

- Misappropriation of funds by theft or falsification of records related to such funds.
- "Temporary borrowing" of funds by unauthorized IOU's (or lapping).
- Using worthless checks as part of a fund in substitution for cash.
- Obtaining reimbursement or knowingly making payments from petty cash or other funds for unauthorized expenditures.
- Altering (raising) amounts on petty cash tags or other payment papers for personal gain.
- Forging endorsements or approving signatures on any payment paper.
- Entering falsified and untruthful information on time cards for the purpose of gaining unearned pay or concealing absences.
- Making false statements on personal expense accounts.
- Knowingly processing or approving false or inflated invoices for payments to outside vendors.
- Establishing or maintaining any "off the books" bank accounts or unrecorded funds for the purpose of making any unauthorized or questionable payments.

TOOLS, MATERIALS, SUPPLIES, AND EQUIPMENT

6. All Airport material, tools, and equipment purchased or rented by the Airport shall be used exclusively for Airport business and operations; and shall not be taken, loaned, or personally used by employees.

Specific violations include, but are not limited to:

- Theft or borrowing of Airport tools and equipment.
- Use of Airport tools, equipment, materials, fuel, or Airport labor on employees' or other parties' personal property; e.g., automobiles, radios, television sets, private construction, etc.
- Flagrant and willful abuse of Airport property, including vandalism.
- Improper and unauthorized disposal of Airport property, including salvage, scrap, or obsolete items.
- Unauthorized possession or removal of Airport property from the Airport's premises pursuant to Executive Directive 99-03 effective May 3, 1999.
- Use of Airport vehicles, owned or rented, for other than authorized Airport use or allowing unauthorized persons to drive or ride in the vehicle (except in emergency situations).
- Unauthorized purchases on Airport credit cards.
- Offering aid or information to outsiders or other employees to be used for the purpose of misappropriating Airport property.
- Unauthorized use of Airport data processing resources, including computers and software pursuant to Executive Directive 03-03 effective August 6, 2003.
- Release of proprietary information about the Airport's computer programs and systems and those licensed to the Airport for its exclusive use.

AIRPORT ACCOUNTS, REPORTS, AND RECORDS

7. Airport accounts, reports, and records should be prepared as accurately and completely as possible and should not be released to outside parties indiscriminately. Any reports, information, etc., shall only be released with the consent of the responsible management employee involved, pursuant to Executive Directive 02-04 effective September 23, 2002.

Specific violations include, but are not limited to:

- Release of original or reproduced copies of Airport records without proper approval.
 - Supplying contractors', suppliers', or employees' names, addresses, or other data to outside solicitors.
 - Willfully destroying or altering Airport records.
 - Falsification of education, skills, experience, or other pertinent data shown on initial or subsequent-personnel records relied on for hiring or subsequent promotion.
 - Making false entries in the Airport's accounting forms, records, or books of account and misleading reporting thereon.
 - Preparation of operating, personnel, or other reports and studies which are intentionally false, incomplete, or misleading.
 - Willful, unauthorized destruction, or alteration of Airport computer programs and data.
8. Employees shall factually report time worked and not worked, pursuant to Executive Directive 03-12 effective September 26, 2003.
 9. Employees violating this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action. In addition, supervisors who knowingly allow others to violate this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action.

John L. Martin
Airport Director

Issue Date: January 29, 2004

Effective Date: January 29, 2004

Related Executive Directives:

- 03-12 Daily Time Sheets, effective September 26, 2003
- 03-03 Use of Airport Telephones, Electronic Equipment, and other Equipment Devices and Materials, effective August 6, 2003.
- 02-04 Document Control, effective September 23, 2002
- 00-02 Standards for Employee Conduct, effective February 2, 2000
- 99-03 Unauthorized Possession and Removal of Airport Property, effective May 3, 1999

EXECUTIVE DIRECTIVE

07-03 Standards for Ethical Conduct

STATEMENT OF POLICY

1. It is the policy of the Airport that employees shall conduct their business activities with honesty, fairness and integrity by following fundamental ethical standards.

APPLICABILITY

2. This Executive Directive applies to all Airport employees.

RESPONSIBILITY

3. Deputy Directors and Managers are responsible for ensuring compliance with this directive. All employees are accountable for compliance with this directive. Supervisors are responsible for prohibiting any employee from engaging in any prohibited activity.

TYPES OF REGULATED ACTIVITIES AND VIOLATIONS OF THE DIRECTIVE

4. Conduct subject to this directive includes employee activity which is in any way job related and which involves a dishonest, unethical or otherwise unlawful act in violation of Airport instructions, directives or policies. Employees should not nor attempt to deceive, defraud or mislead the Airport, other employees, or those whom the Airport has business or other relationships; take or misuse Airport property, funds or service; misrepresent the airport or its employees, divulge or release any information relating to the Airport of a proprietary nature; obtain a personal advantage or benefit because of their association with the Airport or by use of the Airport name; withhold their best efforts to perform their work to acceptable standards; engage in unethical business practices; violate applicable laws; or conduct themselves at any time dishonestly or in a manner which will reflect discredit on the Airport. The following provides a general outline of the types of activities subject to this directive and examples of misconduct to be considered when administering this Executive Directive. However, no attempt has been made to illustrate every conceivable instance which would be considered misconduct.

AIRPORT FUNDS, SECURITIES, PAYMENT PAPERS

5. All funds collected on behalf of the Airport shall be promptly and properly reported, deposited, and credited to the proper accounts. Monies assigned as working funds, petty cash funds, etc., shall be used only for the Airport purposes intended and authorized staff shall adequately safeguard such funds.

