or statutory provisions, made upon unlawful procedure, clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record, and arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion. (Appellant Exhibit #2.)

The State Employee Grievance Procedure Act (Grievance Act) creates the Grievance Committee as a quasi-judicial review body that conducts hearings of certain specified state employee grievance appeals. S.C. Code Ann. § 8-17-340 (1976). In addition, the Grievance Act provides the following:

> (E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:
>
> (1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in § 43-35-10 or 20-7-490, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:
>
> (a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;
>
> (b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or
>
> (c) The agency's action was arbitrary and capricious.
>
> (2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:
>
> (a) in violation of constitutional or statutory provisions;
>
> (b) in excess of the statutory authority of the agency;
>
> (c) made upon unlawful procedure;
>
> (d) affected by other error of law;
>
> (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
>
> (f) arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion.

S.C. Code Ann. § 8-17-340(E).

This case is governed by § 8-17-340(E) (2), which establishes that Appellant has the burden of proof to demonstrate that the decision to terminate her was wrong for the reasons articulated.

Based on the record and testimony, the Committee found substantial evidence to support SCDDSN's decision to terminate Appellant. "'Substantial evidence' is something less than the weight of the evidence; it is evidence which, considering the record as a whole, would allow reasonable minds, to reach the conclusion that the administrative agency reached in order to justify its action." *Todd's Ice Cream, Inc. v. South Carolina Employment Security Commission,* 281 S.C. 254, 258, 315 S.E.2d 373, 375 (Ct. App. 1984).

The record reflects that Appellant's employment was terminated effective June 20, 2017, based on an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." The record also reflects that those three offenses were the results of a February 22, 2017 Written Warning for "Conduct Unbecoming a State Employee"; a March 10, 2017 Written Warning for "Insubordination"; and a three-day suspension (April 18 - 20, 2017) for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." According to the record and testimony, Appellant had been counseled on several occasions regarding her tardiness. The Committee notes that Appellant's supervisors made multiple efforts to correct her tardiness. Specifically, on February 23, 2017, Appellant was given a directive to sign in and out at the switchboard which the Committee finds was a reasonable request. Appellant, however, admittedly refused to comply with the directive.

The Committee notes that Appellant could have been terminated for a first offense of "Conduct Unbecoming a State Employee," "Insubordination" or "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor" as indicated in SCDDSN's Disciplinary Action Policy. Therefore, it appears to the Committee that SCDDSN was lenient in the application of its policy regarding Appellant's corrective action for these particular offenses.

As for Appellant's argument that the directive given to her to sign in and out was discriminatory, the Committee finds that Appellant offered no credible evidence or testimony to support her position. In contrast, testimony from Ms. Hill, Mr. Dooney, and Ms. Blake-Sayers substantiated that requiring an employee to sign in and out was used to correct tardiness when an employee was not abiding by assigned work hours.

The Committee does not find that Appellant's termination was in violation of constitutional or statutory provisions, made upon unlawful procedure, clearly erroneous in view of the reliable, probative, and substantial evidence on the whole

record, and arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion. Appellant provided no credible evidence to the Committee to support her claims.

SCDDSN's Disciplinary Action Policy allows for "Suspension to Dismissal" for a first offense of an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." It is clear from the record that Appellant accumulated three offenses within a two-year period. In addition, the sanction for the first occurrence of each offense provides for at least an Oral or Written Reprimand in accordance with SCDDSN's Disciplinary Action Policy. Therefore, the Committee finds that SCDDSN's decision to terminate Appellant was appropriate and consistent with its established policy guidelines.

DECISION

The Committee finds Appellant failed to establish that SCDDSN's decision prejudiced her substantial rights and met one or more of the elements contained in S.C. Code Ann. 8-17-340(E)(2). Therefore, the Committee upholds the decision to terminate Appellant and denies the relief sought.

For the Committee Ken Norris DC Date: 4/23/18

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Ms. Alicia Bolden,

Appellant/Petitioner,

vs.

S.C. Dept. of Administration - Division of State Human Resources

and

Respondent(s),

S.C. Dept. of Disabilities & Special Needs - Coastal Regional Center

Docket No. ___-ALJ-____-_____-_____

PROOF OF SERVICE

I hereby certify that I have served the Notice of Appeal (Description of the document) in the above-captioned matter by depositing it in the United State Mail, postage prepaid, on 5/21/2018 (Month/Day/Year) to the below named parties at their address of record:

S.C. Dept. of Administration - Division of State Human Resources
Name
8301 Parklane Road, Suite A220
Address
Columbia, South Carolina 29223
City/State/Zip

Name
Address
City/State/Zip

S.C. Dept. of Disabilities & Special Needs - Coastal Regional Center
Name
3440 Harden Street Ext.
Address
Columbia, South Carolina 29203
City/State/Zip

Name
Address
City/State/Zip

Ms. Alicia Bolden
(Print Your Name)

(Your Signature)

1115 Carnegie Avenue
(Street)

Charleston, SC 29407
(City, State, Zip Code)

FILED
MAY 21 2018
SC ADMIN. LAW COURT

May 21, 2018
(Certified Mail)

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

COPY

Re: Letter Requesting a Written Transcript of the (below) Grievance Hearing Held April 3, 2018

Ms. Alicia Bolden (Appellant)
Vs.
S.C Dept. of Disabilities & Special Needs – Coastal Regional Center (Agency)

To: State Human Resources Director,

On April 3, 2018, the above Grievance Hearing was held before the State Employee Grievance Committee, S.C. Dept. of Administration – Division of State Human Resources, in Columbia South Carolina. Mr. Spencer Miller of the S.C. Dept. of Administration (Division of State Human Resources) was the recorder and reporter for this Grievance Hearing. I am writing to request that you provide me (the appellant) with a written transcript of the above listed Grievance Hearing Proceedings that was held on April 3, 2018 and was scheduled for 9:00 a.m. Please provide the written transcript for the entire record. The entire (full) Grievance Hearing Proceeding should include pre sessions, swearing in of witnesses, opening statements, all witness testimony, all examinations and cross examinations, all oral arguments, all committee panel questions and statements, all of the committee attorney's instructions questions & statements, post session rulings and final decision. Please provide the transcript for the entire record. Please mail the transcript to the address listed below.

Sincerely,

Alicia Bolden

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Enclosure:
Notice of Appeal

COPY

April 28, 2018
(Certified Mail)

State Human Resources Director
S.C. Dept. of Administration –
Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Re: Letter Requesting a Written Transcript of the (below) Grievance Hearing Held April 3, 2018

Ms. Alicia Bolden (Appellant)
Vs.
S.C Dept. of Disabilities & Special Needs – Coastal Regional Center (Agency)

To: State Human Resources Director,

On April 3, 2018, the above Grievance Hearing was held before the State Employee Grievance Committee, S.C. Dept. of Administration – Division of State Human Resources, in Columbia South Carolina. Mr. Spencer Miller of the S.C. Dept. of Administration (Division of State Human Resources) was the recorder and reporter for this Grievance Hearing. I am writing to request that you provide me (the appellant) with a written transcript of the above listed Grievance Hearing Proceedings that was held on April 3, 2018 and was scheduled for 9:00 a.m. Please provide the written transcript for the entire record. The entire (full) Grievance Hearing Proceeding should include pre sessions, swearing in of witnesses, opening statements, all witness testimony, all examinations and cross examinations, all oral arguments, all committee panel questions and statements, all of the committee attorney's instructions questions & statements, post session rulings and final decision. Please provide the transcript for the entire record. Please mail the transcript to the address listed below.

Sincerely,

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Enclosure:
S.C. Administrative Law Court
III. Rule 33 (D)

31. **Appeal of Final Order.** The decision of the administrative law judge may be appealed as provided by law. An appellant shall file a copy of the notice of appeal with the clerk of the Court at the same time the notice of appeal is filed with the reviewing authority.

2009 Revised Notes

Pursuant to Act 387 of 2006, the South Carolina Appellate Court Rules govern the procedure for appealing a final order of an administrative law judge. A copy of the notice of appeal must be filed with the clerk of the Court at the same time the notice is filed with the Court of Appeals.

32. **Transcript.** The hearings concerning a contested case shall be available for transcription as required by S.C. Code Ann. §1-23-600(C) (2005) (as amended). The cost of preparing a copy of a transcript shall be borne by the party requesting the transcript.

III. MATTERS HEARD ON APPEAL FROM FINAL DECISIONS OF CERTAIN AGENCIES

33. **Notice of Appeal.** The notice of appeal from the final decision of an agency shall be filed with the Court and a copy served on each party and the agency whose final decision is the subject of the appeal within thirty (30) days of receipt of the decision from which the appeal is taken. In appeals from decisions of the Department of Employment and Workforce, the notice of appeal must be filed and served within thirty (30) days of the date of mailing of the decision of the Department of Employment and Workforce Appellate Panel. The notice shall be accompanied by a filing fee as provided in Rule 71 and shall contain the following information:

A. the name, address, telephone number and e-mail address of the party requesting the appeal, and the name, address, telephone number and e-mail address of the attorney or other authorized representative, if any, representing that party;

B. a general statement of the grounds for appeal as provided in S.C. Code Ann. §1-23-380(5). The grounds for appeal may be amended, supplemented or modified in the statement of issues in the brief required by Rule 37(B)(1);

C. a copy of the final decision which is the subject of the appeal and the date received;

D. a copy of the request for a transcript;

E. proof of service of the notice of appeal on all parties.

Any notice of appeal which is incomplete or not in compliance with this rule or Rule 71 will not be assigned to an administrative law judge until all required information is received and the filing fee is processed.

2014 Revised Notes

The notice of appeal must be filed with the Court within thirty days of receipt of the decision being appealed. The notice of appeal should include a general statement of the issues on appeal, but the statement of issues in the brief shall be considered the final statement of the issues on appeal. The notice of appeal must include the e-mail addresses of the appellant and the appellant's attorney or other authorized representative, and must be accompanied by a filing fee as provided in Rule 71 and proof of service of the notice on all parties. Any incomplete notice of appeal, or a notice not accompanied by the filing fee, will not be assigned to an administrative law judge until all required information and fees are received. Notices of appeal in Department of Employment and Workforce cases must be filed within 30 days of the date of mailing of the agency decision in accordance with the applicable statute.

34. A. **Automatic Stay of Proceedings Upon Appeal.** The filing of an appeal from the final decision of an agency shall stay the final decision of that agency unless the effect of filing an appeal is otherwise established by statute, the Administrative Procedures Act notwithstanding;

admin

THE SOUTH CAROLINA
DEPARTMENT *of* ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

COPY

May 2, 2018

Via Electronic Mail Only

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

I have been asked to respond to your letter dated April 28, 2018, to the State Human Resources Director requesting a written transcript of your Committee hearing held on April 3, 2018. This office does not have a written transcript of your hearing nor do we have the capability of providing transcription services. The compact disc (CD) that was sent to you by this office, containing the recordings of your hearing, would need to be taken by you to a transcriptionist for the purposes of obtaining a written transcript.

Sincerely,

Terry M. Baggott
Assistant Director

Subject: FW: Message from "RNP58387904C018"

From: Baggott, Terry (Terry.Baggott@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Wednesday, May 2, 2018 3:27 PM

Ms. Bolden,
Please see the attached letter regarding your request for a written transcript.
Sincerely,

Terry M. Baggott CPM, SPHR, SHRM-SCP
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

115

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

-----Original Message-----
From: ricoh@admin.sc.gov [mailto:ricoh@admin.sc.gov]
Sent: Wednesday, May 02, 2018 3:22 PM
To: Baggott, Terry <Terry.Baggott@admin.sc.gov>
Subject: Message from "RNP58387904C018"

This E-mail was sent from "RNP58387904C018" (MP C4504ex).

Scan Date: 05.02.2018 15:22:16 (-0400)
Queries to: ricoh@admin.sc.gov

Attachments

- 20180502152216089.pdf (24.13KB)

COPY

Patrick Maley
Interim State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Mary Ellen Barnwell
Secretary
Sam F. Broughton, Ph.D.
Chris G. Neeley
Vicki A. Thompson
Lorri S. Unumb

March 23, 2018

Ms. Alicia Bolden
115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden,

Enclosed, please find the South Carolina State Employee Grievance Committee List of Witnesses for the Department of Disabilities and Special Needs.

Thank you.

Sincerely,

Tana Vanderbilt

Tana Vanderbilt
General Counsel

Enclosure

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

COPY

South Carolina State Employee Grievance Committee List of Witnesses

SWM-003D
(Rev. 07/2017)

Regulation 19-718.07 (C) (1) of the State Employee Grievance and Appeals Regulations provides that the covered employee and the agency, or their designated representatives, shall exchange witness lists that must be received by the other party no later than five (5) calendar days prior to the hearing. To facilitate this exchange, you may use this form provided by the Division of State Human Resources to list the names of your witnesses who will appear on your behalf at the State Employee Grievance Committee hearing.

In addition, Regulation 19-718.07 (E) (7) provides that at the beginning of the hearing, each party shall provide to the Secretary of the designated committee panel a list of representatives and witnesses. Representatives who will testify must be listed as both a representative and a witness. You may also use this form to submit your list of witnesses to the Secretary of the designated Committee panel.

Witnesses for **Appellant**, if any:

[redacted]

Witnesses for **Employing Agency**, if any:

John Dooney
Claudette Fields
Rebecca Hill
Valerie Bryant
Deirdre Blake Sayers

COPY

Please identify which ground(s) listed below from §8-17-340(E) of the S.C. Code of Laws you contend would require the Committee to change the agency's decision. In addition, state why these grounds are relevant to your appeal.

The agency's decision to terminate my employment is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and is (f) arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is;
(a) In violation of constitutional or statutory provisions

The agency's decision to terminate my employment is in violation of constitutional or statutory provisions. (Please see supporting documents – Group A)

The agency's decision to terminate my employment is;
(c) Made upon unlawful procedure

The agency's decision to terminate my employment on 6/19/2017 was made upon unlawful procedure. On 2/23/17, the S.C. Department of Disabilities and Special Needs – Coastal Regional Center put in place a new, unlawful, prejudicial, unfair, and discriminatory employment practice against me that subjected me to unlawful, unfair, prejudicial disciplinary actions that ended my employment. Any and all terms and conditions of employment should be universal in the workplace. Employers should follow established policies and procedures that meet the requirements of being uniform, fair, and consistent and should not make up unlawful practices or procedures to carry out their own corrupt agendas.

The agency's decision to terminate my employment is;
(e) Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The agency's decision to terminate my employment is clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

Claudette Field's charge (disciplinary action) against me for Conduct Unbecoming a State Employee is completely erroneous. This disciplinary action was only the starting point for her ending goal; which was to terminate my employment. This disciplinary action was then followed by an erroneous, improper, unfair, and inconsistent employment practice that was put in place on 2/23/17 specifically for me. Mrs. Fields actions were malicious, improper, corrupt, dishonest, unethical, and just plain wrong. This is the second time that Claudette Fields has just made stuff up and pulled things out of thin air to wrongfully, improperly, and unlawfully terminate my employment.

The disciplinary action titled, "Conduct Unbecoming a State Employee" was administered maliciously and with one end goal in mind. It was just the beginning of Claudette Fields retaliation efforts to bring about the end of my employment. In this disciplinary action I was called irrational and disruptive, but I am not (nor was I) irrational or disruptive and these inflammatory remarks are very inappropriate and very untrue.

The internal transfer process is pretty cut and dry. The staff (Latichia Gadson) wanted to voluntarily transfer from 1st shift in 110 to 2nd shift in 110. On 2/15/17, I informed Mrs. Fields of the staff members transfer request. Mrs. Fields then expressed (via a phone conversation) her desire to re-assign the staff member to unit 320 instead. Mrs. Fields response to the staff members transfer request was contradictory and inconsistent to the established internal transfer policy. It was also inconsistent with how Mrs. Fields have handled past staff members internal transfer request. Her response to this transfer request was more in line with an involuntary re-assignment because the staff member did not want to transfer to 320; she wanted to remain in the unit she was already working in. Unit 110 currently had four 2nd shift vacancies. Two days later (on 2/17/17), the staff member changed her mind and withdrew her transfer request.

This was not the first time that I've had communications with Mrs. Fields regarding a staff member wanting to transfer from one shift to another. Mrs. Gadson's transfer request was in no way different from transfer requests made to Claudette Fields in the past; the only difference was Mrs. Fields response to it (Please see supporting documents – Group E). Transfer requests are required to be done fairly and in a consistent manner. Everyone is knowledgeable regarding the established policies and procedures regarding the internal transfer request process. The disciplinary action titled, "Conduct Unbecoming a State Employee" was certainly unwarranted and the language Mrs. Fields used in it to describe me is very opinionated and very untrue.

Claudette Fields knew on 2/23/17 that she would end my employment, but she knew she had to camouflage her retaliatory efforts so they weren't so blatantly evident. Conduct unbecoming a state employee carries a punishment of suspension to dismissal for the first offense. This charge against me is erroneous and Claudette Fields knew it was erroneous. It is all to evident that Claudette Fields didn't even believe and/or couldn't even convince herself of her own hype regarding the charges in this disciplinary action. Why issue a written warning (lenient punishment) for such an egregious charge. Claudette Fields knew this charge was completely erroneous and she also knew that she took away my right to formally grieve this charge when she issued a mere written warning. This was so malicious!

The charge listed on the termination letter for an accumulation of three offenses is completely erroneous. Please do not be confused or misled by all the varying language that's used in the disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning). These three disciplinary actions (despite its title or contents) were all administered for not adhering to the new, arbitrary, improper, discriminatory, prejudicial, and

retaliatory employment practice that was put in place on 2/23/17. This was not an accumulation of offenses. The agency opted to slow walk me out the door by using their progressive disciplinary action guidelines. They did this so they would be able to count one (single) arbitrary, retaliatory, unfair, and discriminatory charge as three (3) offenses.

There is absolutely nothing fair or consistent about what this agency has done to me. Consistency and fairness is essential when developing workplace policies and practices. It is illegal to single out one employee for disciplinary actions and/or consequences for rules, policies, and practices that are not applicable to all employees. On 2/23/17, I informed Mr. John Dooney that I could not adhere to the new practice because it was discriminatory and prejudicial against me. On 2/24/17, I informed Mrs. Deirdre Blake – Sayers that I could not adhere to the new practice because it was discriminatory and prejudicial against me.

The charge listed on the termination letter is for an Accumulation of Three Offenses within Two (2) Years where the First Offense calls for a Written Reprimand. This is the charge that Claudette Fields worked so hard to achieve. She tortured me for four long months by using the agency's progressive disciplinary action guidelines to achieve this. In a matter of four months (not 2 years); Claudette Fields was confident she had an accumulation of three offenses, but this conclusion is wrong (erroneous). The charge then says - where the first offense calls for a written reprimand. According to the agency's guidelines for employee progressive disciplinary action; Improper Conduct or Conduct Unbecoming a State Employee actually calls for Suspension to Dismissal for the first offense, not a written warning (reprimand).

Claudette Fields actions to terminate my employment with the agency were deliberate, strategic, calculated, malicious, unfair, inconsistent, erroneous, abusive, prejudicial, retaliatory, and so much more. The one question this begs me to ask is why (what motive(s)) did three other top agency officials (John Dooney, Rebecca Hill, and Deirdre Blake-Sayers) all have individually or collectively to go along with and support Claudette Fields in her efforts to terminate my employment. I believe I know the answer to this question, but it only causes me to have more questions and more concerns regarding their ethics in these matters.

The agency's decision to terminate my employment is;
(f) Arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. On February 23, 2017, I was expected to submit to an improper, unfair, arbitrary, capricious, discriminatory, prejudicial, and retaliatory employment practice or I would surely suffer the consequences (termination) for asserting my legal rights to be treated fairly and equally in the workplace. I was expected to be humiliated, to be harassed, to be made a mockery of, to be treated differently, to be abused, to be

violated, to be broken down, to be scrutinized, and to be treated unfairly and unequally or to be terminated. I was terminated.

Employment practices that pertain to compensation, pay, salary, leave practices, time keeping, and transfers (just to name a few) must me practiced equally among all employees (especially employees of the same job classification or the same job position). Equal employment practices are required by law to be equal. All employees must be informed of these practices and these practices must be made available to all employees in some written form (handbooks, directives, etc....) Policies, procedures, and employment practices that establish rules, regulations, and guidelines for employees must be uniform and applicable to all employees.

The disciplinary action dated April 6, 2017 states, "it is difficult for your supervisor to determine the correct time you are reporting to work". The truth is that it is difficult for everyone's supervisor to determine the correct time they are reporting to work. This applies to all Administrative Personnel. If the goal was to address this universal concern; then a uniform, fair, and consistent employment practice would have been implemented. An agency with hundreds of employees cannot honestly believe that holding one employee (among a classification or group of employees) to a different set of standards regarding a time keeping practice is a fair and consistent act.

One person signing in and out means only one person is being held accountable. One person signing in and out means only one person is being humiliated and laughed at. One person signing in and out means only one person is being pressured to report to work on time each and every day while having to simultaneously watch others around them stroll in to work whenever they feel like it. One person signing in and out means only one person is subjected to punitive disciplinary actions for every second or minute they are late while others go unpunished for committing the same infraction/offense. What kind of workplace environment is this; a very hostile and intimidating workplace environment. Why would this be allowed?

The disciplinary action dated April 6, 2017 states that this agency is grounded on fair and consistent measures when administering disciplinary actions, but this statement cannot be true. The discriminatory employment practice was put in place specifically for me. I was the only one being required to adhere to it. In the almost ten years that I have worked for DDSN, I have never done this. To put this new, extremely questionable, and very contentious practice in place for one person arbitrarily, subjectively, and selectively violates every aspect of what it means to be equal, fair, and consistent.

On February 2, 2015, I contacted Claudette Fields to discuss my work schedule and my desire to take on a full time night job. I knew that this night job would interfere with my day time job and I knew that I could not take on this kind of obligation without Mrs. Fields approval because I would absolutely need to have more flexibility with my scheduling. I have included the initial email that

started conversations between me and Mrs. Fields regarding all of this. (Please see supporting documents – Group F) These conversations ultimately resulted in me accepting the full time night job because Claudette Fields extended privileges to me regarding my scheduling that enabled me to take this on.

The disciplinary action dated March 10, 2017 makes mention of these privileges very vaguely wherein Mrs. Fields is withdrawing the privileges writing "there is no additional grace period" and that "my scheduled working hours would be amended to include the 6:00-2:30 shift". Prior to February 23, 2017 there was an additional grace period and I was not required to work the 6:00-2:30 shift.

February 23, 2017 was the very first time that Claudette Fields ever expressed concerns and/or desires to pull back these privileges; however, she did it in a very dishonest and malicious way. She painted a picture that was very inaccurate and she did so to accomplish a goal she probably would not have been able to achieve otherwise (i.e. the discriminatory employment practice). She intentionally backed me into a corner knowing full well it would be her word against mine and that people would be more inclined to believe her. These privileges had been permitted for over two years and Claudette Fields (in her retaliation efforts) went to great heights to not only bring them to an end, but to bring my employment to an end also.

Claudette Fields is dishonest, corrupt, and malicious. This was not about tardiness; this was about retaliation. Tardiness is probably the most common violation that occurs in all workplaces; but policies, practices, and procedures to address it must always be equal, fair, and consistent.

Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake - Sayers all supported the discriminatory employment practice that was put in place on 2/23/17. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all knew on 2/23/17 or 2/24/17 that I could not adhere to the discriminatory employment practice. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all tortured me with the threat of termination for four months (2/23/17 through 6/19/17) just so they could (1) apply maximum pressure to force me to quit my job, (2) create a paper trail, (3) say they did progressive disciplinary actions, (4) charge me with an accumulation of offenses, and (5) camouflage their retaliation plan. Their actions were surely arbitrary and capricious as well as discriminatory, prejudicial, and viciously cruel. February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable.

(E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:

(1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in Section 43-35-10 or 63-7-20, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:

(a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;

(b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or

(c) The agency's action was arbitrary and capricious.

(2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:

(a) in violation of constitutional or statutory provisions;

(b) in excess of the statutory authority of the agency;

(c) made upon unlawful procedure;

(d) affected by other error of law;

(e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

Please return this from to: **Division of State Human Resources**
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Also, please send a completed copy of this document to the agency.

U.S. Equal Employment Opportunity Commission
Savannah Local Office

7391 Hodgson Memorial Drive
Suite 200
Savannah, GA 31406
(912) 920-4279
TTY (912) 920-4491
Fax: (912) 920-4484

COPY

Respondent: SC DEPARTMENT OF DISABILITIES & SPECIAL NEEDS
EEOC Charge No.: 415-2017-00468

June 13, 2017

RECEIVED
MAR 2 1 2018
DIVISION OF STATE HUMAN RESOURCES

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Group A
Supporting Documents

Dear Ms. Bolden:

This is with reference to your recent written correspondence or intake questionnaire in which you alleged employment discrimination by the above-named respondent. The information provided indicates that the matter complained of is subject to the statute(s) checked off below:

[X] Title VII of the Civil Rights Act of 1964 (Title VII)

[ ] The Age Discrimination in Employment Act (ADEA)

[ ] The Americans with Disabilities Act (ADA)

[ ] The Equal Pay Act (EPA)

[ ] The Genetic Information Nondiscrimination Act (GINA)

The attached EEOC Form 5, Charge of Discrimination, is a summary of your claims based on the information you provided. Because the document that you submitted to us constitutes a charge of employment discrimination, we have complied with the law and notified the employer that you filed a charge. Before we investigate your charge, however, you must sign and return the enclosed Form.

To enable proper handling of this action by the Commission you should:

(1) Review the enclosed charge form and make corrections.

(2) Sign and date the charge in the bottom left hand block where I have made an "X". For purposes of meeting the deadline for filing a charge, the date of your original signed document will be retained as the original filling date.

(3) Return the signed charge to this office.

Before we initiate an investigation, we must receive your signed Charge of Discrimination (EEOC Form 5). Please sign and return the charge within thirty (30) days from the date of this letter. Under EEOC procedures, if we do not hear from you within 30 days or receive your signed charge within 30 days, we are authorized to dismiss your charge and issue you a right to sue letter allowing you to pursue the matter in federal court.

Please use the "EEOC Charge No." listed at the top of this letter whenever you call us about this charge. Please also notify this office of any change in address or of any prolonged absence from home. Failure to cooperate in this matter may lead to dismissal of the charge.

Please also read the enclosed brochure, "What You Should Know Before You File A Charge With EEOC," for answers to frequently asked questions about employee rights and the EEOC process. If you have any questions, please call me at the number listed below. If you have to call long distance, please call collect.

Sincerely,

Janice D. Smith
Investigator
(912) 920-4482

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.
www.eeoc.gov

Enclosure(s)
Copy of EEOC Form 5, Charge of Discrimination
Copy of EEOC Uniform Brochure, "What You Should Know Before You File A Charge With EEOC."

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

- [ ] FEPA
- [X] EEOC **415-2017-00468**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)	Home Phone (Incl. Area Code)	Date of Birth
Ms. Alicia Bolden	**(843) 709-5313**	

Street Address: **1115 Carnegie Avenue, Charleston, SC 29407** City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (*If more than two, list under PARTICULARS below.*)

Name	No. Employees, Members	Phone No. (Include Area Code)
SC DEPARTMENT OF DISABILITIES & SPECIAL NEEDS	**500 or More**	**(843) 873-5750**

Street Address: **9995 Jamison Road, Summerville, SC 29485** City, State and ZIP Code

Name	No. Employees, Members	Phone No. (Include Area Code)

Street Address: City, State and ZIP Code

DISCRIMINATION BASED ON (*Check appropriate box(es).*)

- [ ] RACE
- [ ] COLOR
- [ ] SEX
- [ ] RELIGION
- [ ] NATIONAL ORIGIN
- [X] RETALIATION
- [ ] AGE
- [ ] DISABILITY
- [ ] GENETIC INFORMATION
- [ ] OTHER (*Specify*)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest	Latest
04-26-2012	**04-26-2012**

- [ ] CONTINUING ACTION

THE PARTICULARS ARE (*If additional paper is needed, attach extra sheet(s)*):

I. I was hired on March 2, 2008, as a Human Resources Assistant II and my last position held was a Direct Service Manager. On February 24, 2017, I notified the Human Resources Director, Deidre Blake, that I was being harassed by top officials within the company. On March 10, 2017, I was written up. On April 13, 2017, I was suspended for three days.

II. Claudette Fields, Residential Service Director, informed me that she is to monitor me closely and intensely. No reason was given for the other actions above.

III. I believe that I was discriminated against due to retaliation for having opposed an employment practice believed to be in violation of the Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

X

Date *Charging Party Signature*

NOTARY – *When necessary for State and Local Agency Requirements*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(*month, day, year*)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).

2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.

3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.

4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.

5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please notify EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

RE: Mrs. Latichia Gadson!

Fields, Claudette

Wed 2/15/2017 3:58 PM

COPY

Group E
Supporting Documents

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

Good Afternoon,
Please have Ms. Singletary to complete the necessary transfer form, then I will seek availability for 2nd shift placement based on needs. Have a great day.

From: Bolden, Alicia
Sent: Wednesday, February 15, 2017 12:52 PM
To: Fields, Claudette <CFields@ddsn.sc.gov>
Subject: Mrs. Latichia Gadson!

Good Afternoon Mrs. Fields,

Mrs. Latichia Gadson would like to be moved to second shift starting on the next schedule so that she is able to go back to school. School starts sometime around about the 22nd of this month, but she is going to bring in the exact dates (verification) on tomorrow.

Alicia Bolden (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Mrs. L. Gadson!

Bolden, Alicia

Fri 2/17/2017 11:13 AM

Sent Items

To: Fields, Claudette <CFields@ddsn.sc.gov>;

Good Morning Mrs. Fields,

Mrs. Gadson has stated that due to the time constraints and issues with babysitters regarding second shift that she will now be attending school at a later date. She said that Monday the 20th is a Holiday and her son is out of school this day and she still would like to have this day off for that purpose, but she no longer needs to take off the 22nd. I have her leave slip. I will bring it up shortly. We currently have (6) staff scheduled to work on the 20th.

Alicia (110)

Janekwa Green!

Janekwa Green was working on 1st shift in 110 when she made this transfer request

Bolden, Alicia

Wed 10/19/2016 1:18 PM

To: Fields, Claudette <CFields@oasn.sc.gov>,

Mrs. Fields,

Janekwa Green has just informed me that she will be starting school soon (fall) and would like to know if she can work part time on 3rd shift when it does. She is supposed to be meeting with her advisor and states that she will forward me her start date as soon as she has it.

Alicia (1 10)

Janekwa Green!

Bolden, Alicia

Wed 10/19/2016 2:43 PM

To: Fields, Claudette <CFields@cdsn.sc.gov>;

Mrs. Fields,

I spoke with Janekwa again and she says that she does not want to lose her benefits so she would like to be considered for the FT slot on 3rd in 110. I forwarded her an in-house transfer request form. Will keep you informed with school documents and dates as they are made available.

Alicia (110)

Transfer Request Was Approved

Re: Monica Brockington

Fields, Claudette

Sat 8/15/2015 12:38 PM

Inbox

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Good afternoon,
This sounds like a plan, but let's further discuss on Monday or Tuesday. Enjoy your weekend!!

Sent from my iPhone

On Aug 15, 2015, at 10:51 AM, Bolden, Alicia <ABolden@ddsn.sc.gov> wrote.

Good Morning Mrs. Fields,

As you know Monica Brockington starts her internship on 9/1/2015. This intern is scheduled to last for 2 months. She will not earn any income while she completes this, but she needs to work to pay her bills. Her intern site is in N. Charleston and she also lives in N. Charleston. I was hoping that you would allow us to schedule her to work on 3rd shift for these two months until she is able to go back to 1st shift hours. Her intern hours are from 8 am to 5 pm. Monica is an exceptional worker and I am proud that she is pursuing her education and this internship will help her to achieve her long term career goals. We actually need the extra help on 3rd shift and I have been meaning to ask you if you would allow us to get a temp. Monica filling in in the meantime will be a great help. It will help her and it will help us. In addition, I was also hoping that we could modify her 3rd shift hours to 10pm to 6:30 am to allow her time to get home and prepare for her 8am intern shift. We have (2) two 6:00 – 2:30 staff on 1st shift in this building so that modification does not pose any foreseeable problems. Thanks in advance. Upon your approval, we will make the necessary changes to the schedule. I am most appreciative and I am sure she is to. ☺

Sincerely, Alicia Bolden (Highlands 110)

CONFIDENTIALITY NOTICE: The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Transfer Request Was Approved

FW: INTERNAL TRANSFER REQUEST

Fields, Claudette

Thu 9/8/2016 2:14 PM

To: Williams, Valerie <VWilliams@ddsn.sc.gov>; Bolden, Alicia <ABolden@ddsn.sc.gov>; Segal, Sueilen <SSegal@ddsn.sc.gov>; Ravenell, Rainey <RRavenell@ddsn.sc.gov>; Lee, Dorothy <DLee@ddsn.sc.gov>; Smith, Lorra <LoSmith@ddsn.sc.gov>; Jenkins, Betty <BJenkins@ddsn.sc.gov>; Govan, Stacey <SGovan@ddsn.sc.gov>; Staley, Claire <CStaley@ddsn.sc.gov>; Logan, Leslie <LLogan@ddsn.sc.gov>; Varner, Valerie <VVarner@ddsn.sc.gov>; Harris, Brenda <BHarris@ddsn.sc.gov>; Perry, Diann <DPerry@ddsn.sc.gov>; Piper, Doris <DPiper@ddsn.sc.gov>; Hamlet, Kathy <KHamlet@ddsn.sc.gov>; Gathers, Cheryl <CGathers@ddsn.sc.gov>; Summers, Sheila <SSummers@ddsn.sc.gov>; Green, Rosellen <RGreen@ddsn.sc.gov>; Middleton, Crystal <CMiddleton@ddsn.sc.gov>; Hamilton, Katie <KHamilton@ddsn.sc.gov>; Robinson, Victoria <VRobinson@ddsn.sc.gov>; Brayford, Catherine <cbrayford@ddsn.sc.gov>;

1 attachments (57 KB)

REQUEST FOR INTERNAL TRANSFER.doc;

FYI

From: Dooney, John
Sent: Thursday, September 08, 2016 12:03 PM
To: Fields, Claudette <CFields@ddsn.sc.gov>; Cummings, Lois <LCummings@ddsn.sc.gov>; Nickless, Richard <rnicklesS@ddsn.sc.gov>; Harris, Jim <JHarris@ddsn.sc.gov>; Cripps, Sue <SCripps@ddsn.sc.gov>; Hunter, Wally <WHunter@ddsn.sc.gov>; Zila, Michele <MZila@ddsn.sc.gov>; Stanley, Al <AStanley@ddsn.sc.gov>; Lenes, Steven <SLenes@ddsn.sc.gov>
Cc: Hill, Becky <BHill@ddsn.sc.gov>
Subject: INTERNAL TRANSFER REQUEST

Good afternoon,

Attached is the new internal transfer request form for all staff requesting an in-house transfer such as (1)building transfer, (2) shift transfer, and (3) departmental transfer.

This form will be located in the HRM folder on the Coastal Share Drive....

Any questions, let me know.

Thanks.
R/
John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750

Fax# 843-821-5878
idooney@cdsn.sc.gov

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

S.C. DEPT. OF DISABILITIES AND SPECIAL NEEDS
REGIONAL COASTAL CENTER

REQUEST FOR INTERNAL TRANSFER

Employee Name:	Department:	Date of Request:

PROBATIONARY EMPLOYEE: ☐ YES ☐ NO

SUPPORTING DOCUMENTATION PROVIDED (as applicable): ☐ YES ☐ NO

Reason(s) for request:

Respectfully request to transfer "from _____ (Building # / Shift/ Department) to _____ (Building # / Shift/ Department)."

Reason:

SIGNATURE OF REQUESTOR:

Please be advised that all requests for transfer will be considered and are reviewed according to staffing needs

ROUTING	
RECOMMENDATION: ☐ YES ☐ NO	SIGNATURE/TITLE/DATE **IMMEDIATE SUPERVISOR**
☐ YES ☐ NO	SIGNATURE/TITLE/DATE **WORK CENTER SUPERVISOR**
☐ YES ☐ NO	SIGNATURE/TITLE/DATE **DEPARTMENT SUPERVISOR**
☐ YES ☐ NO	SIGNATURE/TITLE/DATE **DEPARTMENT DIRECTOR**
RECOMMENDATION CONTINUED IF DISAPPROVED BY DEPARTMENT DIRECTOR IF PURSUED BY REQUESTOR	
☐ YES ☐ NO	**HR DIRECTOR** (AS APPLICABLE)
☐ YES ☐ NO	**FACILITY ADMINISTRATOR**
VERIFIED: ☐ YES ☐ NO	SIGNATURE/TITLE/DATE **HR STAFF**

REASON FOR DISAPPROVAL:

CC FORM – TRANSFER 1

RECOMMENDATION FOR DISCIPLINARY ACTION

COPY

Alicia Bolden — Date: April 6, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. In accordance with this directive, you are receiving a (3) days suspension for inappropriate conduct/behavior. This agency is grounded on fair and consistent measures, when administering disciplinary action. Whereas, it is the responsibility of the employee to conform with procedures applicable to their duty assignment. Every attempt has been made to professionally support you as a Manager. However, you prolong to comply with such reasonable request. You were counseled on February 23, 2017 & March 10, 2017 for Failure to Observe Assigned Work Hours. On both dates, specific instructions were given in the presence of two witnesses. The instructions were as follows:

1. Submit your monthly work schedule to your supervisors timely.
2. Follow your schedule, no exceptions.
3. Monitored by the switchboard operator.
4. Sign in/out through switchboard.

As of today April 6, 2017, there has been no marked improvement in this areas. You continuously refuse to sign in/out through switchboard. Therefore, it is difficult for your supervisor to determine the correct time you are reporting to work. Effective immediately, you are expected to correct your inappropriate conduct/behavior by signing in/out through switchboard.

RE: My Scheduling!

Fields, Claudette

Mon 2/2/2015 3:54 PM

Inbox

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

Please call me back. Thanks

From: Bolden, Alicia
Sent: Monday, February 02, 2015 9:57 AM
To: Fields, Claudette
Cc: Wiggins, Valerie
Subject: My Scheduling!

Good Morning Mrs. Fields,

I've been meaning to discuss my schedule with you for some time now in regards to the 6:00 to 2:30 shift. I am hoping to be able to pick up more hours on my part time job during the work week and this may interfere with the 6:00 to 2:30 shift. It may be that I work it on the same day weekly or that some weeks I may not work it at all. I did not want to take this on without your approval but this is just another avenue that I am trying to explore in terms of my financial obligations.

Thanks, Alicia (110)

CONFIDENTIALITY NOTICE: The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: March 10, 2017

Direct Support Manager — Insubordination

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

A meeting was held with Alicia on February 23, 2017. Alicia's immediate supervisor and HR Director were present during this discussion. The purpose of this meeting was to discuss Alicia's time and attendance, and her unbecoming conduct as a State employee. This resulted in an oral counseling and a written warning. Today's written warning is to inform Alicia that as of March 10, 2017. Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy. On February 23rd, I expressed that the agreeable working hours are 8:30-5:00, or 10:00-6:30. Also, you were informed that the following instructions must be adhere to:

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

In conclusion, Alicia, was made aware, that it is critical for her to report to work on time. There is no additional grace period. Any further tardiness will result in progressive disciplinary action, and your scheduled working hours will be amended to 6:00-2:30; 8:30-5:00 and 10:00-6:30. The previously mentioned hours are regulars working hours for a Coastal Regional Center Direct Support Manager. However, Alicia was given the privilege to work 8:30-5:00 or 10:00-6:30, due to personal issues. As of today, March 10, 2017; Alicia remains insubordinate, therefore a written warning is being

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Falsification of Information on the Application for Employment	Dismissal				
Falsifying Official Records	Dismissal				
Fighting (Inappropriate Interpersonal Physical Contact)	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Gambling During Work Hours	Suspension to Dismissal	Dismissal			
***Horseplay**	Oral Reprimand	Written Warning	Suspension	Dismissal	
Impeding/Interfering with an Official Investigation	Suspension to Dismissal	Dismissal			
Improper Conduct or Conduct Unbecoming a State Employee	Suspension to Dismissal	Dismissal			
Inappropriate Interactions with a Consumer	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
***Inappropriate Use of Sick Leave**	Written Warning	Suspension	Dismissal		
Insubordination	Suspension to Dismissal	Dismissal			
Interference with other employee's work	Oral reprimand	Written Reprimand	Suspension	Termination	
Leaving Work Station without Authorization	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Lewd Conduct Towards or With a Consumer or Employee	Dismissal				

employee must be considered to have performed in a satisfactory manner and be a covered employee. This policy does not apply to non-covered employees (e.g., probationary employees, temporary employees, temporary grant employees, time-limited project employees, research grant employees and employees exempt from the State Employee Grievance Procedure Act).

Employees choosing to file a grievance or appeal must not be disciplined or otherwise prejudiced for exercising their rights or for testifying under the provisions of this policy.

GENERAL POLICY

It is the policy of DDSN to give prompt and impartial consideration to the complaints and grievances of employees without restraint, interference, coercion or reprisal. It is the responsibility of the immediate supervisor to make prompt decisions and to work toward solutions that are in the best interests of DDSN and the employee involved. It is expected that the supervisor will make every reasonable effort to reach a satisfactory solution, so that employee complaints may be settled informally between the employee and the immediate supervisor.

Employees have the right to have a representative, including counsel, at any time during DDSN's grievance procedure. If an employee chooses to exercise the right to counsel, it shall be at the employee's expense.

GRIEVANCES AND APPEALS

As provided for in the Act and defined in S.C. Code Ann. § 8-17-320, a covered employee may file a grievance or an appeal concerning **only** the following employment actions:

- Terminations
- Suspensions
- Involuntary Reassignments in excess of 30 miles from the prior work station
- Demotions
- Punitive Reclassifications, but only when DDSN (in the case of a grievance) or the State Human Resources Director (in the case of an appeal) determines that there is a material issue of fact that the action was solely done to penalize the covered employee.
- Promotions - In instances where DDSN or (in the case of appeals) the State Human Resources Director determines that there is a material issue of fact as to whether or not DDSN has considered a qualified covered employee for a position for which the employee formally applied, or would have applied if the employee had known of the promotional opportunity. When DDSN promotes an employee one organizational level above the promoted employee's former level; however, this action is not a grievance or subject to appeal for any other qualified covered employee. Failure to be selected for a

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration



3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Fred Lynn
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Katherine W. Davis
Gary C. Lemel
Vicki A. Thompson

Reference Number:	405-01-DD
Title of Document:	Employee Grievance Procedure
Date of Issue:	May 28, 1987
Effective Date:	May 28, 1987
Last Review Date:	January 22, 2016
Date of Last Revision:	January 22, 2016 (REVISED)
Applicability:	All Covered DDSN State Employees

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS (DDSN). THIS DOCUMENT DOES NOT CREATE ANY CONTRACTURAL RIGHTS OR ENTITLEMENTS. DDSN RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

INTRODUCTION

The State Employee Grievance Procedure Act (Act) provides that each agency and department of State government shall establish an employee grievance procedure for covered employees which shall be reduced to writing and be approved by the State Human Resources Director. In addition, the approved grievance procedure must be made available to covered employees of DDSN. "Covered employee" is defined as a full-time or part-time employee (FTE/PTE) occupying a part or all of a FTE position, who has completed the probationary period with a "successful" or higher overall rating on the employee's performance evaluation and who has grievance rights. If an employee does not receive an evaluation before his/her performance review date, the

P.O. Box 239
Clinton, SC 29325-0328
Phone: (864) 938-3497

DISTRICT I
Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5570

DISTRICT II
Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

4:00 Meeting

Fields, Claudette

Thu 2/23/2017 1:15 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>; Williams, Valerie <VWilliams@ddsn.sc.gov>;

Hello,

I would like to meet with you both at 4:00 p.m. in Mr. Dooney's office. Thanks

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Subject: RE: Request for Audio Records & Written Transcripts

From: Miller, Spencer (Spencer.Miller@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Friday, April 6, 2018 5:00 PM

COPY

Good Afternoon Ms. Bolden,

We do not keep photographs of Committee members.

Thanks,

Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Friday, April 06, 2018 4:18 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Re: Request for Audio Records & Written Transcripts

Mr. Miller, are you able to provide photographs so that I am able to match names with faces.

On Friday, April 6, 2018 3:09 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

Below please find the available information on the Committee members and the Committee Attorney at the hearing.

- Ken Norris of Vocational Rehabilitation (Chairperson)
- Krissi Wicker of Dept. of Motor Vehicles (Secretary)
- Cliff Miller of the Criminal Justice Academy (Panel Member)
- April Koon of Dept. of Labor, Licensing and Regulation (Panel Member)
- Stephen Lunsford of Dept. of Corrections (Panel Member)
- Parkin Hunter of the Attorney General's Office (Committee Attorney)
- Spencer Miller of the Dept. of Administration (Division of State Human Resources)

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Friday, April 06, 2018 1:42 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Re: Request for Audio Records & Written Transcripts

Hello Mr. Miller,

I will need you to provide me with as much information as possible regarding the committee members and the committee attorney for the transcription of the audio recording. I have to assist in this process and I only remember everyone's faces. I need the committee members name, agency or organization they work for, their position title, their role at the hearing, their photographs, their voices, and all other pertinent information required for transcription.

I also need you information Mr. Miller. I know you recorded the hearing.

I think I know enough about the witnesses and Mrs. Vanderbilt but if you have other identifiers that would be helpful, please send those also. You can mail all of this information to the same address I've already provided.

Thanks, Alicia Bolden

On Wednesday, April 4, 2018 4:39 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordings in the mail to you tomorrow.

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

Subject: Re: Request for Audio Records & Written Transcripts

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Spencer.Miller@admin.sc.gov;

Date: Friday, April 6, 2018 4:18 PM

Mr. Miller, are you able to provide photographs so that I am able to match names with faces.

On Friday, April 6, 2018 3:09 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

Below please find the available information on the Committee members and the Committee Attorney at the hearing.

- Ken Norris of Vocational Rehabilitation (Chairperson)
- Krissi Wicker of Dept. of Motor Vehicles (Secretary)
- Cliff Miller of the Criminal Justice Academy (Panel Member)
- April Koon of Dept. of Labor, Licensing and Regulation (Panel Member)
- Stephen Lunsford of Dept. of Corrections (Panel Member)
- Parkin Hunter of the Attorney General's Office (Committee Attorney)
- Spencer Miller of the Dept. of Administration (Division of State Human Resources)

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Friday, April 06, 2018 1:42 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Re: Request for Audio Records & Written Transcripts

Hello Mr. Miller,

I will need you to provide me with as much information as possible regarding the committee members and the committee attorney for the transcription of the audio recording. I have to assist in this process and I only remember everyone's faces. I need the committee members name, agency or organization they work for, their position title, their role at the hearing, their photographs, their voices, and all other pertinent information required for transcription.

I also need you information Mr. Miller. I know you recorded the hearing.

I think I know enough about the witnesses and Mrs. Vanderbilt but if you have other identifiers that would be helpful, please send those also. You can mail all of this information to the same address I've already provided.

Thanks, Alicia Bolden

On Wednesday, April 4, 2018 4:39 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordi  in the mail to you tomorrow. 

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

Subject: Re: Request for Audio Records & Written Transcripts

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Spencer.Miller@admin.sc.gov;

Date: Friday, April 6, 2018 1:41 PM

Hello Mr. Miller,

I will need you to provide me with as much information as possible regarding the committee members and the committee attorney for the transcription of the audio recording. I have to assist in this process and I only remember everyone's faces. I need the committee members name, agency or organization they work for, their position title, their role at the hearing, their photographs, their voices, and all other pertinent information required for transcription.

I also need you information Mr. Miller. I know you recorded the hearing.

I think I know enough about the witnesses and Mrs. Vanderbilt but if you have other identifiers that would be helpful, please send those also. You can mail all of this information to the same address I've already provided.

Thanks, Alicia Bolden

On Wednesday, April 4, 2018 4:39 PM, "Miller, Spencer" <Spencer.Miller@admin.sc.gov> wrote:

Good Afternoon Ms. Bolden,

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordings in the mail to you tomorrow.

Thanks,
Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

Subject: RE: Request for Audio Records & Written Transcripts

From: Miller, Spencer (Spencer.Miller@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Wednesday, April 4, 2018 4:39 PM

Good Afternoon Ms. Bolden,

We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so.

I will place the CD of the recordings in the mail to you tomorrow.

Thanks,

Spencer

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 04, 2018 3:27 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Subject: Request for Audio Records & Written Transcripts

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

Subject: Request for Audio Records & Written Transcripts

From: alicia bolden (alicia_bolden@bellsouth.net)

To: spencer.miller@admin.sc.gov;

Date: Wednesday, April 4, 2018 3:30 PM

These records can be mailed to:
Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

On Wednesday, April 4, 2018 3:26 PM, alicia bolden <alicia_bolden@bellsouth.net> wrote:

Good afternoon Mr. Spencer,

I am writing to request copies of all audio records and written transcripts from the Grievance Hearing that took place on yesterday, April 3, 2018.

Thanks, Alicia Bolden

Subject: Recordings of April 3rd Committee Hearing

From: Baggott, Terry (Terry.Baggott@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Wednesday, April 11, 2018 4:42 PM

COPY

Ms. Bolden,

Please see the attached letter.

Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*

Assistant Director, Division of State Human Resources

The South Carolina

Department *of* Administration

8301 Parklane Road, Suite A220, Columbia, SC 29223

(803) 896-5003 ; (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Attachments

- Ltr. to Alicia Bolden.docx (2.31MB)

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

April 10, 2018

Via Electronic Mail Only

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

This office has received your email dated April 9, 2018, regarding the compact disc (CD) sent to you containing the recordings of your April 3, 2018 hearing before the State Employee Grievance Committee. In your email, you state in part that, "[t]he audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered...Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018."

So that this office has a clearer understanding of your allegations, please provide to this office a response citing specifically what testimony was added and what testimony is missing or edited from the recordings on the CD.

Sincerely,

Terry M. Baggott
Assistant Director

Subject: Re: Recordings of April 3rd Committee Hearing

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Terry.Baggott@admin.sc.gov;

Date: Wednesday, April 11, 2018 5:35 PM

COPY

Mr. Baggott,

Thanks for acknowledging my concerns.

The audio recording that was sent to me on April 9, 2018 has been altered in too many ways for me to explain. I honestly don't even know where to begin or how best to describe what has been done. Audio manipulation is very easy to do, but it is also very easy to detect. I will need to have a forensic scientist (audio expert) to analyze the audio recording and issue a report of findings.

For now I am simply asking to receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. This recording was done by Mr. Spencer Miller on April 3, 2018. This hearing was scheduled for 9:00 a.m. and started approximately 9:30 a.m. and lasted for about three hours. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

On Wednesday, April 11, 2018 4:42 PM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
Please see the attached letter.
Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Subject: Re: Recordings of April 3rd Committee Hearing

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Terry.Baggott@admin.sc.gov;

Date: Friday, April 13, 2018 8:14 AM

Mr. Baggott,

I am not permitted to return the audio recording sent to me by Mr. Spencer Miller on April 9, 2018 and I cannot comment beyond just saying that. I am permitted and required to request and receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. I need to receive an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true genuine form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313

On Thursday, April 12, 2018 9:16 AM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
I am happy to send you another CD containing the recordings of your hearing before the Grievance Committee on April 3, 2018. I would ask, however, that you first return the CD you currently have so there is no confusion in the future.
I can assure you that there have been no deletions, alterations, additions, etc. made by anyone at the Division of State Human Resources of the recordings of your hearing. I will personally send you an "authentic" copy of your hearing of April 3, 2018, once I receive the CD you currently have in your possession. You may send the CD to my attention at the address below.
Thank you,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 11, 2018 5:35 PM
To: Baggott, Terry <Terry.Baggott@admin.sc.gov>
Subject: Re: Recordings of April 3rd Committee Hearing

Mr. Baggott,

Thanks for acknowledging my concerns.

The audio recording that was sent to me on April 9, 2018 has been altered in too many ways for me to explain. I honestly don't even know where to begin or how best to describe what has been done. Audio manipulation is very easy to do, but it

is also very easy to detect. I will need to have a forensic scientist (audio expert) to analyze the audio recording and issue a report of findings.

For now I am simply asking to receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. This recording was done by Mr. Spencer Miller on April 3, 2018. This hearing was scheduled for 9:00 a.m. and started approximately 9:30 a.m. and lasted for about three hours. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

On Wednesday, April 11, 2018 4:42 PM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
Please see the attached letter.
Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Subject: RE: Recordings of April 3rd Committee Hearing

From: Baggott, Terry (Terry.Baggott@admin.sc.gov)

To: alicia_bolden@bellsouth.net;

Date: Thursday, April 12, 2018 9:16 AM

Ms. Bolden,

I am happy to send you another CD containing the recordings of your hearing before the Grievance Committee on April 3, 2018. I would ask, however, that you first return the CD you currently have so there is no confusion in the future.

I can assure you that there have been no deletions, alterations, additions, etc. made by anyone at the Division of State Human Resources of the recordings of your hearing. I will personally send you an "authentic" copy of your hearing of April 3, 2018, once I receive the CD you currently have in your possession. You may send the CD to my attention at the address below.

Thank you,

Terry M. Baggott *CPM. SPHR, SHRM-SCP*

Assistant Director, Division of State Human Resources

The South Carolina

Department of Administration

8301 Parklane Road, Suite A220, Columbia, SC 29223

(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

From: alicia bolden [mailto:alicia_bolden@bellsouth.net]
Sent: Wednesday, April 11, 2018 5:35 PM
To: Baggott, Terry <Terry.Baggott@admin.sc.gov>
Subject: Re: Recordings of April 3rd Committee Hearing

Mr. Baggott,

Thanks for acknowledging my concerns.

The audio recording that was sent to me on April 9, 2018 has been altered in too many ways for me to explain. I honestly don't even know where to begin or how best to describe what has been done. Audio manipulation is very easy to do, but it is also very easy to detect. I will need to have a forensic scientist (audio expert) to analyze the audio recording and issue a report of findings.

For now I am simply asking to receive an authentic copy of the audio recording from the Grievance Hearing that I attended on April 3, 2018. This recording was done by Mr. Spencer Miller on April 3, 2018. This hearing was scheduled for 9:00 a.m. and started approximately 9:30 a.m. and lasted for about three hours. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden

1115 Carnegie Avenue

Charleston, SC 29407

(843) 709 - 5313

On Wednesday, April 11, 2018 4:42 PM, "Baggott, Terry" <Terry.Baggott@admin.sc.gov> wrote:

Ms. Bolden,
Please see the attached letter.
Sincerely,

Terry M. Baggott *CPM, SPHR, SHRM-SCP*
Assistant Director, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5003 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

Subject: Misconduct and wrongdoing within the Department of Administration

From: alicia bolden (alicia_bolden@bellsouth.net)

To: Kevin.Paul@admin.sc.gov;

Date: Wednesday, April 11, 2018 2:36 PM

April 11, 2018

To Kevin Paul (Assistant Division Director),
Department of Administration - Division of State Human Resources

Re: Misconduct and wrongdoing within the Department of Administration

Mr. Paul, I sent this information (below) to Kim Aydlette on April 9, 2018 and I have not heard back from her. Will you please look into this and send the requested information. Thanks, Alicia Bolden

On Monday, April 9, 2018 9:38 PM, alicia bolden <alicia_bolden@bellsouth.net> wrote:

April 9, 2018

To Kim Aydlette (State Human Resources Director),
Department of Administration - Division of State Human Resources

Re: Misconduct and wrongdoing within the Department of Administration

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email): "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today (April 9, 2018), but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited or omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018.

The audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered. This discovery is very troubling.

Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

Subject: Misconduct and wrongdoing within the Department of Administration

From: alicia bolden (alicia_bolden@bellsouth.net)

To: kim.aydlette@admin.sc.gov;

Date: Monday, April 9, 2018 9:38 PM

April 9, 2018

To Kim Aydlette (State Human Resources Director),
Department of Administration - Division of State Human Resources

Re: Misconduct and wrongdoing within the Department of Administration

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied (via email): "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today (April 9, 2018), but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited or omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018.

The audio recording that was sent to me includes additional testimony that was not given during the grievance hearing I attended. In addition, testimony that was given during the hearing has been omitted, changed, and altered. This discovery is very troubling.

Please send me a copy of the true authentic copy of the Grievance Hearing that I attended on April 3, 2018. I need an authentic copy of the grievance hearing without changes, edits, omissions, additions, or alterations; just the hearing in its true form from start to finish. This information can be forwarded to the address below.

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 - 5313

SC.GOV The Official Web Site of the State of South Carolina

SOUTH CAROLINA
Office of Inspector General

COPY

Complaint Submitted

Your complaint has been sent. A summary of your complaint is displayed below. Please print this page and/or note the confirmation number for future reference with the SC Office of Inspector General.

Complaint Confirmation Number: 00550

Date complaint was submitted: 04/09/2018 06:21:16 PM

Complaint Summary

Agency Information

Category: Executive Branch of S.C. (incl. public colleges)

Agency: Human Resources, Division of State (Department of Administration)

Confidentiality

Requesting Confidentiality? No

If yes, why:

Your Personal Data

Name: Alicia Bolden

Address: 1115 Carnegie Avenue
Charleston SC 29407

Email Address: Alicia_Bolden@bellsouth.net

Home Phone:

Cell Phone: 843-709-5313

Your Work Data

159

Place of Employment:

Position:

Email Address:

Work Phone:

Agency Individuals Involved

Brief Description: Misconduct & Wrongdoing

Individual 1 Spencer Miller

Witness 1

Name:

Other Involved Entities

What recourse have you taken with the agency?

What action was taken?

What is the status on the matter?

Has there been, or is there any litigation pending concerning this complaint? No

If so, what is the current status?

Complaint Specifics

Personal or Direct Knowledge? Personal or direct knowledge

Other Knowledge?

Are there any relevant documents that support your allegation(s)? Yes

Complaint Description

160

On April 4, 2018, I submitted a written request to Mr. Spencer Miller requesting copies of all audio records and written transcripts from a Grievance Hearing that took place on April 3, 2018. Mr. Miller replied via email: "We are not able to provide the transcripts of your hearing; however, we can provide you the recordings of your hearing so that you can have them transcribed if you need to do so. I will place the CD of the recordings in the mail to you tomorrow". I received the audio recording in the mail today April 9, 2018, but the audio recording has been altered and changed. Testimony that was given during the hearing has been edited and omitted. I am not able to have the audio recording transcribed for court because it is not authentic. I need to receive an authentic copy of the Grievance Hearing that took place on April 3, 2018 and Mr. Spencer Miller's misconduct and wrongdoing in these matters should be addressed. Spencer Miller works for the Dept. of Administration Division of State Human Resources.

Copyright © 2018 State of South Carolina

Subject: Complaint Confirmation - Confirmation Number 00550

From: OIGNoReply@messaging.sc.gov (OIGNoReply@messaging.sc.gov)

To: Alicia_Bolden@bellsouth.net;

Date: Monday, April 9, 2018 6:21 PM

I am writing in response to the complaint filed with the SC Office of the Inspector General regarding your concerns. Please be assured the information you sent is being reviewed for possible action.

Thank you for registering your complaint with the SC Office of the Inspector General.

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Karen Luchka Wingo, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 fax

October 5, 2018

The Honorable S. Phillip Lenski
Administrative Law Judge
1205 Pendleton Street, Suite 224
Columbia, South Carolina 29201

Re: *Alicia Bolden v. S.C. Department of Disabilities and Special Needs*
18-ALJ-30-0182-AP

Dear Judge Lenski:

Please find enclosed for filing in the above-referenced appeal the original and one (1) electronic copy of the Record on Appeal.

By copy of this letter, we are serving Appellant and Respondent's counsel with an electronic copy of the Record on Appeal.

Please feel free to contact me at 734-9260 with any questions or if I can be of assistance.

Sincerely,

Molly R. Crum
Assistant General Counsel

Enclosures

cc: Ms. Tana Vanderbilt, Esquire
Ms. Alicia Bolden

FILED
OCT 04 2018
SC ADMIN. LAW COURT

THE STATE OF SOUTH CAROLINA

ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Case No. 18-ALJ-30-0182-AP

Alicia Bolden,

Appellant,

vs.

S.C. Department of Disabilities and Special Needs,

Respondent.

RECORD ON APPEAL
VOLUME 1 of 1

Ms. Alicia Bolden
1115Carnegie Avenue
Charleston, South Carolina 29407
alicia_bolden@bellsouth.net

Ms. Tana Vanderbilt, Esquire
S.C. Dept. of Disabilities and Special Needs
P.O. Box 4706
Columbia, South Carolina 29240
TVanderbilt@ddsn.sc.gov

FILED
OCT 04 2018
SC ADMIN. LAW COURT
0001

INDEX TO RECORD ON APPEAL

State Employee Grievance Committee Final Decision, dated April 23, 2018.....0003
Transcript of State Employee Grievance Hearing 0014
State Employee Grievance Committee List of Witnesses for Appellant.....0142
State Employee Grievance Committee List of Representatives for Appellant.....0143
State Employee Grievance Committee List of Witnesses for the Agency 0144
State Employee Grievance Committee List of Representatives for the Agency 0145
Exhibit Sheet, dated April 3, 2018.....0146
Committee Exhibit 1 0147
Appellant's Exhibit 1 0337
Appellant's Exhibit 2 0339
Certificate of Service 0345

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

April 23, 2018

CERTIFIED MAIL

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

In accordance with the State Employee Grievance Procedure Act, you are hereby advised of the final decision of your appeal against the South Carolina Department of Disabilities and Special Needs to the State Employee Grievance Committee. Pursuant to the Act, within twenty calendar days of the conclusion of the hearing, the State Employee Grievance Committee shall render its decision on the appeal. The Committee's decision is enclosed for your file.

Please advise us if you have any questions.

Sincerely,

Kim Aydlette
Director

Enclosure

c: Mr. Patrick Maley
Ms. Tana Vanderbilt

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

April 23, 2018

CERTIFIED MAIL

Mr. Patrick Maley
Interim State Director
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, South Carolina 29240

Dear Mr. Maley:

In accordance with the State Employee Grievance Procedure Act, you are hereby advised of the final decision on the appeal of Alicia Bolden v. South Carolina Department of Disabilities and Special Needs to the State Employee Grievance Committee. Pursuant to the Act, within twenty calendar days of the conclusion of the hearing, the State Employee Grievance Committee shall render its decision on the appeal. A copy of our letter to Ms. Bolden and the Committee's decision are enclosed for your file.

Please advise us if you have any questions.

Sincerely,

Kim Aydlette
Director

Enclosures

c: Ms. Tana Vanderbilt

State Employee Grievance Committee

Final Decision

APPELLANT'S NAME: Alicia Bolden
JOB CLASSIFICATION: Human Services Specialist II
AGENCY: S.C. Department of Disabilities and Special Needs
DATE OF HEARING: April 3, 2018
NATURE OF CASE: Termination

FINDINGS AND RECOMMENDATIONS

Based on documentary evidence and testimony presented at the hearing of Alicia Bolden v. South Carolina Department of Disabilities and Special Needs (SCDDSN) held in Columbia, South Carolina, on April 3, 2018, the State Employee Grievance Committee (Committee) finds:

FINDINGS OF FACT

1. Ms. Alicia Bolden (Appellant) began her employment with SCDDSN on March 2, 2008, as a Human Services Assistant II. Appellant was promoted on October 6, 2009, to a Human Services Specialist II (internal title of Direct Support Manager) at the Coastal Regional Center (CRC). (Committee Exhibit #1, p. 91.)

2. On February 23, 2017, Appellant received a Written Warning dated February 22, 2017, for "Conduct Unbecoming a State Employee" based on Appellant's improper interaction on February 15, 2017, with Ms. Rebecca Hill (Ms. Hill), CRC Facility Administrator. During the interaction, another employee was in Ms. Hill's office discussing upcoming campus events. The Recommendation for Disciplinary Action notes state that, beginning in July 2016, Appellant began demonstrating some behaviors that were concerning and several meetings were held with Appellant to address those concerns. The areas of concerns were listed in the Recommendation for Disciplinary Action notes as follows:
   - Forwarding email regarding politics and religion.
   - Unfair disciplinary actions attempts [sic] toward non-preferred staff.
   - Excessive Tardiness.
   - Ensure staff are sufficiently trained to perform their assigned duties.
   - Lack of data collection for her assigned consumers.
   - Lack of initiative as a Manager.

   (Committee Exhibit #1, pp. 49-51.)

3. In a memorandum dated February 23, 2017, from Ms. Claudette Fields (Ms. Fields), CRC Director of Residential Programs, Appellant was directed to adhere to her agreed upon assigned work hours (8:30 a.m. to 5:00 p.m. or 10:00 a.m. to 6:30 p.m.) and, effective immediately, Appellant was to sign in and out at the switchboard. The February 23, 2017 written directive was given because of Appellant's failure to adhere to assigned work hours and excessive tardiness. The written directive advised Appellant that further tardiness would result in disciplinary action. Appellant refused to sign the directive. (Committee Exhibit #1, p. 53.) As indicated on the sign in/out sheets in the record, Appellant signed out on February 23, 2017, at the switchboard; however, Appellant failed to sign in or out again as directed in the February 23, 2017 memorandum. (Committee Exhibit #1, pp. 60, 61, 63, 64, and 69.)

4. On March 15, 2017, Appellant was issued a Written Warning dated March 10, 2017, for "Insubordination" as a result of her continued failure to comply with the February 23, 2017 written directive. The Written Warning indicated that Appellant remained "insubordinate regarding instructions given to her on February 23, 2017." The Recommendation for Disciplinary Action notes indicate that, in a meeting on February 23, 2017, Appellant's time and attendance and her unbecoming conduct were discussed which resulted in an Oral Warning and a Written Reprimand. The Recommendation for Disciplinary Action notes also indicate Appellant was informed it was critical that she report to work on time and any further tardiness would result in disciplinary action. Appellant refused to sign the Written Warning. (Committee Exhibit #1 pp. 55-57.)

5. In accordance with SCDDSN Directive 413-01-DD, Standards of Disciplinary Action, Appellant was issued on April 10, 2017, a three-day suspension for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Appellant's suspension was effective April 18, 19, and 20, 2017. According to the Recommendation for Disciplinary Action notes, Appellant was suspended based on her continuous refusal to sign in and out at the switchboard, thus, making it difficult for her supervisor to determine when she was reporting to work. Appellant was informed that failure to demonstrate immediate and sustained improvement may result in further corrective action, up to and including termination. (Committee Exhibit #1 pp. 65-67.)

6. On June 20, 2017, Appellant was informed by letter dated June 16, 2017, that her employment with SCDDSN was terminated effective June 20, 2017, for an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." Specifically, the three offenses include the February 22, 2017 Written Warning for "Conduct

Unbecoming a State Employee," the March 10, 2017 Written Warning for "Insubordination," and the April 18, 2017 suspension for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." (Committee Exhibit #1, pp. 47 and 176.)

7. According to SCDDSN's Directive 413-01-DD, Standards of Disciplinary Action Policy, the sanction for a first offense of an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand" ranges from a "Suspension to Dismissal." In addition, SCDDSN's Disciplinary Action Policy indicates:
    - the sanction for a first offense of "Conduct Unbecoming a State Employee" is "Suspension to Dismissal;"
    - the sanction for a first offense of "Insubordination" is "Suspension to Dismissal;"
    - the sanction for a first offense of "Failure to Observe Assigned Work Hours" is an "Oral Reprimand;" and
    - the sanction for a first offense of "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor" is "Dismissal."

    (Committee Exhibit #1, pp. 81-89.)

8. SCDDSN's Disciplinary Action Policy states, in part, that: "[d]isciplinary actions are subject to management's discretion. It should be emphasized that in some situations, dismissal may be appropriate depending on the severity of the action and the circumstances involved – even for a first offense occurrence." (Committee Exhibit #1, p. 82.)

9. Ms. Hill testified that Appellant supervised 24-hour operational staff, involving three different shifts. Ms. Hill also testified that Appellant was having trouble attending required informational meetings. In regard to the February 15, 2017 incident, Ms. Hill testified that, while participating in a meeting with another employee, she received a telephone call from Appellant and placed the call on speaker. Ms. Hill stated that Appellant was extremely upset during the telephone call. Ms. Hill explained to Appellant that she was currently in another meeting and could not speak with her. Ms. Hill testified that Appellant was not satisfied with her response. Ms. Hill explained that because of this incident, Appellant was issued a Written Warning dated February 22, 2017 for "Conduct Unbecoming a State Employee." Ms. Hill also testified that signing in and out was a common practice used to correct tardiness and normally instituted on a short term basis.

10. Ms. Fields testified that she issued Appellant the February 23, 2017 written directive instructing Appellant to adhere to her agreed upon work hours and

to sign in and out at the switchboard. (Committee Exhibit #1, p. 53) According to Ms. Fields, Appellant rarely attended the required informational meetings despite receiving multiple reminders. Ms. Fields testified that she met with Appellant to stress the importance of following her established work schedule and attending the informational meetings.

11. Mr. John Dooney (Mr. Dooney), SCDDSN's District 2 Human Resources Manager, testified that Appellant was issued a Written Warning dated March 10, 2017, for "Insubordination" because she refused to sign in and out at the switchboard. Mr. Dooney also testified that Appellant was issued a three-day suspension effective April 18, 2017, for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Mr. Dooney further testified Appellant's employment was terminated effective June 20, 2017, for an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." Despite efforts by SCDDSN to correct Appellant's tardiness issues, she failed to sign in and out at the switchboard. Mr. Dooney also testified that requiring SCDDSN employees to sign in and out was a normal practice when addressing tardiness and attendance issues.

12. Ms. Dierdre Blake-Sayers (Ms. Blake-Sayers) SCDDSN's Director of Human Resources at the time of Appellant's termination, testified that it is not unusual to request that an employee sign in and out when the employee is not abiding by scheduled work hours. Ms. Blake-Sayers also testified she had advised Appellant that if she had been given a directive to sign in and out at the switchboard, she should comply.

13. Appellant testified that, on more than one occasion, she was told by her supervisor to sign in and out at the switchboard. Appellant also testified that she failed to follow the February 23, 2017 directive to sign in and out at the switchboard except to sign out on February 23, 2017. Appellant stated that she understood how to sign in and out at the switchboard, but considered the instruction unfair and discriminatory. Appellant testified that she received a Written Warning, three-day suspension, and was terminated for not complying with the directive.

14. Appellant argues that SCDDSN's actions were discriminatory and prejudicial. Appellant contends that her termination was in violation of constitutional or statutory provisions, made upon unlawful procedure, clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record, and arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion. (Appellant Exhibit #2.)

The State Employee Grievance Procedure Act (Grievance Act) creates the Grievance Committee as a quasi-judicial review body that conducts hearings of certain specified state employee grievance appeals. S.C. Code Ann. § 8-17-340 (1976). In addition, the Grievance Act provides the following:

> (E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:
>
> (1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in § 43-35-10 or 20-7-490, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:
>
> (a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;
>
> (b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or
>
> (c) The agency's action was arbitrary and capricious.
>
> (2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:
>
> (a) in violation of constitutional or statutory provisions;
>
> (b) in excess of the statutory authority of the agency;
>
> (c) made upon unlawful procedure;
>
> (d) affected by other error of law;
>
> (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
>
> (f) arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion.

S.C. Code Ann. § 8-17-340(E).

This case is governed by § 8-17-340(E) (2), which establishes that Appellant has the burden of proof to demonstrate that the decision to terminate her was wrong for the reasons articulated.

Based on the record and testimony, the Committee found substantial evidence to support SCDDSN's decision to terminate Appellant. "'Substantial evidence' is something less than the weight of the evidence; it is evidence which, considering the record as a whole, would allow reasonable minds, to reach the conclusion that the administrative agency reached in order to justify its action." *Todd's Ice Cream, Inc. v. South Carolina Employment Security Commission*, 281 S.C. 254, 258, 315 S.E.2d 373, 375 (Ct. App. 1984).

The record reflects that Appellant's employment was terminated effective June 20, 2017, based on an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." The record also reflects that those three offenses were the results of a February 22, 2017 Written Warning for "Conduct Unbecoming a State Employee"; a March 10, 2017 Written Warning for "Insubordination"; and a three-day suspension (April 18 - 20, 2017) for "Failure to Observe Assigned Work Hours" and "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." According to the record and testimony, Appellant had been counseled on several occasions regarding her tardiness. The Committee notes that Appellant's supervisors made multiple efforts to correct her tardiness. Specifically, on February 23, 2017, Appellant was given a directive to sign in and out at the switchboard which the Committee finds was a reasonable request. Appellant, however, admittedly refused to comply with the directive.

The Committee notes that Appellant could have been terminated for a first offense of "Conduct Unbecoming a State Employee," "Insubordination" or "Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor" as indicated in SCDDSN's Disciplinary Action Policy. Therefore, it appears to the Committee that SCDDSN was lenient in the application of its policy regarding Appellant's corrective action for these particular offenses.

As for Appellant's argument that the directive given to her to sign in and out was discriminatory, the Committee finds that Appellant offered no credible evidence or testimony to support her position. In contrast, testimony from Ms. Hill, Mr. Dooney, and Ms. Blake-Sayers substantiated that requiring an employee to sign in and out was used to correct tardiness when an employee was not abiding by assigned work hours.

The Committee does not find that Appellant's termination was in violation of constitutional or statutory provisions, made upon unlawful procedure, clearly erroneous in view of the reliable, probative, and substantial evidence on the whole

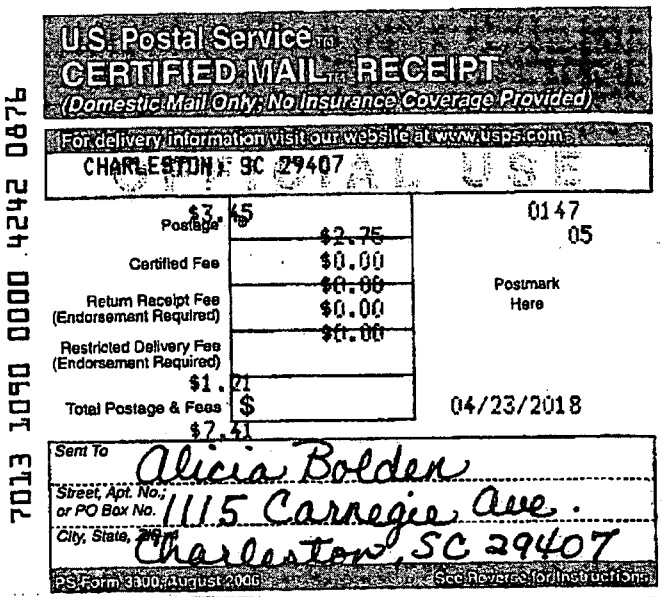
record, and arbitrary or capricious or characterized by abuse discretion or clearly unwarranted exercise of discretion. Appellant provided no credible evidence to the Committee to support her claims.

SCDDSN's Disciplinary Action Policy allows for "Suspension to Dismissal" for a first offense of an "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand." It is clear from the record that Appellant accumulated three offenses within a two-year period. In addition, the sanction for the first occurrence of each offense provides for at least an Oral or Written Reprimand in accordance with SCDDSN's Disciplinary Action Policy. Therefore, the Committee finds that SCDDSN's decision to terminate Appellant was appropriate and consistent with its established policy guidelines.

DECISION

The Committee finds Appellant failed to establish that SCDDSN's decision prejudiced her substantial rights and met one or more of the elements contained in S.C. Code Ann. 8-17-340(E)(2). Therefore, the Committee upholds the decision to terminate Appellant and denies the relief sought.

For the Committee Ken Norris DC Date: 4/23/18



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

CHARLESTON, SC 29407

OFFICIAL USE

Postage	$3.45 ~~$2.75~~
Certified Fee	$0.00 ~~$0.00~~
Return Receipt Fee (Endorsement Required)	$0.00 ~~$0.00~~
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$1.21 $7.41

0147
05

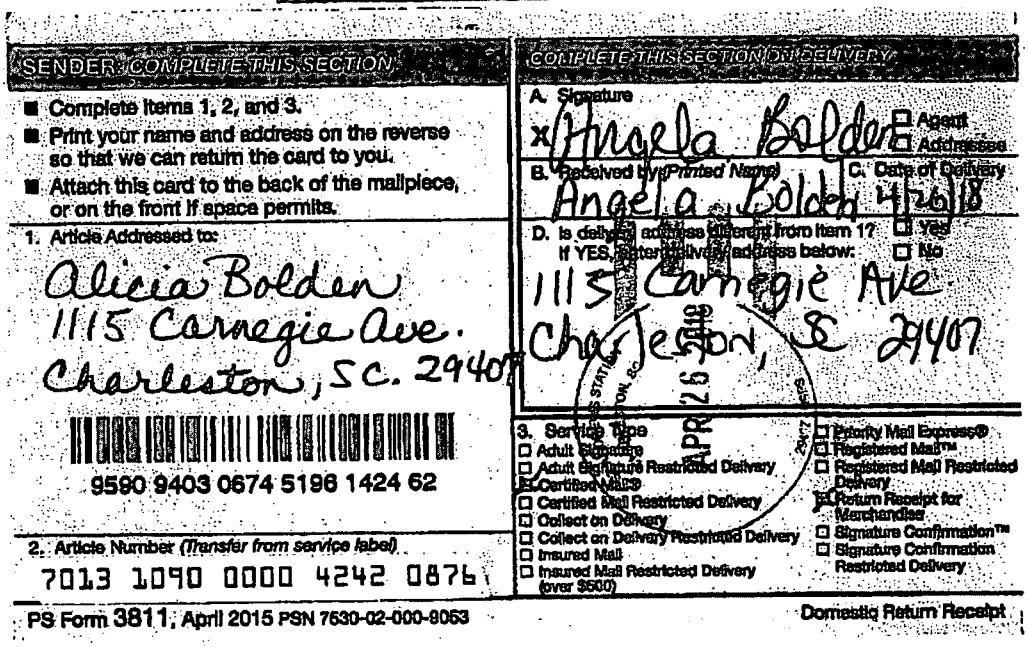
Postmark Here

04/23/2018

7013 1090 0000 4242 0876

Sent To: Alicia Bolden
Street, Apt. No.; or PO Box No.: 1115 Carnegie Ave.
City, State, ZIP+4®: Charleston, SC 29407

PS Form 3800, August 2006 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alicia Bolden
1115 Carnegie Ave.
Charleston, SC. 29407

9590 9403 0674 5196 1424 62

2. Article Number (Transfer from service label)
7013 1090 0000 4242 0876

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Angela Bolden ☐ Agent ☐ Addressee

B. Received by (Printed Name) Angela Bolden C. Date of Delivery 4/26/18

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No
1115 Carnegie Ave.
Charleston, SC 29407

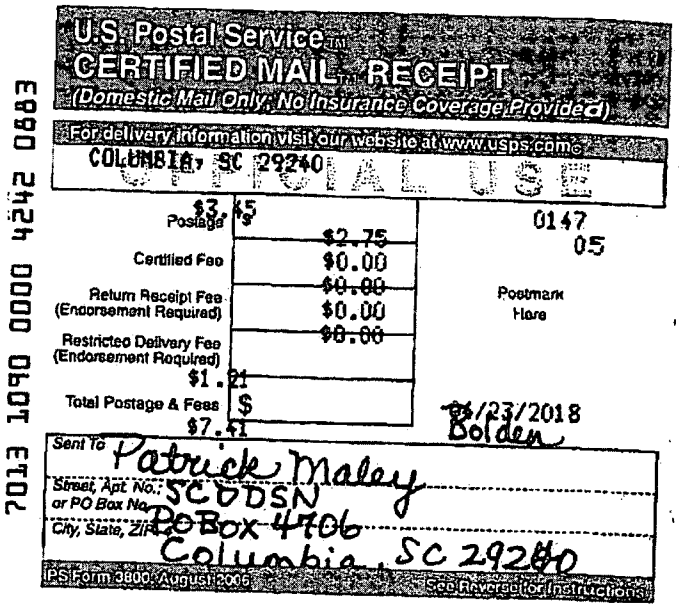
APR 26 2018

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☑ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☑ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

0012



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
COLUMBIA, SC 29240
OFFICIAL USE

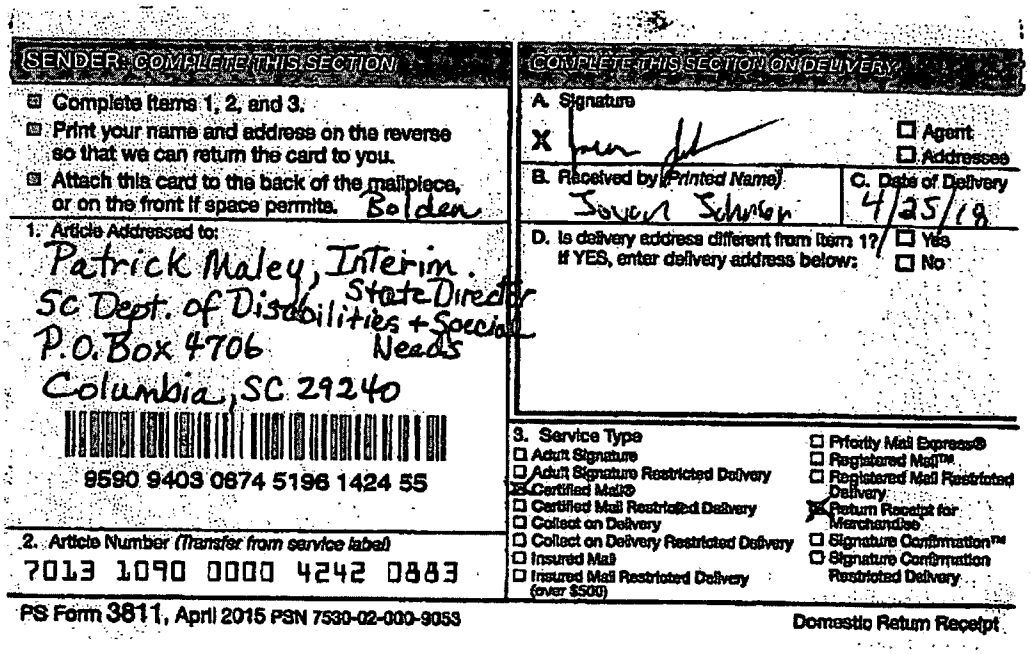
7013 1090 0000 4242 0883

Postage	$3.45 $2.75
Certified Fee	$0.00 $0.00
Return Receipt Fee (Endorsement Required)	$0.00 $0.00
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$1.21 $7.41

0147
05
Postmark Here
4/23/2018
Bolden

Sent To: Patrick Maley
Street, Apt. No.; or PO Box No.: SCDDSN PO Box 4706
City, State, ZIP+4: Columbia, SC 29280

PS Form 3800, August 2006 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. Bolden

1. Article Addressed to:
Patrick Maley, Interim. State Director
SC Dept. of Disabilities + Special Needs
P.O. Box 4706
Columbia, SC 29240

9590 9403 0874 5196 1424 55

2. Article Number (Transfer from service label)
7013 1090 0000 4242 0883

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Jovon Schuler
C. Date of Delivery 4/25/18

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

0013

CERTIFIED
COPY

TRANSCRIPT OF TAPE-RECORDED

HEARING IN THE MATTER OF

ALICIA BOLDEN VS. THE S.C. DEPT. OF DISABILITIES &

SPECIAL NEEDS

APRIL 3, 2018



[01 - Opening by Chair (Bolden v. DDSN)]

MR. NORRIS: This is the hearing of the appeal of termination instituted by Alicia Bolden, again South Carolina Department of Disabilities and Special Needs, being held in Columbia, South Carolina, this 3rd day of April, 2018.

A record is being made of the hearing. For the record my name is Ken Norris, vocational rehabilitation department, and other members of the state employee grievance committee present are April Koon, department of labor licensing and regulations; Cliff Miller, criminal justice academy; Chrissie Wicker [ph], department of motor vehicles; Stephen Lunsford, department of corrections; and the committee attorney is Parkin Hunter, attorney general's office.

State employee grievance and appeals regulation 19-718.07(e)(7) provides that each party shall provide the secretary a list of representatives and witnesses at the beginning of the hearing.

At this time the secretary will accept representatives and witness lists from both parties. Ms. Bolden, do you have witnesses?

MS. BOLDEN: Um, I don't have any witnesses. I'm going to represent myself.
[talking over each other]
[shuffling of papers]
MR. NORRIS: The appellant is represented by herself. And the employing agency is represented by Tana -- did I say that right?
MS. VANDERBILT: Yes.
MR. NORRIS: Vanderbilt.
MS. VANDERBILT: Yes.
MR. NORRIS: Your attention is called to the fact that this hearing will be conducted as informally as compatible with the equitable presentation of both sides of the case and in compliance with the administrative procedures act.
I am the presiding officer of this committee and it is my duty to take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. We are bound by the rules of evidence.
The committee attorney shall determine the order and relevance of the testimony and the appearance of witnesses, and shall rule on all motions and objections.
The division of state human resources has

furnished to the members of the committee a copy of records, reports, and documentation, of the earlier proceedings of the grievance. These documents were provided to the division of state human resources by the agency and the appellant.

These documents will be considered by the committee as the record on appeal during this hearing and according to Section 8-17-350 of the state employee grievance procedure act will now be marked into evidence as committee exhibit number one.

The appellant and the agency may, if they so desire, make an opening statement before the presentation of their cases. Then the appellant may call and examine witnesses from the appellant list of witnesses.

After the appellant is finished, the agency may present its case. Each side will be given the opportunity at the appropriate time to ask questions of a witness.

The presiding officer, any member of the committee, or the committee attorney, may direct questions to any party or witness at any time during the proceedings.

Before the closing of the hearing, the

presiding officer will allow both parties to present a brief summary of closing statement if they so desire. The appellant will have the option of closing first or last.

I wish to point out that only testimony and evidence pertinent to the grounds on which the appeal is based or pertinent to the charges on which the agency's action is based will be allowed. Testimony or evidence which is repetitive or cumulative will not be permitted.

Are there any questions by either party?

MS. VANDERBILT: None from the agency.

MR. NORRIS: Witnesses are asked not to discuss this case either before or after testifying until they are excused. This is not intended to preclude the parties from entering into discussion with their respective witnesses. Does any witness not understand this?

Witnesses are to remain available after testifying until they are excused by the presiding officer. After the opening statement, witnesses may not remain in the hearing room except when called to testify.

Witnesses will be asked to testify under oath. At this time the secretary will determine which

witnesses on the parties' lists are present and administer the oath to all of those witnesses.

SECRETARY: Okay. Ms. Alicia Bolden. Um, Rebecca Hill?

MS. HILL: Present.

SECRETARY: Valerie Bryant?

MS. BRYANT: Here.

SECRETARY: John Dooney?

MR. DOONEY: Here.

SECRETARY: Deirdre Blake-Sayers?

MS. BLAKE-SAYERS: Present.

SECRETARY: And Claudette Fields?

MS. FIELDS: Here.

SECRETARY: If you will, um, raise your right-hand. Do you swear or affirm that the testimony you will give today is the whole truth and nothing but the truth?

ALL: I do.

MR. NORRIS: The appellant, the agency, witnesses, or anyone else related to the case, are not to discuss the case with any member of the state employee grievance committee before, during, or after the hearing, until the final decision is reached.

The only time the case is to be discussed is

during the formal hearing procedures. After hearing this appeal, the committee will report its finding and decision in writing to the employee and the employing agency within 20 calendar days of the conclusion of the hearing. The decision shall be final in terms of administrative review.

Assisting the committee is Spencer Miller, division of state human resources. No pictures, videos, or voice recordings, except the recording made as the official record, shall be taken in the hearing room.

All individuals are now asked to silence or turn off all cell phones that they may have in their possession during the proceeding. If you'll please that action now.

The requirement that written public notice of the time, date, place, and agenda for this hearing has been met.

Pursuant to the freedom of information act, in order for this committee to go into executive session to hear this appeal, we must take a vote in open session of this intent and the reason why.

I will now entertain a motion that this committee go into executive session.

FEMALE: Mr. Chairperson, I move that this

committee go into executive session to hear the appeal of termination instituted by Alicia Bolden against South Carolina Department of Disabilities and Special Needs, and to receive any necessary legal advice from the committee attorney.

MR. NORRIS: We have a motion to go into executive session. Is there a second?

MALE: Second.

MR. NORRIS: We have a second. All in favor, say aye?

ALL: Aye.

MR. NORRIS: All opposed? So carried. At this time all the witnesses are excused except for those who have been selected to remain in the room.

[02 - Bolden Testimony]

MR. NORRIS: We are back on the record. Ms. Bolden, this will be your opportunity to make an opening statement. This is not necessarily the presentation of your case. This is simply an opening statement to state your position. You may do so at this time.

MS. BOLDEN: I haven't prepared an opening statement.

MR. NORRIS: No opening statement. All right. Ms. Vanderbilt, would you like to make a statement?

MS. VANDERBILT: We'll waive an opening statement.

MR. NORRIS: All right. Ms. Bolden, we're back to you. You're able now to present your case. You may proceed as you desire.

MS. BOLDEN: Um, the first, um, documents that I want to present to the committee is the documents that I actually submitted with the grounds for appeals form.

Um, I was told by Mr. Miller that the attorney was the only person that actually got a copy of the grounds for appeals form.

And the supporting documents that actually support the claims in the grounds for appeals form was returned to me, um, because it needed this -- according to Mr. Miller needed to be received 15 days prior to and the grounds for appeal form only needed to be received seven days.

So because I didn't know that, uh, the grounds -- the supporting documents that go with the grounds for appeals form is not with it. So I have copies of the grounds for appeals form as well as the supporting documents that go with it that I

want to enter into evidence at this time.

MR. NORRIS: All right. Thank you.

MS. VANDERBILT: Well, I would object to that because she didn't meet the time frames as required --

MR. NORRIS: That's my next question. Do you have any objection to this?

MS. VANDERBILT: Yes. I do.

MR. NORRIS: Do you need to see this or --

MS. VANDERBILT: Yeah. I'd like to see a copy.

MS. BOLDEN: Those are actually four copies. Those are four copies --

MR. NORRIS: I'll let you take a look and then refer it to Mr. Hunter.

MS. VANDERBILT: Um, well I would -- I would object to this, as I said, because they did not meet the time frame. And I'm not sure they're all relevant.

MR. NORRIS: All right. Thank you.

MS. BOLDEN: Each paper clip, uh, group of paperwork is one copy.

MR. HUNTER: So these are not in the exhibit one?

MS. BOLDEN: Well, the grounds for appeals form was submitted after the exhibit. Um, these

documents are part of the grounds for appeals form. So they go together, but they got separated.

The grounds for appeals form only had to be submitted seven days prior to the hearing. So these documents go with it. So they all got submitted 13 days prior to the hearing. But they're all relevant and they're all evidence to support my claims in the grounds for appeals.

MR. HUNTER: Well, I'm not going to exclude them because of the deadline. It allows a -- in the interest of justice [inaudible] the deadline. But do you need time to look at them?

MS. VANDERBILT: Yes. Please.

MS. BOLDEN: I did submit a copy of the grounds for appeals form and the supporting documents to the agency at the same time we did the committee.

MR. HUNTER: Take whatever time you need to --

MS. VANDERBILT: Okay.

MR. HUNTER: If we want to raise individual objections on them, we can do that.

MS. VANDERBILT: Okay. I would like to object to group A as far as this relates to an EEOC grievance that she's filed that's not relevant to this hearing.

I would also object to documents after the first two pages on group E because they're not relevant. Their timeframes are much older than this grievance. They date back to 2016 and the grievance was in 2017, so they're not relevant either.

MR. HUNTER: Okay. Well, I'll sustain those objections because the EEOC hearing is not relevant. And the -- those that you referenced sound like they're too old.

MS. VANDERBILT: Okay. So we'll just go with the first two then on that, take -- take it apart.

MR. HUNTER: [inaudible] Yeah. Let's do that.

MS. BOLDEN: Um, may I comment?

MR. HUNTER: You may.

MS. BOLDEN: All right. The, uh, document for the EEOC, this was filed actually when I was still working. I had not yet been terminated.

And it does reference on the third page that, um, everything like a summary of the actual overlap of this, along with everything that I submitted to the hearing.

So while I was still working, I was grieving to the EEOC for assistance to help with this because I couldn't get any help from Ms. Blake-Sayers, who was in support of the discriminatory

employment practice.

So that's why I sought outside assistance from the EEOC and filed this charge. But this charge is relevant to this grievance. It's the same information.

MR. HUNTER: Well, an EEOC proceeding would not be relevant at this grievance hearing.

MS. BOLDEN: Well, according to the grounds for appeals form, the agency's decision to terminate my employment is in violation of constitutional statutory provisions. This is -- this supports that -- that claim.

MR. HUNTER: Well, you'll have an opportunity to testify if it's relevant. But EEOC documents are not.

MS. BOLDEN: Okay.

MS. VANDERBILT: Oh, and group F is already included in the documents --

MR. HUNTER: And what?

MS. VANDERBILT: Group F is already included in the documentation --

MR. HUNTER: Oh, okay. And then group B was [inaudible]

MS. VANDERBILT: Group B --

MR. HUNTER: Was it --

MS. VANDERBILT: A, I said it's not relevant.
MR. HUNTER: Right. And then I think [inaudible]
MS. VANDERBILT: We took two off of E. What is B?
MR. HUNTER: No. I -- I -- I just have the -- I just misspoke.
MS. VANDERBILT: Oh, okay.
MR. HUNTER: So we need to -- okay. So we'll take group A out. And let you all look at what I've done [inaudible]. And then E, we were not removing all of E, were we?
MS. VANDERBILT: Just -- we're only going to -- I objected to everything except the first two because of the time frames.
MR. HUNTER: [inaudible]
MR. NORRIS: [inaudible]
MS. BOLDEN: In reference to those documents that she's excluding, um, those were only put in there to support the fact that I stated the conversation regarding Ms. Gadsen [ph] wasn't the first time that I had conversation with Ms. Fields regarding internal transfer requests.
And that was just supporting documents to show how past transfer requests had been handled. So

that was just supporting a claim that I made in my grounds for appeals form.

MR. HUNTER: Yeah. And F is coming. Yeah. Right.

MS. VANDERBILT: Yeah. F is already included in the, uh, in the exhibit. So it's redundant.

MR. HUNTER: And we'll double check, see if I did these right. I think I did them right.

MR. NORRIS: [inaudible]

MR. HUNTER: Okay. Okay. So the packet now would be first two pages of group E. So we have three -- three sets here, right?

MR. NORRIS: You have four sets all together?

MS. BOLDEN: The, um, the final, uh, stapled set was just a copy of the grounds for appeals form that you guys should already have.

[talking over each other]

MS. BOLDEN: Yeah.

MR. HUNTER: And then group F --

MS. VANDERBILT: Is redundant. It's already included in the exhibit.

MR. HUNTER: Okay. So would that need to be in?

MS. VANDERBILT: No.

MS. BOLDEN: Uh, group F does have an email,

uh, regarding a claim I made in the grounds for appeals form regarding my scheduling, wherein Ms. Fields and I discussed, uh, my -- me taking on a second job in a 6 to 2:30 shift.

And I referenced that in group F of the grounds for appeals form. And that's where that information comes into -- to support the claims made in that section of the grounds for appeals form.

MS. VANDERBILT: You're talking about the 2/23/2017 form?

MS. BOLDEN: All -- all of group F is not redundant. That is -- that was a new email that I submitted to support a claim in the grounds for appeals form.

MS. VANDERBILT: Oh. Then I would object to page two because it goes back to 2015, outside the time frame of the grievance which was in 2017.

MR. HUNTER: I don't see that one.

MS. VANDERBILT: It's behind group F number -- page two.

MR. HUNTER: Okay. Well, then if it's 2015, we'll take it out too.

MS. BOLDEN: That document is an email to show that Mrs. Fields' decision was capricious because

she was undoing something that had been in place for two years.

So I mean if you don't want that supporting document in there, I mean, I -- I don't see -- I mean that's -- date shouldn't matter. I'm -- I'm putting that in there to support claims that I'm making regarding this being arbitrary and capricious.

So you're just taking out the evidence that I -- that are in the grievance, grounds for appeals form to support the claims that I'm making.

MS. VANDERBILT: The grievance action didn't start until 2017. This is two years before. It's definitely out of the time frame. It's not relevant.

MS. BOLDEN: It is too relevant because it is in reference to the decision that Mrs. Fields made capriciously.

MR. HUNTER: Well, that's a two year lag. I don't think it should be relevant to this.

MS. BOLDEN: It is relevant. It is relevant.

MR. HUNTER: Well, I'm going -- I'm going to sustain Ms. Vanderbilt's objection to that. I hope I've done this right.

MR. NORRIS: Yeah. You want to [inaudible]

[talking over each other]
[inaudible, shuffling papers]
MR. HUNTER: The grounds for appeals form I assume are all in the record?
MS. BOLDEN: I don't recall [inaudible] --
MR. NORRIS: No. They're not in the record. They were just submitted previously --
[talking over each other]
[inaudible]
MR. HUNTER: Now were these part of what was going to be submitted here?
MS. BOLDEN: I'm sorry, what's the question?
MR. HUNTER: The grounds for appeal forms?
MS. BOLDEN: I didn't know if you all -- if everybody on the committee had copies. So I just -- I brought four copies to distribute because I was told that the committee attorney was the only person that got a copy of the grounds for appeals form.
MR. HUNTER: The what?
MR. NORRIS: That would have been exhibit one. It wasn't -- it's not in the numbered record that came in after the 15 day --
MR. HUNTER: No. It came in afterwards.
MR. NORRIS: Right.

[talking over each other]
MS. VANDERBILT: I have no objection to that.
[talking over each other]
MR. NORRIS: All right. Include that in exhibit one. There's three pages
[talking over each other]
MR. HUNTER: Does that take care of the -- of this now?
MS. BOLDEN: Yes. I believe so.
MR. NORRIS: All right. Let's just give her one minute to get --
MS. VANDERBILT: Okay.
MR. NORRIS: You good? All right. Ms. Bolden, you may continue.
MS. BOLDEN: The grounds for appeals form is my presentation to the committee. So unless you guys require me to read it, this is my presentation in terms of presenting my case. Do you guys require me to actually go through --
MR. NORRIS: We don't require [inaudible]
MS. BOLDEN: To read it?
MR. NORRIS: It's presented into evidence.
MS. BOLDEN: I mean, if it's in evidence, do you require me to read it out loud?
MR. NORRIS: No.

MS. BOLDEN: Okay.
MR. NORRIS: No. It's in the record.
MS. BOLDEN: Okay.
MR. NORRIS: So you have no other --
MS. BOLDEN: Outside of the supporting documents that go with it, that's it. For right now anyways.
MR. NORRIS: All right. So you're going to rest your case, if I understand you correctly.
MS. BOLDEN: Yes.
MR. NORRIS: Okay. All right. Are you ready to present the agency's case?
MS. VANDERBILT: Yes. Do I not get a chance to cross-examine her?
MR. NORRIS: Oh, you certainly may. I'm sorry. Yes.
MS. BOLDEN: Um, I'm not your witness. I object.
MR. NORRIS: Well, if you please take a seat in the, uh --
MS. BOLDEN: I object to being her witness. I'm not her witness.
MR. NORRIS: No. She's entitled to cross-examine you. So if you'll please just have a seat right there. I -- I'm sorry, Ms. Vanderbilt.

MS. BOLDEN: Even though I'm not listed as a witness, I'm required to be examined --

MR. NORRIS: Yes.

MS. BOLDEN: -- what you're telling me. Okay.

MR. NORRIS: Yes. Now just so you understand what you've got in front of you, you have a book there that has, uh, references that she may mention. The pages are in the upper right-hand corner. And you can just turn to that page and you can read it as -- as required.

MS. BOLDEN: So the questions that she aks [sic] me, I have to go in this thing here to reference --

MR. NORRIS: You don't have to. You don't have to.

MS. BOLDEN: -- to get answers for?

MR. NORRIS: If she says, turn to page 50, then you would turn to page 50.

MS. BOLDEN: Okay.

MR. NORRIS: But otherwise you just answer her question. Now before we begin, if you will please just state your name for the record.

MS. BOLDEN: Alicia Bolden.

MR. NORRIS: And please speak loudly enough so that the microphones pick up your voice, okay? And

you just answer her questions. And then you'll be allowed to make an alternative statement once she's finished, okay? All right. So just answer her questions for right now.

MS. BOLDEN: Okay. So you're saying that I don't have the right to object to answering her questions. I just want to be clear about that.

MR. NORRIS: You can object -- you may object to a question.

MS. BOLDEN: But not to this whole --

MR. NORRIS: But not to the whole practice. She -- she is entitled to cross-examine you.

MS. BOLDEN: Okay.

MR. NORRIS: And it was my error just to move ahead of her -- ahead of the game. We were having too many administrative details. Um, and I apologizes. But yes. She -- she's entitled to -- to examine you. And then once she's finished, then you'll have an opportunity if you want to rebut something that has been said. And then she'll have an opportunity to question you again.

MS. BOLDEN: And this is in reference to [inaudible]

MR. NORRIS: Well, it may be. It -- it depends on what she wants to ask you. But if you have an

objection to any question that she may have, you simply state your objection, give us the reasoning for your objection, and Mr. Hunter will make a ruling on it. Okay?

MS. BOLDEN: Mm-hmm.

MR. NORRIS: And then we'll proceed or she'll move to another question.

MS. BOLDEN: I don't understand how documents that I tried to submit is sustained in -- is objected and sustained for not being presented as evidence yet. She's allowed to aks [sic] me questions that, you know, I have no -- I mean too didn't have me listed as her witness or anything like that.

So I'm not prepared to answer questions from her. I didn't know I needed to be prepared to answer questions. So that's all I'm saying.

MR. NORRIS: Well, she -- she is entitled to ask you questions --

MS. BOLDEN: Okay. That's fine.

MR. NORRIS: -- just like you're entitled to ask her witnesses questions.

MS. BOLDEN: Okay. I didn't know I had to be a witness. That's all.

MR. NORRIS: Okay. But yet she's entitled to

ask you questions.

MS. BOLDEN: I would have approached this a little bit differently. But anyway. Okay.

MR. NORRIS: All right. Let's proceed. Ms. Vanderbilt?

MS. VANDERBILT: Okay. Um, Ms. Bolden.

MS. BOLDEN: Yes.

MS. VANDERBILT: Were you told by your supervisor to sign in and out at the switchboard?

MS. BOLDEN: Yes.

MS. VANDERBILT: Were you told on repeated occasions to do that?

MS. BOLDEN: Um, I was told, um, I -- I would have to count. Uh, at each disciplinary action, um, more than once -- more than once.

MS. VANDERBILT: You were -- right. Okay. More than once you were told. You were given a written warning because you failed to do that.

MS. BOLDEN: Correct.

MS. VANDERBILT: You were given a three-day suspension because you failed to do that.

MS. BOLDEN: Correct.

MS. VANDERBILT: And then you were terminated because you failed to do that.

MS. BOLDEN: Correct.

MS. VANDERBILT: Did you know how to sign in and out of the switchboard?

MS. BOLDEN: Uh, yes.

MS. VANDERBILT: Did you do it one time?

MS. BOLDEN: I did do it the day that the, uh, thing -- the practice went [inaudible] because I didn't have the opportunity to speak to Ms. Blake-Sayers yet. And I didn't know where she would be at in the whole process.

And I wanted to talk to her. Even though I already spoken to Mr. Dooney, I wanted to talk to Ms. Blake-Sayers before I just didn't do it.

MS. VANDERBILT: Okay. Were you told by Ms. Blake-Sayers to do -- to comply with the order of your supervisor?

MS. BOLDEN: When I went to sign in and out, she did support the dis- -- uh, the discriminatory employee practice. But when I went to go sign in and out, I got a lot of information from the switchboard operator --

MS. VANDERBILT: That wasn't my question. My question was, did Ms. Blake-Sayers tell you to comply with the order of your supervisor --

MS. BOLDEN: She supported the discriminatory employment practice. Yes.

MS. VANDERBILT: Okay. And you never -- you never, except for that one time, signed in and out as you were requested to do by your supervisors?

MS. BOLDEN: Just that one time because I wanted to go to human resources to let them know that I felt that the process was unfair and discriminatory. And until I had the opportunity to speak to Ms. Blake-Sayers about it, uh, I did do it just out that -- that day that the practice went in place. Yes.

MS. VANDERBILT: Okay. And after that one time you never did as required by your supervisors?

MS. BOLDEN: No. I did not.

MS. VANDERBILT: I have no further questions.

MR. NORRIS: Is there anything else that you would like to comment at this point?

MS. BOLDEN: No, sir.

MR. NORRIS: All right. You may be seated. All right, Ms. Vanderbilt, I think we are now back to you, if you'd like to present your case.

MS. VANDERBILT: Yes. Um, Claudette Fields?

MR. NORRIS: Okay [inaudible]

MS. VANDERBILT: Yeah.

[03 - Claudette Fields Testimony]

MR. NORRIS: Let me remind you that the document in front of you, uh, contains, uh, information that may be referred to during your, uh, testimony. The page numbers are in the upper right-hand corner. You may refer to them as necessary. Uh, also as we begin, would you please state your name for the record.

MS. FIELDS: My name is Claudette Fields.

MR. NORRIS: Thank you. Ms. Vanderbilt?

MS. VANDERBILT: Okay. Ms. Fields, where are you employed?

MS. FIELDS: I'm employed at Department of Disabilities Special Needs Coastal Center.

MS. VANDERBILT: Okay. Can you please tell the committee a little bit what Coastal Center is?

MS. FIELDS: Coastal Center is, uh, Department of Disabilities Special Needs. We serve individuals with intellectual disabilities. Um, currently we have 152 consumers that are duly diagnosed.

Um, it's a very large campus. We have two areas, one area being more medically fragile, and the other area being, um, behaviorally challenging.

MS. VANDERBILT: And how long have you worked at the Coastal Center?

MS. FIELDS: I started at Coastal Center, October 2, 1987. So --

MS. VANDERBILT: And what is your educational background?

MS. FIELDS: I have a master's degree in human services.

MS. VANDERBILT: Okay. And, uh, what are your duties at Coastal Center?

MS. FIELDS: Uh, my duties at Coastal Center, I'm the director of residential programs. Residential consists of various discipline, uh, direct care staff. We have service coordinators.

We have program coordinators, those people that are responsible for [inaudible] service department. We also have the service coordinator that advocate for the individuals in terms of their medical plan, um, any type of care, etc.

It's a very large department, as I said. Um, the department consists of about 200 or more staff.

MS. VANDERBILT: And was, uh, Ms. Bolden one of your staff?

MS. FIELDS: Yes. Ms. Bolden served, um, as a direct service manager. She was assigned to building 110 and she supervised -- directly supervised 23 employees.

MS. VANDERBILT: Okay. Did you actually hire Ms. Bolden?

MS. FIELDS: Yes. I hired Ms. Bolden, uh, when she first was hired at the Coastal Center she came in as a direct care staff, which is equivalent to a CNA profession. And, um, I believe within a year and a half or two years she was promoted to a building manager.

MS. VANDERBILT: Okay. And what are the duties, uh, as a building manager?

MS. FIELDS: Building managers, um, like I said, they supervise employees. Um, Ms. Bolden was assigned to 23 employees. Her role was to ensure that all staff was trained correctly, whether that consists of in-service training, um, so those employees would be able to serve the people that we work for.

Um, in terms of training them on their objectives, um, training objective, Ms. Bolden was assigned to do those concerns, those jobs.

MS. VANDERBILT: Okay. And, um, who would choose Ms. Bolden's work schedule?

MS. FIELDS: Ms. Bolden actually chosed [sic] her own work schedule. Um, every manager in that po- -- position, the - -the required hours is 6:30

-- 6 to 2:30 p.m. Uh, 10 a.m. to 6 p.m., uh, 8:30 to 5. But every ma- -- managers are responsible for submitting their schedule to the supervisor.

MS. VANDERBILT: And --

MS. FIELDS: And that's created by them.

MS. VANDERBILT: Okay. Would you look at page 54, please, in the -- the book, and see if that's a schedule that, um, Ms. Bolden would have done?

MS. FIELDS: Yes.

MS. VANDERBILT: And what -- what were her, um, usual work hours?

MS. FIELDS: Her work hours was 10 a.m. to 6 p.m., uh, 8:30 until 5. Um, she could not work the 6 to 2:30 because she had another job. And I accommodated her with that for I believe over two years.

MS. VANDERBILT: Okay. And, um, what -- what is the morning meeting?

MS. FIELDS: The morning meeting is the communication meeting that, um, is actually held in the chapel. We have the director of no- -- nursing that presides the meeting. What it is, is an information meeting on consumer, whether they've had medical issues or any type of behavior issues.

So those things are discussed. The discipline

[ph] that attend that meeting is director of nursing, um, your medical doctor, building managers, uh, myself, the AODs, and all of your, uh, service coordinators.

MS. VANDERBILT: Would you please explain what an AOD is?

MS. FIELDS: Administer officer of the day. They deal with the behaviors. Um, if staff are having issues with consumers with behaviors, they would call the AOD to assist them.

MS. VANDERBILT: Okay. And when -- what time is the morning meeting usually held?

MS. FIELDS: It starts at 8:45, Monday through Friday.

MS. VANDERBILT: Okay. Was Ms. Bolden attending those meetings?

MS. FIELDS: Um, no. She rarely attend the meeting. Um, we gave Ms. Bolden -- we being and her immediate supervisor, uh, Ms. Valerie -- reminded her on several occasion, uh, the importance of attending the meetings.

MS. VANDERBILT: And why were they important for her to attend?

MS. FIELDS: It's important for her to attend because once again we're discussing, um, issues,

medical issues or behavior issues with the consumers.

MS. VANDERBILT: Could -- could she really do her job well if she didn't attend?

MS. FIELDS: No. It's an information meeting.

MS. VANDERBILT: Okay. And was she to -- if she had attended, would she be passing that information on to those that she supervised?

MS. FIELDS: Right. Mm-hmm.

MS. VANDERBILT: Okay. And so, um, did the fact that she wasn't attending the morning meetings lead you to discuss this with her?

MS. FIELDS: Yes.

MS. VANDERBILT: Okay. And what -- how did you discuss it with her? What happened?

MS. FIELDS: It, uh, once again it started with the verbal, um, conversation with her immediate super Valerie Williams Bryant.

And then, um, I had several conversation with her as well. Once again the meetings are very, very important. The information should be conveyed from that meeting to the staff.

MS. VANDERBILT: Okay. And, um, so you sat down and met with her?

MS. FIELDS: We'd discuss it. Mm-hmm.

MS. VANDERBILT: Okay. And then did you have to at one point in time actually give her something in writing about this?

MS. FIELDS: Yes.

MS. VANDERBILT: And when did that occur, do you remember?

MS. FIELDS: Um, that actually occurred in February -- February 23rd.

MS. VANDERBILT: Okay. And what -- what happened at that point in time?

MS. FIELDS: It was a gen- -- a documented conversation, uh, just reminding Ms. Bolden of her agreeable hours and the time that she should report to work. And also, um, it was important to attend the meeting.

We talked about information, um, as well as submitting her schedule in a timely manner to her supervisor and also myself. And how critical it was that, you know, she needed to be in the meeting.

MS. VANDERBILT: Okay. And did you reduce this to writing? If you refer to page 53, is that --

MS. FIELDS: Mm-hmm.

MS. VANDERBILT: Okay. It's page 53 in the documentation?

MS. FIELDS: Right.

MS. VANDERBILT: Okay. And, um, you -- you presented this in writing to Ms. Bolden?

MS. FIELDS: Right.

MS. VANDERBILT: And what specifically did you ask her to do at that time?

MS. FIELDS: We specifically aksed [sic] her to sign in and out at the switchboard area.

MS. VANDERBILT: Okay. And is that something that other employees have had to do?

MS. FIELDS: Yes.

MS. VANDERBILT: Okay. It was -- it wasn't anything that you were asking her to do that would not have been asked by any other employee?

MS. FIELDS: No.

MS. VANDERBILT: Okay. Did you also then have another occasion to, um, give her a warning notice?

MS. FIELDS: Yes.

MS. VANDERBILT: And if you would refer to page 49, please? And what, uh, caused that warning notice to be given to Ms. Bolden?

MS. FIELDS: The purpose of this warning, um, notice was Ms. Bolden actually called me on the telephone regarding one of her first shift staff who needed -- according to her had a need to transfer from first shift to second shift.

Um, at the time I was in with another employee. Of course Ms. Bolden never aksed [sic] that. She just began speaking about the concerns. Um, she was very irate, in my opinion.

Um, so the conversation, I told her that, um, you know, we would end the conversation at this time based on her verbal behavior.

MS. VANDERBILT: Okay. And then what else did the war- -- what was the warning notice given for?

MS. FIELDS: It was given for conduct unbecoming of an employee. Um, which Ms. Bolden refused to acknowledge or sign.

MS. VANDERBILT: Okay. And what else did that, uh, include, if you refer to page 51?

MS. FIELDS: Page 51 we actually, um, we key in on the excessive tardiness. Um, unfair disciplinary action attempt towards non-preferred staff. Forward an email regarding politics and religion.

Um, I also discussed that she needed to properly train staff and make sure that was happening. We had issues with the lack of data collections on consumers. And just the lack of initiative as a manager.

MS. VANDERBILT: What does the lack of data

collection for assigned consumers entail?

MS. FIELDS: Okay. For --

MS. VANDERBILT: What should it entail?

MS. FIELDS: Okay. For assigned consumers, um, you may have an individual that's on a bathing program, uh, personal hygiene, dining objectives. So it's ADL, activities of daily living.

Um, and it's important because we are licensed by [inaudible] that we have to follow those regulations. So the lack of data collection, which means every individual should receive at least 10 -- 10 [inaudible] documented, um, data collections.

But we weren't getting enough of that. So it all kind of triggers when [inaudible] come, it's going to be the lack of -- which could result in a deficiency or some type of citation.

MS. VANDERBILT: Which obvily [sic] -- obviously is not what the agency wants.

MS. FIELDS: Absolutely not.

MS. VANDERBILT: And then did you also, um, send a reminder email to Ms. Bolden, um, about her work hours, if you refer to page 75?

MS. FIELDS: Yes.

MS. VANDERBILT: About signing in and out again?

MS. FIELDS: Mm-hmm.
MS. VANDERBILT: The switchboard?
MS. FIELDS: Mm-hmm.
MS. VANDERBILT: When you gave her these, uh, disciplinary notices, who was present?
MS. FIELDS: It was always the -- her immediate supervisor, Valerie, the HR director, uh, the facility administrator, Ms. Rebecca Hill.
MS. VANDERBILT: Did, uh, Ms. Bolden sign any of these?
MS. FIELDS: No.
MS. VANDERBILT: Um, how -- how is the sign -- signing in and out set up at the switchboard for all employees?
MS. FIELDS: It was actually in a personalized notebook. Uh, we didn't have it labeled. We actually showed Alicia the notebook prior to, um, so it was no -- nothing stating that this is Alicia's sign in and out notebook. It was just, um, in a very nice binder with the information attached.
MS. VANDERBILT: Okay. Did, uh, Ms. Bolden ever sign in and out as requested?
MS. FIELDS: The first afternoon she signed out, but that was it. She never signed back in.

MS. VANDERBILT: Would you please refer to page 60? Is this the one time she did sign out?

MS. FIELDS: Right.

MS. VANDERBILT: Okay. And this was how you -- this is what you established in the notebook for her to use to sign in and out?

MS. FIELDS: Yes.

MS. VANDERBILT: And then did you, um, in fact modify this form as reflected on page 61?

MS. FIELDS: Yes. The form was modified.

MS. VANDERBILT: And why did you modify it?

MS. FIELDS: Um, because we added, uh, information where this -- okay, Alicia's and the date -- we just kind of moved things around and we needed the out section here. Yeah. That was the modification.

MS. VANDERBILT: Okay. So if you would refer to page 63, is that the modified form?

MS. FIELDS: Right.

MS. VANDERBILT: Okay. And so and this -- who -- whose writing is on this form?

MS. FIELDS: That's my writing.

MS. VANDERBILT: Okay. So you were, um, monitoring the fact -- just check whether or not she was signing in and out.

MS. FIELDS: Right.
MS. VANDERBILT: Okay. And other than that one time on that form on page 60, did she ever sign in and out again?
MS. FIELDS: No.
MS. VANDERBILT: Okay. Then let's, uh, go to page 65. After the, um, written warning notice, what was the next disciplinary action that you -- you and, uh, the agency took?
MS. FIELDS: A suspension notice, three-day suspension --
MS. VANDERBILT: And when did that occur?
MS. FIELDS: It says April 18th, 19th, and the 20th.
MS. VANDERBILT: Okay. And what was the reason for the suspension?
MS. FIELDS: Refusing to accept a reasonable and proper assignment from an authorized supervisor.
MS. VANDERBILT: Okay. And so you were still monitoring to check to see whether or not she signed in and out?
MS. FIELDS: Yes.
MS. VANDERBILT: Did Ms. Bolden tell you whether or not she was going to sign in and out?

MS. FIELDS: Yes. She said that she wasn't going to sign in and out. She told us.

MS. VANDERBILT: And -- and what was her reasoning for that?

MS. FIELDS: She, according to her, she felt like it was unreasonable, unnecessary.

MS. VANDERBILT: And on page [inaudible] -- and after -- at any point in time did -- was she told that after the suspension that failure to sign -- continuing this behavior would -- could result in her termination?