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Specific violations include, but are not limited to:

- Misappropriation of funds by theft or falsification of records related to such funds.
- "Temporary borrowing" of funds by unauthorized IOU's
- Using worthless checks as part of a fund in substitution for cash.
- Obtaining reimbursement or knowingly making payments from petty cash or other funds for unauthorized expenditures.
- Altering (raising) amounts on petty cash tags or other payment papers for personal gain.
- Forging endorsements or approving signatures on any payment paper.
- Entering falsified and untruthful information on time cards for the purpose of gaining unearned pay or concealing absences.
- Making false statements on personal expense accounts.
- Knowingly processing or approving false or inflated invoices for payments to outside vendors.
- Establishing or maintaining any "off the books" bank accounts or unrecorded funds for the purpose of making any unauthorized or questionable payments.

TOOLS, MATERIALS, SUPPLIES AND EQUIPMENT

6. All Airport material, tools, and equipment purchased or rented by the Airport shall be used exclusively for Airport business and operations; and shall not be taken, loaned, or personally used by employees.

Specific violations include, but are not limited to:

- Theft or borrowing of Airport tools and equipment.
- Use of Airport tools, equipment, materials, fuel, or Airport labor on employees' or other parties' personal property; e.g., automobiles, radios, television sets, private construction, etc.
- Flagrant and willful abuse of Airport property, including vandalism.
- Improper and unauthorized disposal of Airport property, including salvage, scrap, or obsolete items.
- Unauthorized possession or removal of Airport property from the Airport's premises pursuant to Executive Directive 99-03 effective May 3, 1999.
- Use of Airport vehicles, owned or rented, for other than authorized Airport use or allowing unauthorized persons to drive or ride in the vehicle (except in emergency situations).
- Unauthorized purchases on Airport credit cards.
- Offering aid or information to outsiders or other employees to be used for the purpose of misappropriating Airport property.
- Unauthorized use of Airport data processing resources, including computers and software pursuant to Executive Directive 03-03 effective August 6, 2003.
- Release of proprietary information about the Airport's computer programs and systems and those licensed to the Airport for its exclusive use.

AIRPORT ACCOUNTS, REPORTS, AND RECORDS

7. Airport accounts, reports, and records should be prepared as accurately and completely as possible and should not be released to outside parties indiscriminately. Any reports, information, etc., shall only be released with the consent of the responsible management employee involved, pursuant to Executive Directive 02-04 effective September 23, 2002.

Specific violations include, but are not limited to:

- Release of original or reproduced copies of Airport records without proper approval.
- Supplying contractors', suppliers', or employees' names, addresses, or other data to outside solicitors.
- Willfully destroying or altering Airport records.
- Falsification of education, skills, experience, or other pertinent data shown on initial or subsequent personnel records relied on for hiring or subsequent promotion.
- Making false or misleading entries in the Airport's accounting forms, records, or books of account and misleading reporting thereon.
- Preparation of operating, personnel, or other reports and studies which are intentionally false, incomplete, or misleading.
- Willful, unauthorized destruction, or alteration of Airport computer programs and data.

8. Employees shall factually report time worked and not worked, pursuant to Executive Directive 03-12 effective September 26, 2003.

GIFTS

9. Gift means any payment, merchandise, gratuity, favor, discount, entertainment, hospitality, loan forbearance, anything having monetary value that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status.
- a. No employee shall solicit a gift, regardless of its value, when to do so reasonably creates the appearance of a conflict of interest or of influencing him or her in the performance of official duties.
 - b. Except as provided below, no employee shall accept any gift from anyone doing business or seeking to do business with the Airport or a gift of any value from a subordinate in the line of authority.
 - c. An employee may accept a gift, regardless of value, when:
 - (1) The gift is from an immediate family member and does not have the appearance of influencing the employee in the performance of his or her duties.

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- (2) The gift constitutes informational material such as books, reports, pamphlets, calendars, or periodicals.
- (3) The gift is a devise or inheritance.
- (4) The gift is a personalized plaque or trophy with an individual value of less than three hundred ninety dollars (\$390.00).
- (5) The gift is an award or prize given in contests available to the public, including random drawings.
- (6) The gift is a ticket to a fundraiser for an organization that is exempt from taxation as a qualified non-profit organization under the Internal Revenue Code.
- (7) The gift is hospitality (including food, beverages, or occasional lodging) provided by an individual in his or her home when the individual or a member of the individual's family is present.
- (8) The gift is leave credits, including vacation, sick leave, or compensatory time off, donated to an employee in accordance with a bona fide catastrophic or similar emergency leave program established by the official's employer and available to all employees in the same job classification or position.
- (9) The gift is a ceremonial one accepted on behalf of the Airport or given to the employee by the Airport in recognition of an occasion of special personal significance.
- (10) The gift is free admission, and refreshments and similar non-cash nominal benefits provided to an employee during the entire event at which the employee gives a speech, participates in a panel or seminar, or provides a similar service, and actual intrastate transportation and any necessary lodging and subsistence provided directly in connection with the speech, panel, seminar, or service, including but not limited to meals and beverages on the day of the activity.
- (11) The gift is from a subordinate and given in recognition of an occasion of special personal significance or has a value of \$20 or less and is given on an occasion on which gifts are traditionally given, including any holiday traditionally associated with gift giving, such as Christmas and Chanukah, as well as birthdays or thanking a person for a kindness or good deed.
- (12) The gift is an upgrade of service from an air carrier offered in the ordinary course of the carrier's business and not based on the employee's status as an employee of the Airport. An employee may not solicit an upgrade.

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- (13) Acceptance is approved by the Airport Director.
- (14) The gift is otherwise permitted by state or federal law.
- d. An employee should not solicit gifts, even of nominal value, from a business doing business or seeking to do business with the Airport on a regular or frequent basis since this would have the appearance of influencing him or her.

FINANCIAL INTERESTS

- 10. A financial interest may come from ownership (e.g., shares of stock), income (e.g., salary, dividends), liability (e.g., loan from the company) or fiduciary duty. The financial interest of an employee's immediate family will be attributed to him or her for the purposes of this Executive Directive.
 - a. Definitions.
 - (1) Financial Interest means:
 - (a) *Ownership.* An interest (e.g., shares of stock) of \$2,000 or more in a business or in real property.
 - (b) *Income.* Income of \$500 or more in any form (whether or not deferred) including, for example, salaries, fringe benefits, interest, dividends, or rent that was received in the previous 12 months. Income also includes the prospect of income such as a pending job or offer of employment.
 - (c) *Pledge or surety.* Personal liability (incurred or assumed) on behalf of a business that exceeds \$2,000.
 - (d) *Loan or debt.* Personal debt of \$200 or more to the business or an individual involved with the business, *except* a debt incurred in the ordinary course of business on usual commercial terms; for example, an automobile loan on commercial terms from the bank doing business on the airport is permissible; a loan from the bank manager is not.
 - (e) *Fiduciary duty.* The duty owed to a business by a person in the position of corporate officer or member of the board of directors or other governing body, even without financial remuneration from the business. Fiduciary duties to non-profit businesses (e.g., trade associations) are not included in this definition of a financial interest.
 - (2) Business means sole proprietorships, firms, corporations, partnerships, companies or associations.

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- (3) Immediate Family means spouse and dependents living in the same household. It also includes any person over whose financial affairs the employee has substantial legal or actual control.
 - (4) Participate means approving, disapproving, influencing, or attempting to influence a decision of the Airport.
- b. An employee who has a financial interest in a business doing business, or seeking to do business, with the Airport shall not knowingly participate in any transaction with that business (such as a lease, a contract negotiation, solicitation or award process, contract administration, or an investment of Airport funds) on behalf of the Airport absent a waiver from the Airport. An employee will be presumed to know when he or she has a financial interest in a matter. An employee has the affirmative responsibility to disclose that financial interest to his or her immediate supervisor and to not participate in the transaction.
- c. Absent a waiver from the Airport Director, no employee nor any member of his or her immediate family shall own any business or have any investment in any business engaged in the transportation of people or property by aircraft in common carriage whether or not the business is doing business at the Airport's facilities. This does not preclude ownership of shares in a diversified fund which may own an interest in air transportation company.

NEPOTISM

11. a. For the purposes of this provision, the term "relative" means: father, mother, grandfather, grandmother, son, daughter, granddaughter, grandson, brother, sister, uncle, aunt, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, sister-in-law or brother-in-law.
- b. An employee may not, directly or indirectly, appoint, employ, promote, or advance within the Airport one of his or her own relatives. In addition, a relative may not be assigned to any position in which one relative may directly or indirectly supervise, control or influence the work or the employment status of the other relative or the affairs of the organizational unit in which the other relative is employed. Thus, a relative may not be assigned to a position that is under direct or indirect supervision by another relative. Neither shall two relatives report directly to the same supervisor.

CORRECTIVE ACTIONS

12. An employee who, on the effective date of this directive, has or may have a financial interest in a business that has a contract with the Airport, has a financial interest that affects the employee's ability to participate in a transaction, supervises, or is in a position which is under the direct or indirect

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supervision of a relative as defined herein, or is reporting directly to the same supervisor that a relative reports to, shall report this situation to the Airport General Counsel within 30 days after the effective date. If the Airport General Counsel, in consultation with the Airport Human Resources Office, determines that an employee has a personal financial interest, or other situation that requires disclosure or some other action by the employee, the employee, with the advice from the Airport General Counsel and the Airport Human Resources Office, shall make a plan for corrective action to be implemented as soon as is reasonably practicable. The Airport Director may waive the application of the provisions of this directive to any situation that does not otherwise violate state or local laws.

General Counsel of the Airport may, upon request of an employee, advise employees on whether the Airport would consider a proposed action to be a violation of this Executive Directive. No employee will be held to have violated this directive if the alleged violation resulted from his or her good faith reliance on a written opinion from the Airport General Counsel and the opinion was made after a full and accurate disclosure of the material facts.

13. Employees violating this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action. In addition, supervisors who knowingly allow others to violate this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action.


John E. Martin
Airport Director

Issue Date: April 19, 2007

Effective Date: April 26, 2007

Supercedes: E.D. #04-01 - Standards for Ethical Conduct, effective January 29, 2004

Related Executive Directives:

- 03-12 Daily Time Sheets, effective September 26, 2003
- 03-03 Use of Airport Telephones, Electronic Equipment, and other Equipment Devices and Material, effective August 6, 2003
- 02-04 Document Control, effective September 23, 2002
- 00-02 Standards for Employee Conduct, effective February 2, 2000
- 99-03 Unauthorized Possession and Removal of Airport Property, effective May 3, 1999

EXECUTIVE DIRECTIVE

07-09

Standards for Ethical Conduct

STATEMENT OF POLICY

1. It is the policy of the Airport that employees shall conduct their business activities with honesty, fairness and integrity by following fundamental ethical standards.