MS. FIELDS: Mm-hmm. Yes.

MS. VANDERBILT: Okay. And do you know, did she ever grieve the suspension?

MS. FIELDS: She did.

MS. VANDERBILT: She did grieve the suspension? Okay. Uh, and after the three-day suspension when she came back to work in April, 2017, did her behavior change?

MS. FIELDS: No.

MS. VANDERBILT: Did she ever sign in and out?

MS. FIELDS: She never signed in or out.

MS. VANDERBILT: Okay. If you would refer to page 47. And what is the, uh, date of this?

MS. FIELDS: June 16, 2017.

MS. VANDERBILT: Okay. And what is this in fact?

MS. FIELDS: It's a letter of termination for accumulation of offenses.

MS. VANDERBILT: Okay. And during the -- the time frame that the agency was working with Ms. Bolden, from February, 2017, to June of 2017, other than one time did she ever sign in and out?

MS. FIELDS: No.

MS. VANDERBILT: Did she ever say she was going to sign in and out?

MS. FIELDS: Well, she said she wasn't. Mm-hmm.

MS. VANDERBILT: Okay. Thank you. I have no further questions. Is there any that Ms. Bolden, or the attorney, or panel might have?

MR. NORRIS: Ms. Bolden, you may ask her questions.

MS. BOLDEN: Um, on February 23, 2017 -- well before I aks [sic] this question, um, under your supervision, you supervised program coordinators, direct service managers, and QIDPs [ph] along with other administrative personnel; is that correct?

MS. FIELDS: Directly, uh, indirectly.

MS. BOLDEN: Directly --

MS. FIELDS: Which -- which position?
MS. BOLDEN: Let's just stick with program coordinators, direct service managers, and QIDPs.
MS. FIELDS: I directly supervised program coordinators.
MS. BOLDEN: Indirectly you were over the whole department --
MS. FIELDS: Exactly.
MS. BOLDEN: Indirectly you're over me, a direct service manager.
MS. FIELDS: Right. Mm-hmm.
MS. BOLDEN: On February 23, 2017, were any other direct service managers being required to sign in and out at switchboard?
MS. FIELDS: Not at that time. But prior to and currently we have people signing in and out. Mm-hmm.
MS. BOLDEN: On February 23, 2017, did any other direct service managers, program coordinators, or QIDPs have personalized notebooks up at switchboard to sign in and out?
MS. FIELDS: They don't because there wasn't a reason for it.
MS. BOLDEN: I have no further questions.
MR. NORRIS: Ms. Vanderbilt, do you have

anything else?

MS. VANDERBILT: No. I have nothing further.

MR. NORRIS: Any questions from the committee? May this witness be excused?

MS. VANDERBILT: Yes.

MR. NORRIS: Ms. Bolden, may she be excused?

MS. BOLDEN: Yes. Yes.

MS. FIELDS: Thank you.

MS. VANDERBILT: Valerie Bryant?

[04 - Valerie Bryant Testimony]

MR. NORRIS: As we begin, let me remind you that you have a binder in front of you that will have documents that may be referred to from time to time. The page number is in the upper right corner.

MS. BRYANT: Okay.

MR. NORRIS: And we ask you please to speak loudly enough so that the microphones will pick up your voice for the recording. And as we begin, will you please state your full name for the record.

MS. BRYANT: Valerie Hutchingson [ph] Bryant.

MR. NORRIS: Ms. Vanderbilt?

MS. VANDERBILT: Thank you. Uh, Ms. Bryant, where are you employed?

MS. BRYANT: At Coastal Regional Center.
MS. VANDERBILT: And what are your duties at Coastal Center?
MS. BRYANT: Uh, right now I'm the lead direct service manager.
MS. VANDERBILT: And what does that mean?
MS. BRYANT: Um, at Coastal Center there's nine managers that's, uh, supervise over the units. And I'm their supervisor.
MS. VANDERBILT: Okay. And how long have you been at Coastal Center?
MS. BRYANT: This is my 21st year.
MS. VANDERBILT: And, um, were you the direct supervisor of Ms. Bolden?
MS. BRYANT: Um, at the beginning of October, 2016, I was her supervisor.
MS. VANDERBILT: And prior to that time, what was your relationship with her?
MS. BRYANT: We were co-managing one of the units.
MS. VANDERBILT: Okay. And, um, when you became her supervisor, what are the duties of Alicia Bolden?
MS. BRYANT: Um, Alicia was supervising the entire unit at that time. Her job consists of

scheduling, uh, ensuring safety, uh, make sure -- because staff, uh, have interaction with the consumer at all times.

Um, um, inventories, uh, make sure they have continuous active treatment, um, training objectives, make sure training is going on, uh, assist with appointments if need be.

Um, and that -- and for all shifts, so we had to do three different shifts. And she was to make sure all those were done during those shifts.

MS. VANDERBILT: And why was it important that she be at work on time?

MS. BRYANT: Well, as a supervisor, um, we could not -- our subordinates -- there's no way of dealing with disciplinary actions, um, if we don't follow the rules. So we're leading by example.

So the importance of coming to work on time is to ensure you see all three shifts, uh, and make sure that, uh, everything was going on according to our daily plan, our daily guide.

Uh, if there was off campus appointments, uh, if we were short, the manager would fill in, either go on appointment or she would, uh, take over a group. If there's on campus appointment, same thing.

Uh, you would go in as, um, help or as coverage. Or you would just make sure that they get to the appointments on time.

Uh, you make sure that they're dressing them correctly, uh, make sure that they're getting to their programming on time, uh, training, doing dining, uh, morning routine. So it was a guide that we went through.

And as a supervisor you are to see that the staff that you're supervising are complying with all these guides as it -- for -- to the consumers that we serve.

MS. VANDERBILT: And in -- and in fact there's a -- I believe you just testified that if some perhaps there was a staff shortage, then the supervisor --

MS. BRYANT: We fill in. We fill in.

MS. VANDERBILT: You fill in. Right. So if Ms. Bolden was not there on time, she couldn't fill in.

MS. BRYANT: Correct.

MS. VANDERBILT: Okay. Were there also, uh, monthly team meetings that Ms. Bolden was to attend?

MS. BRYANT: Uh, we had, um, CTMs and the standard ISPs that the Qs would have, that --

MS. VANDERBILT: Okay. Explain what all those means, what ISP is.

MS. BRYANT: Okay. If we have an individual single plan, they would have call team meetings, uh, that dealt with the consumers that, uh, was in her building.

And at that point she was to attend those to see what we would need as managers. We might have to purchase different things if a family member wanted it.

Or if there was something that, uh, if we had a consumer -- hypothetically we had a consumer that might use the [inaudible] lift, but [inaudible] stand pivot. There would be a call team meeting.

The manager was to come into that meeting and find out all the this information and refer back to the staff that she trained, whether she can show these things -- this is what we go do now. So training was a part of her job also, training staff.

MS. VANDERBILT: Okay. And how were these, uh, monthly -- other than the call team meetings, how were the monthly meetings scheduled?

MS. BRYANT: Monthly. The, uh, um, the QDIP of the building would schedule that monthly. Uh, and

they would inform the managers. They would have a schedule and they would inform the managers.

Some of them it would be on Coastal Shares and you can see. Other than that, the Qs would email the managers and let them know that there's a meeting being, uh, being in place and a time.

MS. VANDERBILT: So they were scheduled in advance.

MS. BRYANT: Yeah. They're scheduled in advance.

MS. VANDERBILT: Okay. Was Ms. Bolden making these monthly team meetings?

MS. BRYANT: Uh, when I was in the building with her, some of them she did not attend. But after I became the lead DSM, I wasn't in the building, so I wasn't sure that she attended or not.

MS. VANDERBILT: Okay. Um, were you present for two of her disciplinary actions?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. Would you please refer to page 53?

MS. BRYANT: Okay.

MS. VANDERBILT: Okay. Were you present for this disciplinary action?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. And why was this disciplinary action issued to Ms. Bolden?

MS. BRYANT: At the time of this one, I believe it was something with her schedule. Um, I in fact, uh, it was the same one I questioned Ms. Bolden on, um, coming to work on time.

Um, because there was a morning meeting she didn't attend. This is how I found out she wasn't on time. We had our 8:45 morning whereas we talked about the report of the day, the day before.

Um, managers are required to come to those meetings three times a week. That's because their schedule would reflect that they would be there at 8:45.

She did not attend the meeting, so I emailed Ms. Bolden and told her, reminded her that, uh, managers were supposed to be to the meeting, are required to be to the 8:45 meeting three times per week, um, to discuss the day before. That's our report.

Uh, at that time, uh, Ms. Bolden emailed me back and said that, um, she did not come to those meetings because she had a -- a secondary job. And that Ms. Claudette and Ms. Becky Hill knew about

it.

Uh, I didn't have any paperwork on it. When I talked about it they said it may have happened before, but at that time she needed to go ahead back to the regular schedule that all the managers was doing.

And she wasn't coming to work on time. That's when I mentioned it. Um, at that time she was supposed to issue me another schedule because she only would put 10 -- 10 and 8:30 on her schedule, not the 6.

And then at that time she still was not coming to work on time. So 8:45 meetings, she still wasn't making it because she wasn't coming to work on time. Um, and so I informed my supervisor of that.

And we talked to her about coming to work on time and submitting the schedule -- the rest -- the other eight or nine managers was, um, complying with. Mm-hmm.

MS. VANDERBILT: Okay. And in regards to, uh, page 53 then, you, uh, this, uh, notice required that she would sign in and out [inaudible]

MS. BRYANT: Yes. Because she -- she was still not coming to work on time.

MS. VANDERBILT: And that was the way to

monitor her?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. Um, then also if you would refer to page 49? This was a, um, warning notice that was issued to Ms. Bolden for conduct unbecoming of a state employee?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. And did that also on page 51 include some other issues that, uh, the agency was having with Ms. Bolden?

MS. BRYANT: Yes.

MS. VANDERBILT: And again it included the excessive tardiness?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. Were you present when this was offered to Ms. Bolden?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. Did she sign this?

MS. BRYANT: No.

MS. VANDERBILT: And what was her reaction, do you recall, when the idea of her signing in and out to show she was -- whether she was around on campus, uh, came up? What was her reaction?

MS. BRYANT: Nothing. She -- she just sat there.

MS. VANDERBILT: Okay.
MS. BRYANT: Mm-hmm.
MS. VANDERBILT: Did she say she was going to comply with this?
MS. BRYANT: She didn't say it in front of me. No.
MS. VANDERBILT: Okay. Thank you. Okay. Let's, uh, refer to page 55, please. This was, uh, another meeting that was held with Ms. Bolden?
MS. BRYANT: Yes.
MS. VANDERBILT: Okay. And, um, was this going -- this was another warning for her?
MS. BRYANT: Yes.
MS. VANDERBILT: Okay. And were you able to be present when this was given to her?
MS. BRYANT: I was not. I -- I waited in the office, um, but she didn't show up the time that it was scheduled. And I waited maybe 10 or 15 minutes longer. And then I left.
MS. VANDERBILT: Okay. So was she requested to be at the -- at the office to discuss this at a certain time?
MS. BRYANT: Uh, yes.
MS. VANDERBILT: And what time was that?
MS. BRYANT: Uh, if I'm not mistaken, it could

have been 2. But I couldn't be clear on that.

MS. VANDERBILT: Okay. If you look at page 56, is that what it says, that the meeting was scheduled for 2:00?

MS. BRYANT: Yes.

MS. VANDERBILT: Okay. And was -- and at that point in time Ms. Bolden did not show up?

MS. BRYANT: She did not.

MS. VANDERBILT: Okay. Thank you. Do you remember whether or not she attended the monthly team meetings after she was given these warnings, the first warning?

MS. BRYANT: I do not know.

MS. VANDERBILT: Okay. Um, did -- was Ms. Bolden aware of how to sign in and out?

MS. BRYANT: She was. In fact I made the book. I created the book. I didn't put a pacific [sic] name on it. And I put the sheets in the book. Uh, it was told to her be- -- before 5:00.

So the next day I checked the book. I went to the switchboard and checked the book. She did sign out that very first day, but she didn't sign in or out any more after that.

MS. VANDERBILT: Okay. And then did the -- then her, uh, failing to sign and out and failing

to, um, do as directed by you as her supervisor and then Ms. Claudette Fields as well, require the agency to issue a suspension notice?

MS. BRYANT: Yes.

MS. VANDERBILT: And would you refer to page 65, please? And did you also then initial this as well on page 67?

MS. BRYANT: Yes.

MS. VANDERBILT: Yes. So from the time that she had her first warnings in February until April of 2017, she still was not complying with the order to sign in and out?

MS. BRYANT: Just the very first day that they gave it to her, she signed out, but nothing else after that.

MS. VANDERBILT: Okay. Did you ever discuss that with Ms. Bolden, her failure to do this?

MS. BRYANT: No. I did not.

MS. VANDERBILT: Okay. Other than the -- the time when --

MS. BRYANT: Exactly.

MS. VANDERBILT: -- when the suspension notice was given. Okay. Um, then on page 47, did her failure to comply with the request, um, lead -- lead to her termination?

MS. BRYANT: Um, that one --
MS. VANDERBILT: After the suspension notice. Yes.
MS. BRYANT: Yeah. It was -- yeah. That was the next in line, accumulation, yes.
MS. VANDERBILT: Okay. Thank you. Uh, are you aware do others have to sign in and out at the Coastal Center?
MS. BRYANT: Yes. I am aware.
MS. VANDERBILT: Okay. And that's -- it's not an unusual practice for the Coastal Center?
MS. BRYANT: No. It's not. Um, Alicia would not have been the first manager. And there are other departments that people are still signing in and out. Mm-hmm.
MS. VANDERBILT: Thank you. Uh, please answer any questions Ms. Bolden or the panel may have.
MS. BOLDEN: I don't have any questions for this witness.
MR. NORRIS: No questions. Any questions from the panel? May this witness be excused?
MS. VANDERBILT: Yes.
MS. BOLDEN: Yes.
MR. NORRIS: All right. You are excused.

[05 - John Dooney Testimony]

MR. NORRIS: We are back on the record. Uh, as we begin that the note to you that you have a binder in front of you that may have some documents that may be referred to from time to time. The page number that may be mentioned is in the top right-hand corner. Um, I'd also ask you to speak loud enough for your voice to carry to the microphones overhead. And as we begin, would you please state your full name for the record.

MR. DOONEY: Yes. John Dooney.

MS. VANDERBILT: Okay. Mr. Dooney, where are you employed? Were you employed?

MR. DOONEY: Yes.

MS. VANDERBILT: Where are you employed?

MR. DOONEY: Uh, South Carolina Disabilities and Special Needs.

MS. VANDERBILT: Um, and what are your duties there?

MR. DOONEY: I'm the district two HR manager.

MS. VANDERBILT: And how long have you been with the agency?

MR. DOONEY: Uh, it would be four years, April 17th.

MS. VANDERBILT: And prior to that, where were you employed?

MR. DOONEY: Uh, United States Navy.

MS. VANDERBILT: And what were you duties with the Navy?

MR. DOONEY: Uh, human resources, career counseling, and a medical background.

MS. VANDERBILT: Okay. And, uh, working at the Coastal Center have you become involved with Ms. Alicia Bolden?

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. And, uh, would you please refer to page 54 in the binder? 53. And were you present when this oral warning reduced to writing was given to Ms. Bolden?

MR. DOONEY: I think so. Yes.

MS. VANDERBILT: Okay. Did you sign at the bottom?

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. Um, and what is it -- what did you note down there?

MR. DOONEY: Uh, refused to sign.

MS. VANDERBILT: Okay. Uh, and part of what this required Ms. Bolden to do was to, uh, sign in and out of the switchboard?

MR. DOONEY: Correct.
MS. VANDERBILT: Okay. And, um, did she say that she would do that at that time, do you recall?
MR. DOONEY: At that time, um, I know, uh, it was not reasonable for her to sign in and out of the switchboard.
MS. VANDERBILT: What do you mean it wasn't reasonable for her to sign in and out? Is that what she said?
MR. DOONEY: I don't know if it was during this time, but through the process in email and all. Yes.
MS. VANDERBILT: Okay. She said it wasn't reasonable.
MR. DOONEY: Yes.
MS. VANDERBILT: And as far as the agency goes, is this -- is this a practice that the agency, the signing in and out, that they usually does in regards to other employees?
MR. DOONEY: Yes.
MS. VANDERBILT: Okay. Is it -- it is a practice used at Coastal Center?
MR. DOONEY: Yes.
MS. VANDERBILT: Uh, and is it a useful practice?

MR. DOONEY: Yes.
MS. VANDERBILT: Um, how -- how -- is there any time frame that somebody would have to sign in and out?
MR. DOONEY: It depends. Uh, an example, I've used it in HR office myself, uh, for 30 days on an employee. And it corrected the tardiness.
MS. VANDERBILT: And that was the purpose for Ms. Bolden?
MR. DOONEY: Uh, yes. The tardiness.
MS. VANDERBILT: Okay. Um, so necessarily if she had complied, it wouldn't have necessarily been for the rest of her employment.
MR. DOONEY: Correct.
MS. VANDERBILT: Until just the issue was secured.
MR. DOONEY: And that would have been up to the supervisor.
MS. VANDERBILT: Right. Okay. Um, if you would refer to page 49 as well, please? Were you present when this written warning was given to Ms. Bolden?
MR. DOONEY: Yes.
MS. VANDERBILT: Okay. And why -- why was this given?
MR. DOONEY: Uh, it was a conversation, uh,

between Alicia and her supervisor regarding, uh, transfer a shift with another employee. And I guess it was disrespectful during that time. And it was recommended for, uh, a written warning.

MS. VANDERBILT: Okay. And also if you refer to page 51, it also included these other issues that the agency was having with Ms. Bolden, at the top there.

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. And what were those? Yes. Those. Yeah. Those issues. Yeah.

MR. DOONEY: Uh, forwarding email regarding policies and religion. Unfair disciplinary actions, uh, toward non-preferred staff. Excessive, uh, tardiness. Ensure staff are sufficiently trained to perform their assigned duties. Lack of data collection for assigned consumers. Lack of initiative as a manager.

MS. VANDERBILT: Okay. And that was, um, a written warning given to her in February of 2017?

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. And then, uh, if you would refer to, uh -- were you there when this was given to Ms. Bolden? I'm sorry, on page 49, were you present when that was given to her?

MR. DOONEY: I signed the bottom of the form. Honestly I don't remember.

MS. VANDERBILT: Okay. Well, what did you note at the bottom of the form?

MR. DOONEY: Uh, refused to sign.

MS. VANDERBILT: She refused to sign the written warning notice. Okay. Thank you.

MR. DOONEY: Yes.

MS. VANDERBILT: Um, and then, um, on page 55, is the next disciplinary warning. Which leads actually to the -- the written warning is actually page 57.

MR. DOONEY: Yes.

MS. VANDERBILT: Yes. Okay. And what -- and what did this entail?

MR. DOONEY: Uh, not following the direction that was given to her by her supervisor, signing in and out of the switchboard.

MS. VANDERBILT: Okay. And, um, on page 56 -- it looks like the pages got mixed up -- page 56, um, you signed as well?

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. And were you there when this was discussed with Ms. Bolden?

MR. DOONEY: Yes.

MS. VANDERBILT: And what was her reaction to this written warning?

MR. DOONEY: Reaction, it's disbelief and it's not reasonable. Uh, Ms. Bolden believed that it is not war- -- was not warranted.

MS. VANDERBILT: Okay. And again, is this a practice that's used throughout Coastal Center?

MR. DOONEY: Yes.

MS. VANDERBILT: Okay. So she would not have been the only one doing this?

MR. DOONEY: No.

MS. VANDERBILT: Okay. And then the next disciplinary action was page 65.

MR. DOONEY: Yes.

MS. VANDERBILT: And what was the date of this disciplinary action?

MR. DOONEY: I dated it for April 10th. Uh, the action to be received was April 18th, 19th, and 20th, a three-day suspension.

MS. VANDERBILT: And what was the three-day suspension for?

MR. DOONEY: Uh, failure to observed assigned work hours and refusal to accept a reasonable and proper assignment by a supervisor.

MS. VANDERBILT: Okay. Um, did you give this

to her?
MR. DOONEY: Yes. I did.
MS. VANDERBILT: Okay. And what was her reaction at that time, do you recall?
MR. DOONEY: Uh, she grabbed the piece of paper and -- and left, left the office.
MS. VANDERBILT: Okay. Uh, and then on page 47, um, uh, what is this noting?
MR. DOONEY: Uh, termination regarding not following the -- the instruction that was given.
MS. VANDERBILT: Okay. And, um, what was the termination was based on?
MR. DOONEY: Uh, not following, uh -- accumulation of offenses, not following the reasonable instructions that was given.
MS. VANDERBILT: Okay. So from February of 2017 to June of 2017, did the agency make efforts to work with Ms. Bolden?
MR. DOONEY: Yes. To my knowledge. Yes.
MS. VANDERBILT: Yes. And did -- did you follow the progressive disciplinary policy?
MR. DOONEY: Yes.
MS. VANDERBILT: Um, did she ever agree to sign in and out?
MR. DOONEY: No.

MS. VANDERBILT: Is there anything else the agency could have done to help her at this point?

MR. DOONEY: At this point, no.

MS. VANDERBILT: Okay. Thank you. Please answer any questions that anyone else may have.

MR. NORRIS: Ms. Bolden?

MS. BOLDEN: Yeah. Uh, the only question I have is, how do supervisors of administrative personnel track, uh, their direct subordinates' time? If a sign in, sign out book at switchboard is not in place for every administrative employee, then how are they held to the same standards as me?

MR. DOONEY: Uh, the log -- the log book is in place for anybody to -- to sign in and out. Uh, now for supervisors directly managing, uh, different ways each supervisor could log -- log your hours in.

If you're not exempt, you have time sheets. If you're exempt, it all -- it's all up to the supervisor. But there's a log book posted at the, uh, switchboard.

MS. BOLDEN: Prior to February 23, 2017, are you aware of any administrative personnel that were signing in and out in some book at the AOD's office? Or is this something that you guys keep in

secret?

MR. DOONEY: No. There are administrative personnel signing in and out.

MS. BOLDEN: This is something you keep in secret?

MR. DOONEY: No. It -- it's a means necessary when, uh, to help progressively, uh, assist, uh, employees with tardiness. So it is there.

MS. BOLDEN: I have no further questions.

MR. NORRIS: Ms. Vanderbilt, anything else?

MS. VANDERBILT: Nothing further from me.

MR. NORRIS: Anything from the committee? May this witness be excused?

MS. VANDERBILT: Yes.

MS. BOLDEN: Yes.

MR. NORRIS: You are excused.

MR. DOONEY: Thank you.

[06 - Deirdre Blake-Sayers Testimony]

MR. NORRIS: You're entitled to have two other people with you. So the attorney has two other people [inaudible]

MS. BOLDEN: The attorney is the representative. So the witnesses sat in here the

whole entire time. But you're allowing them to be at the --

MR. NORRIS: She was allowed to sit there. Yes.

MS. BOLDEN: Just making sure I understand.

MR. NORRIS: You would have been allowed to have one with you as well. As we begin, if you'll take note of the binder in front of you, the pages are numbered in the upper right-hand corner, if referred to by [inaudible] individuals asking you questions.

Uh, please speak loud enough for the microphones overhead to pick up your voice. And as you begin, would you please state your full name for the record.

MS. BLAKE-SAYERS: My name is Deirdre Blake-Sayers.

MR. NORRIS: Ms. Vanderbilt?

MS. VANDERBILT: Um, Ms. Sayers, where are you employed?

MS. BLAKE-SAYERS: Currently I'm employed with the Department of Social Services.

MS. VANDERBILT: And prior to your employment there, where -- where -- where were you employed?

MS. BLAKE-SAYERS: I was employed with the

Department of Disabilities and Special Needs.

MS. VANDERBILT: And when did you leave DDSN?

MS. BLAKE-SAYERS: Uh, I left DDSN on January 16, 2018.

MS. VANDERBILT: Okay. And prior to that time you were involved with Ms. Bolden for this case?

MS. BLAKE-SAYERS: Yes.

MS. VANDERBILT: Okay. Um, how did you become involved with, uh, Ms. Bolden in 2017?

MS. BLAKE-SAYERS: Um, at this time Ms. Bolden actually, uh, sent me an email, uh, concerned about, uh, instructions provided to her by, uh, her supervisor, uh, Ms. Fields, and Becky Hill.

MS. VANDERBILT: If you would refer to page 75, please?

MS. BLAKE-SAYERS: Okay.

MS. VANDERBILT: Are those some of the emails that you received?

MS. BLAKE-SAYERS: Yes.

MS. VANDERBILT: Okay. And what did Ms. Bol- - - what was Ms. Bolden's concern?

MS. BLAKE-SAYERS: Ms. Bolden was concerned that this was some -- um, the instructions she was given were unfair and discriminary [sic] -- discriminatory, sorry, uh, practices.

Um, she was concerned that it was retaliation. I was -- but that's the extent of what I understood at the time.

MS. VANDERBILT: Okay. And what was your response to Ms. Bolden?

MS. BLAKE-SAYERS: I told her if her supervisor had given her, um, instructions to sign in and out, uh, because of some concern with tardiness or lateness, uh, that that was a reasonable, uh, instruction, and she should comply.

MS. VANDERBILT: Okay. And the signing in and out procedure, uh, is it used not only at Coastal Center, but across DDSN?

MS. BLAKE-SAYERS: Yes. It's agency-wide.

MS. VANDERBILT: And, um, it would -- it's not anything that's unusual, that's out of the ordinary, if a person is not reporting to work on time?

MS. BLAKE-SAYERS: No. Actually, um, for non-exempt employees there is a requirement to have a sign in, sign out, either through time sheets, um, log books, uh, they can be at switchboard, they can be at individual units, offices, etc.

Um, and when there's a concern for exempt employees who are not abiding by, uh, scheduled

work hours, a supervisor, uh, can request and actually mandate that their employee sign in and out, as need be until the -- the concern is -- is no longer there.

MS. VANDERBILT: Okay. So it wouldn't necessarily have been a long term thing for Ms. Bolden had she done it?

MS. BLAKE-SAYERS: No. No. Um, generally it's a 30 day, um, issuance. But when the -- when the matter isn't necessarily resolved, it can go for longer.

MS. VANDERBILT: Um, and I believe in, uh, the email to her -- the email that, uh, Ms. Bolden wrote to you, um, on page 75, she said she wasn't going to comply.

MS. BLAKE-SAYERS: She said she cannot adhere, yes, to the -- to the request because she thought it was an unfair employment practice. Yes. Uh, yeah.

MS. VANDERBILT: If you would refer to page 77, um, and there was some more information that she sent you.

MS. BLAKE-SAYERS: Yes.

MS. VANDERBILT: Okay. And that, um, you assured her that the agency was working in the

proper manner?

MS. BLAKE-SAYERS: Yes. I did.

MS. VANDERBILT: And then on page, um, if you look on page 132, did you also then, um, handle the appeal when Ms. Bolden appealed to the state office for DDSN?

MS. BLAKE-SAYERS: Yes. I reviewed the, uh, grievance file, uh, for the state director at the time, um, and found that the Coastal Center had acted in a manner appropriate.

MS. VANDERBILT: Okay. So the fact that Ms., uh, Bolden was given the written warning, a suspension, and a termination, that follows the agency progressive discipline?

MS. BLAKE-SAYERS: Yes.

MS. VANDERBILT: Okay. Um, in your opinion did Coastal Center attempt to work with Ms. Bolden?

MS. BLAKE-SAYERS: Uh, yes. I did. In my opinion, um, actually I had calls, uh, after Ms. Bolden's email from, uh, the facility administrator and, uh, Ms. Fields at the time.

Um, they were concerned, um, and tried to -- actually trying to find a way to work, uh, with her. They both felt she had, uh, significant skills, uh, that were an asset to the agency. Um,

so I, you know, we did talk quite -- quite a bit.

And I think they -- they worked for a pretty long time to try to accommodate her -- her concerns, in my opinion.

MS. VANDERBILT: Okay. Thank you. I have no further questions.

MR. NORRIS: Ms. Bolden, do you --

MS. BOLDEN: I don't have any questions for this witness.

MR. NORRIS: Any questions from the committee? May this witness be excused?

MS. BOLDEN: Yes.

MS. VANDERBILT: [inaudible]

MR. NORRIS: You are excused.

[07 - Rebecca Hill Testimony]

MR. NORRIS: Please take note of the binder in front of you. There's page numbers in the upper right-hand corner, if referred to by any of the individuals questioning you. Please speak loudly enough so that the microphones overhead can pick you up. And if you'll begin by saying your full name, uh, very distinctly, please.

MS. HILL: Rebecca Dukes Hill.

MR. NORRIS: Thank you.
MS. VANDERBILT: Ms. Hill, where are you employed?
MS. HILL: I am employed with the South Carolina Disabilities and Special Needs Coastal Center.
MS. VANDERBILT: And what are your duties at the Coastal Center?
MS. HILL: I am the facility administrator, Coastal Center. I have the responsibility of the operational direction of the facility, which will include staffing, as well as services provided to the people who reside on the campus.
MS. VANDERBILT: And Coastal Center is a -- a 24 hour, seven days a week --
MS. HILL: Yes.
MS. VANDERBILT: -- 365 day a year facility.
MS. HILL: It is.
MS. VANDERBILT: Okay. And how long have you been there?
MS. HILL: Almost 38 years at the facility.
MS. VANDERBILT: And so your duties include, um, staffing, you said?
MS. HILL: I have the responsibility to ensure that we have staffing. We have executive staff for

each department where they have an assigned work complement for staffing.

And when we are at a full complement and we run the -- the operations run smoothly, we are facing some, um, vacancies at this time, and so, uh, when those are presented to me then we put into practice other options to ensure that we have staffing needs.

So I'm the -- I have that responsibility overall for the campus.

MS. VANDERBILT: And is it important for employees to be on time?

MS. HILL: It is important. Yes.

MS. VANDERBILT: Okay. And in particular an employee in the position that Ms. Bolden had?

MS. HILL: Yes. Because she has a 24-hour responsibility because she -- she has 24-hour staff, three shifts of staff. And her -- her responsibilities would include to make contact throughout the week with the staff.

And not all departments are a 24-hour operations. To give you an example, I have a psychology department and they basically work 8:30 to 5, which would be considered like a first shift normal business hours. So not all departments are

working at 24/7.

MS. VANDERBILT: Um, and with Ms. Bolden, was -- in her position, was it important that she attend not only the morning meetings, but the monthly meetings as well?

MS. HILL: Yes.

MS. VANDERBILT: Okay. And what was the information that she would get in -- in particular the, uh, morning meetings?

MS. HILL: Well, as stated by, um, the other witnesses, that is a communication meeting that addresses the behavioral as well as the medical needs of the consumers on the campus that occurred in the 24-hour period prior to that meeting date.

And the resident -- the managers are over the residential buildings, over the staff, and the -- the residents live in those buildings.

And so sometimes if we have a medical issue that is presenting itself, and there's going to be either a meeting or maybe some communication of how it's being addressed, that would then be communicated to the subordinate staff.

MS. VANDERBILT: And if Ms. Bolden was not at those meetings, she couldn't pass it on to the staff that were dealing directly with the

consumers?

MS. HILL: Correct. Correct.

MS. VANDERBILT: Okay. So her attendance there was very important?

MS. HILL: Correct.

MS. VANDERBILT: And what about the monthly meetings?

MS. HILL: Um, if you're referencing to the single plan meetings, or the ISP meetings, and the call team meetings, those are the meetings that talk about the consumer's plan, whether it's their medical care plan, their, um, training plan.

And those are requirements by [inaudible]. Those are regulatory requirements. So we have to have an annual meeting for each resident that resides at the Coastal Center.

And then call team meetings, uh, if there's a chance in the plan, those are meetings that are held because those are outcome changes and those are also regulatory requirements. And we have to ensure that the staff are implementing those plans.

MR. NORRIS: Excuse me, how often are they held?

MS. HILL: Okay. The annual -- there are annual meetings for each resident. So we have 152

residents at Coastal Center. So there would be 152 annual meetings throughout the year.

The call team meetings will vary depending on the needs of the resident. So if we have someone who is stable, whether it's medically or behaviorally, there may not be a chance in the person's plan.

But if we have someone who has a significant medical event requiring hospitalization, and they're out of the -- out of the -- off the campus for more than 10 days, they have to be readmitted back to the facility, and there may be a change in their plan.

So you would have a call team meeting to address those changes. And I'm just giving you an example to help you all understand what we do.

MR. NORRIS: Thank you. And excuse me.

MS. VANDERBILT: No. That's fine. That's fine. Um, and, um, how did you become involved with the -- the -- this case concerning Ms. Bolden that -- that happened in 2017?

MS. HILL: I became involved, um, when it was reported that she was not adhering to her work schedule.

And, um, and generally when we have -- when

the executive staff and Ms. Fields is [inaudible] the executive staff, if there is a presenting issue, I will be notified just in general by -- it isn't that -- it does not necessarily mean in residential, it could be from the medical staff, it could be from the nursing staff.

Because I have a -- it's a large complement for the workforce in varying disciplines. And they will just alert that we're having -- there's a presenting issue and they're going to be addressing it.

Sometimes it would be just a matter of sitting down with the employee and just speaking with them. And some that -- sometimes that will resolve the issue.

If we're in a progressive disciplinary action, I, um, situation, I am made aware in the event if something comes to a grievance level.

And -- and so I became aware based on the fact that she was not adhering to signing in and out because of not -- failing to follow a work schedule.

MS. VANDERBILT: Okay. And then, uh, were you involved -- if you refer to page 49 -- 49, 50, and 51, the warning notice.

MS. HILL: Yes.

MS. VANDERBILT: Okay. Were you involved with, um, issuing this, uh, disciplinary action to Ms. Bolden?

MS. HILL: I was not -- I was not present when this was issued. However on the following pages where it would come to me and how -- where the recommendation to receive it, I was the last person to make a comment on that. And that's on page 51.

MS. VANDERBILT: And what is your comment?

MS. HILL: My comment states that Ms. Bolden disregards supervisory authority and have involved in -- and have involved in most issues referenced.

On the most recent incident, I received a phone call that disrupted the administration operation that was overheard by another employee in her office.

MS. VANDERBILT: Could you elaborate on that?

MS. HILL: Yes. Um, and I -- and because of the details, I was actually in a meeting. And I -- and I, um, my phone was actually on speaker, okay, at the time. And when I answer the phone and I actually have -- it was another employee in there.

And Ms. Bolden was extremely upset. And she, um, and I explained to her that I was in a meeting.

And that did not satisfy her.

And she continued on till finally I just told her that I was not -- I was in another meeting and I could not speak with her at this time. And -- and that's what I was referencing to.

MS. VANDERBILT: Okay. But this written warning also included, uh, the other issues that are listed on page 51, that the agency was having, um --

MS. HILL: Yes.

MS. VANDERBILT: Okay.

MS. HILL: Yes.

MS. VANDERBILT: And that did include the, uh, excessive tardiness as well?

MS. HILL: Yes. It did.

MS. VANDERBILT: So you, uh, were aware of this in February of 2017?

MS. HILL: Correct.

MS. VANDERBILT: Okay. Um, then if you would refer to page 55.

MS. HILL: Okay.

MS. VANDERBILT: Okay. And this, uh, resulted in the written warning that was then issued on page 57?

MS. HILL: Yes.

MS. VANDERBILT: Okay. And were you involved in -- in this disciplinary action?

MS. HILL: I was not to be directly involved. Ms. Bolden, um, failed to meet the appointment time. And it was reported to me by Ms. Fields and Ms., uh, Bryant, who has -- was previously here, that she failed to meet the appointment time.

And they came to my office. And Ms. Bryant left. And I was actually in another meeting with Ms. Fields when Ms. Bolden came to the door. And I -- and I'm thinking the time was about 45 minutes from the scheduled appointment time.

And -- and so she -- and basically she said she was here for that meeting. And I was not to be involved at that point. And so that's what happened there.

MS. VANDERBILT: Okay. So -- so why did you have to be involved then?

MS. HILL: Because, uh, there had been two witnesses generally when there had been, um, the issuing of the disciplinary action.

And so because Ms. Bolden was there at that time, I sat in, and Ms. Fields started speaking in regards to why she was receiving the disciplinary action. And Ms. Bolden basically just wanted a copy

of that action.

And I have written a statement here that the written warning was administered. She refused to sign and asked for a copy. And one was provided. And that -- and the entire meeting probably only lasted less than five minutes at that point.

MS. VANDERBILT: Did Ms. Bolden say at that point in time she was going to comply with what was requested?

MS. HILL: No. She basically asked for a copy of this, basically what she stated. She wanted a copy of the -- the action.

MS. VANDERBILT: Um, and the idea of signing in and out, uh, is that used at Coastal Center?

MS. HILL: Yes. It is.

MS. VANDERBILT: Have you used it, uh, requested employees to do that?

MS. HILL: Yes. I have.

MS. VANDERBILT: Uh, has it been a long term thing for the employee that was asked to do that in general?

MS. HILL: We have, uh, this practice that I was first made aware happened in the form- -- with the former facility administrator. And, um, and it's generally used for short term, for it to -- in

the attempt of trying to correct the behavior that's being exhibited, if it's tardiness.

And it is successful most times. Um, it is not immune [ph] just to the DSM level or as being referenced here for this hearing. I have an executive staff who is presently signing in and out, um, for the -- for the same thing.

And, um, and I also have the employee -- an employee health nurse who is presently signing in and out for the same thing. So this practice has been in place for quite a while. And it is based on for failing to adhere to the work schedule.

MS. VANDERBILT: Okay. After the, uh, meeting in March of 2017, are you aware -- aware of any improvements in Ms. Bolden's attendance and timeliness?

MS. HILL: Um, there was no improvement in her attendance and timeliness. She did not sign in. I was made aware of that.

MS. VANDERBILT: And were you involved in her, uh, suspension notice?

MS. HILL: Actually, uh, she received a suspension, I think it was previously stated, she did not grieve the suspension.

MS. VANDERBILT: But -- so, uh, if you refer -

-

MS. HILL: But I was aware that she was receiving a suspension.

MS. VANDERBILT: Correct. And that is on page 65?

MS. HILL: Okay. Thank you. I do want to correct something because I -- I didn't read the further comments on the previous written warning that the time frame -- and I said, I think I referenced to 45 minutes, but Ms. Fields had actually documented the time.

So I'm not sure how long they had been waiting prior to. So I think I was including that, so. Page 65? Yes. The suspension.

MS. VANDERBILT: Okay. And so, uh, were you involved in, uh, the -- the discussion of this and the fact that she was going to receive this?

MS. HILL: Yes. I was made aware.

MS. VANDERBILT: Okay. Uh, and then from, uh, the three-day suspension, April until the termination, uh, in June, are you aware did she make any improvement?

MS. HILL: There was no improvements.

MS. VANDERBILT: Did she sign in and out?

MS. HILL: She did not.

MS. VANDERBILT: Okay. And so if you refer to page 47.

MS. HILL: Yes.

MS. VANDERBILT: Okay. So then, uh, were you involved in the fact that she was going to receive the disciplinary action of termination?

MS. HILL: I was aware. Yes.

MS. VANDERBILT: Okay. And, uh, did you meet with Ms. Bolden as part of the grievance process?

MS. HILL: I did.

MS. VANDERBILT: And when did -- what happened during that meeting? Do you recall?

MS. HILL: Um, when the termination letter was issued, and for the time frames that are specified in the letter, um, I had a scheduled vacation. And I was prepared that there would possibly be a, um, she was going to grieve the termination.

And so prior to leaving, I had instructed my secretary at the time that I had -- these were the available dates, because I was going to be gone a week in there. And prior to leaving she had not grieved at that time.

And so I made prep- -- preparations for just in case that she did grieve. And that she would be offered at least a couple of opportunities what

would work best for her scheduled based on my work schedule.

Apparently while I was on vacation, um, Ms. Bolden, um, called back and wanted to know if she had -- if she had to present the grievance to me.

Um, and Bobbie [ph] Taylor, who was the secretary at the time, said that, yes, that was the process. And I was made aware of that when I returned back. Uh, Ms. Bolden did come to her grievance.

And she basically questioned why she had to, uh, present it to me, because she felt like that I was part of this whole process of the progressive disciplinary action.

And I explained to her at the time that my role was to hear her side, and that I would be looking at all the information, and would be making a determination, whether I was going to uphold the grievance or overturn the grievance.

And Ms. Bolden started referencing that this was, um, not -- it was not reasonable, that she had consulted, uh, Ms. Deirdre Blake-Sayers for advice. And I asked her the question, well what did Ms., uh, Blake-Sayers advise you to do?

And she said, she advised me to, um, sign in

and out, but I was not going to do it anyway. And that was basically the end of the grievance process.

MS. VANDERBILT: And I believe on page 48, if you would look, is this what she had, uh, wrote to you or presented to you?

MS. HILL: Yes.

MS. VANDERBILT: And based on, uh, your conversation with her, uh, did you uphold the termination [inaudible]

MS. HILL: I did uphold the termination. I did.

MS. VANDERBILT: And again, the, uh, requirement to sign in and out is something that's done across the board [inaudible]

MS. HILL: It is. It is.

MS. VANDERBILT: And Ms. Bolden was not being singled out to do that for any --

MS. HILL: That is -- that is correct.

MS. VANDERBILT: -- particular reason, other than she was tardy.

MS. HILL: That is correct. In the time frame that we're going back to, to 2017 to present, there have been varying staff who have been signing in and out. So for some people it's short term and for

others it's longer, depending on their actions.

MS. VANDERBILT: Thank you. I have no further questions. Please answer any anybody else might have.

MR. NORRIS: Ms. Bolden, do you have any questions?

MS. BOLDEN: Um, I don't know how to aks [sic] this question, but, um, so to require someone to sign in and out, you're saying, um, someone just has to record I believe Alicia or Joe or Jane is being tardy to work, therefore I think they should sign in and out? Is that what you're saying you guys do?

MS. HILL: If there is evidence to -- to show that someone's not adhering to their work schedule, and the -- and the person is not -- and there's document- -- documentation to support, it is a reasonable request for an exempt employee to be required to sign in and out.

MS. BOLDEN: So someone just needs to say, I believe so and so's being tardy to work?

MS. HILL: It's based on evidence. And so I am going to reference to the fact that, um, for the -- my executive staff who's signing in and out, they were not adhering to the work schedule, based on

the evidence that I had witnessed and received, and this person is signing in and out.

And they are -- they are now adhering to their work hours because that is a tool that is helping them stay on track.

MS. BOLDEN: I have no further questions.

MR. NORRIS: Ms. Vanderbilt, anything --

MS. VANDERBILT: I have nothing further.

MR. NORRIS: Anything from the committee? Can this witness be excused?

MS. BOLDEN: Yes.

MS. VANDERBILT: Yes.

MS. HILL: Thank you.

MS. VANDERBILT: That's the case for the agency.

MR. NORRIS: All right. We are ready for closing arguments. Uh, closing statements is probably a better way to put that. Uh, why don't we take about a 10 minute break and then we'll come back. Now before we go any further, uh, Ms. Bolden, you have the right to go first or last. Which would you rather do?

MS. BOLDEN: Last.

MR. NORRIS: Last. All right. You will go last. Let's take a 10 minute break.

[08 - Closing Statements by Parties (Bolden v. DDSN)]

MR. NORRIS: We are back on the record. It is time for our closing statements. Ms. Bolden has elected to go last. So Ms. Vanderbilt, you are welcome to proceed.

MS. VANDERBILT: Okay. Thank you. Um, it is the request of the agency that the panel please uphold the termination of Ms. Alicia Bolden, um, as she testified she admitted she did not sign in and out as requested by her supervisor.

It was a very simple request. It was, uh, what was expected so her supervisors could monitor her hours to make sure she was getting to work on time.

Um, as testified to this was done across not only Coastal Center, but across the Department of Disabilities and Special Needs. So it definitely was a reasonable request for an employee to sign in and out.

And as testified as well, presented that it wouldn't have been a long term thing, it would have just been something to monitor to make sure that she got to work on time. And it could have been a

very short term thing had she done to do that -- had she chosen to do that.

She failed to do this for a four month time period. The agency filed the progressive disciplinary practice as outlined in our agency, uh, grievance manual, which is included in the materials.

Um, and repeatedly she stated she was not going to do it because she felt it was harassment.

The agency had even worked with her prior to this time to let her set her own schedule as testified to by Ms. Fields, and yet she still could not get to work on time. Her insubordination, the direct -- was a direct violation of the orders of her supervisor.

And as I stated, she was given every opportunity to comply over that four month time period. Um, and she didn't do it. And the agency had no choice but to terminate her, uh, after that time period.

Again, we'd like to request that the panel uphold the termination. Thank you.

MR. NORRIS: Ms. Bolden, you may make your closing statement.

MS. BOLDEN: Um, the South Carolina state

employee grievance committee grounds for appeals form requires me to identify which grounds, uh, listed would require the committee to change the agency's decision.

I feel that the grounds for appeals form that I have submitted to the committee has done that.

MR. NORRIS: All right. Thank you. At this time you will now receive instructions from our committee attorney.

[09 - CA Instructions (Bolden v. DDSN)]

MR. HUNTER: I will not -- now advise the committee on the controlling law and provide instructions for it in following and rendering its decision.

SC Code section 817-34(e)(2) governs the committee's role in this proceeding and provides that the committee may not alter or overrule an agency's decision unless the covered employee establishes that the agency's decision prejudices the employee's substantial rights and is one or more of the following:

A, violation of constitutional or statutory provisions;

B, in excess of the statutory authority of the agency;

C, made upon unlawful procedure;

D, affected by other area of law;

E, clearly erroneous in view of the reliable probative and substantive evidence on the [inaudible];

Or F, arbitrary, or capricious, or characterized by abuse of discretion, or clearly unwarranted exercise of discretion.

A decision is arbitrary if it is without a rational basis, is based alone on one's will, and not upon any course of reasoning, and exercise of judgment is made at pleasure without adequate determining principles, or is governed by no fixed rules or standards.

An agency need not exercise its discretion identically in every case. A penalty that is within the authority of the agency -- excuse me -- is not rendered in valid in a particular case because it is more severe than sanctions imposed in other cases, and mere unevenness in the application of the sanction does not render its application in a particular case unwarranted in law.

State employee grievance proceedings are now

governed by the state administrative procedures act, which establishes a substantial evidence standard of review for agency decisions.

Under this standard the factual findings of the agency are presumed correct and will be set aside only if unsupported by substantial evidence.

Substantial evidence is not a mere scintilla [ph] of evidence, nor is it evidence viewed blindly from one side.

Rather it is evidence which when considering the record as a whole would allow reasonable minds to reach the conclusion of the agency, reached in order to justify its action.

The possibility of drawing two inconsistent conclusions from the evidence does not prevent the agency's conclusion from being supported by substantial evidence. The burden is on the employee to improve -- to prove convincingly that the agency's decision is unsupported by the evidence.

To determine if the employee has carried this burden of proof, the committee must look to the entire record, including the testimony presented and all written policies and procedures of the agency.

In considering the record, the committee may

not overturn an administrative agency's finding of fact unless there is no reasonable probability that the facts could be as related by witness upon whose testimony the finding was based.

The committee is the sole judge of the credibility or believability of the witnesses who have testified in this case.

In determining the credibility of a witness, the committee may consider any matter that has a reasonable tendency to prove or disprove the truthfulness of the witness' testimony, including the witness' demeanor, the consistency or inconsistency of the witness' testimony, whether the witness had any calls to be biased or prejudiced in the testimony given, whether the witness had an interest in the outcome of this proceeding, and whether the witness' testimony was made stronger or weaker by other testimony or evidence.

In weighing conflicting testimony, the committee may believe that testimony which convinces it more heavily toward one view of the facts as opposed to the other. The committee is not bound to decide the facts based on the number of witnesses produced for one side as opposed to the

number of witnesses produced by the other.

The final test is not the number of witnesses, but the relative convincing force of the evidence. The committee is free to accept a portion of a witness' testimony and reject a portion of a witness' testimony.

Are there any additional instructions requested or objections to the ones I have given?

MR. NORRIS: At this time the committee will excuse the parties and will continue in executive session to deliberate. No votes will be taken while the committee is in executive session.

The parties may wait for deliberations to be concluded, but we do not know when the deliberations will be completed. A written decision will be provided within 20 calendar days of the conclusion of the hearing. Are there any questions?

MS. VANDERBILT: None from the agency.

MR. NORRIS: The committee attorney will remain to provide legal advice, but all other parties are asked to leave the hearing room. Thank you.

[10 - Vote Agency 5-0 (Bolden v. DDSN)]

MR. NORRIS: I will now entertain any motions from the committee.

FEMALE: I move that this committee come out of executive session.

MR. NORRIS: Do I have a second?

MALE: Second.

MR. NORRIS: All in favor let it be known by saying aye?

ALL: Aye.

MR. NORRIS: We are now out of executive session. No votes were taken while we were in executive session. Is there any further discussion? I will now entertain motions from the panel.

MALE: Mr. Chairman, I move that the committee find that the agency decision was supported by substantial evidence, that the agency decision was not in violation of section 8-17-340(e)(2), A, B, C, D, E, or F.

MR. NORRIS: We have a motion to support the agency decision. Do I have a second?

MALE: Second.

MR. NORRIS: We have a second. All in favor of supporting the agency decision signify by saying aye?

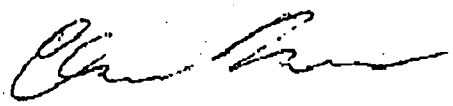
ALL: Aye.

MR. NORRIS: It is so carried. The vote is 5 to 0 in favor of the motion upholding the agency's decision. A written decision will be sent to both parties within 20 calendar days. Thank you.

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability the above 97 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.

August 24, 2018



Chris Naaden

(Bolden v. DDSN hearing, 4-3-18)

-

-the 29:25

0

0 97:2
01 2:1
02 8:16
03 26:25
04 43:11
05 56:1
06 65:19
07 71:16
08 89:2
09 91:11

1

10 30:1,12 36:11,12 50:10 52:18 76:11 88:19,25 95:24
10th 62:17
110 28:24
13 11:5
132 70:4
15 9:18 18:23 52:18
152 27:20 75:25 76:1
16 40:25 67:4
17th 56:25
18th 39:13 62:18
19-718.07(e)(7) 2:19
1987 28:2
19th 39:13 62:18

2

2 28:2 53:1
2/23/2017 16:11
20 7:4 95:16 97:4
200 28:19
2015 16:17, 22
2016 12:4 44:16
2017 12:5 16:18 17:13 40:19,25 41:7,19 42:12,18 54:11 60:20 63:17 64:22 67:9 76:21 79:17 82:14 86:23
2018 2:7 67:4
20th 39:14 62:19
21st 44:12
23 28:25 29:13 41:19 42:12,18 64:22
23rd 33:8
24 72:15
24-hour 73:16,17, 21 74:14
24/7 74:1
2:00 53:4
2:30 16:4 30:1,14

3

30 59:6 69:9
365 72:17
38 72:21
3rd 2:7

4

45 80:11 83:10
47 40:24 54:23 63:8 84:2
48 86:4
49 34:19 51:4 59:20 60:24 77:24

5

5 30:2,13 73:24 97:1
5-0 95:24
50 21:17,18 77:24
51 35:14,15 51:9 60:6 77:25 78:9 79:8
53 33:21,23 48:22 50:21 57:13
54 30:7 57:13
55 52:8 61:9 79:20
56 53:2 61:19,20

57 61:12
79:24
5:00 53:19

6

6 16:4
30:1,12,14
50:11
60 38:2
39:3
61 38:9
63 38:18
65 39:7
54:6 62:13
83:5,14
67 54:7
6:30 29:25

7

75 36:22
67:15
69:14
77 69:21

8

8-17-340(e)(2)
96:17
8-17-350 4:8
817-34(e)(2)
91:17
8:30 30:1,
13 50:10
73:23
8:45 31:13
49:10,15,
19 50:13

A

a.m. 30:1,
12
abiding
68:25
Absolutely
36:19
abuse 92:9
academy 2:14
accept 2:23
39:17
62:23 95:4
accommodate
71:3
accommodated
30:15
accumulation
41:4 55:5
63:14
acknowledge
35:12
act 3:15
4:9 7:19
93:2
acted 70:10
action 3:17
5:8 7:15
17:12
24:14
35:17 39:8
48:25 49:3
62:13,16,
18 77:16
78:3 80:2,
21,25
81:1,12
84:6 85:14
93:13
actions
45:15
48:19
60:13 87:1
active 45:5
activities
36:7
actual 12:19
added 38:12
additional
95:7
address
76:15
addressed
74:21
addresses
74:12
addressing
77:10
adequate
92:14
adhere 69:16
82:12
adhering
76:23
77:20
87:15,25
88:3
ADL 36:7
administer
6:2 31:7
administered
81:3
administration
78:15
administrative
3:15 7:6
22:16
41:23
64:8,11,23
65:2 93:1
94:1
administrator
37:8 70:20
72:9 81:24
admitted
89:12
advance
48:8,10
advice 8:5
85:22
95:20
advise 85:24
91:13

advised
85:25
advocate
28:16
affected
92:4
affirm 6:15
afternoon
37:24
agency 3:6
4:5,12,17
5:12 6:19
7:4 11:16
36:18 39:9
41:6 51:10
54:3 56:23
58:16,18
60:7 63:17
64:2 69:25
70:14,25
79:8 88:15
89:10
90:4,5,10,
18 92:2,
17,19
93:3,5,12,
24 95:18,
24 96:15,
16,20,23
agency's 5:8
13:9 20:12
91:4,20,21
93:16,19
94:1 97:2
agency-wide
68:14
agenda 7:17
agree 63:23
agreeable
33:13
ahead 22:15
50:4
aks 21:11
23:11
41:20 87:7
aksed 34:6
35:2
alert 77:9
Alicia 2:4
6:3 8:2
21:23
37:17
44:23,24
55:12
57:10 60:1
87:10
89:11
Alicia's
37:19
38:13
allowed 5:8
22:2 23:11
66:3,6
allowing
66:1
alter 91:19
alternative
22:2
annual
75:15,24,
25 76:2
answering
22:6
answers
21:16
AOD 31:6,10
AOD's 64:24
AODS 31:3
apologizes
22:17
Apparently
85:3
appeal 2:3
4:7 5:7
7:2,21 8:2
9:19 18:13
70:5
appealed
70:5
appeals 2:18
9:11,14,
16,23,24
10:24
11:1,3,8,
15 13:9
15:2,15
16:2,6,8,
15 17:10
18:3,18
19:15
91:1,5
appearance
3:23
appellant
3:5 4:5,
12,14,15,
17 5:3
6:19
application
92:22,23
appointment
45:23,24
80:4,7,12
appointments
45:7,21
46:3
approached
24:2
April 2:7,12
39:13
40:18
54:10
56:24
62:17,18
83:20
arbitrary
17:7 92:8,
11
area 27:22,
23 34:7
92:4
areas 27:22
arguments
88:17
asset 70:25
assigned
28:23

29:13,20
36:1,4
60:16,17
62:22 73:1

assignment
39:18
62:24

assist 31:10
45:7 65:7

assistance
12:23 13:2

Assisting
7:7

assume 18:4

assured
69:25

attached
37:21

attempt
35:17
70:17 82:1

attend 31:1,
17,23,24
32:4 33:14
46:23 47:7
48:14
49:9,16
74:4

attendance
75:3
82:15,18

attended
32:7 48:16
53:10

attending
31:16,21
32:11

attention
3:11

attorney
2:16,17
3:21 4:22
8:5 9:12
18:17
41:16
65:22,24
91:9 95:19

authority
78:12
92:1,19

authorized
39:18

aware 53:15
55:7,9
64:23
77:17,19
79:16
81:23
82:14,19
83:2,18,21
84:7 85:8

aye 8:10,11
96:8,9,24,
25

B

back 8:18
9:5 12:4
16:17
26:19
37:25
40:18
47:16
49:23 50:5
56:3 76:12
85:4,9
86:23
88:20 89:5

background
28:4 57:7

based 5:7,8
35:7 63:12
77:19
82:11 85:1
86:8
87:22,25
92:12
94:4,24

basically
73:23
80:13,25
81:10,11
85:11 86:2

basis 92:12

bathing 36:5

be- 53:19

Becky 49:25
67:13

began 35:3

begin 21:21
27:7
43:13,20
56:4,10
66:7,14
71:23

beginning
2:21 44:15

behavior
30:24 32:1
35:7
40:10,19
82:1

behavioral
74:12

behaviorally
27:23 76:6

behaviors
31:8,9

believability
94:6

believed
62:4

biased 94:14

binder 37:20
43:14 56:5
57:13 66:8
71:18

bit 24:3
27:16 71:1

Blake- 12:24
25:7 66:16

Blake-sayers
6:10,11
25:12,14,
22 26:8
65:19
66:16,21,
25 67:3,7,

10,16,19,
22 68:6,
14,19
69:8,16,23
70:2,7,15,
18 85:22,
24

blindly 93:8

board 86:15

Bobbie 85:6

Bol- 67:20

bolden 2:1,
4,25 3:1
6:3 8:2,
16,19,24
9:5,8
10:11,20,
24 11:14
12:13,15
13:8,16
14:18
15:14,18,
25 16:12,
24 17:16,
21 18:5,
12,14
19:9,13,
15,21,23
20:1,3,5,
10,17,21
21:1,4,11,
16,19,23
22:5,10,
13,22
23:5,8,20,
23 24:2,6,
7,10,13,
19,22,25
25:3,5,16,
24 26:4,
13,17
28:20,22
29:2,3,12,
19,23 30:8
31:15,18
33:12
34:2,20,22
35:2,11
36:21
37:9,22
39:24
41:7,15,
17,19,25
42:2,6,9,
12,18,24
43:6,7
44:14,23
46:19,22
48:11
49:3,7,17,
22 51:5,
10,16 52:9
53:7,15
54:17
55:17,18,
23 57:10,
15,24
59:9,21
60:7,24
61:24 62:4
63:18
64:6,7,22
65:4,9,15,
24 66:5
67:6,9,10,
22 68:5
69:7,13
70:5,12,17
71:7,8,12
73:15
74:2,23
76:20
78:4,11,24
80:4,10,
22,25 81:7
84:9 85:4,
9,20 86:17
87:5,7,20
88:6,11,
20,23
89:2,6,11
90:23,25
91:11
95:24

Bolden's
29:22
67:21
70:20
82:15

book 21:6
30:7
53:16,17,
18,20,21
64:10,13,
20,24

books 68:22

bottom 57:18
61:1,4

bound 3:19
94:24

break 88:19,
25

brought
18:16

Bryant 6:6,7
32:18
43:9,11,
17,22,24
44:1,4,7,
12,15,19,
24 45:13
46:17,20,
24 47:3,24
48:9,13,
20,23
49:1,4
50:23
51:2,7,11,
14,17,19,
24 52:2,5,
10,13,16,
23,25
53:5,8,13,
16 54:4,8,
13,18,21
55:1,4,9,
12 80:6,8

building
28:24
29:8,10,11
31:2 47:6,
25 48:13,
16

buildings
74:16,17

burden

93:17,21
business 73:25

C

CA 91:11
calendar 7:4 95:16 97:4
call 4:15 31:10 47:4,14,22 75:10,17 76:3,14 78:15
called 3:11 5:22 34:22 85:4
calls 70:19 94:14
campus 27:21 45:21,24 51:23 72:13 73:10 74:13 76:10
capricious 16:25 17:8 92:8
capriciously 17:18
care 19:7 28:12,17 29:5 75:12
career 57:6
Carolina 2:5,7 8:3 56:17 72:5 90:25
carried 8:12 93:20 97:1
carry 56:9
case 3:14 4:18 5:14 6:20,21,25 8:21 9:6 19:18 20:9,12 26:20 67:6 76:20 84:24 88:14 92:18,20, 24 94:7
cases 4:14 92:22
caused 34:19
cell 7:13
Center 27:14,16, 17,25 28:1,8,9 29:4 44:1, 3,7,11 55:8,11 57:9 58:22 62:7 68:13 70:9,17 72:6,8,10, 14 75:16 76:1 81:14 89:18
Chair 2:1
Chairman 96:14
Chairperson 7:25
challenging 27:23
chance 20:13 75:18 76:6
change 40:19 76:12 91:3
chapel 30:21
characterized 92:9
charge 13:3
charges 5:7
check 15:7 38:24 39:21
checked 53:20,21
choice 90:19
choose 29:22
chosed 29:23
chosen 90:2
Chrissie 2:14
citation 36:16
claim 13:12 15:1 16:1, 14
claims 9:16 11:7 16:7 17:6,11
Claudette 6:12 26:21,25 27:9 49:25 54:2
clear 22:7 53:1
Cliff 2:13
clip 10:20
closing 4:25 5:2,4 88:17 89:2,6 90:24
CNA 29:6
co-managing 44:19
Coastal 27:14,16, 17,25 28:1,8,9 29:4 44:1, 3,7,11 48:3 55:8, 11 57:9 58:22 62:7 68:12 70:9,17 72:5,8,10,

14 75:16
76:1 81:14
89:18

Code 91:17

collection
36:1,10
60:17

collections
35:23
36:12

Columbia 2:6

comment
12:13
26:16
78:9,10,11

comments
83:8

committee
2:11,16
3:16,21
4:1,7,10,
22 6:22
7:2,7,20,
24 8:1,5
9:9 11:17
18:15,17
19:16
27:16 43:3
65:12
71:10 88:9
91:1,3,6,
9,14,19
93:21,25
94:5,9,21,
23 95:4,9,
12,19
96:2,3,14

committee's
91:18

communicated
74:22

communication
30:20
74:11,20

compatible
3:13

complement
73:2,3
77:7

completed
95:15

compliance
3:15

complied
59:12

comply
25:14,23
52:4 54:24
68:10
69:15 81:8
90:17

complying
46:10
50:18
54:11

concern
67:21
68:8,24
69:3

concerned
67:11,22
68:1 70:22

concerns
29:20 35:3
71:4

concluded
95:14

conclusion
7:5 93:12,
16 95:17

conclusions
93:15

conduct
35:10 51:5

conducted
3:12

conflicting
94:20

considered
4:6 73:24

consistency
94:12

consists
28:11,19
29:15
44:25

constitutional
13:11
91:24

consulted
85:22

consumer
30:23 45:3
47:12

consumer's
75:11

consumers
27:20 31:9
32:2 35:23
36:1,4
46:11 47:5
60:17
74:13 75:1

contact
73:19

continue
19:14
95:10

continued
79:2

continuing
40:10

continuous
45:5

controlling
91:14

conversation
14:21,22
32:17,19
33:12
35:5,6
59:25 86:9

conveyed
32:21

convinces
94:22

convincing
95:3

convincingly
93:18

coordinator
28:15

coordinators
28:12,13
31:4 41:21
42:3,5,20

copies 9:24
10:11,12
18:15,16

copy 4:1
9:13
10:10,21
11:14
15:15
18:18
80:25
81:4,10,12

corner 21:9
27:6 43:16
56:8 66:9
71:20

correct
24:19,22,
25 41:23
46:20 58:1
59:14
75:2,5
79:18 82:1
83:4,7
86:19,22
93:5

corrected
59:7

corrections
2:16

correctly
20:9 29:14
46:5

counseling
57:7

count 24:14

couple 84:25

coverage
46:2

covered
91:20

created 30:5
53:17

credibility
94:6,8

criminal
2:13

critical
33:18

cross- 20:23

cross-examine
20:14
22:12

CTMS 46:24

cumulative
5:10

D

daily 36:7
45:20

data 35:22,
25 36:10,
12 60:16

date 7:17
12:4 17:5
38:14
40:24
62:15
74:14

dated 62:17

dates 84:20

day 2:7
18:23 25:5
26:9 31:7
49:11,20
53:20,22
54:13 69:9
72:17

days 7:4
9:19,20
11:4,6
59:6 72:15
76:11
95:16 97:4

DDSN 2:1
67:2,3
68:13 70:6
89:3 91:11
95:24

deadline
11:10,11

deal 31:8

dealing
45:15
74:25

dealt 47:5

decide 94:24

decision
6:23 7:3,5
13:9 16:25
17:17
91:4,16,
20,21
92:11
93:19
95:15
96:15,16,
20,23 97:3

decisions
93:3

deficiency
36:16

degree 28:5

Deirdre 6:10
65:19
66:16
85:22

deliberate
95:11

deliberations
95:13,15

demeanor
94:12

department
2:5,10,12,

14,15 8:3
27:13,17
28:15,18,
19 42:7
66:22 67:1
73:1,23
89:18

departments
55:14
73:21,25

depending
76:3 87:1

depends
22:24 59:5

desire 4:13
5:3 9:7

details
22:16
78:20

determination
85:18

determine
3:21 5:25
93:20

determining
92:15 94:8

diagnosed
27:20

differently
24:3

dining 36:6
46:7

direct 4:22
28:12,23
29:5 41:22
42:3,10,
13,19
44:4,13
64:9 90:14

directed
54:1

direction
61:16
72:11

directly
28:24
41:24,25
42:4 64:15
74:25 80:3

director
28:10
30:21 31:1
37:7 70:8

dis- 25:17

disabilities
2:5 8:3
27:14,18,
19 56:17
67:1 72:5
89:19

disbelief
62:3

disciplinary
24:14
35:17 37:5
39:8 45:15
48:19,25
49:3 60:13
61:10
62:13,16
63:21
77:16 78:3
80:2,21,24
84:6 85:14
90:5

discipline
28:11
30:25
70:14

disciplines
77:8

discretion
92:9,10,17

discriminary
67:24

discriminatory
12:25
25:17,24
26:7 67:25

discuss 5:14
6:21
32:12,15,
25 49:20
52:21
54:16

discussed
6:25 16:3
30:25
35:20
61:24

discussing
31:25

discussion
5:16 83:16
96:12

disprove
94:10

disregards
78:12

disrespectful
60:3

disrupted
78:15

distinctly
71:24

distribute
18:16

district
56:21

division
3:25 4:4
7:8

doctor 31:2

document
12:15
16:24 17:4
27:3

document-
87:17

documentation
4:2 13:21
33:24
87:17

documented
33:11
36:12
83:11

documents
4:3,6 9:8, 9,15,22,25 11:1,5,16 12:1 13:14,18 14:18,24 20:6 23:8 43:15 56:5

Dooney 6:8,9 25:11 56:1,12, 13,15,17, 21,24 57:3,6,11, 16,19,22 58:1,4,10, 15,20,23 59:1,5,10, 14,17,22, 25 60:9, 12,21 61:1,5,8, 13,16,22, 25 62:3,8, 11,14,17, 22 63:2,5, 9,13,19, 22,25 64:3,13 65:2,6,17

door 80:10

double 15:7

drawing 93:14

dressing 46:4

DSM 48:15 82:4

Dukes 71:25

duly 27:20

duties 28:8, 9 29:10 44:2,22 56:19 57:4 60:16 72:7,22

duty 3:17

E

earlier 4:2

educational 28:3

EEOC 11:23 12:7,16,23 13:3,6,14

efforts 63:17

elaborate 78:18

elected 89:7

email 15:25 16:13,24 35:18 36:21 48:4 58:11 60:12 67:11 69:13

emailed 49:16,22

emails 67:17

employed 27:12,13 43:25 56:14,16 57:2 66:20,21, 24,25 72:3,4

employee 2:11,18 4:9 6:22 7:3 25:18 34:13 35:2,11 51:6 59:7 60:2 64:11 69:2 73:15 77:13 78:16,23 81:20 82:8,9 87:18 89:20 91:1,20 92:25 93:17,20

employee's 91:22

employees 28:25 29:12,13, 16 34:9 70:20

employing 3:6 7:4

employment 13:1,10 25:25 59:13 66:23 69:18

end 35:6 86:2

ensure 3:18 29:13 45:18 60:15 72:24 73:7 75:21

ensuring 45:1

entail 36:1, 3 61:15

enter 10:1

entering 5:16

entertain 7:23 96:1, 13

entire 44:25 66:1 81:5 93:22

entitled
20:23
22:12,17
23:18,21,
25 65:21

equitable
3:13,18

equivalent
29:5

erroneous
92:5

error 22:14

established
38:5

establishes
91:21 93:2

event 76:9
77:17

evidence
3:20 4:10
5:6,9 10:1
11:7 17:9
19:22,23
23:11
87:14,22
88:1 92:6
93:2,6,7,
8,10,15,
17,19
94:19 95:3
96:16

examine 4:15
20:24
22:18

examined
21:2

excess 92:1

excessive
35:16
51:13
60:14
79:14

exclude 11:9

excluding
14:19

excuse 75:22
76:17
92:19
95:10

excused
5:15,20
8:13 43:4,
6 55:21,24
65:13,16
71:11,14
88:10

executive
7:20,24
8:1,7
72:25
77:1,2
82:6 87:24
95:10,12
96:4,10,12

exempt
64:18,19
68:20,24
87:18

exercise
92:10,13,
17

exhibit 4:10
10:22,25
15:6,21
18:21 19:5

exhibited
82:2

expected
89:15

expeditious
3:19

explain 31:5
47:1

explained
78:25
85:15

extent 68:2

extremely
78:24

F

facility
37:8 70:20
72:9,11,
17,21
76:12
81:24

facing 73:5

fact 3:12
14:20
32:11
38:8,24
41:2 46:13
49:6 53:16
70:11
77:19
83:17 84:5
87:23 94:2

facts 94:3,
23,24

factual 93:4

failed
24:18,21,
24 80:4,7
90:3

failing
53:25
77:21
82:12

failure 40:9
54:17,24
62:22

family 47:9

favor 8:9
96:7,22
97:2

February
33:8 41:7,
19 42:12,
18 54:10
60:20
63:16
64:22
79:17

feel 91:5

felt 26:6
40:5 70:24

85:12 90:9
FEMALE 7:25 96:3
Fields 6:12, 13 14:22 16:3 17:17 26:21,25 27:9,11, 13,17 28:1,5,9, 22 29:3, 11,23 30:5,9,12, 19 31:7, 13,17,24 32:5,9,13, 16,25 33:4,7,11, 22,25 34:3,6,10, 14,17,21 35:10,15 36:2,4,19, 23 37:1,3, 6,11,15,24 38:3,7,10, 12,19,22 39:1,5,10, 13,17,23 40:1,5,12, 15,20,22, 25 41:3,9, 12,24 42:1,4,8, 11,15,22 43:8 54:2 67:13
70:21 77:1 80:5,10,23 83:10 90:12
Fields' 16:25
file 70:8
filed 11:24 12:16 13:3 90:4
fill 45:22 46:17,18, 19
final 6:23 7:6 15:14 95:2
finally 79:2
find 47:16 70:23 96:15
finding 7:2 94:1,4
findings 93:4
fine 23:20 76:18
finished 4:17 22:3, 18
fixed 92:15
follow 36:9 45:16 63:21
77:21
force 95:3
form 9:11, 14,16,19, 23,24 10:25 11:1,3,15 13:9 15:2, 15 16:2,6, 9,11,15 17:11 18:3,19 19:15 38:9,10, 18,21 39:3 61:1,4 91:2,5
form- 81:23
formal 7:1
forms 18:13
Forward 35:18
forwarding 60:12
found 49:9 70:9
fragile 27:22
frame 10:17 16:18 17:14 41:6 59:3 83:9 86:22
frames 10:4
14:15 84:14
free 95:4
freedom 7:19
Friday 31:14
front 21:6 27:3 43:14 52:5 56:5 66:8 71:19
full 43:21 56:11 66:14 71:23 73:3
furnished 4:1

G

Gadsen 14:21
game 22:15
gave 31:18 37:4 54:14
gen- 33:11
general 77:3 81:21
general's 2:17
generally 69:8 76:25 80:20 81:25
give 6:16 19:10 23:2

33:2 34:16
62:25
73:22

giving 76:15

good 19:13

governed
92:15 93:1

governs
91:17

grabbed 63:5

grievance
2:11,18
4:3,9 6:22
11:24 12:4
13:4,7
16:18
17:10,12
70:8 77:18
84:9 85:5,
10,19 86:2
90:6 91:1
92:25

grieve
40:14,16
82:24
84:17,24

grieved
84:22

grieving
12:22

grounds 5:6
9:10,14,
16,19,21,
23,24
10:24
11:1,3,8,
15 13:8
15:2,15
16:1,6,8,
14 17:10
18:3,13,18
19:15
91:1,2,5

group 10:20
11:23 12:2
13:17,20,
22,24
14:10
15:11,19,
25 16:5,
12,20
45:24

guess 60:2

guide 45:20
46:7

guides 46:11

guys 15:16
19:17,18
64:25
87:13

H

half 29:7

hand 6:15
56:8

handle 70:4

handled
14:25

happened
32:15
33:10 50:3
76:21
80:15
81:23
84:11

happening
35:22

harassment
90:9

health 82:9

hear 7:21
8:1 85:16

hearing 2:3,
8,22 3:12,
19 4:8,25
5:22 6:23
7:1,5,11,
17 11:4,6,
25 12:7,21
13:7 82:5
95:17,21

heavily
94:22

held 2:6
30:20
31:12 52:9
64:12
75:19,23

helping 88:4

Hill 6:4,5
37:8 49:25
67:13
71:16,25
72:2,4,9,
16,18,21,
24 73:13,
16 74:6,10
75:2,5,8,
24 76:22
78:1,5,11,
19 79:10,
12,15,18,
21,25
80:3,19
81:10,15,
18,22
82:17,22
83:2,6,18,
23,25
84:3,7,10,
13 86:7,
11,16,19,
22 87:14,
22 88:13

hire 29:1

hired 29:3,4

hmm 41:13

Honestly
61:2

hope 17:23

hospitalizatio n 76:9

hour 72:15

hours 29:25
30:11,12
33:13
36:22
62:23

64:16 69:1
73:25 88:4
89:16

HR 37:7
56:21 59:6

human 3:25
4:4 7:8
26:5 28:5
57:6

Hunter 2:17
10:14,22
11:9,18,20
12:6,12,14
13:6,13,
19,22,25
14:2,6,9,
16 15:3,7,
10,19,22
16:19,22
17:19,22
18:3,10,
13,20,24
19:7 23:3
91:13

Hutchingson
43:22

hygiene 36:6

hypothetically
47:12

I

idea 51:21
81:13

identically
92:18

identify
91:2

immune 82:4

implementing
75:21

importance
31:20
45:17

important
31:22,24
32:21
33:14 36:8
45:11
73:11,13
74:3 75:4

imposed
92:21

improve
93:18

improvement
82:17
83:22

improvements
82:15
83:23

in-service
29:15

inaudible
11:11
12:12
13:23
14:3,11,
16,17 15:9
17:25
18:2,5,9
19:20
22:23 25:6
26:22
28:14
36:9,12,14
40:7 47:13
50:22
65:23
66:10
71:13
75:13 77:1
86:10,15
92:7

incident
78:14

include 19:4
35:14 51:9
72:12,22
73:19
79:13

included
13:18,20
15:5,21
51:12 60:6
79:7 90:6

including
83:13
93:22
94:11

inconsistency
94:13

inconsistent
93:14

indirectly
41:24
42:6,9

individual
11:20
36:5,11
47:3 68:23

individuals
7:12 27:18
28:16
66:10
71:21

inform 48:1,
2

informally
3:13

information
7:19 13:5
16:7 25:19
27:4 30:23
32:5,8,21
33:16
37:20
38:13
47:16
69:21 74:8
85:17

informed
50:15

initial 54:6

initiative
35:24
60:18

instituted
2:4 8:2

instructed 84:18
instruction 63:10 68:10
instructions 63:15 67:12,23 68:7 91:8, 11,15 95:7
insubordination 90:13
intellectual 27:19
intended 5:15
intent 7:22
interaction 45:2
interest 11:11 94:16
internal 14:23
inventories 45:4
involved 57:9 67:6, 9 76:19,22 77:24 78:2,12,13 80:1,3,15, 18 82:20 83:16 84:5
irate 35:4
ISP 47:2 75:9
ISPS 46:25
issuance 69:9
issue 50:9 54:3 59:15 74:18 77:3,10,15
issued 49:3 51:5 78:6 79:23 84:14
issues 30:24 31:9,25 32:1 35:22 51:9 60:6, 11 78:13 79:7
issuing 78:3 80:21

J

Jane 87:10
January 67:3
job 16:4 30:14 32:4 44:25 47:19 49:24
jobs 29:20
Joe 87:10
John 6:8 56:1,12
judge 94:5
judgment 92:14
June 40:25 41:7 63:17 83:21
justice 2:13 11:11
justify 93:13

K

Ken 2:9
key 35:15
kind 36:14 38:14
knew 49:25
knowledge 63:19
Koon 2:12

L

labeled 37:16
labor 2:12
lack 35:22, 23,25 36:10,15 60:16,17
lag 17:19
large 27:21 28:18 77:7
lasted 81:6
lateness 68:9
law 91:14 92:4,24
lead 32:12 44:4 48:15 54:24,25
leading 45:16
leads 61:10
leave 67:2 95:21
leaving 84:18,21
left 52:19 63:6 67:3 80:9
legal 8:5 95:20
letter 41:3 84:13,15
level 77:18 82:4
licensed 36:8
licensing 2:12
lift 47:13

list 2:20 4:15
listed 21:1 23:13 79:8 91:3
lists 2:24 6:1
live 74:17
living 36:7
log 64:13, 16,20 68:22
long 27:24 44:10 56:22 69:6 71:3 72:19 81:19 83:12 89:23
longer 52:19 69:4,11 87:1
lot 25:19
loud 19:24 56:8 66:12
loudly 21:24 43:19 71:21
Lunsford 2:15

M

ma- 30:2
made 2:8 7:10 15:1 16:1,8 17:17 53:16 77:17 81:23 82:19 83:18 84:23 85:8 92:3,14 94:18
make 4:13 8:19 9:2 22:2 23:3 35:21 45:1,4,6, 9,18 46:2, 4,5 63:17 73:19 78:9 83:22 89:16,24 90:23
making 17:7, 11 48:11 50:14 66:5 85:17
MALE 8:8 96:6,14,21
manager 28:23 29:8,10,24 35:24 42:10 44:5 45:22 47:15 55:13 56:21 60:18
managers 29:11 30:2 31:3 41:22 42:3,13,19 44:8 47:8 48:1,2,5 49:12,18 50:5,18 74:15
managing 64:15
mandate 69:2
manner 33:17 70:1,10
manual 90:6
March 82:14
marked 4:10
master's 28:5
materials 90:7
matter 17:5 69:10 77:12 94:9
means 36:11 47:2 65:6
medical 28:17 30:24 31:2 32:1 57:7 74:12,18 75:12 76:9 77:5
medically 27:22 76:5
meet 10:4, 17 80:4,7 84:8
meeting 30:18,19, 20,22,23 31:1,12,18 32:5,22 33:15,19 47:14,15 48:6 49:8, 16,18,19 52:9 53:3 74:11,14, 20 75:15 76:14 78:20,25 79:3 80:9, 14 81:5 82:13 84:12
meetings 31:16,21 32:11,20 46:22 47:4,22,23 48:12 49:13,24 50:13 53:11 74:4,5,9, 24 75:7,9, 10,17,18, 25 76:2,3

member 4:21 6:21 47:9
members 2:10 4:1
mention 21:8
mentioned 50:8 56:7
mere 92:22 93:7
met 7:18 32:24
microphones 21:25 43:19 56:9 66:13 71:22
Miller 2:13 7:7 9:12, 18
minds 93:11
minute 19:11 88:19,25
minutes 52:18 80:11 81:6 83:10
misspoke 14:7
mistaken 52:25
mixed 61:20
Mm- 41:12
Mm-hmm 23:5 32:9,25 33:22 37:1,3 40:12 42:11,17 50:19 52:2 55:15
modification 38:16
modified 38:10,18
modify 38:9, 11
Monday 31:13
monitor 51:1 89:15,24
monitoring 38:24 39:21
month 90:3, 17
monthly 46:22 47:22,23, 24,25 48:12 53:10 74:5 75:6
morning 30:18,19 31:12 32:11 46:7 49:8,10 74:4,9
motion 7:23 8:6 96:19 97:2
motions 3:24 96:1,13
motor 2:14
move 7:25 22:14 23:7 96:3,14
moved 38:14

N

Navy 57:3,5
necessarily 8:20 59:11,12 69:6,10 77:4
needed 9:17, 18,20 23:16 33:19 34:24 35:20 38:15 50:4
nice 37:20
no- 30:21
non- 68:19
non-preferred 35:17 60:14
normal 73:25
Norris 2:3,9 3:5,9,11 5:13 6:19 8:6,9,12, 18 9:1,5 10:2,6,9, 13,19 14:17 15:9,13 17:25 18:6,21,25 19:4,10, 13,20,22, 25 20:2,4, 8,11,15, 19,23 21:3,5,14, 17,20,24 22:8,11, 14,24 23:6,18, 21,25 24:4 26:15,18, 22 27:2,10 41:17 42:25 43:3,6,13, 18,23 55:20,24 56:3 64:6 65:10,12, 16,21 66:3,6,18 71:7,10, 14,18 72:1 75:22 76:17 87:5 88:7,9,16, 24 89:5

90:23 91:7
95:9,19
96:1,5,7,
10,19,22
97:1

note 56:4
57:21 61:3
66:8 71:18

notebook
37:16,17,
19 38:5

notebooks
42:20

notice 7:16
34:16,20,
22 35:9
39:7,10
50:21 51:5
54:3,22
55:2 61:7
77:25
82:21

notices 37:5

notified
77:3

noting 63:8

number 4:10
16:20
43:16 56:7
94:24
95:1,2

numbered
18:22 66:9

numbers 27:5
71:19

nurse 82:9

nursing
30:21 31:2
77:6

O

---

oath 5:24
6:2

object 10:3,
16 11:22
12:1 16:16
20:18,21
22:6,8

objected
14:14
23:10

objection
10:7 17:23
19:2 23:1,
2,3

objections
3:24 11:21
12:7 95:8

objective
29:19

objectives
29:19 36:6
45:6

observed
62:22

obvily 36:17

occasion
31:20
34:16

occasions
24:12

occur 33:5
39:12

occurred
33:7 74:13

October 28:2
44:15

offenses
41:4 63:14

offered
51:16
84:25

office 2:17
52:17,21
59:6 63:6
64:25 70:5
78:17 80:8

officer 3:16
4:21 5:1,
21 31:7

offices
68:23

official
7:10

older 12:3

one's 92:12

open 7:22

opening 2:1
4:13 5:21
8:20,22,24
9:1,3

operation
78:16

operational
72:11

operations
73:4,22

operator
25:20

opinion 35:4
70:16,19
71:4

opportunities
84:25

opportunity
4:19 8:19
13:13
22:19,21
25:7 26:7
90:17

opposed 8:12
94:23,25

option 5:3

options 73:7

oral 57:14

order 3:22
7:20
25:14,23
54:11
93:13

orderly 3:18

orders 90:14

ordinary
68:17
outcome
75:19
94:16
outlined
90:5
overhead
56:10
66:13
71:22
overheard
78:16
overlap
12:19
overrule
91:19
overturn
85:19 94:1

P

p.m. 30:1, 13
pacific
53:17
packet 15:10
pages 12:2
15:11 19:5
21:8 61:20
66:8 78:6
panel 41:16
55:17,21
89:10
90:21
96:13
paper 10:20
63:6
papers 3:4
18:2
paperwork
10:21 50:2
Parkin 2:16
part 11:1
18:10
47:19
57:23 84:9
85:13
parties 2:25
5:1,16
89:2
95:10,13,
21 97:4
parties' 6:1
party 2:19
4:23 5:11
pass 74:24
passing 32:7
past 14:25
penalty
92:18
people 28:13
29:16
42:16
55:14
65:22,23
72:13
86:25
perform
60:16
period 74:14
90:4,18,20
permitted
5:10
person 9:13
18:18
68:17 78:8
87:16 88:2
person's
76:7
personal
36:6
personalized
37:15
42:20
personnel
41:23
64:9,23
65:3
pertinent
5:6,7
ph 2:14
14:21 31:1
41:22
43:22 82:4
85:6 93:8
phone 78:15,
21,22
phones 7:13
pick 21:25
43:19
66:13
71:22
pictures 7:8
piece 63:5
pivot 47:14
place 7:17
17:1 26:10
48:6
64:11,14
82:11
plan 28:17
45:20 47:4
75:9,11,
12,18
76:7,13
plans 75:21
pleasure
92:14
po- 29:25
point 5:5
26:16
33:2,10
40:8 47:7
53:7 64:2,
3 80:15
81:6,8
policies
60:13
93:23
policy 63:21
politics
35:18

portion
95:4,5
position
8:22 29:25
42:1 73:15
74:3
possession
7:14
possibility
93:14
possibly
84:16
posted 64:20
practice
13:1 22:11
25:6,18,25
26:9 55:11
58:17,22,
25 62:7
69:18 73:7
81:22
82:10 90:5
practices
67:25
preclude
5:16
prejudiced
94:15
prejudices
91:21
prep- 84:23
preparations
84:23
prepared
8:24
23:15,16
84:16
present 2:11
4:18 5:2
6:1,5,11
9:6,9
20:12
26:20 37:5
48:18,24
51:15
52:15
57:14
59:20
60:25 78:5
85:5,12
86:23
presentation
3:14 4:14
8:21
19:16,17
presented
19:22
23:10 34:2
73:6 86:6
89:22
93:22
presenting
19:18
74:19
77:2,10
presently
82:6,9
presides
30:22
presiding
3:16 4:21
5:1,20
presumed
93:5
pretty 71:2
prevent
93:15
previous
83:8
previously
18:7 80:6
82:23
principles
92:15
prior 9:19
11:4,6
37:17
42:15
44:17 57:1
64:22
66:23 67:5
74:14
83:13
84:18,21
90:10
probability
94:2
probative
92:6
procedure
4:9 68:12
92:3
procedures
3:15 7:1
93:1,23
proceed 9:7
23:6 24:4
89:8
proceeding
7:14 13:6
91:18
94:17
proceedings
4:3,24
92:25
process 25:9
26:6 58:11
84:9 85:8,
13 86:3
produced
94:25 95:1
profession
29:6
program
28:13 36:6
41:21
42:2,4,19
programming
46:6
programs
28:10
progressive
63:21
70:14
77:16
85:13 90:4
progressively

65:7
promoted
29:7
proof 93:21
proper 39:18
62:24 70:1
properly
35:21
prove 93:18
94:10
provide 2:20
91:14
95:20
provided 4:4
67:12
72:12 81:4
95:16
provisions
13:11
91:25
psychology
73:23
public 7:16
purchase
47:9
purpose
34:21 59:8
Pursuant
7:19
put 14:19
50:10
53:17,18
73:6 88:18
putting 17:6

Q

QDIP 47:24
QIDPS 41:22
42:3,20
Qs 46:25
48:4
question
10:6 18:12
21:21
22:9,21
23:1,7
25:21,22
41:20 64:7
85:23 87:8
questioned
49:6 85:11
questioning
71:21
questions
4:20,23
5:11 21:11
22:1,4,7
23:12,15,
17,19,22
24:1 26:14
41:15,18
42:24 43:3
55:17,18,
20 64:5
65:9 66:11
71:6,8,10
87:3,6
88:6 95:17

R

raise 6:14
11:20
rarely 31:17
rational
92:12
reach 93:12
reached 6:24
93:12
reaction
51:20,23
62:1,3
63:4
read 19:17,
21,24
21:10 83:7
readmitted
76:11
ready 20:11
88:16
reason 7:22
39:15
42:23
86:20
reasonable
39:17
58:5,8,14
62:4,23
63:15
68:10
85:21
87:18
89:20
93:11
94:2,10
reasoning
23:2 40:4
92:13
Rebecca 6:4
37:8
71:16,25
rebut 22:19
recall 18:5
51:21 58:3
63:4 84:12
receive 8:4
36:11 78:8
83:17 84:5
91:8
received
9:18,20
62:18
67:18
78:14
82:22 88:1
receiving
80:24 83:3
recent 78:14
recommendation
78:8
recommended
60:4
record 2:8,9
4:7 7:10
8:18 18:4,
6,22 20:2
21:22 27:8

43:21
56:3,11
66:15
87:10 89:5
93:11,22,
25

recording
7:9 43:20

recordings
7:9

records 4:2

reduce 33:20

reduced
57:14

redundant
15:6,20
16:13

refer 10:14
27:6 33:21
34:18
35:14
36:22
38:1,17
40:23
47:16
48:21 51:4
52:8 54:5
57:13
59:20
60:5,23
67:14
69:20
77:24
79:20
82:25 84:1

reference
12:18
14:18
17:17
21:13
22:22
87:23

referenced
12:8 16:5
78:13 82:5
83:10

references
21:7

referencing
75:8 79:5
85:20

referred
27:4 43:15
56:6 66:10
71:20

reflect
49:14

reflected
38:9

refusal
62:23

refused
35:12
57:22
61:5,6
81:3

Refusing
39:17

Regional
44:1

regular 50:5

regulation
2:19

regulations
2:13 36:10

regulatory
75:14,20

rehabilitation
2:10

reject 95:5

related 6:20
94:3

relates
11:23

relationship
44:18

relative
95:3

relevance
3:22

relevant
10:18
11:6,24
12:3,5,8
13:4,7,14
14:1
17:15,16,
20,21

reliable
92:5

religion
35:19
60:13

remain 5:19,
22 8:14
95:20

remember
33:6 53:10
61:2

remind 27:2
43:13

reminded
31:19
49:17

reminder
36:21

reminding
33:12

removing
14:11

render 92:23

rendered
92:20

rendering
91:15

repeated
24:11

repeatedly
90:8

repetitive
5:9

report 7:2
33:13
49:11,21

reported 76:23 80:5
reporting 68:17
reports 4:2
represent 3:2
representative 65:25
representatives 2:21,24
represented 3:5,6
request 54:24 69:1,17 87:18 89:10,14, 20 90:21
requested 26:3 37:23 52:20 81:9,17 89:13 95:8
requests 14:23,25
require 19:17,18, 20,24 54:2 87:8 91:3
required 10:4 21:2, 10 26:12 29:25 42:13 49:12,19 50:21 57:24 87:19
requirement 7:16 68:20 86:14
requirements 75:13,14, 20
requires 91:2
requiring 76:9
reside 72:13
resident 74:15 75:15,25 76:4
residential 28:10,11 74:16 77:5
residents 74:17 76:1
resides 75:16
resolve 77:14
resolved 69:10
resources 3:25 4:4 7:8 26:5 57:6
respective 5:17
response 68:5
responsibilities 73:19
responsibility 72:10,24 73:9,17
responsible 28:14 30:2
rest 20:9 50:17 59:13
result 36:15 40:10
resulted 79:22
retaliation 68:1
returned 9:17 85:9
review 7:6 93:3
reviewed 70:7
right- 6:14 56:7
right-hand 21:8 27:6 66:9 71:20
rights 91:22
role 29:13 85:16 91:18
room 5:22 7:11 8:14 95:21
routine 46:7
rule 3:23
rules 3:19 45:16 92:16
ruling 23:4
run 73:4

S

safety 45:1
sanction 92:23
sanctions 92:21
sat 32:23 51:24 65:25 80:23
satisfy 79:1
Sayers 12:25 25:8 66:17,19
SC 91:17
schedule 29:22,24

30:3,8
33:17
47:25 48:2
49:5,14
50:5,9,10,
17 76:24
77:22
82:12 85:2
87:15,25
90:11

scheduled
47:23
48:7,9
52:18 53:4
68:25
80:12
84:15 85:1

scheduling
16:2 45:1

scintilla
93:7

seat 20:19,
24

seated 26:18

secondary
49:24

secret 65:1,
5

secretary
2:20,23
5:25 6:3,
6,8,10,12,
14 84:19
85:7

section 4:8
16:8 38:15
91:17
96:17

secured
59:16

selected
8:14

send 36:21

separated
11:2

serve 27:18
29:16
46:12

served 28:22

service
28:12,14,
15,23 31:4
41:22
42:3,10,
13,19 44:5

services
28:6 66:22
72:12

session
7:21,22,24
8:1,7
95:11,12
96:4,11,12

set 15:15
37:13
90:11 93:5

sets 15:12,
13

severe 92:21

Shares 48:3

she'll 22:20
23:6

sheets 53:18
64:18
68:21

shift 16:4
34:23,25
60:2 73:24

shifts 45:8,
9,10,18
73:18

short 45:22
81:25
86:25 90:1

shortage
46:15

show 14:24
16:24
47:17
51:22
52:17 53:7
87:14

showed 37:17

shuffling
3:4 18:2

sic 21:12
23:11
29:23 34:6
35:2 36:17
41:20
53:17
67:24 87:7

side 4:18
85:16 93:9
94:25

sides 3:14

sign 24:9
25:1,16,18
34:7 35:12
37:9,12,
19,23
38:2,6
39:3,25
40:2,9,21
41:8,11
42:14,21
50:22
51:18
53:15,21,
22,25
54:12 55:7
57:17,22,
24 58:5,8
59:3 61:5,
6 63:24
64:10,14
68:7,21
69:2 81:4
82:18
83:24
85:25
86:14
87:9,12,19
89:12,20

signed 26:2
37:24,25
39:22
40:22
54:14

61:1,21
significant
70:24 76:8
signify
96:23
signing
36:24
37:13
38:25
42:16
51:21
55:14
58:18
61:17
64:24 65:3
68:11
77:20
81:13
82:6,9
86:24
87:24 88:2
silence 7:12
simple 89:14
simply 8:21
23:2
single 47:4
75:9
singled
86:18
sir 26:17
sit 66:3
sitting
77:12
situation
77:17
skills 70:25
smoothly
73:4
so's 87:21
Social 66:22
sole 94:5
someone's
87:15
sought 13:2
sound 12:9
South 2:5,6
8:3 56:17
72:4 90:25
speak 21:24
25:7 26:8
43:18 56:8
66:12
71:21 79:4
speaker
78:21
speaking
35:3 77:13
80:23
Special 2:6
8:4 27:14,
18 56:18
67:1 72:5
89:19
specifically
34:4,6
Spencer 7:7
spoken 25:11
stable 76:5
staff 28:12,
19,21
29:5,14
31:8 32:22
34:23
35:18,21
45:2
46:10,15
47:17,20
60:14,15
72:25
73:18,20
74:16,22,
25 75:21
77:1,2,5,6
82:6 86:24
87:24
staffing
72:12,23,
25 73:2,8
stand 47:14
standard
46:25
93:3,4
standards
64:12
92:16
stapled
15:14
start 17:13
started 28:1
32:16
80:23
85:20
starts 31:13
state 2:11,
18 3:25
4:4,9 6:22
7:8 8:22
21:22 23:2
27:8 43:21
51:6 56:10
66:14
70:5,8
90:25
92:25 93:1
stated 14:20
74:10
81:11
82:23
90:8,16
statement
4:13 5:2,
21 8:20,
22,25 9:1,
2,4 22:2
81:2 90:24
statements
88:17
89:2,6
states 57:3
78:11
stating
37:18
statutory
13:11

91:24 92:1
stay 88:5
Stephen 2:15
stick 42:2
stronger 94:18
submit 11:14 23:9
submitted 9:10 10:25 11:4,5 12:20 16:14 18:7,11 91:6
submitting 30:3 33:17 50:17
subordinate 74:22
subordinates 45:14
subordinates' 64:9
substantial 91:22 93:2,6,7, 17 96:16
substantive 92:6
successful 82:3
sufficiently 60:15
summary 5:2 12:19
super 32:18
supervise 29:12 44:8
supervised 28:24,25 32:8 41:21 42:4
supervising 44:24 46:10
supervision 41:21
supervisor 24:9 25:15,23 30:3 31:19 33:18 37:7 39:19 44:9,14, 16,22 45:13 46:9,16 50:15 54:1 59:18 60:1 61:17 62:24 64:16,20 67:13 68:7 69:1 89:13 90:15
supervisors 26:3,12 64:8,15 89:15
supervisory 78:12
support 9:16 11:7 12:25 14:20 16:7,14 17:6,11 25:17 87:17 96:19
supported 25:24 93:16 96:15
supporting 9:15,22,25 11:15 14:24 15:1 17:3 20:5 96:23
supports 13:12
supposed 49:18 50:9
suspension 24:21 39:10,11, 16 40:9, 14,17,18 54:3,22 55:2 62:19,21 70:13
sustain 12:6 17:23
sustained 23:9,10
swear 6:15
switchboard 24:9 25:2, 20 34:7 37:2,13 42:14,21 53:21 57:25 58:6 61:18 64:10,21 68:22

T

taking 16:3 17:9
talk 25:10, 11 71:1 75:11
talked 33:16 49:10 50:3,16
talking 3:3 15:17 16:10 18:1,8 19:1,3,6
Tana 3:7

tardiness
35:16
51:13
59:7,10
60:15 65:8
68:9 79:14
82:2

tardy 86:21
87:11,21

Taylor 85:6

team 46:22
47:4,14,22
48:12
53:11
75:10,17
76:3,14

telephone
34:23

telling 21:4

tendency
94:10

term 69:6
81:19,25
86:25
89:23 90:1

terminate
13:10
90:19

terminated
12:17
24:23

termination
2:4 8:2
40:11 41:3
54:25
63:9,12
70:13
83:21
84:6,13,17
86:10,11
89:11
90:22

terms 7:6
19:18
28:16
29:18

test 95:2

testified
46:14
89:12,17,
22 90:12
94:7

testify
5:23,24
13:14

testifying
5:14,20

testimony
3:22 5:5,9
6:15 8:16
26:25 27:5
43:11 56:1
65:19
71:16
93:22
94:4,11,
13,15,17,
18,20,21
95:5,6

thing 21:12
25:6 45:25
69:6 81:20
82:7,10
89:23 90:1

things 30:25
38:14
47:9,18

thinking
80:11

thought
69:17

three-day
24:20
39:10
40:17
62:19,20
83:20

till 79:2

time 2:23
4:19,23
5:25 6:25
7:17 8:13,
23 10:1,4,
17 11:12,
16,18
14:15,22
16:18
17:14 25:4
26:2,4,11
31:11
33:2,10,13
34:5 35:1,
7 38:2
39:3 40:8
41:6,8
42:15
43:15,16
44:17,25
45:12,17
46:3,6,19
48:6 49:4,
7,10,22
50:4,7,8,
12,13,15,
17,24
52:17,22,
24 53:7
54:9,20
56:6 58:3,
4,11 59:3
60:3 63:4
64:10,18
66:1 67:5,
10 68:3,
18,21
70:9,21
71:3 73:5,
12 78:22
79:4 80:5,
7,11,12,23
81:8 83:9,
11 84:14,
19,22
85:7,15
86:22
89:6,16,25
90:3,11,
13,17,20
91:8 95:9

timeframes
12:3

timeliness

82:16,18
timely 33:17
times 45:3 49:13,19 82:3
today 6:16
told 9:12 18:17 24:8,11,13,17 25:13 35:5 40:2,9 49:17 53:19 68:6 79:2
tool 88:4
top 56:7 60:8
track 64:9 88:5
train 35:21
trained 29:14 47:17 60:15
training 29:15,18,19 45:5,6 46:6 47:19 75:12
transfer 14:23,25 34:25 60:2
treatment 45:5
triggers 36:14
truth 6:16,17
truthfulness 94:11
turn 7:13 21:9,17,18
type 28:17 30:24 36:16

U

unbecoming 35:11 51:6
understand 5:18 20:9 21:5 23:8 66:5 76:16
understood 68:2
undoing 17:1
unevenness 92:22
unfair 26:6 35:16 60:13 67:24 69:18
unit 44:25
United 57:3
units 44:8,20 68:23
unlawful 92:3
unnecessary 40:6
unreasonable 40:6
unsupported 93:6,19
unusual 55:11 68:16
unwarranted 92:10,24
uphold 85:18 86:9,11 89:11 90:22
upholding 97:2
upper 21:8 27:5 43:16 66:9 71:19
upset 78:24
usual 30:11

V

vacancies 73:5
vacation 84:15 85:3
Valerie 6:6 31:19 32:18 37:7 43:9,11,22
valid 92:20
Vanderbilt 3:8,9,10 5:12 9:2,3 10:3,8,10,15 11:13,19,22 12:10 13:17,20,24 14:1,4,8,13 15:5,20,24 16:10,16,20 17:12 19:2,12 20:13,25 24:5,6,8,11,16,20,23 25:1,4,13,21 26:1,11,14,19,21,23 27:10,11,15,24 28:3,7,20 29:1,9,21 30:4,6,10,17 31:5,11,15,22 32:3,6,10,14,23 33:1,5,9,20,23

34:1,4,8, 11,15,18 35:8,13,25 36:3,17, 20,24 37:2,4,9, 12,22 38:1,4,8, 11,17,20, 23 39:2,6, 12,15,20, 24 40:3,7, 13,16,21, 23 41:1,5, 10,14 42:25 43:2,5,9, 23,24 44:2,6,10, 13,17,21 45:11 46:13,18, 21 47:1,21 48:7,11, 18,21,24 49:2 50:20,25 51:3,8,12, 15,18,20 52:1,3,7, 11,14,20, 24 53:2,6, 9,14,24 54:5,9,16, 19,22 55:2,6,10, 16,22 56:13,16, 19,22 57:1,4,8, 12,17,20, 23 58:2,7, 13,16,21, 24 59:2,8, 11,15,19, 23 60:5, 10,19,22 61:3,6,9, 14,19,23 62:1,6,9, 12,15,20, 25 63:3,7, 11,16,20, 23 64:1,4 65:10,11, 14 66:18, 19,23 67:2,5,8, 14,17,20 68:4,11,15 69:5,12, 20,24 70:3,11,16 71:5,13 72:2,7,14, 17,19,22 73:11,14 74:2,7,23 75:3,6 76:18 77:23 78:2,10,18 79:6,11, 13,16,19, 22 80:1,17 81:7,13, 16,19 82:13,20, 25 83:4, 15,19,24 84:1,4,8, 11 86:4,8, 13,17,20 87:2 88:7, 8,12,14 89:7,9 95:18

Vanderbilt's 17:23

vary 76:3

varying 77:8 86:24

vehicles 2:15

verbal 32:17 35:7

videos 7:9

view 92:5 94:22

viewed 93:8

violation 13:10 90:14 91:24 96:17

vocational 2:9

voice 7:9 21:25 43:20 56:9 66:13

vote 7:21 95:24 97:1

votes 95:11 96:11

W

wait 95:13

waited 52:16,18

waiting 83:12

waive 9:3

wanted 25:10,11 26:5 47:10 80:25 81:11 85:4

war- 35:9 62:5

warning 24:18 34:16,19, 21 35:9 39:7 51:4 52:12 53:12 57:14 59:21 60:4,20 61:7,10,11 62:2 70:12 77:25 79:7,23

81:3 83:8

warnings
53:11
54:10

warranted
62:5

ways 64:16

weaker 94:18

week 49:13, 20 72:15
73:20
84:21

weighing
94:20

Wicker 2:14

Williams
32:18

witness'
94:11,12, 13,17
95:5,6

witnessed
88:1

witnesses
2:21,25
3:1,23
4:15,16
5:13,17, 19,21,24
6:1,2,20
8:13 23:22
65:25
74:11
80:20
94:6,25
95:1,2

work 29:17, 22,24
30:11,12, 13 33:14
36:22
40:18
45:12,17
49:7 50:7, 13,14,16, 24 62:23
63:18
68:17 69:1
70:17,23
73:1,23
76:23
77:21
82:12 85:1
87:11,15, 21,25 88:4
89:16,25
90:13

worked 27:24
71:2 90:10

workforce
77:8

working
12:17,22
41:6 57:8
69:25 74:1

writing 7:3
33:3,21
34:2
38:21,22
57:15

written 7:16
24:17 39:7
59:21
60:4,20
61:7,11
62:2 70:12
79:6,23
81:2,3
83:8 93:23
95:15 97:3

wrote 69:14
86:5

Y

year 17:19
29:6 44:12
72:17 76:2

years 17:2, 13 29:7
30:16
56:24
72:21

South Carolina State Employee Grievance Committee List of Witnesses

SWM-003D
(Rev. 07/2017)

Regulation 19-718.07 (C) (1) of the State Employee Grievance and Appeals Regulations provides that the covered employee and the agency, or their designated representatives, shall exchange witness lists that must be received by the other party no later than five (5) calendar days prior to the hearing. To facilitate this exchange, you may use this form provided by the Division of State Human Resources to list the names of your witnesses who will appear on your behalf at the State Employee Grievance Committee hearing.

In addition, Regulation 19-718.07 (E) (7) provides that at the beginning of the hearing, each party shall provide to the Secretary of the designated committee panel a list of representatives and witnesses. Representatives who will testify must be listed as both a representative and a witness. You may also use this form to submit your list of witnesses to the Secretary of the designated Committee panel.

Witnesses for **Appellant**, if any:

NA

[redacted]

Witnesses for **Employing Agency**, if any:

South Carolina State Employee Grievance Committee List of Representatives

SWM-003C
(Rev. 07/2017)

Regulation 19-718.07 (E) (7) of the State Employee Grievance and Appeals Regulations provides that at the beginning of the hearing, each party shall provide to the Secretary of the designated committee panel a list of representatives and witnesses. Representatives who will testify must be listed as both a representative and a witness. No party may designate more than three (3) representatives, which include legal counsel and the covered employee, to be present during Committee hearings.

Please list below the name(s) of representatives who will appear on your behalf at the State Employee Grievance Committee Hearing, then present this form to the Secretary of the designated Committee panel on the day of the hearing.

Representative(s) for **Appellant**, if any:

1) Alicia B. Idlow

[redacted]

Representative(s) for **Employing Agency**, if any:

South Carolina State Employee Grievance Committee List of Witnesses

SWM-003D
(Rev. 07/2017)

Regulation 19-718.07 (C) (1) of the State Employee Grievance and Appeals Regulations provides that the covered employee and the agency, or their designated representatives, shall exchange witness lists that must be received by the other party no later than five (5) calendar days prior to the hearing. To facilitate this exchange, you may use this form provided by the Division of State Human Resources to list the names of your witnesses who will appear on your behalf at the State Employee Grievance Committee hearing.

In addition, Regulation 19-718.07 (E) (7) provides that at the beginning of the hearing, each party shall provide to the Secretary of the designated committee panel a list of representatives and witnesses. Representatives who will testify must be listed as both a representative and a witness. You may also use this form to submit your list of witnesses to the Secretary of the designated Committee panel.

Witnesses for **Appellant**, if any:

[redacted]

Witnesses for **Employing Agency**, if any:

(SI) Rebecca Hill ✓
(SI) Valerie Bryant ✓
(SI) John Dooley ✓
(SI) Deydre Blake Sayers ✓
(SI) Claudette Fields ✓

Data Classification: Internal Use

South Carolina State Employee Grievance Committee List of Representatives

SWM-003C
(Rev. 07/2017)

Regulation 19-718.07 (E) (7) of the State Employee Grievance and Appeals Regulations provides that at the beginning of the hearing, each party shall provide to the Secretary of the designated committee panel a list of representatives and witnesses. Representatives who will testify must be listed as both a representative and a witness. No party may designate more than three (3) representatives, which include legal counsel and the covered employee, to be present during Committee hearings.

Please list below the name(s) of representatives who will appear on your behalf at the State Employee Grievance Committee Hearing, then present this form to the Secretary of the designated Committee panel on the day of the hearing.

Representatives(s) for Appellant, if any:

[redacted]

Representatives(s) for Employing Agency, if any:

Tara Vanderbilt
Deirdre Blake Sayers
Rebecca Hall

EXHIBIT SHEET

Date of Hearing: 4/3/18
Appellant: Alicia Bolden
Agency: DDSN
Disciplinary Action: Termination

Chairperson: Ken Norris
Secretary: [redacted] Krissi Wicker
Committee Attorney: Kevin Maroney

EXHIBITS AND EXHIBIT NUMBERS				DESCRIPTION/IDENTIFYING INFORMATION	
COMMITTEE EXHIBIT 1				Pages 1 to 190	
AGENCY EXHIBITS		APPELLANT EXHIBITS			
Introduced	For Identification Only	Introduced	For Identification Only		
		Group E Supporting Docs	#1		
		Grounds for Appeal	# 2		

State Employee Grievance Procedure State Appeal Form

To appeal the decision of the Agency concerning a grievance under the State Employee Grievance Procedure Act to the State Human Resources Director, the employee or representative initiating the appeal must complete this form and return it to the Division of State Human Resources.

Forms and additional documentation can be submitted via email to **grievance@admin.sc.gov**, via facsimile to **803-896-5050**, or by mail to the address below.

Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

RECEIVED
OCT 06 2017
DIVISION OF STATE HUMAN RESOURCES

** Required Information*

Employee's Name:* Alicia Bolden

Job Classification:* Direct Service Manager **Agency*:** SCDDSN - Coastal Regional Center

Home Address:* 1115 Carnegie Avenue (Street) Charleston (City) SC (State) 29407 (Zip Code)

Telephone:* ____ (Home) (843) 709 - 5313 (Cell) ____ (Office)

Do you have an attorney or other representative?* ☐ Yes ☐ No

If yes, please provide the contact information for your attorney or representative below:

Representative's Name: NA @ This Time

Address: ____ (Street) ____ (City) ____ (State) ____ (Zip Code)

Telephone: ____

1. Has the employee completed twelve (12) months of satisfactory service with the state?* ☒ Yes ☐ No
2. What disciplinary action taken against the employee is being appealed?* Termination
3. Has the employee received a final decision from the agency?* ☒ Yes ☐ No
   If yes, what date did the employee receive the final decision?* 9/18/2017
4. What date did the employee initiate the grievance within the agency's internal grievance procedure?*
   ~6/28/2017

Committee Exhibit

#1

Employee's Name*: Alicia Bolden

APPEAL

Please specify why the employee contends that the agency's decision concerning the grievance is unfair and state relevant facts and issues to support that position. (Attach additional pages if necessary.): *

I was most recently terminated from the South Carolina Department of Disabilities and Special Needs – Coastal Regional Center for asserting my legal rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment. These blatant malicious acts of prejudice, dishonesty, and retaliation are unlawful and criminal.

On February 23, 2017, I was expected to submit to an improper, unfair, arbitrary, discriminatory, prejudicial, and retaliatory employment practice or I would surely suffer the consequences (termination) for asserting my legal rights to be treated fairly and equally in the workplace. I was expected to be humiliated, to be harassed, to be made a mockery of, to be treated differently, to be abused, to be violated, to be broken down, to be scrutinized, and to be treated unfairly and unequally or to be terminated. I was terminated.

Employment practices that pertain to compensation, pay, salary, leave practices, time keeping, and transfers (just to name a few) must me practiced equally among all employees (especially employees of the same job classification or the same job position). Equal employment practices are required by law to be equal. All employees must be informed of these practices and these practices must be made available to all employees in some written form (handbooks, directives, etc.…) Policies, procedures, and employment practices that establish rules, regulations, and guidelines for employees must be uniform and applicable to all employees. When it is not; dishonesty and corruption will prevail. When it is not; prejudices, discrimination, and personal biases will win over fairness and equality. Laws will be violated and authority will be abused.

Claudette Fields is dishonest and corrupt. Three out of the four top agency officials that I emailed on 10/14/16 regarding the degree of Claudette Fields corruption all took on an active role and colluded with Claudette Fields regarding my termination. The list includes John Dooney, Rebecca Hill, and Deirdre Blake – Sayers. When top agency officials are corrupt, bottom agency employees don't stand a chance. We will always lose. Deirdre Blake – Sayers made the final decision for the agency concerning my grievance, but I knew her decision and position regarding the discriminatory employment practice since 2/24/17 and I have the emails to prove it. How is this fair?

Please see the attached grievance that was previously submitted to the Division of State Human Resources for more details regarding my termination and why it is unfair, prejudicial, discriminatory, and retaliatory. Attachments referenced in this initial grievance will not be resubmitted. The Division of State Human Resources should have these documents already.

Please specify the relief that the employee is seeking by this appeal. (Attach additional pages if necessary.):*

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory. I am asking that my personnel files be sponged of the disciplinary action titled Conduct Unbecoming a State Employee as well.

Signature: Alicia B Bolden Date: 10/3/2017

Revised June 2015

Print Form

9/23/2017

To: The State Human Resources Director, Division of State Human Resources Department
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)
: Appeal / Grievance to Dr. Beverly Buscemi (State Director) Denied (Certified Mail 9/18/17)

My name is Alicia Bolden and I have been terminated from my position with the Dept. of Disabilities and Special Needs on two separate occasions. My most recent termination was on June 19, 2017. Each termination has been at the hands of the Residential Services Director, Mrs. Claudette Fields. It is the dishonesty, unfairness, and prejudices that she displays towards me that have contributed to most of my pain and suffering. Her acts are malicious and intentional. She has damaged my professional standing as well as my character and reputation. Mrs. Fields prejudices, biases, and retaliation efforts have caused me much mental, emotional, and physical anguish. My terminations have caused me to lose income, health insurance benefits, and my pension plan. I have incurred lots of expenses, inconveniences, and stresses from these deliberate acts of employment discrimination, prejudices, and retaliation. These deliberate and malicious acts of employment discrimination, biases, prejudices, and retaliation should not be permitted in the work place.

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial; and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices. I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

In addition to the above, I would also like to reference the 2/23/2017 disciplinary action titled Conduct Unbecoming a State Employee. On 2/24/2017, in the same above mentioned email correspondences to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) I issued a rebuttal to the claims outlined in this disciplinary action. The email rebuttal reads:

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request. On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17 wherein she uses very harsh, fictitious, inflammatory language to describe me. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Sheila Summers) that I've never had any knowledge of prior to yesterday. The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

This concludes the rebuttal that was sent to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) on 2/24/17 regarding the disciplinary action administered for Conduct Unbecoming a State Employee. I am asking that my personnel files be sponged of this disciplinary action as well. It is very biased and misleading; nevertheless the 2/23/17 administered disciplinary action for Conduct Unbecoming a State Employee (dated 2/22/17) is listed on the termination letter as one of the three accumulated offenses that led to my dismissal.

February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable. Many approaches and joint efforts were being revealed and it was clear to me that I was on my own. The pressure was unreal.

On 10/14/16, I made allegations against the Residential Services Director, Mrs. Claudette Fields and the Lead Direct Service Manager, Mrs. Valeria Williams – Bryant that called into question their integrity and ethics. These allegations were submitted to all top internal agency officials and were submitted to two (2) outside external agencies as well which included the South Carolina Department of Health and Environmental Control and the South Carolina Law Enforcement Division. Documents in my possession show that the investigation into these allegations came to an end in February of 2017. This is when the retaliation process by the Residential Services Director, Mrs. Claudette Fields officially began. The documents that I have regarding the investigation also prove that the agency did not truly initiate an investigation into my claims. Rather, the agency only gave the appearance that they did. (Group A)

The harassment, retaliation, prejudicial and unfair employment practices were mostly being carried out by the agency's Residential Services Director, Mrs. Claudette Fields but other top agency officials were definitely in collusion with her efforts.

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – Compensation for (22) Hours Worked

Dr. Buscemi, I worked a total of 22.00 additional hours in December of last year (2016). When I initially worked these hours, I was under the impression that I would be paid overtime pay. Later on I discovered that these hours would be compensated to me in comp time and ½ instead. However, I never received any monetary compensation or any comp time compensation for the additional 22.00 hours that I worked. I made several attempts/pleas to Mr. John Dooney to receive compensation, but none was given. I would really like for you to resolve this matter please. I am asking to be compensated for the 22.00 additional hours that I worked in December of last year (2016). It is not fair that I was never compensated for these additional hours that I worked. Please see the attached e-mail correspondences that support the facts outlined here (Group B).

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – AOD Job Vacancy Never Advertised

On 7/21/2016, I met with Mrs. Claudette Fields (Residential Director), Mrs. Rebecca Hill (Facility Administrator), and Mr. John Dooney (HR Director) to discuss my desire to move to a different department. During this conversation, I expressed my interest in the approaching AOD position that would soon become vacant. The current employee who was still in the position at this time was on his way out and had submitted his resignation. On 8/12/2016, I contacted HR to see when the AOD position would be posted (looking out for it) and was instead told that the position had already been filled. I was an interested, qualified, internal employee who wanted the opportunity to apply and be considered for this job but the job opportunity / job vacancy was never posted. It has always been my understanding that vacant positions were to be advertised for a minimum of (5) five days. Please see the attached e-mail correspondences (Group C).

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)

9/23/2017

To: The State Human Resources Director, Division of State Human Resources Department
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)
: Appeal / Grievance to Dr. Beverly Buscemi (State Director) Denied (Certified Mail 9/18/17)

My name is Alicia Bolden and I have been terminated from my position with the Dept. of Disabilities and Special Needs on two separate occasions. My most recent termination was on June 19, 2017. Each termination has been at the hands of the Residential Services Director, Mrs. Claudette Fields. It is the dishonesty, unfairness, and prejudices that she displays towards me that have contributed to most of my pain and suffering. Her acts are malicious and intentional. She has damaged my professional standing as well as my character and reputation. Mrs. Fields prejudices, biases, and retaliation efforts have caused me much mental, emotional, and physical anguish. My terminations have caused me to lose income, health insurance benefits, and my pension plan. I have incurred lots of expenses, inconveniences, and stresses from these deliberate acts of employment discrimination, prejudices, and retaliation. These deliberate and malicious acts of employment discrimination, biases, prejudices, and retaliation should not be permitted in the work place.