APPLICABILITY

2. This Executive Directive applies to all Airport Commission employees.

RESPONSIBILITY

3. All Managers and Supervisors are responsible for ensuring compliance with this directive. All employees are accountable for compliance with this directive.

TYPES OF REGULATED ACTIVITIES AND VIOLATIONS OF THE DIRECTIVE

4. Conduct subject to this directive includes employee activity which is in any way job related and which involves a dishonest, unethical or otherwise unlawful act in violation of Airport instructions, directives or policies. Employees should not attempt to deceive, defraud or mislead Airport management, other employees, or those whom the Airport has business or other relationships; take or misuse Airport property, funds or service; misrepresent the Airport or its employees, divulge or release any information relating to the Airport of a proprietary nature; obtain a personal advantage or benefit because of their association with the Airport or by use of the Airport name; withhold their best efforts to perform their work to acceptable standards; engage in unethical business practices; violate applicable laws; or conduct themselves at any time dishonestly or in a manner which will reflect discredit on the Airport. The following provides a general outline of the types of activities subject to this directive and examples of misconduct to be considered when administering this Executive Directive. However, no attempt has been made to illustrate every conceivable instance which would be considered misconduct.

AIRPORT FUNDS, SECURITIES, PAYMENT PAPERS

5. All funds collected on behalf of the Airport shall be promptly and properly reported, deposited, and credited to the proper accounts. Monies assigned as working funds, petty cash funds, etc., shall be used only for the Airport purposes intended and authorized staff shall adequately safeguard such funds.

Specific violations include, but are not limited to:

- Misappropriation of funds by theft or falsification of records related to such funds.
- "Temporary borrowing" of funds by unauthorized IOU's
- Using worthless checks as part of a fund in substitution for cash.
- Obtaining reimbursement or knowingly making payments from petty cash or other funds for unauthorized expenditures.

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- Altering (raising) amounts on petty cash tags or other payment papers for personal gain.
- Forging endorsements or approving signatures on any payment paper.
- Entering falsified and untruthful information on time cards for the purpose of gaining unearned pay or concealing absences.
- Making false statements on personal expense accounts.
- Knowingly processing or approving false or inflated invoices for payments to outside vendors.
- Establishing or maintaining any "off the books" bank accounts or unrecorded funds for the purpose of making any unauthorized or questionable payments.

TOOLS, MATERIALS, SUPPLIES AND EQUIPMENT

6. All Airport material, tools, and equipment purchased or rented by the Airport shall be used exclusively for Airport business and operations; and shall not be taken, loaned, or personally used by employees.

Specific violations include, but are not limited to:

- Theft or borrowing of Airport tools and equipment.
- Use of Airport tools, equipment, materials, fuel, or Airport labor on employees' or other parties' personal property; e.g., automobiles, radios, television sets, private construction, etc.
- Flagrant and willful abuse of Airport property, including vandalism.
- Improper and unauthorized disposal of Airport property, including salvage, scrap, or obsolete items.
- Unauthorized possession or removal of Airport property from the Airport's premises pursuant to Executive Directive 99-03 effective May 3, 1999.
- Use of Airport vehicles, owned or rented, for other than authorized Airport use or allowing unauthorized persons to drive or ride in the vehicle (except in emergency situations).
- Unauthorized purchases on Airport credit cards.
- Offering aid or information to outsiders or other employees to be used for the purpose of misappropriating Airport property.
- Unauthorized use of Airport data processing resources, including computers and software pursuant to Executive Directive 03-03 effective August 6, 2003.
- Release of proprietary information about the Airport's computer programs and systems and those licensed to the Airport for its exclusive use.

AIRPORT ACCOUNTS, REPORTS, AND RECORDS

7. Airport accounts, reports, and records should be prepared as accurately and completely as possible and should not be released to outside parties indiscriminately. Any reports, information, etc., shall only be released with the consent of the responsible management employee involved, pursuant to Executive Directive 02-04 effective September 23, 2002.

Specific violations include, but are not limited to:

- Release of original or reproduced copies of Airport records without proper approval.

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- Supplying contractors', suppliers', or employees' names, addresses, or other data to outside solicitors.
 - Willfully destroying or altering Airport records.
 - Falsification of education, skills, experience, or other pertinent data shown on initial or subsequent personnel records relied on for hiring or subsequent promotion.
 - Making false or misleading entries in the Airport's accounting forms, records, or books of account and misleading reporting thereon.
 - Preparation of operating, personnel, or other reports and studies which are intentionally false, incomplete, or misleading.
 - Willful, unauthorized destruction, or alteration of Airport computer programs and data.
8. Employees shall factually report time worked and not worked, pursuant to Executive Directive 03-12 effective September 26, 2003.

GIFTS

9. Gift means any payment, merchandise, gratuity, favor, discount, entertainment, hospitality, loan forbearance, anything having monetary value that confers a personal benefit on the recipient, to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status.
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- a. No officer or employee shall solicit a gift, regardless of its value, when to do so reasonably creates the appearance of a conflict of interest or of influencing him or her in the performance of official duties.
- b. No officer or employee shall accept any gift from anyone who within the preceding 12 months knowingly attempted to influence the officer or employee on any legislative or administrative action.
- c. Except as provided below, no officer or employee shall accept any gift from anyone doing business or seeking to do business within the preceding 12 months with the Airport or a gift of any value from a subordinate in the line of authority.
- d. Any officer or employee may accept a voluntary gift, other than cash, when:
- (1) The gift has an aggregate value of \$25 or less per occasion, provided, however, that this exception is limited to no more than four occasions per year.
 - (2) The gift is from an immediate family member and does not have the appearance of influencing the employee in the performance of his or her duties.
 - (3) The gift is food or drink, regardless of value, to be shared in the office among officers and employees.
 - (4) The gift is a devise or inheritance.