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial, and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices. I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

RECEIVED
SEP 25 2017
DIVISION OF STATE HUMAN RESOURCES

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

In addition to the above, I would also like to reference the 2/23/2017 disciplinary action titled Conduct Unbecoming a State Employee. On 2/24/2017, in the same above mentioned email correspondences to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) I issued a rebuttal to the claims outlined in this disciplinary action. The email rebuttal reads:

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

0152

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request. On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17 wherein she uses very harsh, fictitious, inflammatory language to describe me. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Shella Summers) that I've never had any knowledge of prior to yesterday. The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

This concludes the rebuttal that was sent to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) on 2/24/17 regarding the disciplinary action administered for Conduct Unbecoming a State Employee. I am asking that my personnel files be sponged of this disciplinary action as well. It is very biased and misleading; nevertheless the 2/23/17 administered disciplinary action for Conduct Unbecoming a State Employee (dated 2/22/17) is listed on the termination letter as one of the three accumulated offenses that led to my dismissal.

February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable. Many approaches and joint efforts were being revealed and it was clear to me that I was on my own. The pressure was unreal.

On 10/14/16, I made allegations against the Residential Services Director, Mrs. Claudette Fields and the Lead Direct Service Manager, Mrs. Valeria Williams – Bryant that called into question their integrity and ethics. These allegations were submitted to all top internal agency officials and were submitted to two (2) outside external agencies as well which included the South Carolina Department of Health and Environmental Control and the South Carolina Law Enforcement Division. Documents in my possession show that the investigation into these allegations came to an end in February of 2017. This is when the retaliation process by the Residential Services Director, Mrs. Claudette Fields officially began. The documents that I have regarding the investigation also prove that the agency did not truly initiate an investigation into my claims. Rather, the agency only gave the appearance that they did. (Group A)

The harassment, retaliation, prejudicial and unfair employment practices were mostly being carried out by the agency's Residential Services Director, Mrs. Claudette Fields but other top agency officials were definitely in collusion with her efforts.

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – Compensation for (22) Hours Worked

Dr. Buscemi, I worked a total of 22.00 additional hours in December of last year (2016). When I initially worked these hours, I was under the impression that I would be paid overtime pay. Later on I discovered that these hours would be compensated to me in comp time and ½ instead. However, I never received any monetary compensation or any comp time compensation for the additional 22.00 hours that I worked. I made several attempts/pleas to Mr. John Dooney to receive compensation, but none was given. I would really like for you to resolve this matter please. I am asking to be compensated for the 22.00 additional hours that I worked in December of last year (2016). It is not fair that I was never compensated for these additional hours that I worked. Please see the attached e-mail correspondences that support the facts outlined here (Group B).

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – AOD Job Vacancy Never Advertised

On 7/21/2016, I met with Mrs. Claudette Fields (Residential Director), Mrs. Rebecca Hill (Facility Administrator), and Mr. John Dooney (HR Director) to discuss my desire to move to a different department. During this conversation, I expressed my interest in the approaching AOD position that would soon become vacant. The current employee who was still in the position at this time was on his way out and had submitted his resignation. On 8/12/2016, I contacted HR to see when the AOD position would be posted (looking out for it) and was instead told that the position had already been filled. I was an interested, qualified, internal employee who wanted the opportunity to apply and be considered for this job but the job opportunity / job vacancy was never posted. It has always been my understanding that vacant positions were to be advertised for a minimum of (5) five days. Please see the attached e-mail correspondences (Group C).

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)

Re: Valeria Williams – Bryant and Claudette Fields!

Group A

Dooney, John

Mon 10/17/2016 12:25 PM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Cc: Britt, Rufus <RBritt@ddsn.sc.gov>; Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>; Vanderbilt, Tana G. <TVanderbilt@ddsn.sc.gov>;

Ms. Bolden,

The Department of Disabilities & Special Needs has zero tolerance for any acts of abuse, neglect, and or exploitation. Should you be aware of any such instances, you are mandated to report any such instance(s) by law. Failure to do so could result in adverse outcomes for those we serve. Reports of abuse, neglect, and or exploitation should be reported to the State Law Enforcement Division (SLED). The intake telephone number is 1-866-200-6066. Also, the Human Resources Department here at Coastal Center and our Facility Administrator, Ms. Rebecca Hill, have "open doors" and are willing to listen to any concerns you have regarding operations or ways to improve our agency.

Sincerely,

John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

From: Bolden, Alicia
Sent: Friday, October 14, 2016 8:30 PM
To: Hill, Becky; Dooney, John; Britt, Rufus; Blake-Sayers, Deirdre
Subject: Valeria Williams – Bryant and Claudette Fields!

Employees of this agency are expected to carry out their duties in a manner which ensures that the dignity, self-respect, and safety of every person receiving services are protected to the fullest extent. Abuse, neglect, or exploitation in any form will not be tolerated. Exploitation may involve, but is not limited to an improper, unlawful, or unauthorized use of funds, assets, property, etc., or causing a vulnerable adult to purchase goods and services or defrauding an individual. Misappropriation of Consumer's Funds for one's own use and unauthorized purpose, particularly by a public official, or trustee, or by any person with a responsibility to care for and protect a Consumer's assets is grounds for immediate dismissal. This is a crime punishable by law. Valeria Williams - Bryant is Guilty of these Charges and her supervisor Claudette Fields knows all about it. Instead of Bryant being held accountable for her prior bad acts; she is now being rewarded for them instead. Bryant's bad acts preceded Val Haynes bad acts, but Bryant only lost check cashing privileges while Haynes lost her job. Why is that? Someone should ask Claudette Fields. It is our duty and responsibility to protect our Consumer's from people who lack integrity and ethics such as Valeria Williams – Bryant and Claudette Fields. I plan to do just that. The corruption stops now.

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Ikreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

SOUTH CAROLINA Department of Disabilities AND Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairman
Eva R. Ravenel
Vice Chairman
Gary C. Lemel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

April 25, 2017

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Dear Ms. Bolden:

In accordance with your Freedom of Information request emailed April 14, 2017, please find enclosed DDSN Internal Audit Report 17-17 Coastal Center Follow-Up, dated February 23, 2017.

Please let us know if you require additional information.

Thank you.

Sincerely,

Lois Park Mole

Lois Park Mole
Director
Government and Community Relations

LPM/dg

Enclosure

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104



Internal Audit Report 17-17
Coastal Center
Follow-Up
February 23, 2017

Contents

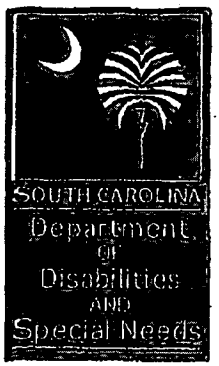
Background, Purpose and Scope 1

Summary of Findings 2

Findings and Action Plans 2

Consumer Property (High Priority)
PARTIAL REPEAT - 50% Compliant 2

Procurement Card Purchases (High Priority)
PARTIAL REPEAT - 80% Compliant 3



Internal Audit Report 17-17

Coastal Center Follow-Up

February 23, 2017

Background Purpose and Scope

The South Carolina Department of Disabilities and Special Needs (DDSN), as defined in the South Carolina Code of Law, serves persons with intellectual disabilities, autism, traumatic brain injury and spinal cord injury and conditions related to each of these disabilities. It is the mission of DDSN to assist people with disabilities and their families through choice in meeting needs, pursuing possibilities, and achieving life goals, and minimize the occurrence and reduce the severity of disabilities through prevention. To that end, the Department has established an Internal Audit Division (IA) to ensure continuity, quality, and responsiveness in services and supports to persons with disabilities by furnishing information, analyses, and recommendations to the Commission, management, and service provider organizations.

DDSN's service delivery system contracts with local DSN Boards and qualified private providers throughout South Carolina. In addition, the Department also operates five regional centers located within the State to include: Columbia, Clinton, Summerville, Florence and Hartsville. These centers serve persons with the most complex needs. Coastal Center, located in Summerville handles consumers' personal funds for 153 individuals in 10 residential facilities located on campus. These individuals have funds deposited in the Regional Bank.

Coastal Center is responsible for safeguarding the consumers' personal funds and property for which DDSN is representative payee. In accordance with DDSN directives, the Center accounts for the consumers' personal funds in the Regional Bank which is electronically maintained and requires unit staff to maintain property records and take periodic inventories to account for the consumers' personal property.

IA performed a follow-up audit of Coastal Center to determine the status of the findings noted in Internal Audit Report 14-23 which was a limited review of the Center's internal controls over consumers' personal funds and property as well as a limited procurement review. Coastal Center made progress by correcting three of the five previous findings, and partially correcting two findings; however, we did note some concerns and one new condition as detailed in this report.

In order to communicate the professional opinion of the importance of the findings in this report, each of the concerns was ranked as high priority. During the review, deficiencies may also have been discovered which, in IA's opinion, represented minimal exposure to the organization. These were informally communicated to appropriate Center management and were not included in this report.

The scope of the audit encompassed the period July 1, 2015 through September 30, 2016. An entrance conference was held with management on November 2, 2016 immediately followed by field work. An exit conference was conducted with the Facility Administrator and appropriate staff on January 18, 2017.

Summary of Findings

Our follow-up audit of Coastal Center disclosed:

1. **Consumer Funds** – Resolved.
2. **Cash on Hand** – Resolved.
3. **Consumer Property** – One of two conditions (50%) resolved.
4. **Procurement Card Purchases** – Four of five conditions (80%) resolved.
5. **Procurements - Bids** - Resolved.

The audit disclosed where some improvements could be made. In addition, procurement practices did not always follow the DDSN Procurement Manual. The areas of concern noted present the Center the opportunity to improve and strengthen their internal controls over consumer property and procurement practices in order to comply with DDSN's directives and Procurement Manual.

The audit was performed in accordance with International Standards for the Professional Practice of Internal Auditing and DDSN directive 275-05-DD, "General Duties of the Internal Audit Division." The review of the Center was limited in scope and would not necessarily have detected other significant deficiencies that may exist.

FINDINGS AND ACTION PLANS

In IA's opinion, the actions taken or planned to be taken as indicated in the action plans adequately address the audit findings.

CONSUMER PROPERTY — HIGH PRIORITY

Partial Repeat

Of the 153 people in the residential programs, IA judgmentally selected and reviewed the files for nine (6%) consumers' personal property, and corresponding Personal Property Records (PPRs). We found residential staff did not always manage the consumers' personal property in accordance with DDSN directive 600-10-DD, "Individual Clothing and Personal Property-Regional Center." We verified the physical existence of the property items and traced the items in their living areas back to the entries recorded on the PPRs. The review found:

1. Two of nine (22%) consumers' PPRs did not always contain the product's serial number. **(New Finding)**
2. Four of nine (44%) consumers' PPRs did not contain an adequate description of the item(s).

DDSN directive 600-10-DD requires that consumers' PPRs contain adequate descriptions and be kept current. Serial numbers of items must be listed for television sets, bicycles, stereo units, etc. on the PPRs.

Staff did not always monitor or maintain personal property according to the requirements of the directive. Failure to comply with the directive weakens accountability for individuals' clothing and non-clothing personal property that could result in loss through theft or misappropriation without timely detection.

Action Plan

1. ***The facility will ensure compliance with DDSN directive 600-10-DD, "Individual Clothing and Personal Property Regional Centers", to include but not limited to, that all applicable property serial numbers are recorded on the consumers Personal Property Record and property records contain adequate descriptions of property items to help identify them should they become lost or stolen.***
2. ***The Residential Service Director reviewed the Internal Audit findings and recommendations with supervisory staff on 1/19/17. The Lead DSM and QIDP conducted in-service training with the DSMs and QIDPs on 1/24/17 and 1/25/17. To ensure that consumers Personal Property Records have applicable property serial numbers recorded and adequate descriptions of property items, the QIDPs and DSMs will monitor.***

In-service training records are on file in Administrative Office.

Effective Date: January 26, 2017.

PROCUREMENT CARD PURCHASES — HIGH PRIORITY

Internal Audit reviewed a total of 25 charges for the Center's Visa credit cards for the audit period and found:

1. Eight of 25 (32%) charges were split purchases which circumvented the limitations of the Purchasing Card Program in accordance with State Government's Policies and Procedures. **(Repeat Finding)**
2. On numerous occasions, purchases for curtains from Lowes were made. Although the purchases appeared to be split purchases, the purchasing request stated that Lowes split the purchases. Standard purchasing procedures should have been followed to allow for the most efficient purchase to be made for the items needed.

The DDSN Purchasing Card was designed to help the agency better manage low-dollar supply purchases. It provides an extremely efficient and effective method for purchasing and paying for supplies within the cardholder's specified dollar limit.

Coastal Center staff did not always adhere to policy on the use of agency procurement cards as they relate to internal controls or proper usage. Failure to exercise prudent management practices and good internal controls with regard to agency procurement cards could result in loss of operational funds through unauthorized charges or misappropriation without timely detection.

Action Plan

1. *Coastal Center management and staff will administer their fiscal affairs to adhere with Agency Guidelines regarding the use of procurement cards to comprise governance of sound internal controls to include but not limited to, adhering to individual purchase limits by not splitting purchases as a way to circumvent the Purchasing Card Program limitations, and potential campus-wide purchases are properly researched prior to purchasing items. The Facility Administrator met with the Procurement Specialist on 1/23/17 to review all assigned cardholders Purchase Card limits and card usage for the past three years. Discussion ensued to include decreasing the number of cards assign to departments; increasing departmental supervisor's card limits; suspending cards not used or reassigning to the emergency cards; use of purchase orders for campus-wide items; and adequate supporting documentation.(ie: work orders).*
2. *The Facility Administrator met with the respective Service Directors on 1/23/17 and 1/25/17 to address compliance with Purchasing Card Program and using Purchase Orders for campus-wide or large purchases. The facility will ensure compliance with the Agency Guidelines by not splitting purchases to circumvent purchase card limits; using Purchase Orders as best practice for campus-wide or large items; attaching appropriate documentation to include but not limited to, justification of purchase(s), work orders, quotes, etc. Failure to comply will result in cardholder suspension and disciplinary action.*

Effective Date: February 8, 2017.

Kashori S. Davis
In-Charge Auditor

Kevin Yacobi, CIA, CGAP, CBM, CFS, CRMA
Director of Internal Audit

17

Re: Following Up: My Overtime Comp Hours?

Group B

Bolden, Alicia

Fri 2/10/2017 11:41 AM

Sent Items

To:Dooney, John <JDooney@ddsn.sc.gov>;

Cc:Edwards, Vera <VEdwards@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>;

I understand John, but it was a complete waste of my time for me to have done this. I labored in vain; no comp/no cash. I understand what you are telling me, but it is not fair. ☹

From: Dooney, John
Sent: Friday, February 10, 2017 11:35 AM
To: Bolden, Alicia
Cc: Edwards, Vera; Hill, Becky
Subject: RE: Following Up: My Overtime Comp Hours?

Alicia,

When you are on annual/sick leave…you are not physically present, in turn, those authorized paid leave days are not considered hours worked for overtime accrual. I have attached the employee handbook regarding compensation/overtime for further guidance….

Employee handbook: Leave Status

"Time spent in leave status is not considered hours worked"

"Hours that are not worked during the seven (7) day overtime period including holidays, authorized paid leave and/or leave without pay are not considered hours worked for the computation of overtime. Compensation or compensatory time off is not authorized for hours worked between 37.5and 40 hours."

R/
John

JohnDooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:27 AM
To: Dooney, John <JDooney@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Re: Following Up: My Overtime Comp Hours?

This is problematic John. So basically you're telling me that I worked all those long hours in vain. The system should not have calculated this, Coastal Center/DDSN should have calculated this since it is Coastal Center/DDSN's desire to pay us in Comp Time and not in Cash. Becky will you please respond to this. Does this seem fair to you?

Alicia (110)

From: Dooney, John
Sent: Friday, February 10, 2017 11:19 AM
To: Bolden, Alicia
Cc: Edwards, Vera
Subject: RE: Following Up: My Overtime Comp Hours?

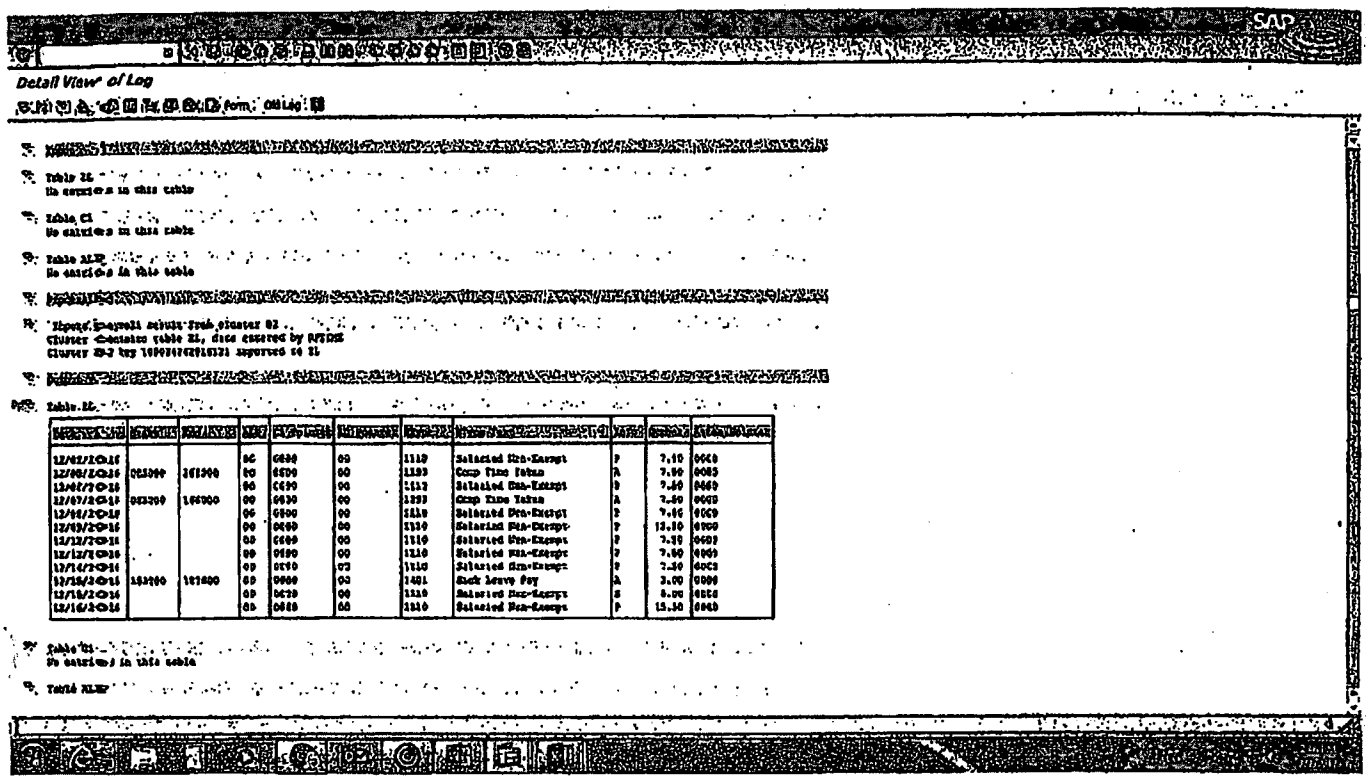
Good morning,

In your case, you are a 37.5 hour a week employee, in which, you begin to earn OT Comp Time after you have worked a minimum of 40 hours within a given work week; also keep in mind that you must have worked a minimum of 40 hours

to earn the accruals.

SCEIS and the paper time sheets are Monday - Sunday, but time is evaluated in SCEIS on a Friday - Thursday basis... That is why your accruals of the Comp time are on Thursdays, because that is considered the end of the week.

During the times that you have worked the overtime, you was off- using leave within the same work week which reduced the number of COMP Time eligible accrual time.



The above is how the system evaluated your time for the given pay period.
- The week of 12/9-12/15 resulted in 40.5 hours of actual work time...and 3 hours of leave usage.
- The week of 12/2-12/8 resulted in 22.5 hours of work time and 15 hours of leave usage

Thanks.
R/
John

John Dooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:12 AM
To: Dooney, John <JDooney@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Following Up: My Overtime Comp Hours?

Following Up!!!

From: Bolden, Alicia
Sent: Thursday, February 2, 2017 10:23 AM

To: Dooney, John
Cc: Edwards, Vera
Subject: FW: My Overtime Comp Hours?

Mr. Dooney, these are the days and hours that I worked overtime. It is my understanding that I am to receive Time and a Half in Comp Hours since I was not paid for this overtime. I calculate this to be a total of 33 hours which is the 22 hours plus a half of 11 hours.

Alicia (110)

From: Edwards, Vera
Sent: Tuesday, January 31, 2017 2:39 PM
To: Bolden, Alicia
Subject: RE: My Overtime Comp Hours?

Dec. 9 = 11:00 – 5:00 = 6.0 hours
Dec. 16 = 11:00 – 7:30 = 8.0
Dec. 23 = 11:00 – 7:30 = 8.0
Total 22.00 hours

From: Bolden, Alicia
Sent: Tuesday, January 31, 2017 12:40 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: My Overtime Comp Hours?

Good Afternoon Ms. Vera,

Did you ever get a chance to calculate the number of comp hours that I accrued from the days I worked overtime in December?

Alicia (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

FW: Still No Overtime!

Edwards, Vera

Fri 1/13/2017 2:41 PM

To:Dooney, John <JDooney@ddsn.sc.gov>;

Cc:Bolden, Alicia <ABolden@ddsn.sc.gov>; Fields, Claudette <CFields@ddsn.sc.gov>;

Alicia worked over on: 12/9 – 11:00 pm – 5 am; 12/16 – 11:00 pm – 7:30 am; and 12/23 – 11:00 pm – 7:30 am. She has not received pay out for these 3 nights. Per sceis, she is not eligible for shift premium.
thanks for checking.

From: Bolden, Alicia
Sent: Friday, January 13, 2017 1:30 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Still No Overtime!

Good Afternoon Ms. Vera,

Another pay date is here and I am still without my overtime. I am beginning to worry/wonder - was it all in vain?

Alicia Bolden (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: Overtime, Yeahhhh....

Fields, Claudette

Fri 12/9/2016 4:52 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

Okay, thanks I appreciate you working things out.

Sent from my iPhone

On Dec 9, 2016, at 4:45 PM, Bolden, Alicia <ABolden@ddsn.sc.gov> wrote:

Yes Mam! Hopefully we won't have any additional call ins.

From: Fields, Claudette
Sent: Friday, December 9, 2016 4:42 PM
To: Bolden, Alicia
Cc: Williams, Valerie
Subject: RE: Overtime, Yeahhhh....

You make the 3rd staff right?

From: Bolden, Alicia
Sent: Friday, December 09, 2016 4:38 PM
To: Fields, Claudette <CFields@ddsn.sc.gov>
Cc: Williams, Valerie <VWilliams@ddsn.sc.gov>
Subject: Overtime, Yeahhhh....

Good Afternoon Mrs. Fields,

I would like to work 3rd shift (11 – 7:30) tonight please. Overtime, Yeahhhh....

Alicia (110)

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state

privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

23

Re: Administrative Coordinator I (AOD) position?

Bolden, Alicia

Group C

Mon 8/15/2016 2:07 PM

To:Dooney, John <JDooney@ddsn.sc.gov>;

Cc:Gadsden, Kecia <KGadsden@ddsn.sc.gov>;

I was interested in applying for the second vacant position and I've been waiting for it to be posted so that I would be able to do so but it never was. Now the second position has been filled and I never even got the opportunity to apply. I feel that this was not fair. Positions become vacant all the time but they should be posted each time. I am very much aware of when the vacancy actually occurred and I never imagined that the position would be filled and not be posted. This would not have been a re-advertisement. These were two separate vacancies.

From: Dooney, John
Sent: Monday, August 15, 2016 12:10 PM
To: Bolden, Alicia
Cc: Gadsden, Kecia
Subject: Re: Administrative Coordinator I (AOD) position?

Good morning,

We are in the process of filling both positions. HR received an abundant amount of qualified candidates, internally/externally, to fill both positions from the vacancy posting running from 05/31/16 - 06/14/16 5:00 PM. There was not a need to re-advertise or draft another vacancy posting.

Thanks.
R/
John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

From: Bolden, Alicia
Sent: Monday, August 15, 2016 11:37:54 AM
To: Dooney, John
Subject: Administrative Coordinator I (AOD) position?

Good Morning Mr. Dooney,

I am writing to inquire about the recently vacant Administrative Coordinator I (AOD) position. It has been brough t to my attention that this position has been filled. Mrs. Gadsen confirmed this fact for me on Friday 8/12/16. Why wasn't this position vacancy advertised/posted?

Alicia Bolden

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: vacancies

Bolden, Alicia

Fri 7/22/2016 2:27 PM

To: Hill, Becky <BHill@ddsn.sc.gov>;

Thanks, Becky,

I appreciate this very much.

Alicia (110)

From: Hill, Becky
Sent: Friday, July 22, 2016 1:50 PM
To: Bolden, Alicia
Subject: vacancies

Alicia,

Berkeley Citizens and Dorchester County DSN Boards only have DSP (HSA), Habilitation Assistant, and temporary positions available at this time. However, Charleston County DSN Board has several opportunities. There is one position that requires a license and that is a CRCF Administrator. The other positions are as follows:

Early Interventionist
Rehab Support Specialist (head and spinal cord)
Case Manager
CTH II Coordinator
Director of Residential Services
Director of Family Support Services

Hope this information is helpful.

Becky

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: Follow – Up!

Fields, Claudette

Wed 7/20/2016 4:29 PM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Cc: Dooney, John <JDooney@ddsn.sc.gov>;

Hello Alicia,

John and I attempted to meet with you on Tuesday, but you were on SL. We would like to meet with you on tomorrow to further discuss your concerns/request. I will contact you once John confirms his availability.

Thanks,
/CF

From: Bolden, Alicia
Sent: Wednesday, July 20, 2016 3:33 PM
To: Fields, Claudette
Subject: Follow – Up!

Good Afternoon Mrs. Fields,

I have made several attempts to contact Mr. Dooney regarding my request for Re-Assignment; however I was just made aware that he is not here today. I wanted to follow – up regarding this request. I wanted to know if you have heard anything regarding it.

In the event that I am unable to be Re-Assigned, I am writing to request that the following two recommendations be considered.

1. That Val and I have separate Supervisors.
2. That Ms. Tishomy Davis be Re-Assigned to another unit.

I would like to discuss these two requests with you further when you are available. Thanks!

Alicia (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. .

Emailing: Job Bulletin

Gadsden, Kecia

Fri 8/12/2016 12:27 PM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

STATE OF SOUTH CAROLINA

Department of Disabilities & Special Needs-Coastal Regional Center

9995 Jamison Rd.
Summerville, SC 29485

http://www.jobs.sc.gov

INVITES APPLICATIONS FOR THE POSITION OF:
Administrative Coordinator I - Officer of the Day

An Equal Opportunity Employer

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

OPENING DATE: 05/31/16

CLOSING DATE: 06/14/16 05:00 PM

JOB TITLE: Administrative Coordinator I - Officer of the Day

CLASS CODE: AH10

POSITION NUMBER: 60017212

SLOT NUMBER:

STATE SALARY RANGE:
$32,838.00 - $60,760.00 Annually

AGENCY HIRING RANGE - MIN: 33,077
AGENCY HIRING RANGE - MAX:

LOCATION: Dorchester County, South Carolina

JOB TYPE: FTE - Full-Time

NORMAL WORK SCHEDULE: 11:15 pm - 07:45 am

RESIDENCY REQUIREMENT:
RESIDENCY REQUIREMENT SPECIFICS (IF ANY):

AGENCY SPECIFIC APPLICATION PROCEDURES:

Please see our Agency Specific Application Procedures. You must complete all work history within the application form. An offer of employment in this position will be contingent upon the following: an acceptable review of your past employment history, references, other sources including, but not limited to, the criminal background check which will be conducted by SLED and/or the FBI: and receiving clearance from the DSS Child Registry that indicates no record of child abuse or neglect. Employment would also be contingent on your passing a pre-employment drug test. DDSN reserves the right to rescind any employment offer in the event our review of your background develops information, including opinions of previous employer or colleagues that cause us to conclude, at our sole discretion, that you are not suited for the position

JOB RESPONSIBILITIES:

Coastal Center is a public Immediate Care Facility (ICF) providing a full range of services to approximately 152 individuals with intellectual and physical disabilities. We are one of five public ICFs operated by the South Carolina Department of Disabilities and Special Needs (DDSN). DDSN serves more than 29,000 South Carolinians with intellectual and related disabilities, autism, and spinal cord/head injuries.

This position serves as the Center's Officer of the Day during his or her assigned shift. This position ensures the safety and well being of the residents and employees at Coastal Regional Center. This position conducts assigned investigative procedures, as directed. Secures incident scenes and coordinates with law enforcement, initiates preliminary investigations. Assists residential and nursing staff regarding emergencies. Conducts fire drills; sanitation and consumers' elevated levels of aggression. This person assists in meeting and greeting residents' families, friends, and guests, and coordinates their visits while on campus.

MINIMUM AND ADDITIONAL REQUIREMENTS:

At a minimum, must possess a Bachelor's Degree and one (1) year of relevant work experience; or an Associates Degree and two (2) years of relevant work experience; or High School Diploma and three (3) years of relevant work experience based on additional education, experience and training. Valid South Carolina Driver's License required.

Ability to exercise judgment, discretion, maintains effective working relationships, and interprets and applies laws, regulation, policies and procedures. Ability to communicate effectively verbally and in writing.

PREFERRED QUALIFICATIONS:

Work experience in the supervision of staff.

ADDITIONAL COMMENTS:

Required physical abilities include, but are not limited to: lifting, pulling, pushing, walking, standing, stooping, kneeling, reaching, repetitive motions and running.

This position is considered an essential position and is required to work during hazardous weather conditions.

9995 Jamison Rd.
Summerville, SC 29485

Administrative Coordinator I - Officer of the Day Supplemental Questionnaire

* 1. If you have ever been convicted of a misdemeanor or felony criminal offense after your 17th birthday, you MUST list this information under "agency-wide question 1 and 2" (unless you have taken steps to expunge your record). This includes fraudulent checks, driving under suspension, disorderly conduct, shoplifting, etc. You may only omit minor traffic violations, such as speeding tickets & seatbelt violations, etc. *Please note that conviction of a criminal offense does not bar you from employment, in all cases; each conviction is evaluated individually. However, failure to list convictions is considered falsification of the application and may be ground for termination. It is your responsibility to know what is on your criminal record. If you have charges on your record that appear without a court disposition (result), you will be asked to provide that information, if selected for employment. If you have questions, please inquire before you complete your application. Please indicate your understanding of this statement in the box below.

* 2. At the time of application, do you possess a Bachelor's degree, Associates degree, or high school diploma with qualified years' experience? Please explain.

* 3. Do you have supervisory experience? Please explain.

* 4. Do you have experience in conducting investigations? Please explain.

* 5. Have you ever worked for South Carolina Department of Disabilities and Special Needs? If so, please explain.

* 6. I understand that only a complete and accurate application will be considered. I have included all current and previous work history and education. Additionally, the supplemental questions are considered part of my official application. By checking "yes", I certify that I have followed the application instructions.

☐Yes ☐No

* Required Question

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Gary C. Lemel
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

June 16, 2017

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Upon the request of your supervisor, your status as a Human Services Specialist II with the S.C. Department of Disabilities and Special Needs- Coastal Regional Center has been terminated effective June 20, 2017; "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for a Written Reprimand."

- Suspension: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, April 18, 19, and 20, 2017
- Written Warning: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, March10, 2017
- Written Warning: Conduct Unbecoming of a State Employee, February 22, 2017

You are hereby advised of your right to appeal this official disciplinary action. **The appeal must be filed in writing with Rebecca Hill, Coastal Regional Center's Facility Administrator, within fourteen (14) calendar days following the effective date of this action or receipt of notification of this action, whichever occurs later.** The written appeal must contain a brief statement of facts, the action, which you are grieving, and should specify your reason for appeal and the nature of relief sought. Attached is the SCDDSN Grievance Procedure Directive.

Please be reminded that terminated employees are not permitted to visit campus buildings, units, or offices. Approval to visit the campus must be given by the Facility Administrator for all work areas other than the Human Resource Management Office. Notification of your arrival and departure must be reported to the AOD. Please kindly return all DDSN property in your possession.

Should you have any questions about this content of this letter, please contact me directly.

A copy of this letter will be filed in your official personnel file.

Respectfully,

JOHN DOONEY
District II HR Director

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center – Phone: 803/935-7500
Whitten Center – Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: (864) 843-5576

Coastal Center – Phone: 843/873-5750
Pee Dee Center – Phone: 843/664-2600
Saleeby Center – Phone: 843/332-4104

0176

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: June 7, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. As of today June 7, 2017 there has been no marked improvement in the area of your assigned work hours. Therefore, you have prolong to comply with such reasonable request. You continuously refuse to sign in/out through switchboard. Effective immediately, you are being dismissed from your position as an HSS I (Building Manager). You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

Dismissal

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			6.7.17
Assistant Administrator			6/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

0177

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: April 6, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. In accordance with this directive, you are receiving a (3) days suspension for inappropriate conduct/behavior. This agency is grounded on fair and consistent measures, when administering disciplinary action. Whereas, it is the responsibility of the employee to conform with procedures applicable to their duty assignment. Every attempt has been made to professionally support you as a Manager. However, you prolong to comply with such reasonable request. You were counseled on February 23, 2017 & March 10, 2017 for Failure to Observe Assigned Work Hours. On both dates, specific instructions were given in the presence of two witnesses. The instructions were as follows:

1. Submit your monthly work schedule to your supervisors timely.
2. Follow your schedule, no exceptions.
3. Monitored by the switchboard operator.
4. Sign in/out through switchboard.

As of today April 6, 2017, there has been no marked improvement in this areas. You continuously refuse to sign in/out through switchboard. Therefore, it is difficult for your supervisor to determine the correct time you are reporting to work. Effective immediately, you are expected to correct your inappropriate conduct/behavior by signing in/out through switchboard.

Failure to demonstrate immediate and sustained improvement in these areas may result in further corrective action, up to and including dismissal. You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

3- Days Suspension

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator	[illegible]		4-7-17
Assistant Administrator	[illegible]		4/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: March 10, 2017

Direct Support Manager — Insubordination

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

A meeting was held with Alicia on February 23, 2017. Alicia's immediate supervisor and HR Director were present during this discussion. The purpose of this meeting was to discuss Alicia's time and attendance, and her unbecoming conduct as a State employee. This resulted in an oral counseling and a written warning. Today's written warning is to inform Alicia that as of March 10, 2017. Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy. On February 23rd, I expressed that the agreeable working hours are 8:30-5:00, or 10:00-6:30. Also, you were informed that the following instructions must be adhere to:

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

In conclusion, Alicia, was made aware, that it is critical for her to report to work on time. There is no additional grace period. Any further tardiness will result in progressive disciplinary action, and your scheduled working hours will be amended to 6:00-2:30; 8:30-5:00 and 10:00-6:30. The previously mentioned hours are regulars working hours for a Coastal Regional Center Direct Support Manager. However, Alicia was given the privilege to work 8:30-5:00 or 10:00-6:30, due to personal issues. As of today, March 10, 2017; Alicia remains insubordinate, therefore a written warning is being

administered. Please be advised, failure to comply with the above instructions will result in a suspension to termination.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager	[signature]		3/10/17
Program Coordinator	[signature]		3/10/17
Assistant Administrator	[signature]		3/10/17
Human Resource Management	[signature]		3/10/17
Program Administrator			

Reviewer Comments:

As previously discussed, the request is not unreasonable.
[signature]
3/10/17

Written warning administered. Refused to sign. Asked for copy & one was provided.

Rebecca D. Hill, H.A.
3-15-17

Meeting was Scheduled for 2:00 p.m., Alicia arrived at 2:24 p.m. C. Fields

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: March 10, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Insubordination:
Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: _____ Date: ___/___/___

REVIEWER'S SIGNATURE: Mandella Ford Date: 3.10.17

HR DIRECTOR'S SIGNATURE: _____ Date: ___/___/___

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ___/___/___
(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

0182

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: February 22, 2017

Direct Support Manager — Conduct unbecoming of a State Employee

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia. Eventually, I managed to gain some control and directed Alicia to forward a transfer slip to the employee. On many occasions, Alicia has demonstrated blatant disregard towards lower and upper management staff, enduring that it will be her way or no way. Alicia has forced my hands to move forward with a written warning, as titled, "Conduct Unbecoming of a State Employee". With such considerations in mind, my recommendation is based on her continuous failure to comply with management decisions, and her persistent unprofessional conduct in the capacity of a state employee leader. The number of such incidents suggests Alicia lacks desire for change and professional growth. This written warning will remain in Alicia's personnel file for (2) years. Albeit, Alicia has some good skills, far too often she allows her unreasonable behavior to magnify which disrupts the operation. In July 2016, Alicia began demonstrating some behaviors that were concerning. Several meeting were held to address, those concerns with regards to help Alicia work through her issues. The area of concerns are as follow:

- Forwarding email regarding politics and religion.
- Unfair disciplinary actions attempts toward non-preferred staff.
- Excessive Tardiness.
- Ensure staff are sufficiently trained to perform their assigned duties.
- Lack of data collection for her assigned consumers.
- Lack of initiative as a Manager.

As of February 21, 2017, these concerns are valid and will be monitored by Alicia's supervisor.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			2/23/17
Assistant Administrator			2/22/17
Human Resource Management			2/23/17
Program Administrator	RDH		2.23.17

Reviewer Comments:
Ms. Bolden disregards supervisory authority and have involved in most of the issues referenced. On the most recent incident, I received a phone call that disrupted Administration operation that was overheard by another employee in their office.

Rebecca D. Hill, J.A.
2.23.17

0184

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: February 22, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Conduct Unbecoming of a State Employee. On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: Valerie Bryant Date: 2, 23, 17

REVIEWER'S SIGNATURE: Jeanette Ford Date: 2, 22, 17

HR DIRECTOR'S SIGNATURE: HRD Date: 2, 23, 17

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ____/____/____
(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

Refused to Sign
1:40pm HR Director

2/22/2017

To whom it may concern:

On Wednesday February 15th while sitting With Ms. Claudette Fields discussing upcoming campus events she received a phone call from Highlands 110 DSM Ms. Alicia Bolden. At first the conversation was civil and straight to the point regarding a 110 first shift staff transferring to a second shift position. From the comment Ms. Fields made Ms. Bolden must have promised the staff previously mentioned a second shift position in Highlands 110. Ms. Fields told Ms. Bolden that she should not have made that promise, because Hillside 3/420 is in more dire straights for second shift staff. She also explained to Ms. Bolden that she has the responsibility to fill spots that needed most first. At that time Ms. Bolden begin to raise her voice saying why Highlands 110 didn't get any second shift positions filled from the pervious orientation class. MS. Fields tried to reassure Ms. Bolden that she didn't omit Highlands 110, but all she can do is make recommendations. Ms. Bolden with a continued raised voice basically was repeating her question asking why H.L. 110 didn't get any second shift staff from the previous orientation class. It was apparent to me Ms. Fields was not getting her point across to Ms. Bolden. It was then I began to feel very uncomfortable. I excused myself and closed the door behind me.

Sincerely,

Natalie A. Britt

Recreational Supervisor

Coastal Center Recreational Department

To: Alicia Bolden, DSM

From: Claudette Fields

Re: Time & Attendance

Date: February 23, 2017

Good Afternoon Alicia,

It has been brought to my attention on several occasions that you continue to violate your assigned work schedule. The agreeable working hours for you to report to work are 8:30-5:00, or 10:00-6:30. Effective immediately, the following instructions must be adhere to.

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

Alicia, it is critical that you report to work on time and ready to begin your scheduled shift. There is no grace period. Any further tardiness shall result in disciplinary action and your scheduled working hours will be as follows: 6:00-2:30; 8:30-5:00 and 10:00-6:30.

Alicia Bolden _____

Valeria Bryant Valeria Bryant

Claudette Fields Claudette Fields

2/23/17

Refused to Sign

HR Director

John Doe

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

September 25, 2017

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

Concerning your appeal to the State Human Resources Director, please complete the enclosed form and return the form to our office within five (5) days of receipt. A rapid return of this form will ensure that your appeal is processed as quickly as possible.

Send the completed form to the Division of State Human Resources, Alternative Dispute Resolution Program, 8301 Parklane Road, Suite A220, Columbia, South Carolina 29223.

Sincerely,

Spencer Miller
Alternative Dispute Resolution Program

Enclosure

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION *of* STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 fax

October 9, 2017

Ms. Deirdre Blake-Sayers
Human Resources Director
Department of Disabilities and Special Needs
3440 Harden Street Ext
Columbia, South Carolina 29203

Alicia Bolden
Appellant's Name

HUMAN SERVICES SPECIALIST II
Job Classification

Dear Ms. Blake-Sayers:

The appellant has appealed to the State Human Resources Director concerning a grievance arising from employment with your agency. Grounds for the appeal are contained in the enclosed copy of the State Employee Grievance Procedure State Appeal Form.

Please send us the documents concerning this appeal, including a brief summary of your position, a brief list of the appellant's employment record, copies of performance appraisals if applicable, and a copy of your findings and determination at each step of your grievance procedure. Any supporting documents that might serve to clarify the specific issues in the appeal should be included. You should also specifically state which policy or policies were used as a basis for the action, and include a copy of those policies. These might be either internal policies and/or State policies. If a policy was not violated, state on what criteria the action was based. **If applicable, please redact all identifying patient, client, or inmate information, and social security numbers prior to submitting documents to this office. In addition, please redact any personal information not relevant to the appeal.**

The requested information and materials must be returned to the Division of State Human Resources/Alternative Dispute Resolution Program within fifteen (15) calendar days. Also, any future correspondence sent to the Division of State Human Resources, excluding the appellant's record, should be copied to the other party involved.

Sincerely,

Spencer Miller
Alternative Dispute Resolution Program

Enclosure
c: Ms. Beverly A. H. Buscemi (without enclosures)

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

October 9, 2017

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

The Division of State Human Resources has received your State Employee Grievance Procedure State Appeal Form and has requested the employing agency to send the documents relating to your appeal. Once these documents have been received and reviewed, you will be contacted. Also, all future correspondence sent to the Division of State Human Resources should be copied to the employing agency.

Every effort is being made to process your appeal as quickly as possible.

Sincerely,

Spencer Miller
Alternative Dispute Resolution Program

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

SOUTH CAROLINA Department of Disabilities and Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Mary Ellen Barnwell
Secretary
Sam F. Broughton, Ph.D.
William O. Danielson
Catherine O. Fayssoux
Vicki A. Thompson

October 26, 2017

OCT 30 2017
DIVISION OF STATE HUMAN RESOURCES

Mr. Spencer Miller
Alternative Dispute Resolution Program
S.C. Department of Administration
Human Resources Division
8301 Parklane Road, Suite A220
Columbia, SC 29223

Dear Mr. Miller:

Enclosed is the requested information pertaining to the appeal filed by Ms. Alicia Bolden, a former employee at the DDSN, Coastal Regional Center.

Ms. Bolden was terminated for "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for a Written Reprimand", in accordance with the agency's Standards of Disciplinary Action.

If you have questions or need additional information, please call (803) 898-9612.

Sincerely,

Deirdre Blake-Sayers
Director of Human Resources

Enclosure

OCT 30 2017
DIVISION OF STATE HUMAN RESOURCES

OCT 30 2017
DIVISION OF STATE HUMAN RESOURCES

DISTRICT I
P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497
Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

DISTRICT II
Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

0191

RECEIVED
AUG 14 2017
SCDDSN
HUMAN RESOURCES
CENTRAL OFFICE

1	DISCIPLINARY LETTER
2	EMPLOYEE'S STEP ONE GRIEVANCE LETTER
3	SUPPORTING DOCUMENTATION LEADING TO DISCIPLINARY ACTION
4	DDSN POLICY VIOLATED
5	WORK HISTORY
6	PERFORMANCE EVALUATIONS
7	STEP ONE DECISION
8	EMPLOYEE'S STEP TWO GRIEVANCE TO STATE DIRECTOR
9	STATE DIRECTOR'S DECISION
10	EMPLOYEE'S APPEAL TO STATE GRIEVANCE COMMITTEE
11	STATE GRIEVANCE COMMITTEE'S DECISION
12	

AVERY 356 READY INDEX 000079

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Gary C. Lemel
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

June 16, 2017

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Upon the request of your supervisor, your status as a Human Services Specialist II with the S.C. Department of Disabilities and Special Needs- Coastal Regional Center has been terminated effective June 20, 2017; "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for a Written Reprimand."

- Suspension: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, April 18, 19, and 20, 2017
- Written Warning: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, March10, 2017
- Written Warning: Conduct Unbecoming of a State Employee, February 22, 2017

You are hereby advised of your right to appeal this official disciplinary action. **The appeal must be filed in writing with Rebecca Hill, Coastal Regional Center's Facility Administrator, within fourteen (14) calendar days following the effective date of this action or receipt of notification of this action, whichever occurs later.** The written appeal must contain a brief statement of facts, the action, which you are grieving, and should specify your reason for appeal and the nature of relief sought. Attached is the SCDDSN Grievance Procedure Directive.

Please be reminded that terminated employees are not permitted to visit campus buildings, units, or offices. Approval to visit the campus must be given by the Facility Administrator for all work areas other than the Human Resource Management Office. Notification of your arrival and departure must be reported to the AOD. Please kindly return all DDSN property in your possession.

Should you have any questions about this content of this letter, please contact me directly.

A copy of this letter will be filed in your official personnel file.

Respectfully,

JOHN DOONEY
District II HR Director

DISTRICT I
P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center – Phone: 803/935-7500
Whitten Center – Phone: 864/833-2733

DISTRICT II
9995 Miles Jamison Road
Summerville, SC 29485
Phone: (864) 843-5576

Coastal Center – Phone: 843/873-5750
Pee Dee Center – Phone: 843/664-2600
Saleeby Center – Phone: 843/332-4104

6/28/2017

To: Ms. Rebecca Hill (Facility Administrator – Coastal Regional Center),
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial, and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices, I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)

0194

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: February 22, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Conduct Unbecoming of a State Employee. On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: Valeria Bryant Date: 2, 23, 17

REVIEWER'S SIGNATURE: Jeanette Reed Date: 2, 22, 17

HR DIRECTOR'S SIGNATURE: HRD Date: 2, 23, 17

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ____/____/____

(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

Refused to Sign

4:45pm. / HR Director / [illegible]

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: February 22, 2017

Direct Support Manager — Conduct unbecoming of a State Employee

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia. Eventually, I managed to gain some control and directed Alicia to forward a transfer slip to the employee. On many occasions, Alicia has demonstrated blatant disregard towards lower and upper management staff, enduring that it will be her way or no way. Alicia has forced my hands to move forward with a written warning, as titled, "Conduct Unbecoming of a State Employee". With such considerations in mind, my recommendation is based on her continuous failure to comply with management decisions, and her persistent unprofessional conduct in the capacity of a state employee leader. The number of such incidents suggests Alicia lacks desire for change and professional growth. This written warning will remain in Alicia's personnel file for (2) years. Albeit, Alicia has some good skills, far too often she allows her unreasonable behavior to magnify which disrupts the operation. In July 2016, Alicia began demonstrating some behaviors that were concerning. Several meeting were held to address, those concerns with regards to help Alicia work through her issues. The area of concerns are as follow:

- Forwarding email regarding politics and religion.
- Unfair disciplinary actions attempts toward non-preferred staff.
- Excessive Tardiness.
- Ensure staff are sufficiently trained to perform their assigned duties.
- Lack of data collection for her assigned consumers.
- Lack of initiative as a Manager.

As of February 21, 2017, these concerns are valid and will be monitored by Alicia's supervisor.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			2/23/17
Assistant Administrator			2/27/17
Human Resource Management			2/28/17
Program Administrator	ROH		2-23-17

Reviewer Comments:
Ms. Bolden disregarded supervisory authority and have involved in most of the issues referenced. As the most recent incident, it received a phone call that disrupted Administration operation that was overheard by another employee in her offices.

Rebecca D. Hill, J.A.
2.23.17

0197

2/22/2017

To whom it may concern:

On Wednesday February 15th while sitting With Ms. Claudette Fields discussing upcoming campus events she received a phone call from Highlands 110 DSM Ms. Alicia Bolden. At first the conversation was civil and straight to the point regarding a 110 first shift staff transferring to a second shift position. From the comment Ms. Fields made Ms. Bolden must have promised the staff previously mentioned a second shift position in Highlands 110. Ms. Fields told Ms. Bolden that she should not have made that promise, because Hillside 3/420 is in more dire straights for second shift staff. She also explained to Ms. Bolden that she has the responsibility to fill spots that needed most first. At that time Ms. Bolden begin to raise her voice saying why Highlands 110 didn't get any second shift positions filled from the pervious orientation class. MS. Fields tried to reassure Ms. Bolden that she didn't omit Highlands 110, but all she can do is make recommendations. Ms. Bolden with a continued raised voice basically was repeating her question asking why H.L. 110 didn't get any second shift staff from the previous orientation class. It was apparent to me Ms. Fields was not getting her point across to Ms. Bolden. It was then I began to feel very uncomfortable. I excused myself and closed the door behind me.

Sincerely,

Natalie A. Britt

Recreational Supervisor

Coastal Center Recreational Department

To: Alicia Bolden, DSM

From: Claudette Fields

Re: Time & Attendance

Date: February 23, 2017

Good Afternoon Alicia,

It has been brought to my attention on several occasions that you continue to violate your assigned work schedule. The agreeable working hours for you to report to work are 8:30-5:00, or 10:00-6:30. Effective immediately, the following instructions must be adhere to.

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

Alicia, it is critical that you report to work on time and ready to begin your scheduled shift. There is no grace period. Any further tardiness shall result in disciplinary action and your scheduled working hours will be as follows: 6:00-2:30; 8:30-5:00 and 10:00-6:30.

Alicia Bolden _____

Valeria Bryant Valeria Bryant

Claudette Fields Claudette Fields

2/23/17

Refused to Sign

HR Director

John Doe

FEBRUARY 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 10:00 - 6:30	2 Groundhog Day 8:30 - 5:00	3 10:00 - 6:30	4
5	6 OFF	7 10:00 - 6:30 Sick	8 10:00 - 6:30 Sick	9 10:00 - 6:30	10 8:30 - 5:00	11 Work
12	13 10:00 - 6:30 ~~Residential Procedures~~	14 Valentine's Day 10:00 - 6:30	15 8:30 - 5:00	16 8:30 - 5:00	17 10:00 - 6:30	18
19	20 Presidents' Day 10:00 - 6:30	21 10:00 - 6:30	22 WK ~~Comp Day~~	23 WK ~~Comp Day~~	24 8:30 - 5:00	25
26	27 8:30 - 5:00	28 ~~10:00 - 6:30~~ Comp				

January 2017

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

March 2017

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Notes: Subject to Changes!

Alicia's Schedule!

0200

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: March 10, 2017

Direct Support Manager — Insubordination

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

A meeting was held with Alicia on February 23, 2017. Alicia's immediate supervisor and HR Director were present during this discussion. The purpose of this meeting was to discuss Alicia's time and attendance, and her unbecoming conduct as a State employee. This resulted in an oral counseling and a written warning. Today's written warning is to inform Alicia that as of March 10, 2017. Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy. On February 23rd, I expressed that the agreeable working hours are 8:30-5:00, or 10:00-6:30. Also, you were informed that the following instructions must be adhere to:

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

In conclusion, Alicia, was made aware, that it is critical for her to report to work on time. There is no additional grace period. Any further tardiness will result in progressive disciplinary action, and your scheduled working hours will be amended to 6:00-2:30; 8:30-5:00 and 10:00-6:30. The previously mentioned hours are regulars working hours for a Coastal Regional Center Direct Support Manager. However, Alicia was given the privilege to work 8:30-5:00 or 10:00-6:30, due to personal issues. As of today, March 10, 2017; Alicia remains insubordinate, therefore a written warning is being

administered. Please be advised, failure to comply with the above instructions will result in a suspension to termination.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager	[signature]		3/10/17
Program Coordinator	[signature]		3/10/17
Assistant Administrator	[signature]		3/10/17
Human Resource Management	[signature]		3/10/17
Program Administrator			

Reviewer Comments:

As previously discussed, the request is not unreasonable.
[signature] 3/10/17

Written warning administered. Refused to sign. Asked for copy & one was provided.
Rebecca D. Hill, T.A.
3-15-17

Meeting was Scheduled for 2:00 p.m. Alicia arrived at 2:24 p.m. C. Fields

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: March 10, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Insubordination:
Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: _____ Date: ___/___/___

REVIEWER'S SIGNATURE: Mandella Rush Date: 3.10.17

HR DIRECTOR'S SIGNATURE: _____ Date: ___/___/___

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ___/___/___
(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

0203

FEBRUARY 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 10:00 - 6:30	2 Groundhog Day 8:30 - 5:00	3 10:00 - 6:30	4
5	6 OFF	7 9 10:00 - 6:30	8 S 10:00 - 6:30	9 10:00 - 6:30	10 8:30 - 5:00	11 Work
12	13 Did not Teach 10:00 - 6:30 ~~Residential Procedures~~	14 Valentine's Day 10:00 - 6:30	15 8:30 - 5:00	16 8:30 - 5:00	17 10:00 - 6:30	18
19	20 Presidents' Day 10:00 - 6:30	21 10:00 - 6:30	22 ~~Comp Day~~ took Back	23 ~~Comp Day~~ took Back	24 8:30 - 5:00 Sick	25
26	27 8:30 - 5:00	28 Annual Sick ~~10:00 - 6:30~~ Dr. Appointment				

January 2017

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

March 2017

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Notes: Subject to Changes!

Alicia's Schedule!

0204

Val Bryan L

MARCH 2017

C. Flett 3/2/17

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Comp Day	2 10:00 - 6:30	3 10:00 - 6:30	4
5	6 10:00 - 6:30	7 10:00 - 6:30	8 8:30 - 5:00	9 10:00 - 6:30	10 8:30 - 5:00 CT	11
12 Daylight Saving Time	13 OFF	14 10:00 - 6:30	15 10:00 - 6:30	16 10:00 - 6:30	17 St. Patrick's Day 8:30 - 5:00	18 Work
19	20 Vernal equinox 8:30 - 5:00	21 10:00 - 6:30	22 8:30 - 5:00	23 10:00 - 6:30	24 10:00 - 6:30	25
26	27 10:00 - 6:30	28 10:00 - 6:30	29 10:00 - 6:30	30 8:30 - 5:00	31 8:30 - 5:00	

February 2017

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

April 2017

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Notes: Subject to Changes!

Alicia's Schedule!

0205

Alicia Bolden Sign In/Out Sheet

Alicia's Initial	Date	In	SB's Initial	Out	SB's Initial
	2/27/17	Refuse to Sign	C. Reed		
	2/28/17	Off - Approved leave	C. Reed		
Comp Day	3/1/17	Refuse to Sign	C. Reed (term)		
	3/2/17	Refuse to Sign	C. Reed		
	3/3/17	Refuse to Sign	C. Reed		
	3/6/17	Refuse to Sign	C. Reed		
	3/7/17	Refuse to Sign	C. Reed		
	3/8/17	Refuse to Sign	C. Reed		
	3/9/17	Refuse to Sign	C. Reed		
	3/10/17	Approved CT	C. Reed		

0206

Alicia Bolden Sign In/Out Sheet

Alicia's Initial	SB's Initial	Date	In	Out
AB	SB	2/23/17		10:55pm

Form Modify
2/24/17
Freddy

Fields, Claudette

From: Bolden, Alicia
Sent: Wednesday, March 15, 2017 6:22 PM
To: Williams, Valerie
Cc: Fields, Claudette
Subject: Re: schedule

12 Daylight Saving	13 OFF	14 10:00 - 6:30	15 10:00 - 6:30 Today	16 10:00 - 6:30 Training	17 St. Patrick's Day 8:30 - 5:00	18 Work 6:00 - 2:30
19	20 Vernal equinox 8:30 - 5:00	21 10:00 - 6:30	22 8:30 - 5:00	23 10:00 - 6:30	24 6:00 - 2:30	25
26	27 6:00 - 2:30	28 10:00 - 6:30	29 10:00 - 6:30	30 8:30 - 5:00	31 8:30 - 5:00	

From: Williams, Valerie
Sent: Wednesday, March 15, 2017 4:59 PM
To: Bolden, Alicia
Cc: Fields, Claudette
Subject: schedule

Alicia,
Just a reminder: per phone call today at 3:22pm, I will need your revised March schedule today with the required 6-2:30 hours.
Thank you,
Val

CONFIDENTIALITY NOTICE:

Alicia Bolden Sign In/Out Sheet

Alicia's Initial	Date	In	SB's Initial	Out	SB's Initial
10:00-6:30	3/14/17	Refuse to		Sign in/out	
10:00-6:30	3/15/17	Refuse to		Sign in/out	
10:00-6:30	3/16/17	Refuse	to	Sign in/out	
8:30-5:00	3/17/17	Refuse to		Sign in/out	
6:00-2:30	3/18/17	Refuse to		Sign in/out	G 3/22/17
8:30-5:00	3/20/17	Refuse to		Sign in/out	G Sellers
10:00-6:30	3/21/17	Refuse to		Sign in/out	G Sellers
8:30-5:00	3/22/17	Refuse to		Sign in/out	G Sellers
10:00-6:30	3/23/17	Refuse to		Sign in/out	3/23/17 G Sellers
6:00-2:30	3/24/17	Refuse to		Sign in/out	G Sellers
6:00-2:30	3/27/17	Refuse to		Sign in/out	G Sellers
10:00-6:30	3/28/17	Refuse to		Sign in/out	G Sellers
	3/29/17	Refused to		Sign in/out	G Sellers

0209

Alicia Bolden Sign In/Out Sheet

Alicia's Initial	Date	In	SB's Initial	Out	SB's Initial
	3/30	8:30	5:00	Request to sign out after	
	3/31	8:30	5:00	Request to sign out after	

0210

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Gary C. Lemel
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

April 10, 2017

To: Alicia Bolden

From: District II Human Resources Director

Subject: **SUSPENSION NOTICE**

Reference: (a) Directive 413-01-DD, Standards of Disciplinary Action, dated January 10, 2013

You are hereby suspended for three (3) workdays per reference (a), "Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Your suspension is on April 18, 19, and 20, 2017. You are directed to report to work on your next scheduled workday.

You are hereby advised of your right to appeal this official disciplinary action. **The appeal must be filed in writing with Rebecca Hill, Coastal Regional Center's Facility Administrator, within fourteen (14) calendar days following the effective date of this action or receipt of notification of this action, whichever occurs later.** The written appeal must contain a brief statement of facts, the action, which you are grieving, and should specify your reason for appeal and the nature of relief sought. Attached is the SCDDSN Grievance Procedure Directive.

A copy of this letter will be filed in your official personnel file.