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- (5) The gift is a personalized plaque or trophy with an individual value of less than three hundred ninety dollars (\$390.00).
- (6) The gift is an award or prize given in contests available to the public, including random drawings.
- (7) The gift is a ticket to a fundraiser for an organization that is exempt from taxation as a qualified non-profit organization under the Internal Revenue Code.
- (8) The gift is leave credits, including vacation, sick leave, or compensatory time off, donated to an employee in accordance with a bona fide catastrophic or similar emergency leave program established by the official's employer and available to all employees in the same job classification or position.
- (9) The gift is a ceremonial one accepted on behalf of the Airport or given to the officer or employee by the Airport in recognition of an occasion of special personal significance.
- (10) The gift is free admission, and refreshments and similar non-cash nominal benefits provided to an officer or employee during the entire event at which the employee gives a speech, participates in a panel or seminar, or provides a similar service, or engages in networking opportunities which may enable the officer or employee to establish working relationships that may inure to the benefit of the City, and actual intrastate transportation and any necessary lodging and subsistence provided directly in connection with the speech, panel, seminar, or service, including but not limited to meals and beverages on the day of the activity.
- (11) The gift is other than cash, with an aggregate value of \$25 or less per occasion from a subordinate or a candidate or applicant for a position as an employee or subordinate under the officer or employee and given in recognition of an occasion on which gifts are traditionally given, including any holiday traditionally associated with gift giving, such as Christmas and Chanukah, as well as birthdays or thanking a person for a kindness or good deed.
- (12) The gift is an upgrade of service from an air carrier offered in the ordinary course of the carrier's business and not based on the officer's or employee's status as an employee of the Airport. An officer or employee shall not solicit an upgrade.
- (13) The gift is otherwise permitted by state or federal law.

e. An employee should not solicit gifts, even of nominal value, from a business doing business or seeking to do business with the Airport on a regular or frequent basis since this would have the appearance of influencing him or her.

FINANCIAL INTERESTS

10. A financial interest may come from ownership (e.g., shares of stock), income (e.g., salary, dividends), liability (e.g., loan from the company) or fiduciary duty. The financial interest of an employee's immediate family will be attributed to him or her for the purposes of this Executive Directive.

a. Definitions.

(1) Financial Interest means:

- (a) *Ownership.* An interest (e.g., shares of stock) of \$2,000 or more in a business or in real property.
- (b) *Income.* Income of \$500 or more in any form (whether or not deferred) including, for example, salaries, fringe benefits, interest, dividends, or rent that was received in the previous 12 months. Income also includes the prospect of income such as a pending job or offer of employment.
- (c) *Pledge or surety.* Personal liability (incurred or assumed) on behalf of a business that exceeds \$2,000.
- (d) *Loan or debt.* Personal debt of \$200 or more to the business or an individual involved with the business, *except* a debt incurred in the ordinary course of business on usual commercial terms; for example, an automobile loan on commercial terms from the bank doing business on the airport is permissible; a loan from the bank manager is not.
- (e) *Fiduciary duty.* The duty owed to a business by a person in the position of corporate officer or member of the board of directors or other governing body, even without financial remuneration from the business. Fiduciary duties to non-profit businesses (e.g., trade associations) are not included in this definition of a financial interest.

- (2) Business means sole proprietorships, firms, corporations, partnerships, companies or associations.

- (3) Immediate Family means spouse and dependents living in the same household. It also includes any person over whose financial affairs the employee has substantial legal or actual control.

- (4) Participate means approving, disapproving, influencing, or attempting to influence a decision of the Airport.

- b. An employee who has a financial interest in a business doing business, or seeking to do business, with the Airport shall not knowingly participate in any transaction with that business (such as a lease, a contract negotiation, solicitation or award process, contract administration, or an investment of Airport funds) on behalf of the Airport absent a waiver from the Airport.

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An employee will be presumed to know when he or she has a financial interest in a matter. An employee has the affirmative responsibility to disclose that financial interest to his or her immediate supervisor and to not participate in the transaction.

- c. Absent a waiver from the Airport Director, no employee nor any member of his or her immediate family shall own any business or have any investment in any business engaged in the transportation of people or property by aircraft in common carriage whether or not the business is doing business at the Airport's facilities. This does not preclude ownership of shares in a diversified fund which may own an interest in air transportation company.
- d. No employee shall participate in an Airport related business transaction (such as a lease, a contract negotiation, solicitation or award process, contract administration, or an investment of Airport funds) where his/her relative, e.g., husband/wife, is or was the project manager. Even though the employee may not have a Financial Interest prohibited by this Financial Interests section, such a situation could create at least the appearance of a conflict of interest. If an employee fails to bring this situation to the attention of Airport management, he/she may be disciplined as described in the Discipline section of this Airport Executive Directive.

NEPOTISM

- 11. a. An employee may not, directly or indirectly, appoint, employ, promote, or advance within the Airport one of his or her own relatives. In addition, a relative may not be assigned to any position in which one relative may directly or indirectly supervise, control or influence the work or the employment status of the other relative or the affairs of the organizational unit in which the other relative is employed. Thus, a relative may not be assigned to a position that is under direct or indirect supervision by another relative. Neither shall two relatives report directly to the same supervisor.
- b. For the purposes of this provision, the term "relative" means: father, mother, grandfather, grandmother, son, daughter, granddaughter, grandson, brother, sister, uncle, aunt, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, sister-in-law or brother-in-law.

CORRECTIVE ACTIONS

- 12. An employee who, on the effective date of this directive, has or may have a financial interest in a business that has a contract with the Airport, has a financial interest that affects the employee's ability to participate in a transaction, supervises, or is in a position which is under the direct or indirect supervision of a relative as defined herein, or is reporting directly to the same supervisor that a relative reports to, shall report this situation to the Airport General Counsel within 30 days after the effective date. If the Airport General Counsel, in consultation with the Airport Human Resources Director, determines that an employee has a personal financial interest, or other situation that requires disclosure or some other

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action by the employee, the employee, with the advice from the Airport General Counsel and the Airport Human Resources Director, shall make a plan for corrective action to be implemented as soon as is reasonably practicable. The Airport Director may waive the application of the provisions of this directive to any situation that does not otherwise violate state or local laws.

General Counsel of the Airport may, upon request of an employee, advise employees on whether the Airport would consider a proposed action to be a violation of this Executive Directive. No employee will be held to have violated this directive if the alleged violation resulted from his or her good faith reliance on a written opinion from the Airport General Counsel and the opinion was made after a full and accurate disclosure of the material facts.

DISCIPLINE

13. Employees violating this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action. In addition, supervisors who knowingly allow others to violate this Executive Directive will be subject to disciplinary action up to and including dismissal and may also be subject to legal action.



John L. Martin
Airport Director

Issue Date: December 21, 2007

Effective Date: Immediately

Supercedes: E.D. #04-01 - Standards for Ethical Conduct, effective January 29, 2004
E.D. #07-03 - Standards for Ethical Conduct, effective April 26, 2007

Related Executive Directives:

- 03-12 Daily Time Sheets, effective September 26, 2003
- 03-03 Use of Airport Telephones, Electronic Equipment, and other Equipment Devices and Material, effective August 6, 2003
- 02-04 Document Control, effective September 23, 2002
- 00-02 Standards for Employee Conduct, effective February 2, 2000
- 99-03 Unauthorized Possession and Removal of Airport Property, effective May 3, 1999

Exhibit B

DHR's Responses – 7/2/08, 7/23/08



July 2, 2008

Sonya Knudsen

Dear Ms. Knudsen:

I am in receipt of your three letters, each dated June 25, 2008, and attached Department Report of Employment Discrimination Complaint forms regarding the San Francisco Airport (SFO) and Department of Human Resources (DHR).

The San Francisco Charter, section 10.103, and Civil Service Commission Rule 103 provide that the Human Resources Director shall review and resolve complaints of employment discrimination, subject to appeal to the Civil Service Commission. In order to initiate a discrimination complaint, certain criteria must be met. Enclosed is our informational leaflet on how to file a discrimination complaint. A complaint must be filed within 180 days of the date the discriminatory action took place, or the date the employee should have first become aware of the violation. Additionally, the standards described below must be presented.

Standards for Discrimination

Disparate Treatment Discrimination: 1) Complainant is a member of a protected category; 2) complainant was subjected to an adverse employment action; and 3) complainant was subjected to the adverse employment action because of her membership in a protected category.

Denial of Reasonable Accommodation: 1) Complainant is a disabled person within the meaning of the law; 2) complainant is qualified to perform the essential functions of her job with or without reasonable accommodation; 3) complainant requested a reasonable accommodation; and 4) the employer failed to provide a reasonable accommodation.

Letter #1: By one letter, you complained about the handling of your request for reasonable accommodation by the SFO EEO Office and denial of your request to telecommute. Generally, telecommuting or working at home may be a reasonable accommodation when the essential functions of the position can be performed at home and the employee can establish a medical need for such accommodation. Please provide more specific information and attach relevant documentation about your request and the department's response.

Letter #2: By another letter, you alleged unfair and inequitable treatment by your supervisor Blake Summers, at SFO's Airport Museums. On the form, you checked the bases as sex, disability and retaliation; and the issues as denial of promotion, denial of reasonable accommodation and work assignment. Please provide a detailed explanation of each action you believe to be discriminatory, the dates of the alleged actions occurred and other information described on the enclosed leaflet.

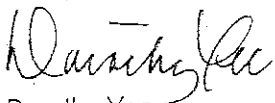
Letter #3: Lastly, you complained about the handling of your November 2007 discrimination complaint by the SFO, and issues regarding conflict of interest, neutrality, and mediation by the DHR EEO Division. The role of an EEO investigator is that of a neutral fact finder, representing neither the SFO nor the complainant, to investigate allegations of discrimination, and to submit findings to the Human Resources Director for determination. In addition, complaints are also reviewed for possible resolution through mediation by trained mediators in the City's Employee Assistance Program or the Hastings College program. Your concerns as presented in this letter do not meet the standards to establish a complaint under the City's discrimination complaint process.

For your information, you may file a complaint of discrimination with the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment & Housing (DFEH). The EEOC is a federal agency and the DFEH is a state agency; both are independent of the City & County of San Francisco. Contact these agencies directly for filing requirements and deadlines.

In addition, you may also pursue your allegations of discrimination through the grievance process of your union, SEIU Local 1021; however, the MOU between the City and SEIU provides that 'in the event more than one administrative remedy may be available within the City and County governmental system of San Francisco, the Union and the employee shall elect only one. The election is irrevocable.'

Please review the enclosed information about the City's employment discrimination complaint requirements and provide the details specific to your charges. If we do not receive your response by July 17, 2008, these issues will be administratively closed.