Respectfully,

JOHN DOONEY

CC: Personnel file

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center – Phone: 803/935-7500
Whitten Center – Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: (864) 843-5576

Coastal Center – Phone: 843/873-5750
Pee Dee Center – Phone: 843/664-2600
Saleeby Center – Phone: 843/332-4104

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: April 6, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. In accordance with this directive, you are receiving a (3) days suspension for inappropriate conduct/behavior. This agency is grounded on fair and consistent measures, when administering disciplinary action. Whereas, it is the responsibility of the employee to conform with procedures applicable to their duty assignment. Every attempt has been made to professionally support you as a Manager. However, you prolong to comply with such reasonable request. You were counseled on February 23, 2017 & March 10, 2017 for Failure to Observe Assigned Work Hours. On both dates, specific instructions were given in the presence of two witnesses. The instructions were as follows:

1. Submit your monthly work schedule to your supervisors timely.
2. Follow your schedule, no exceptions.
3. Monitored by the switchboard operator.
4. Sign in/out through switchboard.

As of today April 6, 2017, there has been no marked improvement in this areas. You continuously refuse to sign in/out through switchboard. Therefore, it is difficult for your supervisor to determine the correct time you are reporting to work. Effective immediately, you are expected to correct your inappropriate conduct/behavior by signing in/out through switchboard.

Failure to demonstrate immediate and sustained improvement in these areas may result in further corrective action, up to and including dismissal. You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

3- Days Suspension

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator	✓		4-7-17
Assistant Administrator	✓		4/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

0213

APRIL 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1						1 Easter Day
2	3 8:00 - 2:30	4 10:00 - 6:30	5 10:00 - 6:30	6 8:30 - 5:00	7 8:30 - 5:00	8
9	10 10:00 - 6:30	11 Passover 10:00 - 6:30	12 8:30 - 5:00	13 6:00 - 2:30	14 Good Friday Comp Day	15
16 Easter	17 Taxes Due OFF	18 10:00 - 6:30 Suspension (3	19 10:00 - 6:30 Suspension	20 8:30 - 5:00 Suspension	21 8:30 - 5:00	22 Earth Day Work 6:00 - 2:30
23	24 6:00 - 2:30	25 10:00 - 6:30	26 Admin Assist Day 10:00 - 6:30	27 8:30 - 5:00	28 Sick/Annual Day	29
30						

March 2017

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

May 2017

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Notes: Subject to Changes!

Alicia's Schedule!

0214

Alicia Bolden Sign In/Out Sheet

Alicia's Initial	Date	In	SB's Initial	Out	SB's Initial
	4/3/17	Refuse to Sign in/out & Self			
	4/4/17	Refuse to Sign in/out & Self			
	4/5-4/13	Refuse to Sign in/out.			
	4/21-	Refuse to Sign in/out & Self			
	4/24-27-	Refuse to Sign in/out			

Williams, Valerie

om: Bolden, Alicia
nt: Thursday, April 27, 2017 4:11 PM
To: Fields, Claudette; Williams, Valerie; Edwards, Vera
Subject: Alicia's May Schedule!

Refuse to Sign In/Out

MAY 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 10:00 - 6:30	2 OFF	3 10:00 - 6:30	4 8:30 - 5:00	5 6:00 - 2:30 Meeting	6 Work 8:30 - 5:00
7	8 10:00 - 6:30	9 10:00 - 6:30	10 Holiday	11 6:00 - 2:30	12 8:30 - 5:00	13
14 Mother's Day	15 8:30 - 5:00	16 10:00 - 6:30	17 8:30 - 5:00	18 10:00 - 6:30	19 6:00 - 2:30	20
21	22 6:00 - 2:30	23 10:00 - 6:30	24 10:00 - 6:30	25 8:30 - 5:00	26 8:30 - 5:00	27 Remember Ancestors
28	29 Memorial Day Holiday	30 Annual Day	31			

0216

71

Request to Sign Intake Forms

JUNE 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			31 10:00 - 6:30	1 OFF	2 6:00 - 2:30	3 Work 8:30 - 5:00
4	5 10:00 - 6:30	6 Annual Day	7 6:00 - 2:30	8 Annual Day	9 8:30 - 5:00	10
11	12 8:30 - 5:00	13 Annual Day	14 Flag Day 10:00 - 6:30	15 Annual Day	16 6:00 - 2:30	17
18 Father's Day	19 10:00 - 6:30	20 OFF	21 June Solstice 6:00 - 2:30	22 Annual Day	23 8:30 - 5:00	24 Work 8:30 - 5:00
25	26 8:30 - 5:00	27 Annual Day	28 10:00 - 6:30	29 Annual Day	30 6:00 - 2:30	

May 2017

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

July 2017

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Notes: Subject to Changes!

Alicia's Schedule!

0217

SOUTH CAROLINA DEPARTMENT OF
DISABILITIES AND SPECIAL NEEDS

LEAVE REQUEST

NAME Baldwin, Alicia SS# 8828 LOCATION 110

TYPE OF LEAVE	TIME	BEGINNING DATE (Month/Day/Year)	TIME	ENDING DATE (Month/Day/Year)	TOTAL HOURS
ANNUAL LEAVE		6/6/17		6/6/17	7.5
~~SICK~~ LEAVE Annual		6/8/17		6/8/17	7.5
~~FAMILY SICK~~ LEAVE Annual Leave		6/13/17		6/13/17	7.5
~~LEAVE WITHOUT PAY~~ Annual		6/15/17		6/15/17	7.5
COURT LEAVE Annual		6/22/17		6/22/17	7.5
~~MILITARY~~ LEAVE Annual		6/27/17		6/27/17	7.5
FUNERAL LEAVE		6/29/17		6/29/17	7.5
OFFICIAL LEAVE		__/__/__		__/__/__	
OPTIONAL HOLIDAY		__/__/__		__/__/__	
)LIDAY MPENSATORY TIME		__/__/__		__/__/__	
Scheduled Holiday					30.0

* REASON FOR LEAVE

SIGNATURE OF EMPLOYEE [signature] DATE 6/5/2017

( ) APPROVED (X) DISAPPROVED ( ) UNSCHEDULED

SIGNATURE OF SUPERVISOR [signature] DATE 6.7.17

SIGNATURE OF SUPERVISOR [signature] DATE 6/7/17

* REASON FOR LEAVE MUST BE GIVEN WHEN APPLYING FOR SICK LEAVE OR LEAVE WITHOUT PAY.

ABSENCE OF THREE (3) CONSECUTIVE WORKDAYS OR MORE MUST BE SUPPORTED BY A PHYSICIAN'S CERTIFICATE.

0218

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: June 7, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. As of today June 7, 2017 there has been no marked improvement in the area of your assigned work hours. Therefore, you have prolong to comply with such reasonable request. You continuously refuse to sign in/out through switchboard. Effective immediately, you are being dismissed from your position as an HSS I (Building Manager). You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

Dismissal

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			6.7.17
Assistant Administrator			6/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

0219

Mailed to Jon

74

S.C. DEPT. OF DISABILITIES AND SPECIAL NEEDS

REQUEST FOR PERSONNEL ACTION – BASIC PAYROLL DATA

___ Misc. Distribution #

1 *Transaction/Reason

___ Personnel Number

BOLDEN Last Name

ALICIA First Name

___ M Initial

Current Position Title: HSS (I) BUILDING MANAGER- HL 110 ***Position No.** ___

☐ Employment ☐ Promotion ☐ Into ☐ Within ☐ Demotion ☐ Salary Adj. ☐ Reclass ☐ Disciplinary Actions ☐ Other

Inter-Agency Transfer: ___ Y/N Hire Dates: State - ___ mm/dd/yy Agency - ___ mm/dd/yy Leave Accrual - ___ mm/dd/yy *Class - ___ mm/dd/yy

Leave Transfer: Annual ___ Sick ___ YTD Used: FMLA - ___ FSL - ___

Review Dates: Probationary Performance ___ Annual Performance ___ Trial ___

Marital Status for Taxes: ___ Dependents: Federal ___ State ___

New Position # ___ *Annual Work Hrs ___ *EE Group/Sub Group ___ *Class GA 40 *Org Unit: ___

Direct Deposit Option: ___ Y/N Work Schedule Rule (WSR) ___ Working Week: ___

ACCOUNTS

Cost Center	PCT	Fund	Functional Area	Grant	Annual Salary Amount	Semi-Monthly Amount	Semi-Monthly Adj. Amount
___	___%	___	___	NOT RELEVANT	$___	$___	$___
___	___%	___	___	NOT RELEVANT	$___	$___	$___
___	___%	___	___	NOT RELEVANT	$___	$___	$___
___	___%	___	___	NOT RELEVANT	$___	$___	$___

WAGE TYPE ACTIONS

WT	Amount	WT	Amount	WT	Amount	WT	Amount
___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___

*REMARKS:
DISMISSAL- PLEASE ADVERTISE HL 110- DSM BUILDING

Effective Date: ~~JUNE 12, 2017~~ June 20, 2017

Department Supervisor: Paulette Pebbs (Signature) Date 6/1/17

*Required Information

☑ *Simulated Pay Statement Attached

THE ABOVE ACTIONS ARE HEREBY APPROVED

[X] Approved

Signature ___ / ___
DIVISION DIRECTOR Date

Signature ___ / ___
ASSOCIATE STATE DIRECTOR Date

Signature [signature] / 6/16/17
DIRECTOR OF HUMAN RESOURCES Date

[ ] SCEIS Initials AMC / 6/30/2017 Date

HR-PA40 (6.20-16)

NOTE: BOXED AREA FOR PERSONNEL OFFICE USE ONLY
COPIES TO: HR OFFICE SUPERVISOR EMPLOYEE

0220

Re: Retaliatory & Unfair Employment Practices!

Blake-Sayers, Deirdre

Fri 2/24/2017 9:17 AM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

Cc:Vanderbilt,Tarna G. <TVanderbilt@ddsn.sc.gov>; Dooney, John <JDooney@ddsn.sc.gov>;

Good morning, Ms. Bolden.

If your supervisor has concerns that you are not reporting to work in accordance with your schedule, she has the authority to require you sign in and out until such time as she is confident timeliness is no longer a problem. She can also request you submit leave for any period of time you do not adhere to your scheduled work hours.

Additionally, you are a nonexempt employee; meaning you are paid according to the number of hours your work. An accurate record of attendance hours for nonexempt employees is a requirement.

So, as far as I can tell, the instructions below are consistent with similar circumstances throughout the agency. I do not find this to be retaliatory or harassing. It is obvious that you're unhappy with these instructions; however, I suggest that you comply with your supervisor's instructions. They seem reasonable. All DDSN employees are expected to report to work and be ready to work at the beginning of their scheduled work hours.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities & Special Needs
[illegible]e: (803) 898-9612 | Fax: (803) 898-9659

From: Bolden, Alicia
Sent: Friday, February 24, 2017 5:26 AM
To: Blake-Sayers, Deirdre
Subject: Retaliatory & Unfair Employment Practices!

Deidre, this is retaliation. This is harassment. This is unfair and discriminatory employment practices. Deidre, I cannot adhere to this retaliatory and unfair employment practice which is being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the switchboard. This is harassment. This is retaliation.

Alicia Bolden

From: Fields, Claudette
Sent: Thursday, February 23, 2017 5:25 PM
To: Bolden, Alicia
Cc: Williams, Valerie
Subject: Working Hours

Hello Alicia,

This is a reminder regarding your working hours instructions. Effective immediately, the following instructions must be adhere to. The agreeable working hours for you to report to work are 8:30-5:00, or 10:00-6:30.

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

0221

76

Alicia, it is critical that you report to work on time and ready to begin your scheduled shift. There is no grace period. Any further tardiness shall result in disciplinary action and your scheduled working hours will be as follows: 6:00-2:30; 8:30-[illegible]0 and 10:00-6:30.

Claudette Fields

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

77

Re: Retaliatory & Unfair Employment Practices!

Blake-Sayers, Deirdre

Fri 2/24/2017 11:22 AM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Cc: Vanderbilt, Tanya G. <TVanderbilt@ddsn.sc.gov>;

Ms. Bolden, I can understand that you may have a professional disagreement about the Residential Director's workforce plan; however, it is her responsibility as the director to determine the best uses of staff throughout Coastal Regional Center. It is also very improper for you to get involved in an employment agreement between the director and another employee, even if that employee is currently assigned to your unit. You should not be involved and cannot try to control the circumstances of this person's transfer. I am advising you to cease in this regard immediately. It is okay for you to advocate for an employee; but ultimately the transfer decision will be between the employee and the residential management.

Written warning notices provide an opportunity for employees and supervisors to discuss mutual expectations and outcomes of employment. That you did not sign it is fine.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities & Special Needs
Phone: (803) 898-9813 | Fax: (803) 898-9659

From: Bolden, Alicia
Sent: Friday, February 24, 2017 10:42 AM
To: Blake-Sayers, Deirdre
Subject: Re: Retaliatory & Unfair Employment Practices!

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request.

On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17wherein she uses very harsh, fictitious, inflammatory language to describe [illegible]. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Sheila Summers) that I've never had any knowledge of prior to yesterday.

The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

0223

Fw: Retaliatory & Unfair Employment Practices! 78

Blake-Sayers, Deirdre

Mon 2/27/2017 9:20 AM

To:Dooney, John <JDooney@ddsn.sc.gov>;

If she was issued a Written Warning, she needs to receive a copy.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities & Special Needs
Phone (803) 898-9812 | Fax: (803) 898-9669

From: Bolden, Alicia
Sent: Monday, February 27, 2017 8:35 AM
To: Blake-Sayers, Deirdre
Subject: Re: Retaliatory & Unfair Employment Practices!

Deidre,

On Thursday 2/23/17, I asked Mr. Dooney for a copy of the disciplinary action that was issued. This request was denied. The reason given by Mr. Dooney for denying this request was because I did not sign. Mr. Dooney stated that this action would become a part of my personnel file. It has always been my understanding that an employee's personnel file was to be made available to the employee upon request. In addition, any information in the employees personnel file could be copied and provided to the employee upon their authorization or request. This is a formal written authorization/request to the Human Resources Department to obtain a copy of the disciplinary action that was issued to me on Thursday 2/23/17 for Conduct Unbecoming a State Employee.

Alicia Bolden

From: Blake-Sayers, Deirdre
Sent: Friday, February 24, 2017 11:22 AM
To: Bolden, Alicia
Cc: Vanderbilt, Tana G.
Subject: Re: Retaliatory & Unfair Employment Practices!

Ms. Bolden, I can understand that you may have a professional disagreement about the Residential Director's workforce plan; however, it is her responsibility as the director to determine the best uses of staff throughout Coastal Regional Center. It is also very improper for you to get involved in an employment agreement between the director and another employee, even if that employee is currently assigned to your unit. You should not be involved and cannot try to control the circumstances of this person's transfer. I am advising you to cease in this regard immediately. It is okay for you to advocate for an employee; but ultimately the transfer decision will be between the employee and the residential management.

Written warning notices provide an opportunity for employees and supervisors to discuss mutual expectations and outcomes of employment. That you did not sign it is fine.

Deirdre Blake-Sayers
Director of Human Resources
Department of Disabilities & Special Needs
Phone (803) 898-9812 | Fax: (803) 898-9669

0224

- *An employee is considered to have separated from State service (as opposed to an interagency transfer) if he or she is paid for unused annual leave. An exception to this would be when an employee transfers to a teaching position or a position of academic rank at a State-supported institution of higher learning due to the fact that such a transfer required that the employee be paid for accrued annual leave credits at the time of transfer.*
- *When an employee remains on leave for a period of more than one year; except*
- *An employee in leave status for more than one calendar year* **shall not** *experience a break in service if, as provided for in the Educational Leave Program for State agencies;*
  - ✓ *The employee is on a military tour of duty with reemployment rights protected under Federal and/or State law; or*
  - ✓ *In the event a disciplinary act such as suspension or termination is set aside through alternative dispute resolution activity, or the employee is reemployed as may be directed by a subsequent decision of a grievance hearing. The period in which the employee is not on the agency's payroll shall not be considered as a break in service.*

An employee's performance review and State service date shall be adjusted for the total length of periods of authorized leave-without-pay or educational leave-without-pay of over 30 working days in any one calendar year and for periods of breaks in service.

Annual Leave Usage Guidelines

Requests for annual leave must be made on DDSN Form HR-TM01 "Attendance/Absence Sheet" in advance. In services where shifts and shift coverage is a factor, written application for leave must be submitted at least 24 hours in advance. Exception may be made in emergency situations where circumstances prevent advance applications.

Non-shift employees will be responsible for notifying their supervisor no later than 15 minutes after their scheduled time. If leave is approved, the employee will immediately submit upon return to work an application for leave for formal confirmation. If the annual leave is not approved, the absence will be charged to leave-without-pay.

Supervisors should be attentive to excessive requests for annual leave on each Monday or Friday, which have the effect of shortening an employee's work week. Supervisors should deny requests of this nature if the above situation occurs.

Granting Annual Leave

All supervisors are responsible for the duty status of employees under their supervision. *The granting of leave at any specific time and the length of any annual leave (the number of consecutive working days in any one leave period) is an administrative determination that must be based on the work requirements of the service concerned.*

It may not be possible at times to authorize leave; however, every reasonable effort will be made *to allow an employee the vacation time of the employee's choice. In cases where there is an excessive number of applications in one service for the same vacation period, consideration should be given to seniority, family conditions (children in school or mandatory vacation period of another member of the family), or other conditions that will contribute to a reasonable decision.*

When a holiday is observed by the agency while an employee is using annual leave, the day shall be considered a holiday, *not a day of annual leave for the employee.*

Minimum Charge

Employees shall be charged for the actual time away from the job due to tardiness or leaving work station.

Maximum Charge

Employees may use 30 workdays of annual leave in any one calendar year. This maximum may be exceeded for Family and Medical Leave Act (FMLA) qualifying reasons. An employee who has used all eligible sick leave and 30 days of annual leave may, with the approval of the state director or designee, use any remaining annual leave the employee may have for emergencies or serious health conditions of the employee, or emergencies or serious health conditions of the employee's immediate family, which is defined as, "the employee's spouse, son, daughter, or parent."

For emergency or extreme hardship conditions as referenced in SC Code of Laws 8-11-670, the state director or designee may allow an employee, who has used all accumulated sick leave and 30 days of annual leave, any remaining accumulated annual leave.

An employee may request a review by the Budget & Control Board, State HR Director if denied the use of additional annual leave as provided in this Section.

Transfer from one State Agency to Another

1. Organizational Transfer
   When an employee is transferred from one facility or organizational subdivision to another, accumulated annual leave will be transferred with the employee.

2. Position Transfer
   Employees transferred or reassigned from one full-time position to another shall be entitled to receive credit for the total amount of accrued leave.

3. Transfer between Departments or Agencies of the SC State Government
   Employees who transfer from any facility of SCDDSN to other departments or agencies of the SC State government may transfer the accumulated annual leave to the receiving department or agency.

   SCDDSN may accept the accumulated annual leave of State government employees transferring into the department provided that the employee reports within fifteen (15) calendar days following the last day for which the employee was paid by the losing agency.

   Employees who transfer from a position that earns both sick and annual leave to a teaching position of academic rank at a State supported institution of higher learning, the employee shall be paid a lump sum for accumulated annual leave, not to exceed the allowable 45 day maximum.

Separation from Employment

Upon termination of employment, retirement, or the death of an employee, a lump sum payment for accumulated annual leave (annual leave payout) not to exceed the allowable maximum of up to 45 days will be made, except as indicated under the "Exceptions to Maximum Annual Leave Balance Carryover" section.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Kathi K. Lacy, Ph.D.
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Fred Lynn
Chairman
Deborah C. McPherson
Vice Chairman
Christine Sharp
Secretary
Katherine W. Davis
Harvey B. Shiver
Katherine Llamas Finley
Eva R. Ravenel

Reference Number:	413-01-DD
Title of Document:	Standards of Disciplinary Action
Date of Issue:	May 28, 1987
Effective Date:	May 28, 1987
Last Review Date:	January 10, 2013
Date of Last Revision:	January 10, 2013 **(REVISED)**
Applicability:	All Covered DDSN State Employees

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC DEPARTMENT OF DISABILITIES & SPECIAL NEEDS (DDSN). THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. DDSN RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

PURPOSE

This directive establishes guidelines for disciplinary action to be taken for various types of employee work deficiencies and undesirable personal conduct. It is the purpose of this directive and the procedures outlined herein to promote an understanding of what are considered unacceptable offenses, and to encourage consistent action when applying disciplinary measures. This policy does not apply to employees who are considered to be "probationary employees" or "not covered" as defined in S.C. Code Ann. § 8-17-320. Disciplinary actions in response to performance deficiencies and conduct violations by probationary employees are subject to management's discretion. All supervisors are reminded to be consistent in the application of their disciplinary actions.

POLICY

DDSN seeks to establish and maintain appropriate administrative procedures, rules and regulations which will provide the most efficient and effective agency operation. It is the policy of DDSN to administer disciplinary measures in a fair and consistent manner; and it is the obligation of all employees to conform to the procedures, rules and regulations applicable to their duty assignment.

COORDINATION OF DISCIPLINARY ACTIONS

The District Human Resources (HR) Director is responsible to the Facility Administrator for coordination of all disciplinary actions, and will assist with the development and communication of reprimands, warnings, and letters, etc.

Employees who are being investigated for alleged disciplinary infractions will be placed on leave without pay by the District HR Director pending the outcome of the investigation. If the allegations are not substantiated, the employee will be reinstated with back pay. Notification of suspension, demotion and dismissal will be signed by the District HR Director. All disciplinary actions more severe than a written reprimand will be forwarded from the supervisor to the District HR Director for coordination with the DDSN HR Director prior to communicating with the affected employee. Suspensions of FLSA "Exempt" employees will require verbal approval of the DDSN HR Director. All suspensions without pay shall be effective on approval of the action, with the days of suspension being consecutive.

GUIDELINES

For a minor conduct violation, an employee should be orally admonished (oral reprimand). A record of this action, the "Report of Counseling Conference," (sample attached) should be maintained by the supervisor and is made a permanent part of the employee's personnel record. Repetitions of the offense may be followed by a written reprimand, suspension, dismissal, transfer, demotion or other appropriate action. For a serious offense such as inappropriate interactions with a consumer, the appropriate disciplinary action is termination of the employee.

The attached "Guidelines for Employee Progressive Disciplinary Action" is to be used as a tool and is not intended to be all-inclusive. Management is not strictly bound by the list. It should be realized that it is most difficult to assign a degree of severity to many of the examples given. Disciplinary actions are subject to management's discretion. It should be emphasized that in some situations, dismissal may be appropriate depending on the severity of the action and the circumstances involved - even for a first offense occurrence.

Violations are not restricted to the examples listed. In all cases the supervisor must rely on his/her judgment and experience in arriving at the appropriate disciplinary action to be taken after the particular circumstances of a case have been considered.

This directive establishes DDSN policy and supersedes facility policies which may be in conflict with the above.

Deirdre Blake Sayers, SPHR
Director-Human Resource Management
(Originator)

Beverly A.H. Buscemi, Ph.D.
State Director
(Approved)

To access the following attachments, please see the agency website page "Attachments to Directives" under this directive number.

Attachment A: Guidelines For Employee Progressive Disciplinary Action
Attachment B: Report of Counseling Conference

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC DEPARTMENT OF DISABILITIES & SPECIAL NEEDS (DDSN). THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. DDSN RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Abandonment of Position	Employees, who voluntarily fail to report to work for three consecutive work days and fail to personally contact their immediate supervisor during this time period, will be considered to have voluntarily resigned.				
Absence Without Authorized Leave	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Any Accumulation of Three (3) Offenses Within Two (2) Years where the First Offense Calls for an Oral or Written Reprimand	Suspension to Dismissal				
Any Accumulation of Three (3) Offenses within Three (3) Years Where the First or Second Offense Calls for Suspension	Dismissal				
Charged with Committing a Crime that Reflects Negatively on an Individual's Suitability for Continued Employment	Suspension (with rights to reinstatement if acquitted, without backpay)				
Consumer Abuse	Dismissal				
Conviction of a Felony Involving Moral Turpitude or that Reflects Negatively on an Individual's Suitability for Continued Employment	Dismissal				
Conviction of Any Crime that Reflects Negatively on an Individual's Suitability for Continued Employment	Dismissal				

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Destruction of Property or Equipment	Suspension to Dismissal	Dismissal			
Discourteous Treatment of Visitors and/or Consumers	Oral Reprimand to Suspension	Suspension to Dismissal	Dismissal		
Drinking Alcoholic Beverages on the Job (Refer to the Alcohol & Drug-Free Workplace Policy)	Termination				Refer to Section 8-11-110 of the S Code of Laws; Act on Alcoholism
Engaging in Unlawful Work Stoppages, Slowdowns or Strikes	Written Warning to Dismissal	Dismissal			
***Excessive Absenteeism** (Refer also to FMLA & ADA policies)	Oral Reprimand	Written Warning	Suspension to Dismissal	Dismissal	
***Excessive Tardiness or Failure to Observe Assigned Work Hours**	Oral Reprimand	Written Warning	Suspension	Dismissal	
***Excessive Use of Telephone for Personal Matters**	Oral Reprimand	Written Warning	Suspension	Dismissal	
Failure to Maintain Consumer Accountability	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Failure to Maintain Current License or Certificate Required by Law, as a Condition of Performing the Job	Suspension to Dismissal	Dismissal			
***Failure to Maintain Satisfactory or Harmonious Working Relationships with Employees or Supervisors**	Oral Reprimand	Written Warning	Suspension to Dismissal	Dismissal	

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Falsification of Information on the Application for Employment	Dismissal				
Falsifying Official Records	Dismissal				
Fighting (Inappropriate Interpersonal Physical Contact)	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Gambling During Work Hours	Suspension to Dismissal	Dismissal			
***Horseplay**	Oral Reprimand	Written Warning	Suspension	Dismissal	
Impeding/Interfering with an Official Investigation	Suspension to Dismissal	Dismissal			
Improper Conduct or Conduct Unbecoming a State Employee	Suspension to Dismissal	Dismissal			
Inappropriate Interactions with a Consumer	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
***Inappropriate Use of Sick Leave**	Written Warning	Suspension	Dismissal		
Insubordination	Suspension to Dismissal	Dismissal			
Interference with other employee's work	Oral reprimand	Written Reprimand	Suspension	Termination	
Leaving Work Station without Authorization	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Lewd Conduct Towards or With a Consumer or Employee	Dismissal				

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Loafing	Oral Reprimand	Written Reprimand	Suspension	Termination	
Malicious Use of Profane or Disrespectful Language to Consumer or Employee	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Misappropriation of Governmental or Consumers' Funds	Dismissal				
Negligence	Suspension to Dismissal	Dismissal			
Negligence Involving the Life-Safety of Consumers or Employees	Dismissal				
Participation in Any Action that Disrupts or Disturbs the Normal Operation of the Agency or Facility	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Placing Unauthorized Long Distance Telephone Calls	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		
Possessing or Using Illegal Drugs on the Job (Refer to the Alcohol & Drug-Free Workplace Policy)	Termination				
Possession of Weapons, Alcohol or Illegal Drugs on Agency Property or in State Vehicles	Suspension to Dismissal	Dismissal			
Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor when Stated as a Direct Order	Dismissal				
Reporting to Work Under the Influence	Written Warning to	Suspension to	Dismissal		

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
of Alcohol or Drugs	Suspension	Dismissal	*(Provisions of Act on Alcoholism Apply)*		
Sexual Harassment	5 Days Suspension to Dismissal	Dismissal			
Sleeping on Duty	Suspension	Dismissal			
Stealing, or Theft of Departmental or Consumer Property and/or Funds	Dismissal				
Threatening or Making Threatening Actions Toward Another Employee or Consumer (Refer to Workplace Violence Policy)	Suspension to Dismissal	Dismissal			
Unacceptable Quality of Work	(Guidelines established in EPMS Directive)				
Unauthorized Distribution of Written or Printed Material of Any Kind	Written Warning	Suspension to Dismissal	Dismissal		
Unauthorized Solicitation or Sales on State Premises	Written Warning	Suspension to Dismissal	Dismissal		
Unauthorized Use of State Credit Card	Suspension to Dismissal	Dismissal			
Unauthorized Use of State or Consumers' Property and/or Equipment	Written Warning to Suspension	Suspension to Dismissal	Dismissal		
Unauthorized Use or Release of Confidential Information from Official Records or Reports	Written Warning to Dismissal	Suspension to Dismissal	Dismissal		

GUIDELINES FOR EMPLOYEE PROGRESSIVE DISCIPLINARY ACTION

Offenses on the Job and Deficiencies	First Offense	Second Offense	Third Offense	Fourth Offense	Notes
Violation of Smoke-Free Environment Policy	Oral Reprimand	Written Warning	Suspension	Dismissal	
***Violation of Written Rules, Regulations or Policies**	Written Warning to Suspension	Suspension to Dismissal	Dismissal		
Willful False Statements To A Supervisor	Suspension to Dismissal	Dismissal			
***Working on Personal Jobs During Working Hours**	Written Warning	Suspension to Dismissal	Dismissal		
Workplace Violence	Termination				Refer to Workplace Violence Policy

**All warning notices for the above offenses marked with an asterisk "*" will be removed after a period of two (2) years from date of issuance, provided there are no further occurrences of the same or different offenses within that two (2) year period. Warning notices for all other above offenses (those without the asterisk "*" mark) will become a part of, and will remain in, the employee's permanent personnel file.*

South Carolina Department of Disabilities and Special Needs

REPORT OF COUNSELING CONFERENCE

Instructions: Use reverse side of paper to continue or additional sheets if necessary, being certain all sheets are properly identified and initialed by participants and dated.

Name of Individual Counseled	Date
Position Title	Subject

Discussion (include facts, comments, notes)

Witnesses (if applicable)	Signature of Supervisor
	Title

My signature indicates that I have been counseled as indicated and have read the above, but does not imply that I agree with the statement.

Date	Signature of Employee

Employee's Comments (if applicable)

ALICIA BOLDEN

WORK HISTORY

3/2/2008	Hired in the Human Services Assistant II (B) position
6/9/2009	EPMS Review (07/2008 - 07/2009): Meets Performance Requirements
8/29/2009	Re-assigned to the Human Services Specialist I position
10/6/2009	Promoted to Human Services Specialist II
7/2/2010	EPMS Review (07/2009 - 07/2010): Successful by Default
7/2/2011	EPMS Review (07/2010 - 07/2011): Successful by Default
3/6/2012	EPMS Review (07/2011 - 07/2012): Successful
7/2/2013	EPMS Review (07/2012 - 07/2013): Successful by Default
4/29/2015	EPMS Review (02/2014 - 02/2015): Successful by Default
09/25/2016 - 12/09/2016	Extended Absence
2/2/2016	EPMS Review (02/2015 - 02/2016): Successful
2/22/2017	Oral Counseling: Excessive Tardiness
2/22/2017	Written Warning: Conduct Unbecoming of a State Employee
2/23/2017	Written request to sign in/out at the Switchboard, due to failure to adhere to assigned work hours/excessive tardiness
3/10/2017	Insubordination Written Warning: Refusal to adhere to sign in/out instructions
4/10/2017	Suspension: 3 days - Failure to observe assigned work hours, and refusal to accept a reasonable and proper
04/18/2017 - 04/20/2017	Suspension
6/21/2017	Dismissal - Conduct

HR 92

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name ALICIA BOLDEN **Social Security No.** 251-75-8828

Agency Department of Disabilities & Special Needs

Department 4929 - HIGHLANDS 210

Position Classification HUMAN SERVICES SPECIALIST, DIRECT SERVICE MANAGER

Date Assigned to Current Position 7/2/08

Performance Review From 7/2/08 **To** 7/2/09

PLANNING STAGE ACKNOWLEDGMENT

Rating Officer Kathleen Hamlet **Date** 8/11/08

Reviewed by Charlotte Felder **Date** 8/11/08

Employee Alicia Bolden **Date** 8/29/08

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGMENT

Rating Officer Kathleen Hamlet **Date** 6/03/09

Reviewed by Charlotte Felder **Date** 6/4/09

Rating Officer Comments _____ **Date** _____

Employee Alicia Bolden **Date** 6/9/09

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

RECEIVED
JUN 09 2009
HUMAN RESOURCE MANAGEMENT
SCDDSN/COASTAL CENTER

EPMS

0238

INSTRUCTIONS

THE PLANNING STAGE

Job Duties - The supervisor, utilizing suggestions from the employee, shall select job duties from the employee's most recent position description and develop success criteria for each duty.

Objectives - This section allows the supervisor to include any additional special projects or program assignments that are not on the position description but that are assigned to the employee during the rating period. Objectives are optional, but if used, success criteria are required for each objective.

Performance Characteristics - Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and the employee from a list developed by the Division of Human Resource Management. All management and supervisory employees are required to be reviewed on "promoting equal opportunity."

The supervisor should meet with the employee to discuss the position description and how it relates to the job duties and objectives for the upcoming year. After this discussion, the supervisor shall complete the planning stage of the document. Prior to discussing the completed planning stage with the employee, the supervisor will present the final document to the reviewing officer for signature. The supervisor will then meet with the employee to review the final plans for the year and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

THE EVALUATION STAGE

The supervisor will complete the evaluation document based on the employee's performance for the entire year. Using the four levels of performance outlined below, job duties and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage. Performance characteristics will be rated "acceptable" or "unacceptable" based on the definitions which were communicated to the employee in the planning stage. The characteristics shall be used as a communication tool and shall not be weighed in the determination of the overall performance rating.

Once the supervisor has completed the evaluation document, it will be presented to the reviewing officer for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and to obtain the employee's signature on the evaluation document. The evaluation must be completed prior to the review date to be timely.

FOUR LEVELS OF PERFORMANCE

(To rate job duties, objectives and overall performance)

Meets Performance Requirements - Work that meets the success criteria for the job.

Exceeds Performance Requirements - Work that is above the success criteria for the job throughout the rating period.

Substantially Exceeds Performance Requirements - Work that is characterized by exemplary accomplishments throughout the rating period; performance that is considerable and consistently above the success criteria of the job.

Below Performance Requirements - Work that fails to meet the success criteria of the job.

(Performance characteristics will not be rated with the four levels of performance. They should be rated as "acceptable" or "unacceptable.")

JOB DUTIES

Performance Level

1. Job Duty:
Supervise staff using praise, modeling, and disciplinary action as appropraite. M+
Success Criteria:
As based on Program Coordinator's observations and review of EPMS documents and involvements in discillinary actions.

2. Job Duty:
Conduct monthly meetings with staff to address issues of importance and to convey information. B
Success Criteria:
As based on review of meeting minutes minutes forward after each meeting.

3. Job Duty:
Participate in interviewing, selecting, and providing on the job training to new staff. M+
Success Criteria:
As based on Program Coordinator's observation of work performance after completion of Orientation and OJT.

4. Job Duty:
Ensures that staff are sufficiently trained to performed assigned duties. M+
Success Criteria:
As based on Program Coordinator's observation of staff 's ability to implement programs effectively and policy and procedures.

5. Job Duty:
Manages the assigned residence and ensures the health, safety and needs of the individuals in the residence are being met. B
Success Criteria:
As based on Program Coordinator's observation of mangers's ability to ensure the day to day operation of the residence runs effectively and smoothly as to be survey ready at all times, and completes required paperwork accurately and timely.

6. JobDuty:
Ensures completion and validates residential component of DPS Assessment; weekly monitors program implementation of Single Plans, and ensures documentation in group training notebooks. M+

Success Criteria:
As based on Program Coordinator's and Service Coordinato's monitoring process and chart review.

7. Job Duty:
Provide coverage for continuous programming through review of leave requests, pattern of excessive absenteeism , and scheduling of staff training. M+

Success Criteria:
As based on Program Coordinator's and Assistant Administrator's review and monitoring process.

ACTUAL PERFORMANCE

OBJECTIVES
(Optional)

Performance Level

1. Objective:

Success Criteria:

2. Objective:

EPMS

0240

JOB DUTIES

Performance Level

1. Job Duty:

Success Criteria:

2. Job Duty:

Success Criteria:

3. Job Duty:

Success Criteria:

4. Job Duty:

Success Criteria:

5. Job Duty:

Success Criteria:

ACTUAL PERFORMANCE

OBJECTIVES
(Optional)

Performance Level

1. Objective:
Survey Ready
Success Criteria:
As based on Program Coordinato'r and Area Administrator's review and monitoring of residence to ensure that all staff is in - serviced , all adaptive equipment is in place and all policy and procedures are being immplemented as written.

2. Objective:
Communication
Success Criteria:
As based on Program Coordinator and Area Administrator receiving all information in a timely manner.DSM will in-service Charge Staff to effectively communicate information to the proper chain of command person in her absence.

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Acceptable/ Unacceptable

1. Characteristic:
Mission Statement
Definition:
As based on observation of self management of consumers and radom verbal communication of DSM being able to recite mission statement for any discipline. .

2. Characteristic:
Leadship

EPMS

0241

Definition:
Work with miminual supervision and to be relied upon to guide others to accomplishments of responsibilities and development of teamwork.

3. Characteristic:
Judgement

A

Definition:
Continues to seek advice input of supervisors, employees,and other appropriate sources . Based on decisions logical assumptions and relevant facts.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

APPRAISAL RESULTS

_____ Substantially Exceeds _____ Exceeds ___✓___ Meets + _____ Below

EPMS

0242

DIRECT SERVICE MANAGER

RESPONSIBILITIES

1. Provide necessary training to staff
2. Ensure that acceptable quality of work is being done daily throughout the house.
3. Monitor floors daily to ensure that staff is providing training per the single plan.
4. Ensure that privacy is being maintained daily.
5. Ensure that the activity schedules are being followed as outlined.
6. Ensure that activities that are being implemented are appropriate for the actual time of the day.
7. Maintain adequate materials (replace/make, etc. as needed)
8. Ensure that the house is survey ready

MISSION STATEMENT

We are here to support each person in attaining their own personal goals.

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name Alicia Bolden **Social Security No.** 251-75-8828

Agency Department of Disabilities & Special Needs

Department 4929- Hillside 620

Position Classification Human Services Specialist, Direct Service Manager

Date Assigned to Current Position 7/2/08

Performance Review From 7/11 **To** 7/12 ; 3/12 - Managerial review on

PLANNING STAGE ACKNOWLEDGMENT

Rating Officer _____ **Date** _____

Reviewed by _____ **Date** _____

Employee _____ **Date** _____

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGMENT

Rating Officer David J. Ryan **Date** 03/16/12

Reviewed by _____ **Date** _____

Rating Officer Comments _____ **Date** _____

Employee _____ **Date** _____

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

SCDDSN: Revised 11/2009

EPMS

INSTRUCTIONS

THE PLANNING STAGE

Job Functions - The supervisor, utilizing suggestions from the employee, shall select job functions from the employee's most recent position description and develop success criteria for each function.

Objectives - This section allows the supervisor to include any additional special projects or program assignments that are not on the position description but that are assigned to the employee during the rating period. Objectives are optional, but if used, success criteria are required for each objective.

Performance Characteristics - Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and the employee from a list developed by the Office of Human Resources. All management and supervisory employees <u>are required to be reviewed on "promoting equal opportunity</u>."

The supervisor should meet with the employee to discuss the position description and how it relates to the job duties and objectives for the upcoming year. After this discussion, the supervisor shall complete the planning stage of the document. **Prior to discussing the completed planning stage with the employee,** the supervisor will present the final document to the reviewing officer for signature. The supervisor will then meet with the employee to review the final plans for the year and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

THE EVALUATION STAGE

The supervisor will complete the evaluation document based on the employee's performance for the entire year. Using the three levels of performance outlined below, job functions and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage. Performance characteristics will be rated as "Pass" or "Fail" based on the definitions which were communicated to the employee in the planning stage. *The characteristics shall be used as a communication tool and <u>shall not be weighed</u> in the determination of the overall performance rating.*

Once the supervisor has completed the evaluation document, it will be presented to the reviewing officer for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and to obtain the employee's signature on the evaluation document. The evaluation must be completed prior to the review date to be timely.

THREE LEVELS OF PERFORMANCE

(To rate job functions, objectives and overall performance)

Exceptional Performance Requirements - Work that is above the success criteria for the job throughout the rating period.

Successful Performance Requirements - Work that meets the success criteria for the job.

Unsuccessful Performance Requirements - Work that fails to meet the success criteria of the job.

(Performance characteristics will not be rated with the three levels of performance. They should be rated as "pass" or "fail.")

JOB FUNCTIONS

Performance Level

1. Job Function: Successful
Supervise staff using praise, modeling, and disciplinary action as appropriate.
Success Criteria:
As based on Service Coordinator's observations and review of EPMS documents and involvements in disciplinary actions.

2. Job Function: Successful
Conduct monthly meetings with staff to address issues of importance and to convey information.
Success Criteria:
As based on review of meeting minutes forward after each meeting.

3. Job Function: Successful
Participate in interviewing, selecting, and providing on the job training to new staff.
Success Criteria:
As based on Service Coordinator's observation of work performance after completion of Orientation and OJT.

4. Job Function: Successful
Ensures that staff are sufficiently trained to perform assigned duties.
Success Criteria:
As based on Service Coordinator's observation of staff's ability to implement programs effectively and policy and procedures.

5. Job Function: Successful
Manages the assigned residence and ensures the health, safety and needs of the individuals in the residence are being met.
Success Criteria:
As based on Service Coordinator's observation of manager's ability to ensure the day to day operation of the residence runs effectively and smoothly as to be survey ready at all times, mand completes required paper work accurately and timely.

Successful

6. Job Duty:
Ensures completion and validates residential component of DPS Assessment; weekly monitors program implementation of Single Plans, and ensures documentation in group training notebooks.

Success Criteria:
As based on Program Coordinator's and Service Coordinator's monitoring process and chart review.

Successful OM

7. Job Duty:
Provide coverage for continuous programming through review of leave requests, pattern of excessive absenteeism, and scheduling of staff training.

Success Criteria:
As based on Service Coordinator's and Assistant Administrator's review and monitoring process.

ACTUAL PERFORMANCE

OBJECTIVES
(Optional)

Performance Level

1. Objective: Successful
Survey ready
Success Criteria:
As based on Program Coordinato'r and Area Administrator's review and monitoring of residence to ensure that all staff is in - serviced , all adaptive equipment is in place and all policy and procedures are being immplemented as written.

2. Objective: Successful
Communication

SCDDSN: Revised 11/2009

EPMS

0247

Success Criteria:
As based on Program Coordinator and Area Administrator receiving all information in a timely manner.DSM will in-service Charge Staff to effectively communicate information to the proper chain of command person in her absence.

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Pass/Fail

1. Characteristic: Pass
Mission Statement
Definition:
As based on observation of self management of consumers and radom verbal communication of DSM being able to recite mission statement for any discipline.

2. Characteristic: Pass
Leadership
Definition: .
Work with miminual supervision and to be relied upon to guide others to accomplishments of responsibilities and development of teamwork.

3. Characteristic: Pass
Judgement
Definition:
Continues to seek advice input of supervisors, employees,and other appropriate sources . Based on decisions logical assumptions and relevant facts

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

Ms. Bolden continues to exhibit remarkable skills and talents in the areas of "thinking outside the box". She readily advocate sfor the consumers she serves, as well as for her staff. She has strong convictions and will share her thoughts, ideas, and recommendations with the appropriate personnel. However, Ms. Bolden needs improvement in her interpersonal skills with her staff as well as the Interdisciplinary Team and memebrs of the various departments that also serve the consumersin Hillside 620.

APPRAISAL RESULTS

Exceptional	xSuccessful	Unsuccessful

DIRECT SERVICE MANAGER

RESPONSIBILITIES

1. Provide necessary training to staff
2. Ensure that acceptable quality of work is being done daily throughout the house.
3. Monitor floors daily to ensure that staff is providing training per the single plan.
4. Ensure that privacy is being maintained daily.
5. Ensure that the activity schedules are being followed as outlined.
6. Ensure that activities that are being implemented are appropriate for the actual time of the day.
7. Maintain adequate materials (replace/make, etc. as needed)
8. Ensure that the house is survey ready

MISSION STATEMENT

We are here to support each person in attaining their own personal goals.

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name ALICIA BOLDEN **Social Security No.** 251-75-8828

Agency Department of Disabilities & Special Needs

Department DIRECT PROGRAM SERVICES

Position Classification DIRECT SUPPORT MANAGER

Date Assigned to Current Position 7/2/13

Performance Review From 2/6/14 **To** 2/6/15

PLANNING STAGE ACKNOWLEDGMENT

Rating Officer Kathleen Hamlet **Date** 5-1-14

Reviewed by Meredette Fields **Date** 5-6-14

Employee [signature] **Date** 10/10/14

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGMENT

Rating Officer Kathleen Hamlet **Date** 3-17-15

Reviewed by [signature] **Date** 3/26/15

Rating Officer Comments [signature] **Date** 4/29/15

Employee _____ **Date** _____

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

SCDDSN: Revised 11/2009

EPMS 0251

INSTRUCTIONS

THE PLANNING STAGE

Job Functions - The supervisor, utilizing suggestions from the employee, shall select job functions from the employee's most recent position description and develop success criteria for each function.

Objectives - This section allows the supervisor to include any additional special projects or program assignments that are not on the position description but that are assigned to the employee during the rating period. Objectives are optional, but if used, success criteria are required for each objective.

Performance Characteristics - Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and the employee from a list developed by the Office of Human Resources. All management and supervisory employees are required to be reviewed on "promoting equal opportunity."

The supervisor should meet with the employee to discuss the position description and how it relates to the job duties and objectives for the upcoming year. After this discussion, the supervisor shall complete the planning stage of the document. Prior to discussing the completed planning stage with the employee, the supervisor will present the final document to the reviewing officer for signature. The supervisor will then meet with the employee to review the final plans for the year and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

THE EVALUATION STAGE

The supervisor will complete the evaluation document based on the employee's performance for the entire year. Using the three levels of performance outlined below, job functions and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage. Performance characteristics will be rated as "Pass" or "Fail" based on the definitions which were communicated to the employee in the planning stage. *The characteristics shall be used as a communication tool and shall not be weighed in the determination of the overall performance rating.*

Once the supervisor has completed the evaluation document, it will be presented to the reviewing officer for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and to obtain the employee's signature on the evaluation document. The evaluation must be completed prior to the review date to be timely.

THREE LEVELS OF PERFORMANCE

(To rate job functions, objectives and overall performance)

Exceptional Performance Requirements - Work that is above the success criteria for the job throughout the rating period.

Successful Performance Requirements - Work that meets the success criteria for the job.

Unsuccessful Performance Requirements - Work that fails to meet the success criteria of the job.

(Performance characteristics will not be rated with the three levels of performance. They should be rated as "pass" or "fail.")

JOB FUNCTIONS

Performance Level

1. Job Function: S
Supervise all staff using praise, modeling, and disciplinary action as appropriate.
Success Criteria:
As based on Program Coordinator's observations and review of EPMS documents and involvement in disciplinary actions

2. Job Function: S
Conduct monthly meeting with staff to address issues of importance and to convey information
Success Criteria:
As based on review of meeting minutes forwarded after each meeting.

3. Job Function: S
Participate in interviewing,selecting, and providing on the job training to new staff.
Success Criteria:
As based on Program Coordinator's observation of work performance after completion of Orientation and OJT.

4. Job Function: S
Ensure that staff are sufficiently trained to perform assigned duties. Monitor programs weekly, and ensure documentation in group notebooks are accurate. Monitor the number of data sessions weekly.
Success Criteria:
As based on Program Coordinator's observation of staff ability to implement programs effectively and follow policies and procedures.

5. Job Function: E
Manages the assigned residence and ensure the health, safety, and needs of the individuals in the residence are being met.
Success Criteria:
As based on Program Coordinator's observation of manager's ability to ensure the day to day operation of the residence runseffectively and smoothly as to be survey ready at all times, and completes required paperwork accurately and timely.

ACTUAL PERFORMANCE

OBJECTIVES
(Optional)

Performance Level

1. Objective: S
Harmonious/ Interpersonal Relationship
Success Criteria:
Program Coordinator's will observe to ensure Ms. Bolden demonstrates a respectful positive attitude to supervisorand co workers using the appropriate tone when spoken too and display behaviors that present a peaceful working relationship among co- workers and other discipline.

2. Objective: S
Chain Of Command
Success Criteria:
The Program Coordinator will monitor to ensure that Ms. Bolden follows all written and verbal directions as directed and inform Program Coordinator and Area Administrator of all concerns in a timely manner.

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Pass/Fail

1. Characteristic: P
Survey Ready
Definition:
As based on Program Coordinator's and Area Administrators's review and monitoring of residence to ensure that all staff is inserviced, all adapative equipment is in place and is working safely and all policies and procedures are being implemented as written.

SCDDSN: Revised 1.1/2009

EPMS

0253

2. Characteristic:
Communication
Definition:
As based on Program Coordinator's and Area Administrator's receiving all infromation in a timely manner. Direct Support Manager will cc all information to Program Coordinator and Area Administrator prior to sending to other discipline and Human Service Assistant.

3. Characteristic:
Listening Skills
Definition:
Listen closely and respectfully before connecting and drawing personal conclusons of the comments.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

APPRAISAL RESULTS

Exceptional | X Successful | Unsuccessful

Ms. Bolden continues to advocate for the consumers. She ensures that the building decorated each month with many different creative stimulating color that would capture the consumers attention
Also, Ms. Bolden will ensure that the Unit is service ready.

Additional Objectives:

1. Objective: Implementation of the Single Plan (W249) _____

Success Criteria: Will demonstrate ability to implement the Single Plan by training objectives as written, carryover training from one area to another and provide generic training using every opportunity to train (training objectives, BSPs, Splint Orders, helmet, etc).

Meet requirements based on observation made by the Supervisor.

2. Objective: Provide Choices and Self-Management (W247) _____

Success Criteria: Meaningful interaction to include giving clients choices in all area of training as well as allowing the clients to do as much for themselves as they possibly can.

Meet requirements based on observation made by the Supervisor.

3. Objective: Time and Attendance _____

Success Criteria: It is the practice of the department for all residential staff to accrue and maintain (7) annual and (7) sick days.

Meet requirements based on observation made by the Supervisor.

4. Objective: Demonstrate good infection control (W455)_____

Success Criteria: Proper demonstration of infection control technique in all areas.

Meet requirements based on observation made by the Supervisor.

5. Objective: Maintain client privacy (W130) _____

Success Criteria: Staff ensuring that privacy is maintained for the client or staff is providing training/prompting to the client to help them maintain their own privacy. Body not exposed; clothing intact, etc.

Meets requirements based on observation made by Supervisor.

MISSION STATEMENT

We are here to support each person in attaining their own personal goals.

STATE OF SOUTH CAROLINA
EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM

Name ALICIA BOLDEN **Social Security No.** 251-75-8828

Agency Department of Disabilities & Special Needs

Department DIRECT PROGRAM SERVICES

Position Classification DIRECT SUPPORT MANAGER

Date Assigned to Current Position 7/2/13

Performance Review From 2/16/15 **To** 2/16/16

PLANNING STAGE ACKNOWLEDGMENT

Rating Officer Kathy Hamlet **Date** 3-18-15

Reviewed by [signature] **Date** 3/26/15

Employee [signature] **Date** 4/29/15

(Signature of employee indicates the Planning Stage and Position Description were reviewed with the employee.)

EVALUATION STAGE ACKNOWLEDGMENT

Rating Officer Kathy Hamlet **Date** 3-31-16

Reviewed by C. Fields - Thank you **Date** 3-31-16

Rating Officer Comments [signature] **Date** 6/29/16

Employee _____ **Date** _____

(My signature indicates that I was given the opportunity to discuss the official performance review with my supervisor - not that I necessarily agree.)

Employee Comments _____

INSTRUCTIONS

THE PLANNING STAGE

Job Functions - The supervisor, utilizing suggestions from the employee, shall select job functions from the employee's most recent position description and develop success criteria for each function.

Objectives - This section allows the supervisor to include any additional special projects or program assignments that are not on the position description but that are assigned to the employee during the rating period. Objectives are optional, but if used, success criteria are required for each objective.

Performance Characteristics - Performance characteristics and their definitions should be directly related to the employee's job and may be selected by the supervisor and the employee from a list developed by the Office of Human Resources. All management and supervisory employees are required to be reviewed on "promoting equal opportunity."

The supervisor should meet with the employee to discuss the position description and how it relates to the job duties and objectives for the upcoming year. After this discussion, the supervisor shall complete the planning stage of the document. **Prior to discussing the completed planning stage with the employee,** the supervisor will present the final document to the reviewing officer for signature. The supervisor will then meet with the employee to review the final plans for the year and obtain the employee's signature. The completed planning document will be placed in the employee's personnel file to be used as the evaluation document at the end of the review period.

THE EVALUATION STAGE

The supervisor will complete the evaluation document based on the employee's performance for the entire year. Using the three levels of performance outlined below, job functions and objectives shall be rated on how well the employee has met the success criteria as outlined in the planning stage. Performance characteristics will be rated as "Pass" or "Fail" based on the definitions which were communicated to the employee in the planning stage. *The characteristics shall be used as a communication tool and shall not be weighed in the determination of the overall performance rating.*

Once the supervisor has completed the evaluation document, it will be presented to the reviewing officer for signature. The supervisor will then schedule a meeting with the employee to discuss his/her performance and to obtain the employee's signature on the evaluation document. The evaluation must be completed prior to the review date to be timely.

THREE LEVELS OF PERFORMANCE

(To rate job functions, objectives and overall performance)

Exceptional Performance Requirements - Work that is above the success criteria for the job throughout the rating period.

Successful Performance Requirements - Work that meets the success criteria for the job.

Unsuccessful Performance Requirements - Work that fails to meet the success criteria of the job.

(Performance characteristics will not be rated with the three levels of performance. They should be rated as "pass" or "fail.")

JOB FUNCTIONS

Performance Level

1. Job Function: Successful
Supervise all staff using praise, modeling, and disciplinary action as appropriate.
Success Criteria:
As based on Program Coordinator's observations and review of EPMS documents and involvement in disciplinary actions

2. Job Function: Successful
Conduct monthly meeting with staff to address issues of importance and to convey information
Success Criteria:
As based on review of meeting minutes forwarded after each meeting.

3. Job Function: Successful
Participate in interviewing,selecting, and providing on the job training to new staff.
Success Criteria:
As based on Program Coordinator's observation of work performance after completion of Orientation and OJT.

4. Job Function: Successful
Ensure that staff are sufficiently trained to perform assigned duties. Monitor programs weekly, and ensure documentation in group notebooks are accurate. Monitor the number of data sessions weekly.
Success Criteria:
As based on Program Coordinator's observation of staff ability to implement programs effectively and follow policies and procedures.

5. Job Function: Successful
Manages the assigned residence and ensure the health, safety, and needs of the individuals in the residence are being met.
Success Criteria:
As based on Program Coordinator's observation of manager's ability to ensure the day to day operation of the residence runseffectively and smoothly as to be survey ready at all times, and completes required paperwork accurately and timely.

ACTUAL PERFORMANCE

OBJECTIVES
(Optional)

Performance Level

1. Objective: Successful
Harmonious/ Interpersonal Relationship
Success Criteria:
Program Coordinator's will observe to ensure Ms. Bolden demonstrates a respectful positive attitude to supervisorand co workers using the appropriate tone when spoken too and display behaviors that present a peaceful working relationship among co- workers and other discipline.

2. Objective: Successful
Chain Of Command
Success Criteria:
The Program Coordinator will monitor to ensure that Ms. Bolden follows all written and verbal directions as directed and inform Program Coordinator and Area Administrator of all concerns in a timely manner.

ACTUAL PERFORMANCE

PERFORMANCE CHARACTERISTICS

Pass/Fail

1. Characteristic: Yes
Survey Ready
Definition:
As based on Program Coordinator's and Area Administrators's review and monitoring of residence to ensure that all staff is inserviced, all adapative equipment is in place and is working safely and all policies and procedures are being implemented as written.

2. Characteristic:
Communication
Definition:
As based on Program Coordinator's and Area Administrator's receiving all infromation in a timely manner. Direct Support Manager will cc all information to Program Coordinator and Area Administrator prior to sending to other discipline and Human Service Assistant.

3. Characteristic:
Listening Skills
Definition:
Listen closely and respectfully before connecting and drawing personal conclusons of the comments.

SUMMARY AND IMPROVEMENT PLAN

Identify the employee's major accomplishments, areas needing improvement, and steps to improve present and future performance.

APPRAISAL RESULTS

Exceptional | Successful | Unsuccessful

MISSION STATEMENT

We are here to support each person in attaining their own personal goals.

Beverly A. H. Buscemi, Ph.D.
ate Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairman
Eva R. Ravenel
Vice Chairman
Gary C. Lemel
Secretary
Mary Ellen Barnwell
Sam R Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

July 17, 2017

****CERTIFIED MAIL****

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Dear Ms. Bolden:

After carefully reviewing your file, the facts and circumstances surrounding the decision to end your employment, you are hereby advised that I am upholding that decision. Therefore, your appeal is denied.

Should you desire to appeal my decision, such appeal must be filed in writing with Beverly Buscemi, PhD, State Director of SCDDSN, P. O. Box 4706, Columbia, SC 29240. This must be done within five days after receipt of this letter.

Sincerely,

Rebecca D. Hill

Rebecca D. Hill
Facility Administrator
Coastal Regional Center

7/21/2017

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)
: Appeal / Grievance to Mrs. Rebecca Hill (Facility Administrator) Denied (Certified Mail 7/19/17)

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial, and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices. I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

RECEIVED
JUL 24 2017
SCDDSN
STATE DIRECTOR'S OFFICE

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

In addition to the above, I would also like to reference the 2/23/2017 disciplinary action titled Conduct Unbecoming a State Employee. On 2/24/2017, in the same above mentioned email correspondences to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) I issued a rebuttal to the claims outlined in this disciplinary action. The email rebuttal reads:

RECEIVED
JUL 28 2017
HUMAN RESOURCES
SCDDSN
STATE DIRECTOR'S OFFICE

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request. 0263

On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17 wherein she uses very harsh, fictitious, inflammatory language to describe me. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Sheila Summers) that I've never had any knowledge of prior to yesterday. The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

This concludes the rebuttal that was sent to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) on 2/24/17 regarding the disciplinary action administered for Conduct Unbecoming a State Employee. I am asking that my personnel files be sponged of this disciplinary action as well. It is very biased and misleading; nevertheless the 2/23/17 administered disciplinary action for Conduct Unbecoming a State Employee (dated 2/22/17) is listed on the termination letter as one of the three accumulated offenses that led to my dismissal.

February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable. Many approaches and joint efforts were being revealed and it was clear to me that I was on my own. The pressure was unreal.