Sincerely,



Dorothy Yee
EEO Manager

Enclosure: How to File

Copy: EEO File #1343
Silvia Castellanos
Steve Pitocchi, SEIU



July 23, 2008

Ms. Sonya Knudsen

Dear Ms. Knudsen:

I am writing in response to your various letters sent to me in the Department of Human Resources in the past few weeks. In each letter, you wrote that you were filing a complaint of discrimination, harassment, or retaliation against the San Francisco Airport.

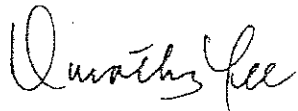
The San Francisco Charter, section 10.103, and Civil Service Commission Rules provide that the Human Resources Director shall review and resolve complaints of employment discrimination. A complaint is accepted for investigation after a careful screening process to determine if it falls within the jurisdiction of the City's employment discrimination complaint requirements. A complaint must contain allegations that, if proven, constitute a violation of the provisions of federal, state or local EEO laws. Complaints that do not state a recognized basis or adverse employment action, or do not establish the requisite inference of discrimination shall be administratively closed on the basis of failure to establish a charge.

- Your complaint that you were denied a reasonable accommodation to return to work on a part time schedule in November 2007 was recorded as EEO File #1343 and assigned to Silvia Castellanos in the DHR EEO Division for investigation. The Human Resources Director will notify you of her determination in the complaint.
- Your three communications dated June 25, 2008 were insufficient to support an inference of discrimination. As I previously wrote, you may provide additional information to support that your allegations are based on your membership in a protected category and you were subjected to an adverse employment action. Please provide a detailed explanation of each action you believe to be discriminatory, the dates of the alleged actions occurred and other information described on the enclosed leaflet about the City's complaint process.
- Your two communications dated July 11, 2008 have been recorded as EEO File #1371 and assigned to an EEO investigator for further review. You will be contacted by the assigned investigator.

For your information again, you may file a complaint of discrimination with the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment & Housing (DFEH). The EEOC is a federal agency and the DFEH is a state

agency; both are independent of the City & County of San Francisco. Contact these agencies directly for filing requirements and deadlines.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy Yee".

Dorothy Yee
EEO Manager

Enclosure: How to File a Discrimination Complaint

Copy: EEO File #1343
EEO File #1371

Exhibit C

Charge Form, 12/8/08

CHARGE OF DISCRIMINATION

(To be Completed by EEO Staff In Consultation with Complainant)

1. Name of Complainant: Sonya Knudsen
Address: _____ Work Phone.: 650-821-6726
Home Phone: _____

2. Respondent Department: SF International Airport
Worksite: SF Airport Museums Telephone No.: 650-821-6700
Address: SF International Airport, PO Box 8097, San Francisco, CA 94128

3. Complainant's Current Employment Status (circle one): Classification: PEX 3546
PCS TCS LT NCS PV PC TE PROB NOT A CITY EMPLOYEE

4. Basis of Discrimination (specify):
- Race: _____
 - Color: _____
 - Religion: _____
 - Creed: _____
 - Sex: _____
 - National Origin: _____
 - Ethnicity: _____
 - Age: _____
 - Disability/Medical Condition: _____
 - Political Affiliation: _____
 - Sexual Orientation: _____
 - Ancestry: _____
 - Marital or Domestic Partner Status: _____
 - Gender Identity: _____
 - Parental Status: _____
 - Other Non-Merit Factors: _____
 - Retaliation:** _____

5. Issue complained of:
- Denial of Employment
 - Denial of Training
 - Denial of Promotion**
 - Denial of Reasonable Accommodation
 - Termination
 - Lay-off
 - Constructive Discharge
 - Disciplinary Action
 - Harassment**
 - Work Assignment
 - Sexual Harassment
 - Compensation
 - Other (please specify): _____

6. Has the Complainant filed the complaint with any other local, state or federal agency? Yes No
If yes, please specify: _____

7. Has the Complainant filed a grievance or lawsuit? Yes No
If yes, please specify: _____

8. Is the Complainant represented by a **Union** or an Attorney? Yes No

Name: Steve Pitocchi Organization/Firm: SEIU Local 1021
Address: 350 Rhode Island St., Suite 100 So. Bldg., SF Phone No.: 415-848-3641

9. Describe specifically and in detail the circumstances of the alleged discrimination. Please include date(s) of adverse employment action(s).

In March 2008 Ms. Sonya Knudsen filed a discrimination complaint against manager, Mr. Blake Summers, Director/Chief Curator-SF Airport Museums for November 2007 denial of reasonable accommodation. EEO informed Summers of complaint; Summers refused mediation June 2008. July 2008 DHR Director determination: insufficient evidence to support the charge; Knudsen filed appeal with Civil Service Commission.


Due to March 2008 complaint filing Summers subjects Knudsen to harassment, disparate treatment, and intimidation upon April 2008 full-time return to work; second discrimination complaint filed by Knudsen against Summers in June 2008 re redefined and restructured work assignments, excessive scrutiny and interference, and denied promotion (0922 Manager 1, from 3546 Curator IV). Summers' comment, "why would I promote you, you haven't been here this past year?"

Manager's assistant, Ms. Kathie Smookler, on July 1, 2008 harasses, intimidates, and physically blocks Ms. Knudsen, in loud and aggressive manner accusing Knudsen of undermining Summers. Following that, on July 9, 2008 Summers informed Knudsen of Airport Facilities department complaint⁶ without providing details, and in a meeting in his office behind closed doors, accused Knudsen of being a problem from day-one, of having numerous complaints lodged against her, and of being "complaint-happy," denied Knudsen third party representation, saying "he wasn't going there, like mediation downtown." Mr. Summers commented, "...don't sit there all proper.." knowing of Knudsen accommodation needs. Specifically, Mr. Summers linked the complaints Knudsen filed with comment that she should resign, "...look at the number of complaints you've filed, you're unhappy, do you want to quit?"