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – Compensation for (22) Hours Worked

Dr. Buscemi, I worked a total of 22.00 additional hours in December of last year (2016). When I initially worked these hours, I was under the impression that I would be paid overtime pay. Later on I discovered that these hours would be compensated to me in comp time and ½ instead. However, I never received any monetary compensation or any comp time compensation for the additional 22.00 hours that I worked. I made several attempts/pleas to Mr. John Dooney to receive compensation, but none was given. I would really like for you to resolve this matter please. I am asking to be compensated for the 22.00 additional hours that I worked in December of last year (2016). It is not fair that I was never compensated for these additional hours that I worked. Please see the attached e-mail correspondences that support the facts outlined here (Group A).

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – AOD Job Vacancy Never Advertised

On 7/21/2016, I met with Mrs. Claudette Fields (Residential Director), Mrs. Rebecca Hill (Facility Administrator), and Mr. John Dooney (HR Director) to discuss my desire to move to a different department. During this conversation, I expressed my interest in the approaching AOD position that would soon become vacant. The current employee who was still in the position at this time was on his way out and had submitted his resignation. On 8/12/2016, I contacted HR to see when the AOD position would be posted (looking out for it) and was instead told that the position had already been filled. I was an interested, qualified, internal employee who wanted the opportunity to apply and be considered for this job but the job opportunity / job vacancy was never posted. It has always been my understanding that vacant positions were to be advertised for a minimum of (5) five days. Please see the attached e-mail correspondences (Group B).

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407-0264
(843) 709 – 5313 (Cell)

119

Re: Following Up: My Overtime Comp Hours?

Group A

Bolden, Alicia
Fri 2/10/2017 11:41 AM
Sent Items
To: Dooney, John <JDooney@ddsn.sc.gov>;
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>;

I understand John, but it was a complete waste of my time for me to have done this. I labored in vain; no comp/no cash. I understand what you are telling me, but it is not fair. ☹

From: Dooney, John
Sent: Friday, February 10, 2017 11:35 AM
To: Bolden, Alicia
Cc: Edwards, Vera; Hill, Becky
Subject: RE: Following Up: My Overtime Comp Hours?

Alicia,

When you are on annual/sick leave…you are not physically present, in turn, those authorized paid leave days are not considered hours worked for overtime accrual. I have attached the employee handbook regarding compensation/overtime for further guidance….

Employee handbook: Leave Status

"Time spent in leave status is not considered hours worked"

"Hours that are not worked during the seven (7) day overtime period including holidays, authorized paid leave and/or leave without pay are not considered hours worked for the computation of overtime. Compensation or compensatory time off is not authorized for hours worked between 37.5and 40 hours."

R/
John

John Dooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:27 AM
To: Dooney, John <JDooney@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Re: Following Up: My Overtime Comp Hours?

This is problematic John. So basically you're telling me that I worked all those long hours in vain. The system should not have calculated this, Coastal Center/DDSN should have calculated this since it is Coastal Center/DDSN's desire to pay us in Comp Time and not in Cash. Becky will you please respond to this. Does this seem fair to you?

Alicia (110)

From: Dooney, John
Sent: Friday, February 10, 2017 11:19 AM
To: Bolden, Alicia
Cc: Edwards, Vera
Subject: RE: Following Up: My Overtime Comp Hours?

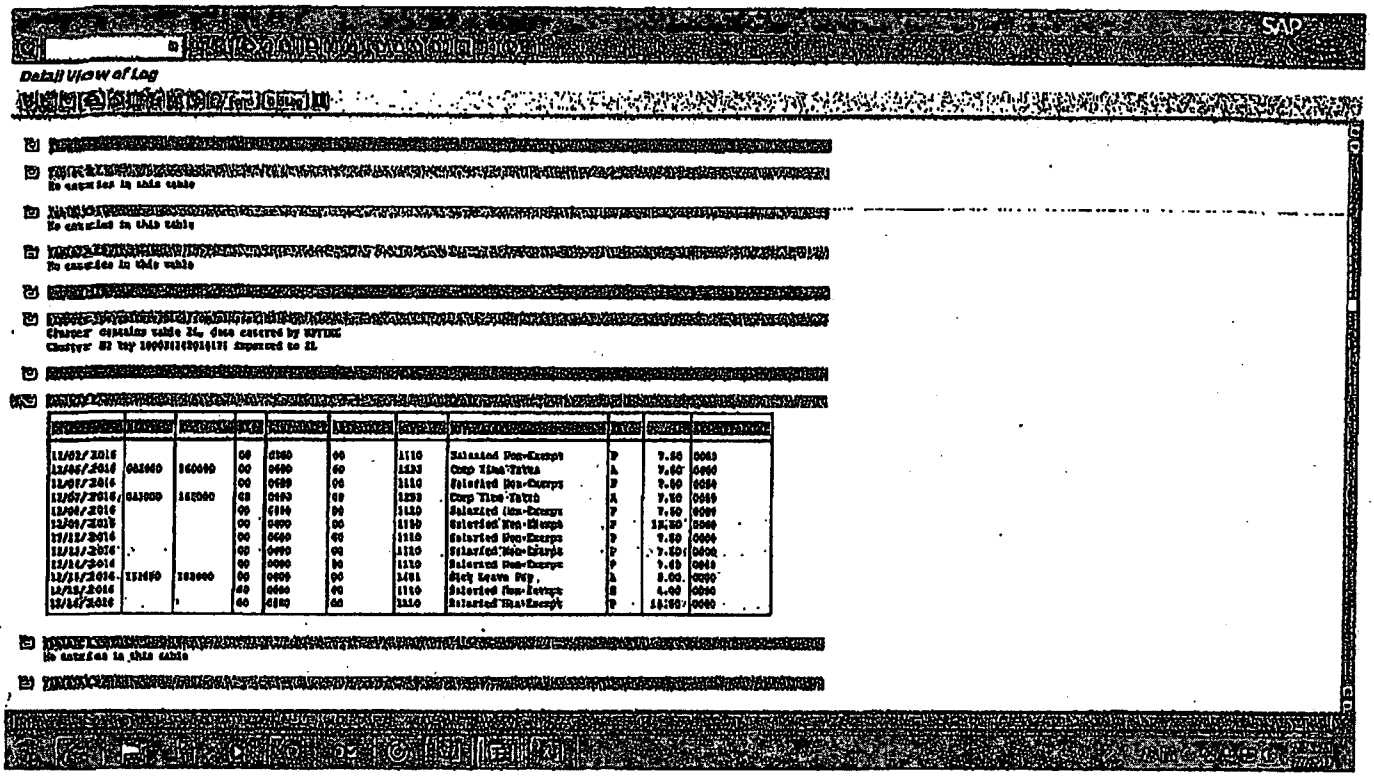
Good morning,

In your case, you are a 37.5 hour a week employee, in which, you begin to earn OT Comp Time after you have worked a minimum of 40 hours within a given work week; also keep in mind that you must have worked a minimum of 40 hours

to earn the accruals.

SCEIS and the paper time sheets are Monday - Sunday, but time is evaluated in SCEIS on a Friday - Thursday basis. ..That is why your accruals of the Comp time are on Thursdays, because that is considered the end of the week.

During the times that you have worked the overtime, you was off- using leave within the same work week which reduced the number of COMP Time eligible accrual time.



The above is how the system evaluated your time for the given pay period.
- The week of 12/9-12/15 resulted in 40.5 hours of actual work time..and 3 hours of leave usage.
- The week of 12/2-12/8 resulted in 22.5 hours of work time and 15 hours of leave usage

Thanks.
R/
John

John Dooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:12 AM
To: Dooney, John <JDooney@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Following Up: My Overtime Comp Hours?

Following Up!!!

From: Bolden, Alicia
Sent: Thursday, February 2, 2017 10:23 AM

To: Dooney, John
Cc: Edwards, Vera
Subject: Fw: My Overtime Comp Hours?

Mr. Dooney, these are the days and hours that I worked overtime. It is my understanding that I am to receive Time and a Half in Comp Hours since I was not paid for this overtime. I calculate this to be a total of 33 hours which is the 22 hours plus a half of 11 hours.

Alicia (110)

From: Edwards, Vera
Sent: Tuesday, January 31, 2017 2:39 PM
To: Bolden, Alicia
Subject: RE: My Overtime Comp Hours?

Dec. 9 = 11:00 – 5:00 = 6.0 hours
Dec. 16 = 11:00 – 7:30 = 8.0
Dec. 23 = 11:00 – 7:30 = 8.0
Total: 22.00 hours

From: Bolden, Alicia
Sent: Tuesday, January 31, 2017 12:40 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: My Overtime Comp Hours?

Good Afternoon Ms. Vera,

Did you ever get a chance to calculate the number of comp hours that I accrued from the days I worked overtime in December?

Alicia (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

FW: Still No Overtime!

Edwards, Vera

Fri 1/13/2017 2:41 PM

To: Dooney, John <JDooney@ddsn.sc.gov>;

Cc: Bolden, Alicia <ABolden@ddsn.sc.gov>; Fields, Claudette <CFields@ddsn.sc.gov>;

Alicia worked over on: 12/9 – 11:00 pm – 5 am; 12/16 – 11:00 pm – 7:30 am; and 12/23 – 11:00 pm – 7:30 am. She has not received pay out for these 3 nights. Per sceis, she is not eligible for shift premium.
thanks for checking.

From: Bolden, Alicia
Sent: Friday, January 13, 2017 1:30 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Still No Overtime!

Good Afternoon Ms. Vera,

Another pay date is here and I am still without my overtime. I am beginning to worry/wonder - was it all in vain?

Alicia Bolden (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

123

Re: Overtime, Yeahhhh....

Fields, Claudette

Fri 12/9/2016 4:52 PM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Okay, thanks I appreciate you working things out.

Sent from my iPhone

On Dec 9, 2016, at 4:45 PM, Bolden, Alicia <ABolden@ddsn.sc.gov> wrote:

> Yes Mam! Hopefully we won't have any additional call ins.
>
> **From:** Fields, Claudette
> **Sent:** Friday, December 9, 2016 4:42 PM
> **To:** Bolden, Alicia
> **Cc:** Williams, Valerie
> **Subject:** RE: Overtime, Yeahhhh....
>
> You make the 3rd staff right?
>
> **From:** Bolden, Alicia
> **Sent:** Friday, December 09, 2016 4:38 PM
> **To:** Fields, Claudette <CFields@ddsn.sc.gov>
> **Cc:** Williams, Valerie <VWilliams@ddsn.sc.gov>
> **Subject:** Overtime, Yeahhhh....
>
> Good Afternoon Mrs. Fields,
>
> I would like to work 3rd shift (11 – 7:30) tonight please. Overtime, Yeahhhh....
>
> Alicia (110)

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state

privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: Administrative Coordinator I (AOD) position?

Bolden, Alicia

Mon 8/15/2016 2:07 PM

Group B

To: Dooney, John <JDooney@ddsn.sc.gov>;

Cc: Gadsden, Kecia <KGadsden@ddsn.sc.gov>;

I was interested in applying for the second vacant position and I've been waiting for it to be posted so that I would be able to do so but it never was. Now the second position has been filled and I never even got the opportunity to apply. I feel that this was not fair. Positions become vacant all the time but they should be posted each time. I am very much aware of when the vacancy actually occurred and I never imagined that the position would be filled and not be posted. This would not have been a re-advertisement. These were two separate vacancies.

From: Dooney, John
Sent: Monday, August 15, 2016 12:10 PM
To: Bolden, Alicia
Cc: Gadsden, Kecia
Subject: Re: Administrative Coordinator I (AOD) position?

Good morning,

We are in the process of filling both positions. HR received an abundant amount of qualified candidates, internally/externally, to fill both positions from the vacancy posting running from 05/31/16 - 06/14/16 5:00 PM. There was not a need to re-advertise or draft another vacancy posting.

Thanks.
R/
John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

From: Bolden, Alicia
Sent: Monday, August 15, 2016 11:37:54 AM
To: Dooney, John
Subject: Administrative Coordinator I (AOD) position?

Good Morning Mr. Dooney,

I am writing to inquire about the recently vacant Administrative Coordinator I (AOD) position. It has been brought to my attention that this position has been filled. Mrs. Gadsen confirmed this fact for me on Friday 8/12/16. Why wasn't this position vacancy advertised/posted?

Alicia Bolden

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Emailing: Job Bulletin

Gadsden, Kecia

Fri 8/12/2016 12:27 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

STATE OF SOUTH CAROLINA

Department of Disabilities & Special Needs-Coastal Regional Center

9995 Jamison Rd.
Summerville, SC 29485

http://www.jobs.sc.gov

INVITES APPLICATIONS FOR THE POSITION OF:
Administrative Coordinator I - Officer of the Day

An Equal Opportunity Employer

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

OPENING DATE: 05/31/16

CLOSING DATE: 06/14/16 05:00 PM

JOB TITLE: Administrative Coordinator I - Officer of the Day

CLASS CODE: AH10

POSITION NUMBER: 60017212

SLOT NUMBER:

STATE SALARY RANGE:
$32,838.00 - $60,760.00 Annually

AGENCY HIRING RANGE - MIN: 33,077
AGENCY HIRING RANGE - MAX:

LOCATION: Dorchester County, South Carolina

JOB TYPE: FTE - Full-Time

NORMAL WORK SCHEDULE: 11:15 pm - 07:45 am

RESIDENCY REQUIREMENT:
RESIDENCY REQUIREMENT SPECIFICS (IF ANY):

AGENCY SPECIFIC APPLICATION PROCEDURES:

Please see our Agency Specific Application Procedures. You must complete all work history within the application form. An offer of employment in this position will be contingent upon the following: an acceptable review of your past employment history, references, other sources including, but not limited to, the criminal background check which will be conducted by SLED and/or the FBI: and receiving clearance from the DSS Child Registry that indicates no record of child abuse or neglect. Employment would also be contingent on your passing a pre-employment drug test. DDSN reserves the right to rescind any employment offer in the event our review of your background develops information, including opinions of previous employer or colleagues that cause us to conclude, at our sole discretion, that you are not suited for the position

JOB RESPONSIBILITIES:

Coastal Center is a public Immediate Care Facility (ICF) providing a full range of services to approximately 152 individuals with intellectual and physical disabilities. We are one of five public ICFs operated by the South Carolina Department of Disabilities and Special Needs (DDSN). DDSN serves more than 29,000 South Carolinians with intellectual and related disabilities, autism, and spinal cord/head injuries.

This position serves as the Center's Officer of the Day during his or her assigned shift. This position ensures the safety and well being of the residents and employees at Coastal Regional Center. This position conducts assigned investigative procedures, as directed. Secures incident scenes and coordinates with law enforcement, initiates preliminary investigations. Assists residential and nursing staff regarding emergencies. Conducts fire drills; sanitation and consumers' elevated levels of aggression. This person assists in meeting and greeting residents' families, friends, and guests, and coordinates their visits while on campus.

MINIMUM AND ADDITIONAL REQUIREMENTS:

At a minimum, must possess a Bachelor's Degree and one (1) year of relevant work experience; or an Associates Degree and two (2) years of relevant work experience; or High School Diploma and three (3) years of relevant work experience based on additional education, experience and training. Valid South Carolina Driver's License required.

Ability to exercise judgment, discretion, maintains effective working relationships, and interprets and applies laws, regulation, policies and procedures. Ability to communicate effectively verbally and in writing.

PREFERRED QUALIFICATIONS:

Work experience in the supervision of staff.

ADDITIONAL COMMENTS:

Required physical abilities include, but are not limited to: lifting, pulling, pushing, walking, standing, stooping, kneeling, reaching, repetitive motions and running.

This position is considered an essential position and is required to work during hazardous weather conditions.

APPLICATIONS MAY BE OBTAINED AND FILED ONLINE AT:
http://www.jobs.sc.gov
OR

Job #57614
ADMINISTRATIVE COORDINATOR I - OFFICER OF THE DAY
KB
0274

9995 Jamison Rd.
Summerville, SC 29485

Administrative Coordinator I - Officer of the Day Supplemental Questionnaire

* 1. If you have ever been convicted of a misdemeanor or felony criminal offense after your 17th birthday, you MUST list this information under "agency-wide question 1 and 2" (unless you have taken steps to expunge your record). This includes fraudulent checks, driving under suspension, disorderly conduct, shoplifting, etc. You may only omit minor traffic violations, such as speeding tickets & seatbelt violations, etc. *Please note that conviction of a criminal offense does not bar you from employment, in all cases; each conviction is evaluated individually. However, failure to list convictions is considered falsification of the application and may be ground for termination. It is your responsibility to know what is on your criminal record. If you have charges on your record that appear without a court disposition (result), you will be asked to provide that information, if selected for employment. If you have questions, please inquire before you complete your application. Please indicate your understanding of this statement in the box below.

* 2. At the time of application, do you possess a Bachelor's degree, Associates degree, or high school diploma with qualified years' experience? Please explain.

* 3. Do you have supervisory experience? Please explain.

* 4. Do you have experience in conducting investigations? Please explain.

* 5. Have you ever worked for South Carolina Department of Disabilities and Special Needs? If so, please explain.

* 6. I understand that only a complete and accurate application will be considered. I have included all current and previous work history and education. Additionally, the supplemental questions are considered part of my official application. By checking "yes", I certify that I have followed the application instructions.

☐Yes ☐No

* Required Question

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: vacancies

Bolden, Alicia

Fri 7/22/2016 2:27 PM

To:Hill, Becky <BHill@ddsn.sc.gov>;

Thanks, Becky,

I appreciate this very much.

Alicia (110)

From: Hill, Becky
Sent: Friday, July 22, 2016 1:50 PM
To: Bolden, Alicia
Subject: vacancies

Alicia,

Berkeley Citizens and Dorchester County DSN Boards only have DSP (HSA), Habilitation Assistant, and temporary positions available at this time. However, Charleston County DSN Board has several opportunities. There is one position that requires a license and that is a CRCF Administrator. The other positions are as follows:

Early Interventionist
Rehab Support Specialist (head and spinal cord)
Case Manager
CTH II Coordinator
Director of Residential Services
Director of Family Support Services

Hope this information is helpful.

Becky

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: Follow – Up!

Fields, Claudette

Wed 7/20/2016 4:29 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

CcDooney, John <JDooney@ddsn.sc.gov>;

Hello Alicia,

John and I attempted to meet with you on Tuesday, but you were on SL. We would like to meet with you on tomorrow to further discuss your concerns/request. I will contact you once John confirms his availability.

Thanks,
/CF

From: Bolden, Alicia
Sent: Wednesday, July 20, 2016 3:33 PM
To: Fields, Claudette
Subject: Follow – Up!

Good Afternoon Mrs. Fields,

I have made several attempts to contact Mr. Dooney regarding my request for Re-Assignment; however I was just made aware that he is not here today. I wanted to follow – up regarding this request. I wanted to know if you have heard anything regarding it.

In the event that I am unable to be Re-Assigned, I am writing to request that the following two recommendations be considered.

1. That Val and I have separate Supervisors.
2. That Ms. Tishomy Davis be Re-Assigned to another unit.

I would like to discuss these two requests with you further when you are available. Thanks!

Alicia (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodall
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration



3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairman
Eva R. Ravenel
Vice Chairman
Gary C. Lemel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

September 8, 2017

Certified Mail: 7010 2780 0002 0631 5754

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Dear Ms. Bolden:

After reviewing the facts and circumstances surrounding your termination from the Coastal Center, you are hereby advised that I am upholding the decision of Ms. Becky Hill, Facility Administrator, Coastal Center.

This completes the final step in the agency grievance process and hereby closes the case for the Department.

Any further action on your part must be initiated in writing and filed with the Director, Division of State Human Resources - 8301 Parklane Rd, Suite A220 Columbia, SC, 29223 within ten (10) calendar days after receipt of this letter or within fifty-five (55) calendar days after the initial filing of your complaint, whichever occurs later.

Sincerely,

Beverly A. H. Buscemi, Ph.D.
State Director

cc: Tana Vanderbilt, General Counsel
Deirdre Blake-Sayers, HR
Coastal Center, HR

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

RECEIVED
OCT 12 2017
SCDDSN
HUMAN RESOURCES
CENTRAL OFFICE

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 fax

October 9, 2017

Ms. Deirdre Blake-Sayers
Human Resources Director
Department of Disabilities and Special Needs
3440 Harden Street Ext
Columbia, South Carolina 29203

Alicia Bolden
Appellant's Name

HUMAN SERVICES SPECIALIST II
Job Classification

Dear Ms. Blake-Sayers:

The appellant has appealed to the State Human Resources Director concerning a grievance arising from employment with your agency. Grounds for the appeal are contained in the enclosed copy of the State Employee Grievance Procedure State Appeal Form.

Please send us the documents concerning this appeal, including a brief summary of your position, a brief list of the appellant's employment record, copies of performance appraisals if applicable, and a copy of your findings and determination at each step of your grievance procedure. Any supporting documents that might serve to clarify the specific issues in the appeal should be included. You should also specifically state which policy or policies were used as a basis for the action, and include a copy of those policies. These might be either internal policies and/or State policies. If a policy was not violated, state on what criteria the action was based. **If applicable, please redact all identifying patient, client, or inmate information, and social security numbers prior to submitting documents to this office. In addition, please redact any personal information not relevant to the appeal.**

The requested information and materials must be returned to the Division of State Human Resources/Alternative Dispute Resolution Program within fifteen (15) calendar days. Also, any future correspondence sent to the Division of State Human Resources, excluding the appellant's record, should be copied to the other party involved.

Sincerely,

Spencer Miller
Alternative Dispute Resolution Program

Enclosure
c: Ms. Beverly A. H. Buscemi (without enclosures)

State Employee Grievance Procedure State Appeal Form

To appeal the decision of the Agency concerning a grievance under the State Employee Grievance Procedure Act to the State Human Resources Director, the employee or representative initiating the appeal must complete this form and return it to the Division of State Human Resources.

Forms and additional documentation can be submitted via email to **grievance@admin.sc.gov**, via facsimile to **803-896-5050**, or by mail to the address below.

Division of State Human Resources
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

RECEIVED
OCT 06 2017
DIVISION OF STATE HUMAN RESOURCES

** Required Information*

Employee's Name:* Alicia Bolden

Job Classification:* Direct Service Manager **Agency*:** SCDDSN - Coastal Regional Center

Home Address:* 1115 Carnegie Avenue (Street) Charleston (City) SC (State) 29407 (Zip Code)

Telephone:* _____ (Home) (843) 709-5313 (Cell) _____ (Office)

Do you have an attorney or other representative?* ☐ Yes ☐ No

If yes, please provide the contact information for your attorney or representative below:

Representative's Name: NA @ This Time

Address: _____ (Street) _____ (City) _____ (State) _____ (Zip Code)

Telephone: _____

1. Has the employee completed twelve (12) months of satisfactory service with the state?* ☒ Yes ☐ No
2. What disciplinary action taken against the employee is being appealed?* Termination
3. Has the employee received a final decision from the agency?* ☒ Yes ☐ No
   If yes, what date did the employee receive the final decision?* 9/18/2017
4. What date did the employee initiate the grievance within the agency's internal grievance procedure?* ~6/28/2017

Employee's Name*: Alicia Bolden

APPEAL

Please specify why the employee contends that the agency's decision concerning the grievance is unfair and state relevant facts and issues to support that position. (Attach additional pages if necessary.): *

I was most recently terminated from the South Carolina Department of Disabilities and Special Needs – Coastal Regional Center for asserting my legal rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment. These blatant malicious acts of prejudice, dishonesty, and retaliation are unlawful and criminal.

On February 23, 2017, I was expected to submit to an improper, unfair, arbitrary, discriminatory, prejudicial, and retaliatory employment practice or I would surely suffer the consequences (termination) for asserting my legal rights to be treated fairly and equally in the workplace. I was expected to be humiliated, to be harassed, to be made a mockery of, to be treated differently, to be abused, to be violated, to be broken down, to be scrutinized, and to be treated unfairly and unequally or to be terminated. I was terminated.

Employment practices that pertain to compensation, pay, salary, leave practices, time keeping, and transfers (just to name a few) must me practiced equally among all employees (especially employees of the same job classification or the same job position). Equal employment practices are required by law to be equal. All employees must be informed of these practices and these practices must be made available to all employees in some written form (handbooks, directives, etc.…) Policies, procedures, and employment practices that establish rules, regulations, and guidelines for employees must be uniform and applicable to all employees. When it is not; dishonesty and corruption will prevail. When it is not; prejudices, discrimination, and personal biases will win over fairness and equality. Laws will be violated and authority will be abused.

Claudette Fields is dishonest and corrupt. Three out of the four top agency officials that I emailed on 10/14/16 regarding the degree of Claudette Fields corruption all took on an active role and colluded with Claudette Fields regarding my termination. The list includes John Dooney, Rebecca Hill, and Deirdre Blake – Sayers. When top agency officials are corrupt, bottom agency employees don't stand a chance. We will always lose. Deirdre Blake – Sayers made the final decision for the agency concerning my grievance, but I knew her decision and position regarding the discriminatory employment practice since 2/24/17 and I have the emails to prove it. How is this fair?

Please see the attached grievance that was previously submitted to the Division of State Human Resources for more details regarding my termination and why it is unfair, prejudicial, discriminatory, and retaliatory. Attachments referenced in this initial grievance will not be resubmitted. The Division of State Human Resources should have these documents already.

Please specify the relief that the employee is seeking by this appeal. (Attach additional pages if necessary.):*

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory. I am asking that my personnel files be sponged of the disciplinary action titled Conduct Unbecoming a State Employee as well.

Signature: Alicia Bolden Date: 10/3/2017

Revised June 2016

Print Form

9/23/2017

To: The State Human Resources Director, Division of State Human Resources Department
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)
: Appeal / Grievance to Dr. Beverly Buscemi (State Director) Denied (Certified Mail 9/18/17)

My name is Alicia Bolden and I have been terminated from my position with the Dept. of Disabilities and Special Needs on two separate occasions. My most recent termination was on June 19, 2017. Each termination has been at the hands of the Residential Services Director, Mrs. Claudette Fields. It is the dishonesty, unfairness, and prejudices that she displays towards me that have contributed to most of my pain and suffering. Her acts are malicious and intentional. She has damaged my professional standing as well as my character and reputation. Mrs. Fields prejudices, biases, and retaliation efforts have caused me much mental, emotional, and physical anguish. My terminations have caused me to lose income, health insurance benefits, and my pension plan. I have incurred lots of expenses, inconveniences, and stresses from these deliberate acts of employment discrimination, prejudices, and retaliation. These deliberate and malicious acts of employment discrimination, biases, prejudices, and retaliation should not be permitted in the work place.

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial, and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices. I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

In addition to the above, I would also like to reference the 2/23/2017 disciplinary action titled Conduct Unbecoming a State Employee. On 2/24/2017, in the same above mentioned email correspondences to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) I issued a rebuttal to the claims outlined in this disciplinary action. The email rebuttal reads:

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

0282

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request. On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17 wherein she uses very harsh, fictitious, inflammatory language to describe me. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Sheila Summers) that I've never had any knowledge of prior to yesterday. The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

This concludes the rebuttal that was sent to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) on 2/24/17 regarding the disciplinary action administered for Conduct Unbecoming a State Employee. I am asking that my personnel files be sponged of this disciplinary action as well. It is very biased and misleading; nevertheless the 2/23/17 administered disciplinary action for Conduct Unbecoming a State Employee (dated 2/22/17) is listed on the termination letter as one of the three accumulated offenses that led to my dismissal.

February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable. Many approaches and joint efforts were being revealed and it was clear to me that I was on my own. The pressure was unreal.

On 10/14/16, I made allegations against the Residential Services Director, Mrs. Claudette Fields and the Lead Direct Service Manager, Mrs. Valeria Williams – Bryant that called into question their integrity and ethics. These allegations were submitted to all top internal agency officials and were submitted to two (2) outside external agencies as well which included the South Carolina Department of Health and Environmental Control and the South Carolina Law Enforcement Division. Documents in my possession show that the investigation into these allegations came to an end in February of 2017. This is when the retaliation process by the Residential Services Director, Mrs. Claudette Fields officially began. The documents that I have regarding the investigation also prove that the agency did not truly initiate an investigation into my claims. Rather, the agency only gave the appearance that they did. (Group A)

The harassment, retaliation, prejudicial and unfair employment practices were mostly being carried out by the agency's Residential Services Director, Mrs. Claudette Fields but other top agency officials were definitely in collusion with her efforts.

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – Compensation for (22) Hours Worked

Dr. Buscemi, I worked a total of 22.00 additional hours in December of last year (2016). When I initially worked these hours, I was under the impression that I would be paid overtime pay. Later on I discovered that these hours would be compensated to me in comp time and ½ instead. However, I never received any monetary compensation or any comp time compensation for the additional 22.00 hours that I worked. I made several attempts/pleas to Mr. John Dooney to receive compensation, but none was given. I would really like for you to resolve this matter please. I am asking to be compensated for the 22.00 additional hours that I worked in December of last year (2016). It is not fair that I was never compensated for these additional hours that I worked. Please see the attached e-mail correspondences that support the facts outlined here (Group B).

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – AOD Job Vacancy Never Advertised

On 7/21/2016, I met with Mrs. Claudette Fields (Residential Director), Mrs. Rebecca Hill (Facility Administrator), and Mr. John Dooney (HR Director) to discuss my desire to move to a different department. During this conversation, I expressed my interest in the approaching AOD position that would soon become vacant. The current employee who was still in the position at this time was on his way out and had submitted his resignation. On 8/12/2016, I contacted HR to see when the AOD position would be posted (looking out for it) and was instead told that the position had already been filled. I was an interested, qualified, internal employee who wanted the opportunity to apply and be considered for this job but the job opportunity / job vacancy was never posted. It has always been my understanding that vacant positions were to be advertised for a minimum of (5) five days. Please see the attached e-mail correspondences (Group C).

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)

9/23/2017

To: The State Human Resources Director, Division of State Human Resources Department
Re: Employee Grievance (Ms. Alicia Bolden) – Terminated on 6/19/2017 (Monday)
: Appeal / Grievance to Dr. Beverly Buscemi (State Director) Denied (Certified Mail 9/18/17)

My name is Alicia Bolden and I have been terminated from my position with the Dept. of Disabilities and Special Needs on two separate occasions. My most recent termination was on June 19, 2017. Each termination has been at the hands of the Residential Services Director, Mrs. Claudette Fields. It is the dishonesty, unfairness, and prejudices that she displays towards me that have contributed to most of my pain and suffering. Her acts are malicious and intentional. She has damaged my professional standing as well as my character and reputation. Mrs. Fields prejudices, biases, and retaliation efforts have caused me much mental, emotional, and physical anguish. My terminations have caused me to lose income, health insurance benefits, and my pension plan. I have incurred lots of expenses, inconveniences, and stresses from these deliberate acts of employment discrimination, prejudices, and retaliation. These deliberate and malicious acts of employment discrimination, biases, prejudices, and retaliation should not be permitted in the work place.

On 2/23/2017, Mrs. Claudette Fields (Service Director – Residential Department) put in place an unfair, prejudicial, and discriminatory employment practice that would require me to sign in and out at Switchboard to be monitored by the Switchboard Operators. On 2/24/2017, I emailed Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) stating that this is retaliation, harassment, and unfair discriminatory employment practices. I informed Mrs. Blake – Sayers that I could not adhere to an unfair discriminatory employment practice that was being put in place specifically for me in an attempt to threaten my employment. All employees should be treated the same in the workplace. I will not be the only employee required to sign in and out at the Switchboard. This is harassment. This is retaliation. This is an unfair, prejudicial, and discriminatory employment practice.

RECEIVED
SEP 25 2017
DIVISION OF STATE HUMAN RESOURCES

The disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning) were administered for refusal to sign in and out at the Switchboard. In conclusion, I was terminated for asserting my rights to be treated fairly and equally in the workplace. I was terminated for not adhering to this unfair, prejudicial, and discriminatory employment practice. I am grieving all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. I am grieving the unfair, prejudicial, and discriminatory employment practice that was put in place on 2/23/2017. I am grieving these actions because they violate my rights to be treated fairly and equally in the workplace and to be free from employer discrimination, prejudice, retaliation, and harassment.

I am asking to be reinstated to my same position as a Direct Service Manager in Highlands 110. I am asking to be treated fairly and equally in the workplace. I am asking to be free from employer discrimination, prejudice, retaliation, and harassment. I am asking that my personnel files be sponged of all disciplinary actions that were administered for refusal to sign in and out at the Switchboard. These disciplinary actions are prejudicial, discriminatory, and retaliatory.

In addition to the above, I would also like to reference the 2/23/2017 disciplinary action titled Conduct Unbecoming a State Employee. On 2/24/2017, in the same above mentioned email correspondences to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) I issued a rebuttal to the claims outlined in this disciplinary action. The email rebuttal reads:

On 2/15/2017 I sent an email to Mrs. Fields regarding a transfer request made by a staff who works on 1st shift in Highlands 110. The staff member wanted to transfer from 110 1st shift to 110 second shift. Mrs. Fields replied, (via email) "Good Afternoon, please have Ms. Singletary to complete the necessary transfer form, and then I will seek availability for 2nd shift placement based on needs. Have a great day". I then phoned Mrs. Fields and asked if Mrs. Singletary would be able to remain in unit 110. Mrs. Fields conveyed that there was no guarantee that she would remain in 110.

Mrs. Fields then mentioned that unit 320 was short staffing on second shift. I then reminded Mrs. Fields that unit 110 currently has four vacancies. Mrs. Fields then redirected the conversation back to Mrs. Singletary stating that there was no guarantee that she would remain in unit 110 and she then ended our conversation.

I then contacted Mrs. Becky Hill. I asked Becky if I could come up to her office to discuss the conversation I just had with Mrs. Fields but Becky did not have time to speak with me right then. I said ok and we hung up. I phoned Mr. Rufus Britt. When Mr. Britt answered, I asked him if he had a moment to speak with me. He said yes. I then conveyed to Mr. Britt (the reasoning for my call) that a staff (Mrs. Singletary – Gadson) wanted to transfer from 110 1st shift to 110 2nd shift and that I felt that Mrs. Fields was being unfair in regards to the staff transfer request.

I spoke highly of the staff and expressed that while (as a manager) I did not want to lose her, I did not want the staff to be treated unfairly on my behalf. Mr. Britt took down the staff members name and informed me that he would speak to Mr. Dooney regarding this transfer request. This concluded all of the conversations that took place on 2/15/17 regarding this transfer request. On 2/23/17 I received an email from Mrs. Fields to attend a 4:00 meeting with her and Mrs. Bryant in Mr. Dooney's office. During this meeting I was presented with a disciplinary action for Conduct Unbecoming a State Employee. This disciplinary action is Mrs. Fields rendition and opinions regarding our conversation on 2/15/17 wherein she uses very harsh, fictitious, inflammatory language to describe me. In addition, Becky commented on the second page near the bottom wherein she implies that I was loud when I asked to come to her office to meet with her.

I refused to sign the disciplinary action because it is not facts. It was just the beginning of this retaliatory process by individuals here at the Coastal Center in efforts to get rid of me. Mrs. Fields even read from some document that was said to have been written by a past supervisor of mine (Ms. Sheila Summers) that I've never had any knowledge of prior to yesterday. The lies must stop. I know that there is collusion in this agency against me. Everyone's on board.

This concludes the rebuttal that was sent to Mrs. Deirdre Blake – Sayers (Human Resources Director – SCDDSN) on 2/24/17 regarding the disciplinary action administered for Conduct Unbecoming a State Employee. I am asking that my personnel files be sponged of this disciplinary action as well. It is very biased and misleading; nevertheless the 2/23/17 administered disciplinary action for Conduct Unbecoming a State Employee (dated 2/22/17) is listed on the termination letter as one of the three accumulated offenses that led to my dismissal.

February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable. Many approaches and joint efforts were being revealed and it was clear to me that I was on my own. The pressure was unreal.

On 10/14/16, I made allegations against the Residential Services Director, Mrs. Claudette Fields and the Lead Direct Service Manager, Mrs. Valeria Williams – Bryant that called into question their integrity and ethics. These allegations were submitted to all top internal agency officials and were submitted to two (2) outside external agencies as well which included the South Carolina Department of Health and Environmental Control and the South Carolina Law Enforcement Division. Documents in my possession show that the investigation into these allegations came to an end in February of 2017. This is when the retaliation process by the Residential Services Director, Mrs. Claudette Fields officially began. The documents that I have regarding the investigation also prove that the agency did not truly initiate an investigation into my claims. Rather, the agency only gave the appearance that they did. (Group A)

The harassment, retaliation, prejudicial and unfair employment practices were mostly being carried out by the agency's Residential Services Director, Mrs. Claudette Fields but other top agency officials were definitely in collusion with her efforts.

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – Compensation for (22) Hours Worked

Dr. Buscemi, I worked a total of 22.00 additional hours in December of last year (2016). When I initially worked these hours, I was under the impression that I would be paid overtime pay. Later on I discovered that these hours would be compensated to me in comp time and ½ instead. However, I never received any monetary compensation or any comp time compensation for the additional 22.00 hours that I worked. I made several attempts/pleas to Mr. John Dooney to receive compensation, but none was given. I would really like for you to resolve this matter please. I am asking to be compensated for the 22.00 additional hours that I worked in December of last year (2016). It is not fair that I was never compensated for these additional hours that I worked. Please see the attached e-mail correspondences that support the facts outlined here (Group B).

To: Dr. Beverly Buscemi, Ph.D. (State Director of SCDDSN),
Re: Additional Employee Grievance (Ms. Alicia Bolden) – AOD Job Vacancy Never Advertised

On 7/21/2016, I met with Mrs. Claudette Fields (Residential Director), Mrs. Rebecca Hill (Facility Administrator), and Mr. John Dooney (HR Director) to discuss my desire to move to a different department. During this conversation, I expressed my interest in the approaching AOD position that would soon become vacant. The current employee who was still in the position at this time was on his way out and had submitted his resignation. On 8/12/2016, I contacted HR to see when the AOD position would be posted (looking out for it) and was instead told that the position had already been filled. I was an interested, qualified, internal employee who wanted the opportunity to apply and be considered for this job but the job opportunity / job vacancy was never posted. It has always been my understanding that vacant positions were to be advertised for a minimum of (5) five days. Please see the attached e-mail correspondences (Group C).

Sincerely, Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407
(843) 709 – 5313 (Cell)

Re: Valeria Williams – Bryant and Claudette Fields!

Group A

Dooney, John

Mon 10/17/2016 12:25 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

cc:Britt, Rufus <RBritt@ddsn.sc.gov>; Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>; Vanderbilt,Tana G. <TVanderbilt@ddsn.sc.gov>;

Ms. Bolden,

The Department of Disabilities & Special Needs has zero tolerance for any acts of abuse, neglect, and or exploitation. Should you be aware of any such instances, you are mandated to report any such instance(s) by law. Failure to do so could result in adverse outcomes for those we serve. Reports of abuse, neglect, and or exploitation should be reported to the State Law Enforcement Division (SLED). The intake telephone number is 1-866-200-6066. Also, the Human Resources Department here at Coastal Center and our Facility Administrator, Ms. Rebecca Hill, have "open doors" and are willing to listen to any concerns you have regarding operations or ways to improve our agency.

Sincerely,

John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9965 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

From: Bolden, Alicia
Sent: Friday, October 14, 2016 8:30 PM
To: Hill, Becky; Dooney, John; Britt, Rufus; Blake-Sayers, Deirdre
Subject: Valeria Williams – Bryant and Claudette Fields!

Employees of this agency are expected to carry out their duties in a manner which ensures that the dignity, self-respect, and safety of every person receiving services are protected to the fullest extent. Abuse, neglect, or exploitation in any form will not be tolerated. Exploitation may involve, but is not limited to an improper, unlawful, or unauthorized use of funds, assets, property, etc., or causing a vulnerable adult to purchase goods and services or defrauding an individual. Misappropriation of Consumer's Funds for one's own use and unauthorized purpose, particularly by a public official, or trustee, or by any person with a responsibility to care for and protect a Consumer's assets is grounds for immediate dismissal. This is a crime punishable by law. Valeria Williams - Bryant is Guilty of these Charges and her supervisor Claudette Fields knows all about it. Instead of Bryant being held accountable for her prior bad acts; she is now being rewarded for them instead. Bryant's bad acts preceded Val Haynes bad acts, but Bryant only lost check cashing privileges while Haynes lost her job. Why is that? Someone should ask Claudette Fields. It is our duty and responsibility to protect our Consumer's from people who lack integrity and ethics such as Valeria Williams – Bryant and Claudette Fields. I plan to do just that. The corruption stops now.

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairman
Eva R. Ravenel
Vice Chairman
Gary C. Lemel
Secretary
Mary Ellen Barnwell
Sam P. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

April 25, 2017

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Dear Ms. Bolden:

In accordance with your Freedom of Information request emailed April 14, 2017, please find enclosed DDSN Internal Audit Report 17-17 Coastal Center Follow-Up, dated February 23, 2017.

Please let us know if you require additional information.

Thank you.

Sincerely,

Lois Park Mole

Lois Park Mole
Director
Government and Community Relations

LPM/dg

Enclosure

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

0289

SOUTH CAROLINA
Department
OF
Disabilities
AND
Special Needs

Internal Audit Report 17-17
Coastal Center
Follow-Up
February 23, 2017

Contents

Background, Purpose and Scope 1

Summary of Findings 2

Findings and Action Plans 2

Consumer Property (High Priority)
PARTIAL REPEAT - 50% Compliant 2

Procurement Card Purchases (High Priority)
PARTIAL REPEAT - 80% Compliant 3

SOUTH CAROLINA Department of Disabilities AND Special Needs

Internal Audit Report 17-17

Coastal Center Follow-Up

February 23, 2017

Background Purpose and Scope

The South Carolina Department of Disabilities and Special Needs (DDSN), as defined in the South Carolina Code of Law, serves persons with intellectual disabilities, autism, traumatic brain injury and spinal cord injury and conditions related to each of these disabilities. It is the mission of DDSN to assist people with disabilities and their families through choice in meeting needs, pursuing possibilities, and achieving life goals, and minimize the occurrence and reduce the severity of disabilities through prevention. To that end, the Department has established an Internal Audit Division (IA) to ensure continuity, quality, and responsiveness in services and supports to persons with disabilities by furnishing information, analyses, and recommendations to the Commission, management, and service provider organizations.

DDSN's service delivery system contracts with local DSN Boards and qualified private providers throughout South Carolina. In addition, the Department also operates five regional centers located within the State to include: Columbia, Clinton, Summerville, Florence and Hartsville. These centers serve persons with the most complex needs. Coastal Center, located in Summerville handles consumers' personal funds for 153 individuals in 10 residential facilities located on campus. These individuals have funds deposited in the Regional Bank.

Coastal Center is responsible for safeguarding the consumers' personal funds and property for which DDSN is representative payee. In accordance with DDSN directives, the Center accounts for the consumers' personal funds in the Regional Bank which is electronically maintained and requires unit staff to maintain property records and take periodic inventories to account for the consumers' personal property.

IA performed a follow-up audit of Coastal Center to determine the status of the findings noted in Internal Audit Report 14-23 which was a limited review of the Center's internal controls over consumers' personal funds and property as well as a limited procurement review. Coastal Center made progress by correcting three of the five previous findings, and partially correcting two findings; however, we did note some concerns and one new condition as detailed in this report.

In order to communicate the professional opinion of the importance of the findings in this report, each of the concerns was ranked as high priority. During the review, deficiencies may also have been discovered which, in IA's opinion, represented minimal exposure to the organization. These were informally communicated to appropriate Center management and were not included in this report.

The scope of the audit encompassed the period July 1, 2015 through September 30, 2016. An entrance conference was held with management on November 2, 2016 immediately followed by field work. An exit conference was conducted with the Facility Administrator and appropriate staff on January 18, 2017.

Summary of Findings

Our follow-up audit of Coastal Center disclosed:

1. **Consumer Funds** – Resolved.
2. **Cash on Hand** – Resolved.
3. **Consumer Property** – One of two conditions (50%) resolved.
4. **Procurement Card Purchases** – Four of five conditions (80%) resolved.
6. **Procurements - Bids** - Resolved.

The audit disclosed where some improvements could be made. In addition, procurement practices did not always follow the DDSN Procurement Manual. The areas of concern noted present the Center the opportunity to improve and strengthen their internal controls over consumer property and procurement practices in order to comply with DDSN's directives and Procurement Manual.

The audit was performed in accordance with International Standards for the Professional Practice of Internal Auditing and DDSN directive 275-05-DD, "General Duties of the Internal Audit Division." The review of the Center was limited in scope and would not necessarily have detected other significant deficiencies that may exist.

FINDINGS AND ACTION PLANS

In IA's opinion, the actions taken or planned to be taken as indicated in the action plans adequately address the audit findings.

CONSUMER PROPERTY

HIGH PRIORITY

Partial Repeat

Of the 153 people in the residential programs, IA judgmentally selected and reviewed the files for nine (6%) consumers' personal property, and corresponding Personal Property Records (PPRs). We found residential staff did not always manage the consumers' personal property in accordance with DDSN directive 600-10-DD, "Individual Clothing and Personal Property-Regional Center." We verified the physical existence of the property items and traced the items in their living areas back to the entries recorded on the PPRs. The review found:

1. Two of nine (22%) consumers' PPRs did not always contain the product's serial number. **(New Finding)**
2. Four of nine (44%) consumers' PPRs did not contain an adequate description of the item(s).

DDSN directive 600-10-DD requires that consumers' PPRs contain adequate descriptions and be kept current. Serial numbers of items must be listed for television sets, bicycles, stereo units, etc. on the PPRs.

Staff did not always monitor or maintain personal property according to the requirements of the directive. Failure to comply with the directive weakens accountability for individuals' clothing and non-clothing personal property that could result in loss through theft or misappropriation without timely detection.

Action Plan

1. ***The facility will ensure compliance with DDSN directive 600-10-DD, "Individual Clothing and Personal Property Regional Centers", to include but not limited to, that all applicable property serial numbers are recorded on the consumers Personal Property Record and property records contain adequate descriptions of property items to help identify them should they become lost or stolen.***
2. ***The Residential Service Director reviewed the Internal Audit findings and recommendations with supervisory staff on 1/19/17. The Lead DSM and QIDP conducted in-service training with the DSMs and QIDPs on 1/24/17 and 1/25/17. To ensure that consumers Personal Property Records have applicable property serial numbers recorded and adequate descriptions of property items, the QIDPs and DSMs will monitor.***

In-service training records are on file in Administrative Office.

Effective Date: January 26, 2017.

PROCUREMENT CARD PURCHASES — HIGH PRIORITY

Internal Audit reviewed a total of 25 charges for the Center's Visa credit cards for the audit period and found:

1. Eight of 25 (32%) charges were split purchases which circumvented the limitations of the Purchasing Card Program in accordance with State Government's Policies and Procedures. **(Repeat Finding)**
2. On numerous occasions, purchases for curtains from Lowes were made. Although the purchases appeared to be split purchases, the purchasing request stated that Lowes split the purchases. Standard purchasing procedures should have been followed to allow for the most efficient purchase to be made for the items needed.

The DDSN Purchasing Card was designed to help the agency better manage low-dollar supply purchases. It provides an extremely efficient and effective method for purchasing and paying for supplies within the cardholder's specified dollar limit.

Coastal Center staff did not always adhere to policy on the use of agency procurement cards as they relate to internal controls or proper usage. Failure to exercise prudent management practices and good internal controls with regard to agency procurement cards could result in loss of operational funds through unauthorized charges or misappropriation without timely detection.

Action Plan

1. *Coastal Center management and staff will administer their fiscal affairs to adhere with Agency Guidelines regarding the use of procurement cards to comprise governance of sound internal controls to include but not limited to, adhering to individual purchase limits by not splitting purchases as a way to circumvent the Purchasing Card Program limitations, and potential campus-wide purchases are properly researched prior to purchasing items. The Facility Administrator met with the Procurement Specialist on 1/23/17 to review all assigned cardholders Purchase Card limits and card usage for the past three years. Discussion ensued to include decreasing the number of cards assign to departments; increasing departmental supervisor's card limits; suspending cards not used or reassigning to the emergency cards; use of purchase orders for campus-wide items; and adequate supporting documentation (ie: work orders).*
2. *The Facility Administrator met with the respective Service Directors on 1/23/17 and 1/25/17 to address compliance with Purchasing Card Program and using Purchase Orders for campus-wide or large purchases. The facility will ensure compliance with the Agency Guidelines by not splitting purchases to circumvent purchase card limits; using Purchase Orders as best practice for campus-wide or large items; attaching appropriate documentation to include but not limited to, justification of purchase(s), work orders, quotes, etc. Failure to comply will result in cardholder suspension and disciplinary action.*

Effective Date: February 8, 2017.

Kashori S. Davis
In-Charge Auditor

Kevin Yacobi, CIA, CGAP, CBM, CFS, CRMA
Director of Internal Audit

Re: Following Up: My Overtime Comp Hours?

150

Bolden, Alicia

Group B

Fri 2/10/2017 11:41 AM

Sent Items

Dooney, John <JDooney@ddsn.sc.gov>;

Cc Edwards, Vera <VEdwards@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>;

I understand John, but it was a complete waste of my time for me to have done this. I labored in vain; no comp/no cash. I understand what you are telling me, but it is not fair. ☹

From: Dooney, John
Sent: Friday, February 10, 2017 11:35 AM
To: Bolden, Alicia
Cc: Edwards, Vera; Hill, Becky
Subject: RE: Following Up: My Overtime Comp Hours?

Alicia,

When you are on annual/sick leave…you are not physically present, in turn, those authorized paid leave days are not considered hours worked for overtime accrual. I have attached the employee handbook regarding compensation/overtime for further guidance….

Employee handbook: Leave Status

"Time spent in leave status is not considered hours worked"

"Hours that are not worked during the seven (7) day overtime period including holidays, authorized paid leave and/or leave without pay are not considered hours worked for the computation of overtime. Compensation or compensatory time off is not authorized for hours worked between 37.5and 40 hours."

R/
John

John Dooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:27 AM
To: Dooney, John <JDooney@ddsn.sc.gov>; Hill, Becky <BHill@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: RE: Following Up: My Overtime Comp Hours?

This is problematic John. So basically you're telling me that I worked all those long hours in vain. The system should not have calculated this, Coastal Center/DDSN should have calculated this since it is Coastal Center/DDSN's desire to pay us in Comp Time and not in Cash. Becky will you please respond to this. Does this seem fair to you?

Alicia (110)

From: Dooney, John
Sent: Friday, February 10, 2017 11:19 AM
To: Bolden, Alicia
Cc: Edwards, Vera
Subject: RE: Following Up: My Overtime Comp Hours?

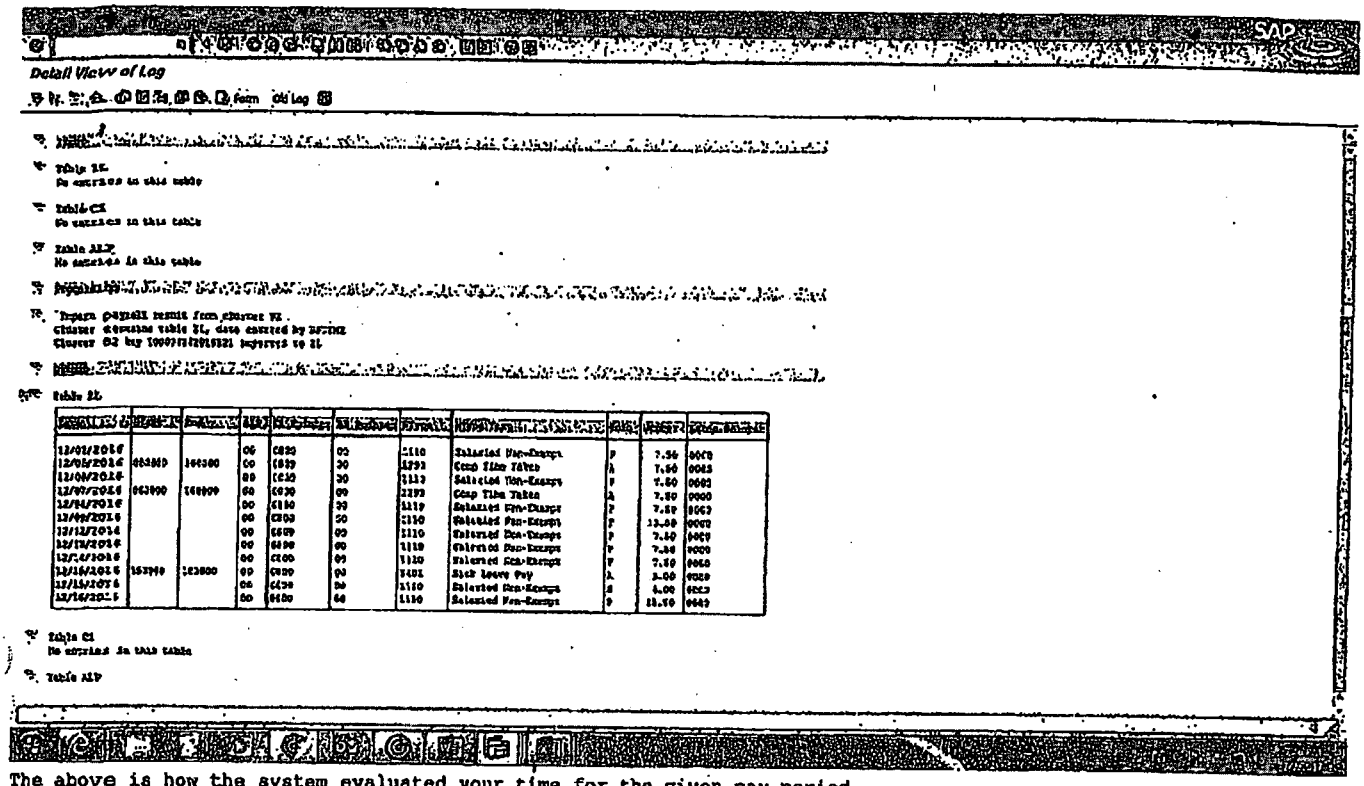
Good morning,

In your case, you are a 37.5 hour a week employee, in which, you begin to earn OT Comp Time after you have worked a minimum of 40 hours within a given work week; also keep in mind that you must have worked a minimum of 40 hours

to earn the acoruals.

SCEIS and the paper time sheets are Monday - Sunday, but time is evaluated in SCEIS on a Friday - Thursday basis. . .That is why your accruals of the Comp time are on Thursdays, because that is considered the end of the week.

During the times that you have worked the overtime, you was off- using leave within the same work week which reduced the number of COMP Time eligible accrual time.



The above is how the system evaluated your time for the given pay period.
- The week of 12/9-12/15 resulted in 40.5 hours of actual work time...and 3 hours of leave usage.
- The week of 12/2-12/8 resulted in 22.5 hours of work time and 15 hours of leave usage

Thanks.
R/
John

JohnDooney
District II HR Director
SC Department of Disabilities and Special Needs
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Bolden, Alicia
Sent: Friday, February 10, 2017 11:12 AM
To: Dooney, John <JDooney@ddsn.sc.gov>
Cc: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Following Up: My Overtime Comp Hours?

Following Up!!!

From: Bolden, Alicia
Sent: Thursday, February 2, 2017 10:23 AM

152

To: Doonesy, John
Cc: Edwards, Vera
Subject: Fw: My Overtime Comp Hours?

Mr. Doonesy, these are the days and hours that I worked overtime. It is my understanding that I am to receive Time and a Half in Comp Hours since I was not paid for this overtime. I calculate this to be a total of 33 hours which is the 22 hours plus a half of 11 hours.

Alicia (1-10)

From: Edwards, Vera
Sent: Tuesday, January 31, 2017 2:39 PM
To: Bolden, Alicia
Subject: RE: My Overtime Comp Hours?

Dec. 9 = 11:00 – 5:00 = 6.0 hours
Dec. 16 = 11:00 – 7:30 = 8.0
Dec. 23 = 11:00 – 7:30 = 8.0
Total 22.00 hours

From: Bolden, Alicia
Sent: Tuesday, January 31, 2017 12:40 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: My Overtime Comp Hours?

Good Afternoon Ms. Vera,

Did you ever get a chance to calculate the number of comp hours that I accrued from the days I worked overtime in December?

Alicia (1-10)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

153

FW: Still No Overtime!

Edwards, Vera

Fri 1/13/2017 2:41 PM

To:Dooney, John <JDooney@ddsn.sc.gov>;

CcBolden, Alicia <ABolden@ddsn.sc.gov>; Fields, Claudette <CFields@ddsn.sc.gov>;

Alicia worked over on: 12/9 – 11:00 pm – 5 am; 12/16 – 11:00 pm – 7:30 am; and 12/23 – 11:00 pm – 7:30 am. She has not received pay out for these 3 nights. Per sceis, she is not eligible for shift premium.
thanks for checking.

From: Bolden, Alicia
Sent: Friday, January 13, 2017 1:30 PM
To: Edwards, Vera <VEdwards@ddsn.sc.gov>
Subject: Still No Overtime!

Good Afternoon Ms. Vera,

Another pay date is here and I am still without my overtime. I am beginning to worry/wonder - was it all in vain?

Alicia Bolden (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

154

Re: Overtime, Yeahhhh....

Fields, Claudette

Fri 12/9/2016 4:52 PM

To: Bolden, Alicia <ABolden@ddsn.sc.gov>;

Okay, thanks I appreciate you working things out.

Sent from my iPhone

On Dec 9, 2016, at 4:45 PM, Bolden, Alicia <ABolden@ddsn.sc.gov> wrote:

Yes Mam! Hopefully we won't have any additional call ins.

From: Fields, Claudette
Sent: Friday, December 9, 2016 4:42 PM
To: Bolden, Alicia
Cc: Williams, Valerie
Subject: RE: Overtime, Yeahhhh....

You make the 3rd staff right?

From: Bolden, Alicia
Sent: Friday, December 09, 2016 4:38 PM
To: Fields, Claudette <CFields@ddsn.sc.gov>
Cc: Williams, Valerie <VWilliams@ddsn.sc.gov>
Subject: Overtime, Yeahhhh....

Good Afternoon Mrs. Fields,

I would like to work 3rd shift (11 – 7:30) tonight please. Overtime, Yeahhhh....

Alicia (110)

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state

privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

156

Re: Administrative Coordinator I (AOD) position?

Bolden, Alicia **Group C**

Mon 8/15/2016 2:07 PM

To: Dooney, John <JDooney@ddsn.sc.gov>;

Cc: Gadsden, Kecia <KGadsden@ddsn.sc.gov>;

I was interested in applying for the second vacant position and I've been waiting for it to be posted so that I would be able to do so but it never was. Now the second position has been filled and I never even got the opportunity to apply. I feel that this was not fair. Positions become vacant all the time but they should be posted each time. I am very much aware of when the vacancy actually occurred and I never imagined that the position would be filled and not be posted. This would not have been a re-advertisement. These were two separate vacancies.

From: Dooney, John
Sent: Monday, August 15, 2016 12:10 PM
To: Bolden, Alicia
Cc: Gadsden, Kecia
Subject: Re: Administrative Coordinator I (AOD) position?

Good morning,

We are in the process of filling both positions. HR received an abundant amount of qualified candidates, internally/externally, to fill both positions from the vacancy posting running from 05/31/16 - 06/14/16 5:00 PM. There was not a need to re-advertise or draft another vacancy posting.

Thanks.
R/
John

John Dooney
HR Director (District II)
SC Department of Disabilities and Special Needs
Coastal Center
9995 Miles Jamison Road
Summerville, SC 29485
Work # 843-873-5750
Fax# 843-821-5878
jdooney@ddsn.sc.gov

From: Bolden, Alicia
Sent: Monday, August 15, 2016 11:37:54 AM
To: Dooney, John
Subject: Administrative Coordinator I (AOD) position?

Good Morning Mr. Dooney,

I am writing to inquire about the recently vacant Administrative Coordinator I (AOD) position. It has been brought to my attention that this position has been filled. Mrs. Gadsen confirmed this fact for me on Friday 8/12/16. Why wasn't this position vacancy advertised/posted?

Alicia Bolden

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: vacancies

Bolden, Alicia

Fri 7/22/2016 2:27 PM

To:Hill, Becky <BHill@ddsn.sc.gov>;

Thanks, Becky,

I appreciate this very much.

Alicia (110)

From: Hill, Becky
Sent: Friday, July 22, 2016 1:50 PM
To: Bolden, Alicia
Subject: vacancies

Alicia,

Berkeley Citizens and Dorchester County DSN Boards only have DSP (HSA), Habilitation Assistant, and temporary positions available at this time. However, Charleston County DSN Board has several opportunities. There is one position that requires a license and that is a CRCF Administrator. The other positions are as follows:

Early Interventionist
Rehab Support Specialist (head and spinal cord)
Case Manager
CTH II Coordinator
Director of Residential Services
Director of Family Support Services

Hope this information is helpful.

Becky

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Re: Follow – Up!

Fields, Claudette

Wed 7/20/2016 4:29 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

cc:Dooney, John <JDooney@ddsn.sc.gov>;

Hello Alicia,

John and I attempted to meet with you on Tuesday, but you were on SL. We would like to meet with you on tomorrow to further discuss your concerns/request. I will contact you once John confirms his availability.

Thanks,
/CF

From: Bolden, Alicia
Sent: Wednesday, July 20, 2016 3:33 PM
To: Fields, Claudette
Subject: Follow – Up!

Good Afternoon Mrs. Fields,

I have made several attempts to contact Mr. Dooney regarding my request for Re-Assignment; however I was just made aware that he is not here today. I wanted to follow – up regarding this request. I wanted to know if you have heard anything regarding it.

In the event that I am unable to be Re-Assigned, I am writing to request that the following two recommendations be considered.

1. That Val and I have separate Supervisors.
2. That Ms. Tishomy Davis be Re-Assigned to another unit.

I would like to discuss these two requests with you further when you are available. Thanks!

Alicia (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

160

Emailing: Job Bulletin

Gadsden, Kecia

Fri 8/12/2016 12:27 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

STATE OF SOUTH CAROLINA

Department of Disabilities & Special Needs-Coastal Regional Center

9995 Jamison Rd.
Summerville, SC 29485

http://www.jobs.sc.gov

INVITES APPLICATIONS FOR THE POSITION OF:
Administrative Coordinator I - Officer of the Day

An Equal Opportunity Employer

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

OPENING DATE: 05/31/16

CLOSING DATE: 06/14/16 05:00 PM

JOB TITLE: Administrative Coordinator I - Officer of the Day

CLASS CODE: AH10

POSITION NUMBER: 60017212

SLOT NUMBER:

STATE SALARY RANGE:
$32,838.00 - $60,760.00 Annually

AGENCY HIRING RANGE - MIN: 33,077
AGENCY HIRING RANGE - MAX:

LOCATION: Dorchester County, South Carolina

JOB TYPE: FTE - Full-Time

NORMAL WORK SCHEDULE: 11:15 pm - 07:45 am

RESIDENCY REQUIREMENT:
RESIDENCY REQUIREMENT SPECIFICS (IF ANY):

AGENCY SPECIFIC APPLICATION PROCEDURES:

Please see our Agency Specific Application Procedures. You must complete all work history within the application form. An offer of employment in this position will be contingent upon the following: an acceptable review of your past employment history, references, other sources including, but not limited to, the criminal background check which will be conducted by SLED and/or the FBI: and receiving clearance from the DSS Child Registry that indicates no record of child abuse or neglect. Employment would also be contingent on your passing a pre-employment drug test. DDSN reserves the right to rescind any employment offer in the event our review of your background develops information, including opinions of previous employer or colleagues that cause us to conclude, at our sole discretion, that you are not suited for the position

JOB RESPONSIBILITIES:

Coastal Center is a public Immediate Care Facility (ICF) providing a full range of services to approximately 152 individuals with intellectual and physical disabilities. We are one of five public ICFs operated by the South Carolina Department of Disabilities and Special Needs (DDSN). DDSN serves more than 29,000 South Carolinians with intellectual and related disabilities, autism, and spinal cord/head injuries.

This position serves as the Center's Officer of the Day during his or her assigned shift. This position ensures the safety and well being of the residents and employees at Coastal Regional Center. This position conducts assigned investigative procedures, as directed. Secures incident scenes and coordinates with law enforcement, initiates preliminary investigations. Assists residential and nursing staff regarding emergencies. Conducts fire drills; sanitation and consumers' elevated levels of aggression. This person assists in meeting and greeting residents' families, friends, and guests, and coordinates their visits while on campus.

MINIMUM AND ADDITIONAL REQUIREMENTS:

At a minimum, must possess a Bachelor's Degree and one (1) year of relevant work experience; or an Associates Degree and two (2) years of relevant work experience; or High School Diploma and three (3) years of relevant work experience based on additional education, experience and training. Valid South Carolina Driver's License required.

Ability to exercise judgment, discretion, maintains effective working relationships, and interprets and applies laws, regulation, policies and procedures. Ability to communicate effectively verbally and in writing.

PREFERRED QUALIFICATIONS:

Work experience in the supervision of staff.

ADDITIONAL COMMENTS:

Required physical abilities include, but are not limited to: lifting, pulling, pushing, walking, standing, stooping, kneeling, reaching, repetitive motions and running.

This position is considered an essential position and is required to work during hazardous weather conditions.

APPLICATIONS MAY BE OBTAINED AND FILED ONLINE AT:
http://www.jobs.sc.gov
OR

Job #57614
ADMINISTRATIVE COORDINATOR I - OFFICER OF THE DAY
KB

9995 Jamison Rd.
Summerville, SC 29485

Administrative Coordinator I - Officer of the Day Supplemental Questionnaire

* 1. If you have ever been convicted of a misdemeanor or felony criminal offense after your 17th birthday, you MUST list this information under "agency-wide question 1 and 2" (unless you have taken steps to expunge your record). This includes fraudulent checks, driving under suspension, disorderly conduct, shoplifting, etc. You may only omit minor traffic violations, such as speeding tickets & seatbelt violations, etc. *Please note that conviction of a criminal offense does not bar you from employment, in all cases; each conviction is evaluated individually. However, failure to list convictions is considered falsification of the application and may be ground for termination. It is your responsibility to know what is on your criminal record. If you have charges on your record that appear without a court disposition (result), you will be asked to provide that information, if selected for employment. If you have questions, please inquire before you complete your application. Please indicate your understanding of this statement in the box below.

* 2. At the time of application, do you possess a Bachelor's degree, Associates degree, or high school diploma with qualified years' experience? Please explain.

* 3. Do you have supervisory experience? Please explain.

* 4. Do you have experience in conducting investigations? Please explain.

* 5. Have you ever worked for South Carolina Department of Disabilities and Special Needs? If so, please explain.

* 6. I understand that only a complete and accurate application will be considered. I have included all current and previous work history and education. Additionally, the supplemental questions are considered part of my official application. By checking "yes", I certify that I have followed the application instructions.

☐Yes ☐No

* Required Question

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Gary C. Lemel
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

June 16, 2017

Alicia Bolden
1115 Carnegie Avenue
Charleston, SC 29407

Upon the request of your supervisor, your status as a Human Services Specialist II with the S.C. Department of Disabilities and Special Needs- Coastal Regional Center has been terminated effective June 20, 2017; "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for a Written Reprimand."

- Suspension: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, April 18, 19, and 20, 2017
- Written Warning: Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor, March10, 2017.
- Written Warning: Conduct Unbecoming of a State Employee, February 22, 2017

You are hereby advised of your right to appeal this official disciplinary action. The appeal must be filed in writing with Rebecca Hill, Coastal Regional Center's Facility Administrator, within fourteen (14) calendar days following the effective date of this action or receipt of notification of this action, whichever occurs later. The written appeal must contain a brief statement of facts, the action, which you are grieving, and should specify your reason for appeal and the nature of relief sought. Attached is the SCDDSN Grievance Procedure Directive.

Please be reminded that terminated employees are not permitted to visit campus buildings, units, or offices. Approval to visit the campus must be given by the Facility Administrator for all work areas other than the Human Resource Management Office. Notification of your arrival and departure must be reported to the AOD. Please kindly return all DDSN property in your possession.

Should you have any questions about this content of this letter, please contact me directly.

A copy of this letter will be filed in your official personnel file.

Respectfully,

JOHN DOONEY
District II HR Director

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center – Phone: 803/935-7500
Whitten Center – Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: (864) 843-5576

Coastal Center – Phone: 843/873-5750
Pee Dee Center – Phone: 843/664-2600
Saleeby Center – Phone: 843/332-4104

0309

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: June 7, 2017

Direct Support Manager — Failure to Observe Assigned Work Hours

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. As of today June 7, 2017 there has been no marked improvement in the area of your assigned work hours. Therefore, you have prolong to comply with such reasonable request. You continuously refuse to sign in/out through switchboard. Effective immediately, you are being dismissed from your position as an HSS I (Building Manager). You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

Dismissal

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			6.7.17
Assistant Administrator			6/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

0310

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden

Position Title

Date: April 6, 2017

Failure to Observe Assigned Work Hours

Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

Department of Disabilities and Special Needs (DDSN) Standard of Disciplinary Action Directive (413-01-DD) confirms guidelines for employee's disciplinary actions. Guidelines are administered to those employees demonstrating deficiencies and unreasonable conduct/behavior. In accordance with this directive, you are receiving a (3) days suspension for inappropriate conduct/behavior. This agency is grounded on fair and consistent measures, when administering disciplinary action. Whereas, it is the responsibility of the employee to conform with procedures applicable to their duty assignment. Every attempt has been made to professionally support you as a Manager. However, you prolong to comply with such reasonable request. You were counseled on February 23, 2017 & March 10, 2017 for Failure to Observe Assigned Work Hours. On both dates, specific instructions were given in the presence of two witnesses. The instructions were as follows:

1. Submit your monthly work schedule to your supervisors timely.
2. Follow your schedule, no exceptions.
3. Monitored by the switchboard operator.
4. Sign in/out through switchboard.

As of today April 6, 2017, there has been no marked improvement in this areas. You continuously refuse to sign in/out through switchboard. Therefore, it is difficult for your supervisor to determine the correct time you are reporting to work. Effective immediately, you are expected to correct your inappropriate conduct/behavior by signing in/out through switchboard.

Failure to demonstrate immediate and sustained improvement in these areas may result in further corrective action, up to and including dismissal. You have the right to request a copy of this action under DDSN progressive disciplinary action policy.

Type Disciplinary Action Recommended

3- Days Suspension

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator	[signature]		4-7-17
Assistant Administrator	[signature]		4/7/17
Human Resource Management			
Program Administrator			

Reviewer Comments:

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: March 10, 2017

Direct Support Manager — Insubordination

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

A meeting was held with Alicia on February 23, 2017. Alicia's immediate supervisor and HR Director were present during this discussion. The purpose of this meeting was to discuss Alicia's time and attendance, and her unbecoming conduct as a State employee. This resulted in an oral counseling and a written warning. Today's written warning is to inform Alicia that as of March 10, 2017. Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy. On February 23rd, I expressed that the agreeable working hours are 8:30-5:00, or 10:00-6:30. Also, you were informed that the following instructions must be adhere to:

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

In conclusion, Alicia, was made aware, that it is critical for her to report to work on time. There is no additional grace period. Any further tardiness will result in progressive disciplinary action, and your scheduled working hours will be amended to 6:00-2:30; 8:30-5:00 and 10:00-6:30. The previously mentioned hours are regulars working hours for a Coastal Regional Center Direct Support Manager. However, Alicia was given the privilege to work 8:30-5:00 or 10:00-6:30, due to personal issues. As of today, March 10, 2017; Alicia remains insubordinate, therefore a written warning is being

administered. Please be advised, failure to comply with the above instructions will result in a suspension to termination.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager	[signature]		3/10/17
Program Coordinator			
Assistant Administrator	[signature]		3/10/17
Human Resource Management	[signature]		3/10/17
Program Administrator			

Reviewer Comments:

As previously discussed, the request is not unreasonable.
[signature]
3/10/17

Written warning administered. Refused to sign. Asked for copy & one was provided.

Rebecca D. Hill, T.A.
3-15-17

Meeting was Scheduled for 2:00 p.m. Alicia arrived at 2:24 p.m. C. Fields

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: March 10, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Insubordination:
Alicia remain insubordinate regarding instructions given to her on February 23, 2017. In supporting evidence it is apparent that you fail to sign in/out at switchboard. Based on these incidents, we feel you do not wish to comply with the professionalism mandated by company policy.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: _____ Date: ___/___/___

REVIEWER'S SIGNATURE: Nanette Rose Date: 3.10.17

HR DIRECTOR'S SIGNATURE: _____ Date: ___/___/___

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ___/___/___
(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

0315

RECOMMENDATION FOR DISCIPLINARY ACTION

Alicia Bolden — Date: February 22, 2017

Direct Support Manager — Conduct unbecoming of a State Employee

Position Title — Subjects

DISCUSSION (INCLUDE FACTS, COMMENTS, NOTES)

On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia. Eventually, I managed to gain some control and directed Alicia to forward a transfer slip to the employee. On many occasions, Alicia has demonstrated blatant disregard towards lower and upper management staff, enduring that it will be her way or no way. Alicia has forced my hands to move forward with a written warning, as titled, "Conduct Unbecoming of a State Employee". With such considerations in mind, my recommendation is based on her continuous failure to comply with management decisions, and her persistent unprofessional conduct in the capacity of a state employee leader. The number of such incidents suggests Alicia lacks desire for change and professional growth. This written warning will remain in Alicia's personnel file for (2) years. Albeit, Alicia has some good skills, far too often she allows her unreasonable behavior to magnify which disrupts the operation. In July 2016, Alicia began demonstrating some behaviors that were concerning. Several meeting were held to address, those concerns with regards to help Alicia work through her issues. The area of concerns are as follow:

- Forwarding email regarding politics and religion.
- Unfair disciplinary actions attempts toward non-preferred staff.
- Excessive Tardiness.
- Ensure staff are sufficiently trained to perform their assigned duties.
- Lack of data collection for her assigned consumers.
- Lack of initiative as a Manager.

As of February 21, 2017, these concerns are valid and will be monitored by Alicia's supervisor.

Type Disciplinary Action Recommended

Written Warning

Claudette Fields

SIGNATURE AND POSITION TITLE
(Person Making Recommendation)

Review and conclusion:	Concur	Disagree	Date
Direct Support Manager			
Program Coordinator			2/23/17
Assistant Administrator			2/22/17
Human Resource Management			2/23/17
Program Administrator	RDH		2.23.17

Reviewer Comments:
Ms. Bolden disregards supervisory authority and have involved in most of the issues referenced. And the most recent incident, I received a phone call that disrupted Administration operation that was overheard by another employee in her offices.

Rebecca D. Hill, J.A.
2.23.17

0317

SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

EMPLOYEE DISCIPLINARY ACTION REPORT

WARNING NOTICE

Employee Name Alicia Bolden Date: February 22, 2017

Position Title: Direct Support Manager Organ. Comp: Residential Program Services

This Employee Is disciplined for the following:

Conduct Unbecoming of a State Employee. On Wednesday February 15, 2017, beyond 4:30 p.m., Alicia Bolden contacted me regarding my reply to an email correspondence. During this interaction another employee was in my office, discussing upcoming campus events. Unfortunately, Alicia's irrational behavior was overheard by the employee. At which juncture, I made every attempt to explain and clarify the existing campus vacancies, resulting in a more disruptive behavior coming from Alicia.

It is believed that you can correct the above problem by:

Following instruction from her supervisors.

SUPERVISOR'S SIGNATURE: Valeria Bryant Date: 2, 23, 17

REVIEWER'S SIGNATURE: Claudette Reed Date: 2, 22, 17

HR DIRECTOR'S SIGNATURE: HRD Date: 2, 23, 17

EMPLOYEES COMMENTS:

EMPLOYEE'S SIGNATURE: _____ DATE: ____/____/____

(My Signature Means Only That I Have Read the Above)

COPY TO: Employee, Employee's Personnel File

Refused to Sign.
Spoken to HR Director. / [illegible]

0318

2/22/2017

To whom it may concern:

On Wednesday February 15th while sitting With Ms. Claudette Fields discussing upcoming campus events she received a phone call from Highlands 110 DSM Ms. Alicia Bolden. At first the conversation was civil and straight to the point regarding a 110 first shift staff transferring to a second shift position. From the comment Ms. Fields made Ms. Bolden must have promised the staff previously mentioned a second shift position in Highlands 110. Ms. Fields told Ms. Bolden that she should not have made that promise, because Hillside 3/420 is in more dire straights for second shift staff. She also explained to Ms. Bolden that she has the responsibility to fill spots that needed most first. At that time Ms. Bolden begin to raise her voice saying why Highlands 110 didn't get any second shift positions filled from the pervious orientation class. MS. Fields tried to reassure Ms. Bolden that she didn't omit Highlands 110, but all she can do is make recommendations. Ms. Bolden with a continued raised voice basically was repeating her question asking why H.L. 110 didn't get any second shift staff from the previous orientation class. It was apparent to me Ms. Fields was not getting her point across to Ms. Bolden. It was then I began to feel very uncomfortable. I excused myself and closed the door behind me.

Sincerely,

Natalie A. Britt

Recreational Supervisor

Coastal Center Recreational Department

To: Alicia Bolden, DSM

From: Claudette Fields

Re: Time & Attendance

Date: February 23, 2017

Good Afternoon Alicia,

It has been brought to my attention on several occasions that you continue to violate your assigned work schedule. The agreeable working hours for you to report to work are 8:30-5:00, or 10:00-6:30. Effective immediately, the following instructions must be adhere to.

1. Submit your monthly work schedule to the LDSM and SD timely.
2. Follow your schedule, no exceptions.
3. Monitor by the switchboard operator.
4. Sign in/out through switchboard.

Alicia, it is critical that you report to work on time and ready to begin your scheduled shift. There is no grace period. Any further tardiness shall result in disciplinary action and your scheduled working hours will be as follows: 6:00-2:30; 8:30-5:00 and 10:00-6:30.

Alicia Bolden _____

Valeria Bryant Valeria Bryant

Claudette Fields Claudette Fields

2/23/17

Refused to Sign

HR Director

John Doe

0320

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

September 25, 2017

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Dear Ms. Bolden:

Concerning your appeal to the State Human Resources Director, please complete the enclosed form and return the form to our office within five (5) days of receipt. A rapid return of this form will ensure that your appeal is processed as quickly as possible.

Send the completed form to the Division of State Human Resources, Alternative Dispute Resolution Program, 8301 Parklane Road, Suite A220, Columbia, South Carolina 29223.

Sincerely,

W. Spencer Miller
Alternative Dispute Resolution Program

Enclosure

Miller, Spencer

From: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Sent: Monday, November 13, 2017 4:35 PM
To: Miller, Spencer
Cc: Washington, Dimarcus
Subject: RE: Bolden v. DDSN - Additional Documentation
Attachments: AliciaBoldenCertifiedDoc_2017.pdf

Hi, Spencer. Sorry it took so long to get back to you. We had to do some searching.

- Ms. Bolden's letter was dated June 17, 2017; however, it was hand-delivered to her on June 20th. That was the date the employee, the supervisor, and HR were available to deliver the disciplinary action.
- The attached is the delivery receipt for Becky Hill's letter to Alicia, dated July 19, 2017.
- Finally, although the Certified Mail tracking number is written on the State Director's letter to Ms. Bolden, there is no delivery information. Neither do we have a delivery receipt. It is our habit, however, to mail the State Director's letter via regular first class mail as well as Certified Mail because employees have in the past refused to accept certified letters.

Hope this is the information you needed. Thanks.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities and SpecialNeeds
3440 Harden Street Extension
Columbia, SC 29240
Phone: (803) 898-9612 | Email: dblake@ddsn.sc.gov

From: Miller, Spencer [mailto:Spencer.Miller@admin.sc.gov]
Sent: Thursday, November 9, 2017 3:16 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Deirdre,

I just wanted to check up on this request below.

Thanks,
Spencer

From: Miller, Spencer
Sent: Thursday, November 02, 2017 5:11 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: Bolden v. DDSN - Additional Documentation

Good Afternoon Deirdre,

We received Ms. Bolden's records and have determined that we need additional documentation to determine if jurisdictional requirements have been met. Can you provide the following information/documentation?

- Documentation/information regarding when Ms. Bolden received her termination letter dated June 20, 2017
- Documentation/information regarding when DDSN received Ms. Bolden's grievance letter dated June 28, 2017
- Documentation/information regarding when Ms. Bolden received the agency's final decision dated September 8, 2017 (Certified mail receipt or USPS information showing when it was delivered)

Please let me know if you have any questions.

Thanks,

Spencer Miller
Consultant, Division of State Human Resources

The South Carolina
Department of Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5194 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

UNITED STATES POSTAL SERVICE CHARLESTON SC 29

19 JUL 2017 PM

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

* Sender: Please print your name, address, and ZIP+4® in this box*

SCDDSN Coastal Center
Attn: Bobbie Taylor
9995 Miles Jamison Road
Summerville SC 29485

USPS TRACKING#

9590 9403 0885 5198 1260 79

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Alicia Bolden
1115 Carnegie Avenue
Charleston SC 29407

9590 9403 0885 5198 1260 79

2. Article Number (Transfer from service label)
9590 7199 9991 7034 2495 0844

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Alicia Bolden C. Date of Delivery 7/19/17

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

0324

Miller, Spencer

From: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Sent: Thursday, December 14, 2017 12:55 PM
To: Miller, Spencer
Subject: RE: Bolden v. DDSN - Additional Documentation

Hi, Spencer. The facility doesn't have any additional information or documentation to provide for her file.

~ Deirdre Blake-Sayers

From: Miller, Spencer [mailto:Spencer.Miller@admin.sc.gov]
Sent: Monday, December 11, 2017 12:08 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Deirdre,

Can you let us know when Ms. Bolden's grievance was received by DDSN and provide documentation (if any) of the date it was received as soon as possible? This is the only information we need in order to continue processing Ms. Bolden's appeal.

Please let me know if you have any questions.

Thanks,
Spencer

From: Miller, Spencer
Sent: Friday, December 01, 2017 2:41 PM
To: 'Blake-Sayers, Deirdre' <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Hey Dierdre,

I just wanted to check on this request to see if you were able to find information/documentation regarding when Ms. Bolden's grievance was received?

Thanks,
Spencer

Miller, Spencer

From: Miller, Spencer
Sent: Monday, December 11, 2017 12:08 PM
To: 'Blake-Sayers, Deirdre'
Subject: RE: Bolden v. DDSN - Additional Documentation

Importance: High

Deirdre,

Can you let us know when Ms. Bolden's grievance was received by DDSN and provide documentation (if any) of the date it was received as soon as possible? This is the only information we need in order to continue processing Ms. Bolden's appeal.

Please let me know if you have any questions.

Thanks,
Spencer

From: Miller, Spencer
Sent: Friday, December 01, 2017 2:41 PM
To: 'Blake-Sayers, Deirdre' <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Hey Dierdre,

I just wanted to check on this request to see if you were able to find information/documentation regarding when Ms. Bolden's grievance was received?

Thanks,
Spencer

From: Miller, Spencer
Sent: Monday, November 13, 2017 5:01 PM
To: 'Blake-Sayers, Deirdre' <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Thanks and you too!

From: Blake-Sayers, Deirdre [mailto:DBlake@ddsn.sc.gov]
Sent: Monday, November 13, 2017 4:59 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Cc: Washington, Dimarcus <diwashington@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

I'll ask Ms. Hill and get back to you asap.

Have a good evening.

Miller, Spencer

From: Miller, Spencer
Sent: Friday, December 01, 2017 2:41 PM
To: 'Blake-Sayers, Deirdre'
Subject: RE: Bolden v. DDSN - Additional Documentation

Hey Dierdre,

I just wanted to check on this request to see if you were able to find information/documentation regarding when Ms. Bolden's grievance was received?

Thanks,
Spencer

From: Miller, Spencer
Sent: Monday, November 13, 2017 5:01 PM
To: 'Blake-Sayers, Deirdre' <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Thanks and you too!

From: Blake-Sayers, Deirdre [mailto:DBlake@ddsn.sc.gov]
Sent: Monday, November 13, 2017 4:59 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Cc: Washington, Dimarcus <dlwashington@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

I'll ask Ms. Hill and get back to you asap.

Have a good evening.

~ Deirdre Blake-Sayers

From: Miller, Spencer [mailto:Spencer.Miller@admin.sc.gov]
Sent: Monday, November 13, 2017 4:46 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Cc: Washington, Dimarcus <dlwashington@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Deirdre. Do you have any information or documentation regarding when Ms. Bolden's grievance was received by DDSN? Her grievance letter to DDSN is dated 6/28/17 but I do not see any information or documentation regarding when or how it was received by DDSN. (Date Stamp, email, envelope etc...)

Thanks for your help,
Spencer

From: Blake-Sayers, Deirdre [mailto:DBlake@ddsn.sc.gov]
Sent: Monday, November 13, 2017 4:35 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Cc: Washington, Dimarcus <dlwashington@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Hi, Spencer. Sorry it took so long to get back to you. We had to do some searching.

- Ms. Bolden's letter was dated June 17, 2017; however, it was hand-delivered to her on June 20th. That was the date the employee, the supervisor, and HR were available to deliver the disciplinary action.
- The attached is the delivery receipt for Becky Hill's letter to Alicia, dated July 19, 2017.
- Finally, although the Certified Mail tracking number is written on the State Director's letter to Ms. Bolden, there is no delivery information. Neither do we have a delivery receipt. It is our habit, however, to mail the State Director's letter via regular first class mail as well as Certified Mail because employees have in the past refused to accept certified letters.

Hope this is the information you needed. Thanks.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities and SpecialNeeds
3440 Harden Street Extension
Columbia, SC 29240
Phone: (803) 898-9612 | Email: dblake@ddsn.sc.gov

From: Miller, Spencer [mailto:Spencer.Miller@admin.sc.gov]
Sent: Thursday, November 9, 2017 3:16 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Deirdre,

I just wanted to check up on this request below.

Thanks,
Spencer

From: Miller, Spencer
Sent: Thursday, November 02, 2017 5:11 PM

To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: Bolden v. DDSN - Additional Documentation

Good Afternoon Deirdre,

We received Ms. Bolden's records and have determined that we need additional documentation to determine if jurisdictional requirements have been met. Can you provide the following information/documentation?

- Documentation/information regarding when Ms. Bolden received her termination letter dated June 20, 2017
- Documentation/information regarding when DDSN received Ms. Bolden's grievance letter dated June 28, 2017
- Documentation/information regarding when Ms. Bolden received the agency's final decision dated September 8, 2017 (Certified mail receipt or USPS information showing when it was delivered)

Please let me know if you have any questions.

Thanks,

Spencer Miller
Consultant, Division of State Human Resources

The South Carolina
Department *of* Administration
8301 Parklane Road, Suite A220, Columbia, SC 29223
(803) 896-5194 | (803) 896-5050 fax

The South Carolina Department of Administration (Admin) serves the citizens of South Carolina and agency partners by leading innovative efforts to provide secure, cost-effective, responsive and standardized services.

CONFIDENTIALITY NOTICE:

The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Miller, Spencer

From: Miller, Spencer
Sent: Monday, November 13, 2017 4:46 PM
To: 'Blake-Sayers, Deirdre'
Cc: Washington, Dimarcus
Subject: RE: Bolden v. DDSN - Additional Documentation

Thank you, Deirdre. Do you have any information or documentation regarding when Ms. Bolden's grievance was received by DDSN? Her grievance letter to DDSN is dated 6/28/17 but I do not see any information or documentation regarding when or how it was received by DDSN. (Date Stamp, email, envelope etc...)

Thanks for your help,
Spencer

From: Blake-Sayers, Deirdre [mailto:DBlake@ddsn.sc.gov]
Sent: Monday, November 13, 2017 4:35 PM
To: Miller, Spencer <Spencer.Miller@admin.sc.gov>
Cc: Washington, Dimarcus <diwashington@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

Hi, Spencer. Sorry it took so long to get back to you. We had to do some searching.

- Ms. Bolden's letter was dated June 17, 2017; however, it was hand-delivered to her on June 20th. That was the date the employee, the supervisor, and HR were available to deliver the disciplinary action.
- The attached is the delivery receipt for Becky Hill's letter to Alicia, dated July 19, 2017.
- Finally, although the Certified Mail tracking number is written on the State Director's letter to Ms. Bolden, there is no delivery information. Neither do we have a delivery receipt. It is our habit, however, to mail the State Director's letter via regular first class mail as well as Certified Mail because employees have in the past refused to accept certified letters.

Hope this is the information you needed. Thanks.

Deirdre Blake-Sayers
Director of Human Resources
SC Department of Disabilities and SpecialNeeds
8440 Harden Street Extension
Columbia, SC 29240
Phone: (803) 898-9612 | Email: dblake@ddsn.sc.gov

From: Miller, Spencer [mailto:Spencer.Miller@admin.sc.gov]
Sent: Thursday, November 9, 2017 3:16 PM
To: Blake-Sayers, Deirdre <DBlake@ddsn.sc.gov>
Subject: RE: Bolden v. DDSN - Additional Documentation

USPS Tracking®

FAQs > (http://faq.usps.com/?articleId=220900)

Track Another Package +

Tracking Number: 70102780000206315754

Remove X

Status Not Available

The tracking number may be incorrect or the status update is not yet available. Please verify your tracking number and try again later.

Can't find what you're looking for?

Go to our **FAQs (http://faq.usps.com/?articleId=220900)** section to find answers to your tracking questions.

The easiest tracking number is the one you don't have to know.

admin
THE SOUTH CAROLINA
DEPARTMENT of ADMINISTRATION

Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

DIVISION of STATE HUMAN RESOURCES
Kim Aydlette, Director
8301 Parklane Road, Suite A220
Columbia, SC 29223
803.896.5300
803.896.5050 Fax

December 19, 2017

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Ms. Deirdre Blake-Sayers
Director, Human Resources
Department of Disabilities and Special Needs
Post Office Box 4706
Columbia, South Carolina 29240

Re: Alicia Bolden v. S.C. Department of Disabilities and Special Needs (DDSN)

Dear Ms. Bolden and Ms. Blake-Sayers:

The State Human Resources Director has determined that jurisdictional requirements have been met under the State Employee Grievance Procedure Act concerning the appeal of Alicia Bolden against DDSN. A hearing is scheduled before the State Employee Grievance Committee on **April 3, 2018, at 9:00 AM, 8301 Parklane Road, Suite A220, Columbia, South Carolina.** A mediator who has been assigned by the State Human Resources Director will meet with both parties prior to the hearing in an effort to resolve the appeal, avoiding the additional time and costs that a hearing requires. To accomplish a timely resolution at this stage, it is essential that the parties or their representatives attending a mediation conference have full authority to negotiate and recommend settlement.

The mediation effort should not interfere with the timely preparation and exchange of necessary information leading to the date of the hearing before the Committee. The State Employee Grievance and Appeal Regulations contain specific time frames for submitting documents, requesting subpoenas, and exchanging witness lists. These regulations have the force and effect of law and both parties must comply with them, regardless of the ongoing attempt to resolve the appeal by mediation. Therefore, the appeal process leading up to the scheduled hearing date does not stop unless a mediation agreement is signed by both parties prior to the hearing date.

If the appeal is not resolved through mediation, the employee has the burden to establish, at the hearing before the Committee, that the agency's decision to discipline the employee is improper based upon §8-17-340(E) of the S.C. Code of Laws of 1976, as amended.

The Administrative Procedures Act in §1-23-320 of the S.C. Code of Laws requires that both parties to an appeal be afforded a statement of the matters asserted. This letter is intended to comply with that law.

Ms. Bolden contends:

1. on February 23, 2017, Ms. Claudette Fields, Service Director – Residential Department, put in place an unfair, prejudicial, and discriminatory practice that would require her to sign in and out at the switchboard and to be monitored by the switchboard operators;
2. on February 24, 2017, she emailed Ms. Deirdre Blake Sayers, DDSN's Human Resources Director, stating that the new sign-in practice was retaliation, harassment, and an unfair discriminatory employment practice that was being put in place specifically for her in an attempt to threaten her employment;
3. the disciplinary actions taken against her (Dismissal, Three-Day Suspension, and Written Warning), were administered for her refusal to sign in and out at the switchboard; and
4. these disciplinary actions violate her rights to be treated fairly and equally in the workplace.

DDSN contends:

1. on February 22, 2017, Ms. Bolden was issued a Written Warning for "Conduct Unbecoming of a State Employee";
2. on March 10, 2017, Ms. Bolden was issued a Written Warning for "Failure to Observe Assigned Work Hours and Refusal to Accept Reasonable Proper Assignment from an Authorized Supervisor";
3. on April 18-20, 2017, Ms. Bolden was suspended for "Failure to Observe Assigned Work Hours and Refusal to Accept Reasonable Proper Assignment from an Authorized Supervisor; and
4. therefore, Ms. Bolden was terminated effective June 20, 2017, for "Accumulation of Three Offenses Within Two (2) Years where the First Offense Calls for a Written Reprimand."

Prior to the hearing the employee is requested to identify and state why, on the enclosed Grounds for Appeal Form, which portions of §8-17-340(E) (see enclosure) would require the Committee to change the agency's disciplinary action. The Grounds for Appeal Form should be returned to the Division of State Human Resources, 8301 Parklane Road, Suite A220, Columbia, South Carolina 29223 and received no later than seven calendar days before the date of the Committee hearing.

All documents submitted concerning this appeal, which could possibly include polygraph examination results, will be forwarded to the Committee for review approximately one week prior

to the hearing date. All objections raised by either party to these documents before transmittal to the Committee, including objections to any polygraph examination results, must be made to this office prior to that time. This time frame, however, will not preclude appropriate evidentiary objections from being raised by either party at the hearing.

The State Employee Grievance and Appeal Regulations contain specific time frames for submitting documents, requesting subpoenas, and exchanging witness lists. These regulations have the force and effect of law and both parties must comply with them.

Please refer to our website at http://www.admin.sc.gov/humanresources/employee-information/alternative-dispute-resolution for further information regarding the State Employee Grievance Procedure Act; the State Employee Grievance and Appeal Regulations; a copy of the Witness and Representative forms; a copy of the Grounds for Appeal form; and a flowchart for the steps in the Grievance Committee process. If you do not have internet access, please contact Mr. Spencer Miller at (803) 896-5194 for a copy of the State Employee Grievance Procedure Act, the State Employee Grievance and Appeal Regulations, and the forms listed above.

Please call me if you have any questions.

Sincerely,

Terry M. Baggott
Alternative Dispute Resolution Program

Enclosure

c: Beverly A. H. Buscemi, Ph.D., State Director (without enclosure)

RECEIVED
MAR 19 2018
DIVISION OF STATE HUMAN RESOURCES

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Eva R. Ravenel
Chairman
Gary C. Lemel
Vice Chairman
Mary Ellen Barnwell
Secretary
Sam F. Broughton, Ph.D.
William O. Danielson
Catherine O. Fayssoux
Vicki A. Thompson

March 16, 2018

Mr. Spencer Miller
Department of Administration
Division of State Human Resources
8301 Parkland Road
Columbia, SC 29201

RE: Alicia Bolden Appeal

Dear Mr. Miller:

Please add the attached document to the employee grievance record regarding the above referenced. If you have any questions, please feel free to contact me at 898-9683 or by email at tvanderbilt@ddsn.sc.gov.

Sincerely,

Tana Vanderbilt

Tana Vanderbilt
General Counsel

cc: Ms. Alicia Bolden

DISTRICT I
P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II
9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Susan Kreh Beck
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
William O. Danielson
Chairperson
Gary C. Lemel
Vice Chairman
Eva R. Ravenel
Secretary
Mary Ellen Barnwell
Sam F. Broughton, Ph.D.
Catherine O. Fayssoux
Vicki A. Thompson

April 10, 2017

To: Alicia Bolden

From: District II Human Resources Director

Subject: **SUSPENSION NOTICE**

Reference: (a) Directive 413-01-DD, Standards of Disciplinary Action, dated January 10, 2013

You are hereby suspended for three (3) workdays per reference (a), "Failure to Observe Assigned Work Hours and Refusal to Accept a Reasonable and Proper Assignment from an Authorized Supervisor." Your suspension is on April 18, 19, and 20, 2017. You are directed to report to work on your next scheduled workday.

You are hereby advised of your right to appeal this official disciplinary action. **The appeal must be filed in writing with Rebecca Hill, Coastal Regional Center's Facility Administrator, within fourteen (14) calendar days following the effective date of this action or receipt of notification of this action, whichever occurs later.** The written appeal must contain a brief statement of facts, the action, which you are grieving, and should specify your reason for appeal and the nature of relief sought. Attached is the SCDDSN Grievance Procedure Directive.

A copy of this letter will be filed in your official personnel file.

Respectfully,

JOHN DOONEY

CC: Personnel file

DISTRICT I

P O Box 239
Clinton, SC 29325-5328
Phone (864) 938-3497

Midlands Center - Phone 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II

9995 Miles Jamison Road
Summerville, SC 29485
Phone: (864) 843-5576

Coastal Center - Phone. 843/873-5750
Pee Dee Center - Phone 843/664-2600
Saluda Center - Phone 843/332-4104

0336

Appellant Exhibit
1

s. Latichia Gadson!

, Claudette

Wed 2/15/2017 3:58 PM

To:Bolden, Alicia <ABolden@ddsn.sc.gov>;

Group E
Supporting Documents

Good Afternoon,
Please have Ms. Singletary to complete the necessary transfer form, then I will seek availability for 2nd shift placement based on needs. Have a great day.

From: Bolden, Alicia
Sent: Wednesday, February 15, 2017 12:52 PM
To: Fields, Claudette <CFields@ddsn.sc.gov>
Subject: Mrs. Latichia Gadson!

Good Afternoon Mrs. Fields,

Mrs. Latichia Gadson would like to be moved to second shift starting on the next schedule so that she is able to go back to school. School starts sometime around about the 22nd of this month, but she is going to bring in the exact dates (verification) on tomorrow.

Alicia Bolden (110)

CONFIDENTIALITY NOTICE:
The information contained in this transmission, including attachments may contain privileged and confidential information, including consumer/patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Mrs. L. Gadson!

Bolden, Alicia

Fri 2/17/2017 11:13 AM

Sent Items

To: Fields, Claudette <CFields@ddsn.sc.gov>;

Good Morning Mrs. Fields,

Mrs. Gadson has stated that due to the time constraints and issues with babysitters regarding second shift that she will now be attending school at a later date. She said that Monday the 20th is a Holiday and her son is out of school this day and she still would like to have this day off for that purpose, but she no longer needs to take off the 22nd. I have her leave slip. I will bring it up shortly. We currently have (6) staff scheduled to work on the 20th.

Alicia (110)

Please identify which ground(s) listed below from §8-17-340(E) of the S.C. Code of Laws you contend would require the Committee to change the agency's decision. In addition, state why these grounds are relevant to your appeal.

The agency's decision to terminate my employment is (a) in violation of constitutional or statutory provisions; (c) made upon unlawful procedure; (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and is (f) arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is;
(a) In violation of constitutional or statutory provisions

The agency's decision to terminate my employment is in violation of constitutional or statutory provisions. (Please see supporting documents – Group A)

The agency's decision to terminate my employment is;
(c) Made upon unlawful procedure

The agency's decision to terminate my employment on 6/19/2017 was made upon unlawful procedure. On 2/23/17, the S.C. Department of Disabilities and Special Needs – Coastal Regional Center put in place a new, unlawful, prejudicial, unfair, and discriminatory employment practice against me that subjected me to unlawful, unfair, prejudicial disciplinary actions that ended my employment. Any and all terms and conditions of employment should be universal in the workplace. Employers should follow established policies and procedures that meet the requirements of being uniform, fair, and consistent and should not make up unlawful practices or procedures to carry out their own corrupt agendas.

The agency's decision to terminate my employment is;
(e) Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

The agency's decision to terminate my employment is clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

Claudette Field's charge (disciplinary action) against me for Conduct Unbecoming a State Employee is completely erroneous. This disciplinary action was only the starting point for her ending goal; which was to terminate my employment. This disciplinary action was then followed by an erroneous, improper, unfair, and inconsistent employment practice that was put in place on 2/23/17 specifically for me. Mrs. Fields actions were malicious, improper, corrupt, dishonest, unethical, and just plain wrong. This is the second time that Claudette Fields has just made stuff up and pulled things out of thin air to wrongfully, improperly, and unlawfully terminate my employment.

Appellant Exhibit
2

The disciplinary action titled, "Conduct Unbecoming a State Employee" was administered maliciously and with one end goal in mind. It was just the beginning of Claudette Fields retaliation efforts to bring about the end of my employment. In this disciplinary action I was called irrational and disruptive, but I am not (nor was I) irrational or disruptive and these inflammatory remarks are very inappropriate and very untrue.

The internal transfer process is pretty cut and dry. The staff (Latichia Gadson) wanted to voluntarily transfer from 1st shift in 110 to 2nd shift in 110. On 2/15/17, I informed Mrs. Fields of the staff members transfer request. Mrs. Fields then expressed (via a phone conversation) her desire to re-assign the staff member to unit 320 instead. Mrs. Fields response to the staff members transfer request was contradictory and inconsistent to the established internal transfer policy. It was also inconsistent with how Mrs. Fields have handled past staff members internal transfer request. Her response to this transfer request was more in line with an involuntary re-assignment because the staff member did not want to transfer to 320; she wanted to remain in the unit she was already working in. Unit 110 currently had four 2nd shift vacancies. Two days later (on 2/17/17), the staff member changed her mind and withdrew her transfer request.

This was not the first time that I've had communications with Mrs. Fields regarding a staff member wanting to transfer from one shift to another. Mrs. Gadson's transfer request was in no way different from transfer requests made to Claudette Fields in the past; the only difference was Mrs. Fields response to it (Please see supporting documents – Group E). Transfer requests are required to be done fairly and in a consistent manner. Everyone is knowledgeable regarding the established policies and procedures regarding the internal transfer request process. The disciplinary action titled, "Conduct Unbecoming a State Employee" was certainly unwarranted and the language Mrs. Fields used in it to describe me is very opinionated and very untrue.

Claudette Fields knew on 2/23/17 that she would end my employment, but she knew she had to camouflage her retaliatory efforts so they weren't so blatantly evident. Conduct unbecoming a state employee carries a punishment of suspension to dismissal for the first offense. This charge against me is erroneous and Claudette Fields knew it was erroneous. It is all to evident that Claudette Fields didn't even believe and/or couldn't even convince herself of her own hype regarding the charges in this disciplinary action. Why issue a written warning (lenient punishment) for such an egregious charge. Claudette Fields knew this charge was completely erroneous and she also knew that she took away my right to formally grieve this charge when she issued a mere written warning. This was so malicious!

The charge listed on the termination letter for an accumulation of three offenses is completely erroneous. Please do not be confused or misled by all the varying language that's used in the disciplinary actions dated 6/7/2017 (Dismissal), 4/6/2017 (Three (3) Day Suspension), and 3/10/2017 (Written Warning). These three disciplinary actions (despite its title or contents) were all administered for not adhering to the new, arbitrary, improper, discriminatory, prejudicial, and

retaliatory employment practice that was put in place on 2/23/17. This was not an accumulation of offenses. The agency opted to slow walk me out the door by using their progressive disciplinary action guidelines. They did this so they would be able to count one (single) arbitrary, retaliatory, unfair, and discriminatory charge as three (3) offenses.

There is absolutely nothing fair or consistent about what this agency has done to me. Consistency and fairness is essential when developing workplace policies and practices. It is illegal to single out one employee for disciplinary actions and/or consequences for rules, policies, and practices that are not applicable to all employees. On 2/23/17, I informed Mr. John Dooney that I could not adhere to the new practice because it was discriminatory and prejudicial against me. On 2/24/17, I informed Mrs. Deirdre Blake – Sayers that I could not adhere to the new practice because it was discriminatory and prejudicial against me.

The charge listed on the termination letter is for an Accumulation of Three Offenses within Two (2) Years where the First Offense calls for a Written Reprimand. This is the charge that Claudette Fields worked so hard to achieve. She tortured me for four long months by using the agency's progressive disciplinary action guidelines to achieve this. In a matter of four months (not 2 years); Claudette Fields was confident she had an accumulation of three offenses, but this conclusion is wrong (erroneous). The charge then says - where the first offense calls for a written reprimand. According to the agency's guidelines for employee progressive disciplinary action; Improper Conduct or Conduct Unbecoming a State Employee actually calls for Suspension to Dismissal for the first offense, not a written warning (reprimand).

Claudette Fields actions to terminate my employment with the agency were deliberate, strategic, calculated, malicious, unfair, inconsistent, erroneous, abusive, prejudicial, retaliatory, and so much more. The one question this begs me to ask is why (what motive(s)) did three other top agency officials (John Dooney, Rebecca Hill, and Deirdre Blake-Sayers) all have individually or collectively to go along with and support Claudette Fields in her efforts to terminate my employment. I believe I know the answer to this question, but it only causes me to have more questions and more concerns regarding their ethics in these matters.

The agency's decision to terminate my employment is;
(f) Arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The agency's decision to terminate my employment is arbitrary and capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion. On February 23, 2017, I was expected to submit to an improper, unfair, arbitrary, capricious, discriminatory, prejudicial, and retaliatory employment practice or I would surely suffer the consequences (termination) for asserting my legal rights to be treated fairly and equally in the workplace. I was expected to be humiliated, to be harassed, to be made a mockery of, to be treated differently, to be abused, to be

violated, to be broken down, to be scrutinized, and to be treated unfairly and unequally or to be terminated. I was terminated.

Employment practices that pertain to compensation, pay, salary, leave practices, time keeping, and transfers (just to name a few) must me practiced equally among all employees (especially employees of the same job classification or the same job position). Equal employment practices are required by law to be equal. All employees must be informed of these practices and these practices must be made available to all employees in some written form (handbooks, directives, etc....) Policies, procedures, and employment practices that establish rules, regulations, and guidelines for employees must be uniform and applicable to all employees.

The disciplinary action dated April 6, 2017 states, "it is difficult for your supervisor to determine the correct time you are reporting to work". The truth is that it is difficult for everyone's supervisor to determine the correct time they are reporting to work. This applies to all Administrative Personnel. If the goal was to address this universal concern; then a uniform, fair, and consistent employment practice would have been implemented. An agency with hundreds of employees cannot honestly believe that holding one employee (among a classification or group of employees) to a different set of standards regarding a time keeping practice is a fair and consistent act.

One person signing in and out means only one person is being held accountable. One person signing in and out means only one person is being humiliated and laughed at. One person signing in and out means only one person is being pressured to report to work on time each and every day while having to simultaneously watch others around them stroll in to work whenever they feel like it. One person signing in and out means only one person is subjected to punitive disciplinary actions for every second or minute they are late while others go unpunished for committing the same infraction/offense. What kind of workplace environment is this; a very hostile and intimidating workplace environment. Why would this be allowed?

The disciplinary action dated April 6, 2017 states that this agency is grounded on fair and consistent measures when administering disciplinary actions, but this statement cannot be true. The discriminatory employment practice was put in place specifically for me. I was the only one being required to adhere to it. In the almost ten years that I have worked for DDSN, I have never done this. To put this new, extremely questionable, and very contentious practice in place for one person arbitrarily, subjectively, and selectively violates every aspect of what it means to be equal, fair, and consistent.

On February 2, 2015, I contacted Claudette Fields to discuss my work schedule and my desire to take on a full time night job. I knew that this night job would interfere with my day time job and I knew that I could not take on this kind of obligation without Mrs. Fields approval because I would absolutely need to have more flexibility with my scheduling. I have included the initial email that

started conversations between me and Mrs. Fields regarding all of this. (Please see supporting documents – Group F) These conversations ultimately resulted in me accepting the full time night job because Claudette Fields extended privileges to me regarding my scheduling that enabled me to take this on.

The disciplinary action dated March 10, 2017 makes mention of these privileges very vaguely wherein Mrs. Fields is withdrawing the privileges writing "there is no additional grace period" and that "my scheduled working hours would be amended to include the 6:00-2:30 shift". Prior to February 23, 2017 there was an additional grace period and I was not required to work the 6:00-2:30 shift.

February 23, 2017 was the very first time that Claudette Fields ever expressed concerns and/or desires to pull back these privileges; however, she did it in a very dishonest and malicious way. She painted a picture that was very inaccurate and she did so to accomplish a goal she probably would not have been able to achieve otherwise (i.e. the discriminatory employment practice). She intentionally backed me into a corner knowing full well it would be her word against mine and that people would be more inclined to believe her. These privileges had been permitted for over two years and Claudette Fields (in her retaliation efforts) went to great heights to not only bring them to an end, but to bring my employment to an end also.

Claudette Fields is dishonest, corrupt, and malicious. This was not about tardiness; this was about retaliation. Tardiness is probably the most common violation that occurs in all workplaces; but policies, practices, and procedures to address it must always be equal, fair, and consistent.

Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake - Sayers all supported the discriminatory employment practice that was put in place on 2/23/17. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all knew on 2/23/17 or 2/24/17 that I could not adhere to the discriminatory employment practice. Claudette Fields, John Dooney, Rebecca Hill, and Deirdre Blake – Sayers all tortured me with the threat of termination for four months (2/23/17 through 6/19/17) just so they could (1) apply maximum pressure to force me to quit my job, (2) create a paper trail, (3) say they did progressive disciplinary actions, (4) charge me with an accumulation of offenses, and (5) camouflage their retaliation plan. Their actions were surely arbitrary and capricious as well as discriminatory, prejudicial, and viciously cruel. February 23, 2017 is the date that sealed my fate with DDSN. Termination was inevitable.

(E) The committee may sustain, reject, or modify a grievance hearing decision of an agency as follows:

(1) In cases involving actual or threatened abuse, neglect, or exploitation, to include those terms as they may be defined in Section 43-35-10 or 63-7-20, of a patient, client, or inmate by an employee, the agency's decision must be given greater deference and may not be altered or overruled by the committee, unless the covered employee establishes that:

(a) The agency's finding that the covered employee abused, neglected, or exploited or threatened to abuse, neglect, or exploit a patient, client, or inmate is clearly erroneous in view of reliable, probative, and substantial evidence;

(b) The agency's disciplinary action was not within its established personnel policies, procedures, and regulations; or

(c) The agency's action was arbitrary and capricious.

(2) In all other cases, the committee may not alter or overrule an agency's decision, unless the covered employee establishes that the agency's decision is one or more of the following and prejudices substantial rights of the covered employee:

(a) in violation of constitutional or statutory provisions;

(b) in excess of the statutory authority of the agency;

(c) made upon unlawful procedure;

(d) affected by other error of law;

(e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

Please return this from to: **Division of State Human Resources**
8301 Parklane Road, Suite A220
Columbia, South Carolina 29223

Also, please send a completed copy of this document to the agency.

THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Case No. 18-ALJ-30-0182-AP

Alicia Bolden,

Appellant,

vs.

S.C. Department of Disabilities and Special Needs,

Respondent.

CERTIFICATE OF SERVICE

I, Molly Crum, Assistant General Counsel of the South Carolina Department of Administration, Office of General Counsel, do hereby certify that I have this day served a copy of the attached Record on Appeal on the parties listed below by causing same to be deposited in the United States mail, postage pre-paid, and addressed as follows:

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Ms. Tana Vanderbilt, Esquire
S.C. Dept. of Disabilities and Special Needs
P.O. Box 4706
Columbia, South Carolina 29240

Molly R. Crum

Columbia, South Carolina
October 5, 2018

THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Case No. 18-ALJ-30-0182-AP

Alicia Bolden,

Appellant,

vs.

S.C. Department of Disabilities and Special Needs,

Respondent.

CERTIFICATE OF SERVICE

I, Molly Crum, Assistant General Counsel of the South Carolina Department of Administration, Office of General Counsel, do hereby certify that I have this day served a copy of the attached Record on Appeal on the parties listed below by causing same to be deposited in the United States mail, postage pre-paid, and addressed as follows:

Ms. Alicia Bolden
1115 Carnegie Avenue
Charleston, South Carolina 29407

Ms. Tana Vanderbilt, Esquire
S.C. Dept. of Disabilities and Special Needs
P.O. Box 4706
Columbia, South Carolina 29240

Molly R. Crum

Columbia, South Carolina
October 5, 2018

FILED
OCT 04 2018
SC ADMIN. LAW COURT

Beverly A. H. Buscemi, Ph.D.
State Director
David A. Goodell
Associate State Director
Operations
Kathi K. Lacy, Ph.D.
Associate State Director
Policy
Thomas P. Waring
Associate State Director
Administration

SOUTH CAROLINA Department OF Disabilities AND Special Needs

3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240

803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

COMMISSION
Fred Lynn
Chairman
Deborah C. McPherson
Vice Chairman
Christine Sharp
Secretary
Nancy L. Banov, M.Ed.
Harvey E. Shiver
Katherine W. Davis

April 25, 2012

Alicia Bolden
1115 Carnegie Ave.
Charleston, SC 29408

Hand Delivered

Dear Ms. Bolden:

Effective April 26, 2012, upon the recommendation of your Service Director your employment with Coastal Regional Center has ended.

The reason for this termination is Improper Conduct and Violation of Written Rules (Equal Opportunity Employer).

In November of 2011, a position for a Human Service Specialist was posted for recruitment for a second shift position in the HL 620 Unit. This was a promotional opportunity and a position that directly reported to you. A staff who was eligible to apply for the position, asked you about the recruitment announcement and you purposely told the staff that the announcement was wrong and there was not a position available.

By making that statement to the staff who inquired about an actively recruited position, you misrepresented an official Agency Posting and this subjects you to dismissal from employment.

This action can be grieved. You are hereby advised of your right to appeal this termination through the State Employees' Grievance Process. The appeal of this action must be filed in writing with the Facility Administrator within fourteen (14) calendar days of the date received. The written appeal must contain a brief statement of facts, the action which you are grieving, your reason for appealing the action, and the relief you seek. Attached is the SCDDSN Grievance Procedure which you should read carefully concerning all time limitations.

Please be aware in the future you will not be allowed to come on the Coastal Center Campus to visit with employees or consumers. You are allowed on Campus only to transact necessary business with the HRM Department.

Please report to Ms. Tonya Hames in the HR office for out-processing. You will need to return your ID card, Parking Permit, and any other property you may have in your possession.

Sincerely,

Sandra Capers
District II Director,
Human Resource Management

SC/bt
Enclosure: Employee Grievance Procedure

DISTRICT I
P.O. Box 239
Clinton, SC 29325-5128
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
Whitten Center - Phone: 864/833-2733

DISTRICT II
9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104

SOUTH CAROLINA DEPARTMENT OF DISABILITIES & SPECIAL NEEDS

NOTICE OF PERSONNEL SEPARATION

1. NAME (LAST) Belden (FIRST) Alicia (MIDDLE INITIAL) | 2. EFFECTIVE DATE OF SEPARATION April 20, 2012

3. POSITION TITLE H.S.S. - DSM | 4. LOCATION (Hillside 420)

5. ORGANIZATIONAL COMPONENT

6. REASON FOR SEPARATION

Place an (X) in the appropriate square (See definitions on reverse side)

A. RESIGNATION

- ☐ 1. Better opportunity
- ☐ 2. Disliked working conditions
- ☐ 3. Home responsibilities
- ☐ 4. Hours
- ☐ 5. Ill health
- ☐ 6. Insufficient salary
- ☐ 7. Job standards not met during trial period
- ☐ 8. Marriage
- ☐ 9. Military service
  - Drafted ☐ Called to Active Duty ☐
  - (Attach one copy of military orders)
- ☐ 10. Moved from area of employment
- ☐ 11. Pregnancy
- ☐ 12. Returning to school
- ☐ 13. Transportation
- ☐ 14. Other _____

B. DISCHARGE

- ☐ 1. Did not get along with fellow workers
- ☐ 2. Did not get along with Supervisor
- ☐ 3. Dishonesty
- ☐ 4. Failure to report for work
- ☐ 5. Insubordination
- ☐ 6. Irregular attendance
- ☒ 7. Misconduct or violation of rules
- ☐ 8. Personality
- ☐ 9. References
- ☐ 10. Unsatisfactory work or incompetency
- ☐ 11. Other _____

C. OTHER

- ☐ 1. Death
- ☐ 2. Disability retirement
- ☐ 3. Expiration of employment (students, etc.)
- ☐ 4. Ill health
- ☐ 5. Job abolished
- ☐ 6. Service retirement
- ☐ 7. Other _____

REMARKS: (Give detailed reason for separation. If the employee is not recommended for reemployment, specific reason should be shown.) Use reverse side if necessary.

Not recommended for reemployment

Violation of Fair Labor Standards Act

7. ATTACHED RECORDS FOR PERSONNEL BRANCH CLEARANCE PROCESSING

- ☐ 1. Employee's Clearance Sheet, SCDDSN Form P-19
- ☐ 2. Employee Time Record, SCDDSN Form P-20
- ☐ 3. Employee Time Card, SCDDSN Form P-21
- ☐ 4. Employee Time Sheet, SCDDSN Form P-22

REEMPLOYMENT: Placement of this employee on the reemployment list ☐ is recommended ☒ is not recommended.

9. HOME ADDRESS AFTER SEPARATION

P. O. Box	B. Number and Street	C. City	D. State

10. SIGNATURE (Supervisor) Paulette Fields

dvise the employee that a final payroll check will be mailed to him at this address on the next scheduled payroll date.
es of separated employees will be maintained for six years only, in an inactive employee's file.

18 95892 ONE COPY EACH — PERSONNEL BRANCH — EMPLOYEE'S IMMEDIATE SUPERVISOR

Certificate of Appellant

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

May 30, 2019

/s/ Alicia Bolden

Alicia Bolden (Appellant)
1115 Carnegie Avenue
Charleston, South Carolina 29407
(843) 709-5313

RECEIVED
JUN 03 2019
SC Court of Appeals