Since April 2008 return to work Knudsen has been subjected to discrimination, harassment, intimidation, disparate treatment, and retaliation from Mr. Summers and Ms. Smookler, working in an increasingly difficult, strained and hostile work environment, with fear for her continued employment.

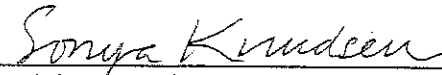
10. Has the Complainant taken any action to resolve the issue(s)? If yes, please specify.
Complainant has filed discrimination complaints in an effort to bring about corrective action.
11. Remedy or corrective action desired by Complainant:
1. Cease and desist workplace harassment and discrimination.
 2. Granted promotion with applicable backpay/seniority.
 3. Reassignment to another comparable position with department.
12. Is the Complainant willing to participate in an informal resolution process? Yes No

Completed by:



EEO Staff Signature

12/3/08
Date



Complainant's Signature

274

12/8/08
Date

Exhibit D

Notice of Charge and RFI, 12/10/08

December 10, 2008



San Francisco International Airport
c/o Mr. John Martin, Director
P.O. Box 8097
San Francisco, CA 94128

RE: Notification of Charge of Discrimination and Request for Information
Complainant: Sonya Knudsen
EEO File No.: 1371

Dear Director Martin:

A complaint of employment discrimination has been filed against the Respondent Department by Ms. Sonya Knudsen. The Charter of the City and County of San Francisco provides that the Human Resources Director shall review and resolve all allegations of employment discrimination. I have been assigned to investigate this complaint and my role as an investigator is to act as an objective third party, representing neither the complainant nor the party charged with discrimination.

A. Notification of Charges

Ms. Knudsen is a permanent exempt 3546 Curator IV with the Airport Museums. Ms. Knudsen filed a complaint of discrimination in March 2008 against the Airport Museums alleging denial of accommodation. In July 2008 the Human Resources Director determined that there was insufficient evidence to support the charge and Ms. Knudsen filed an appeal of the Human Resources Director's determination with the Civil Service Commission, which is currently pending.

Ms. Knudsen is alleging that the Airport Museums has subsequently retaliated against her for filing her previous complaint and current appeal. Ms. Knudsen alleges that she has been harassed and denied promotion in retaliation for her previous complaint and current appeal (See enclosed).

B. Request for Information and Departmental Response

In order to investigate this complaint, we request that the following information be provided within **15 business days**. Therefore, we request a response no later than January 2, 2009.

1. Respondent's Response to the Charges

Please respond to the allegations of the complaint as stated above, to the extent the Department is presently knowledgeable about these matters. This response should include the Department's answer to the specific allegations, as well as any relevant evidence, such as records or documents that support the Department's response.

Please keep in mind that the Department should not conduct its own investigation to respond to the allegations. In particular, the Department should not interview Mr. Blake Summers or Ms. Kathie Smookler regarding the allegations, but should only respond to these allegations to the extent that management was made aware of these allegations.

2. Witnesses for the Department

Please provide a list of witnesses that the Department requests to be interviewed on its behalf.

3. Request for Information

- a. Please identify the essential functions of Complainant's position prior to March 2008.
- b. Please identify any subsequent changes to Complainant's essential functions subsequent to March 2008. If there was a change to Complainant's assigned duties and/or functions, please explain the reason(s) for the change.
- c. Please identify if Airport Museums Chief Curator Blake Summers has made any 0922 Manager I appointments from March 2008 to the present.

If so, please identify the selection process used for the 0922 Manager I appointments in detail.

Please mark all information sent in response to this request "Confidential" on the mailing envelope.

4. Scheduling of Interviews

We request your assistance in scheduling interviews with:

- a. Mr. Blake Summers
- b. Ms. Kathie Smookler
- c. Mr. Timothy O'Brien.

We request your assistance in scheduling these interviews during the week of January 12, 2009 at the EEO Office. As the investigation progresses, we may need to schedule further witness interviews.

C. Important Reminders

Please remember that the information in this request is sensitive and that management should use professional discretion with regard to these allegations. In addition, management should be reminded that any form of retaliation against an employee for making a complaint of discrimination or participating in this investigation is strictly prohibited by law.

We remind all those involved in complaints of discrimination that the process of evaluating the merits of the charges reinforces each employee's right to a workplace free

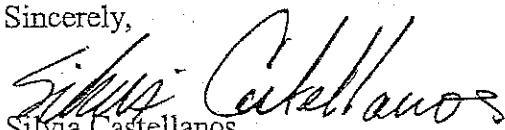
Knudsen, Sonya vs. SFO
EEO File No. 1371
Page 3 of 3

of discrimination. Therefore, allegations should not be considered as personal attacks but management opportunities to demonstrate a commitment to such a working environment.

The Complainant has indicated that she may be interested in mediating her complaint of retaliation. Mediation offers the parties an opportunity to resolve complaints with the assistance of a neutral, trained professional. Please let me know if the Department is interested in mediation.

Should you have any questions about the complaint process or this request, please do not hesitate to contact me at 415 557-4855. Thank you for your assistance.

Sincerely,



Silvia Castellanos
EEO Investigator

Enclosures:

Letters of Complaint- 7/11/08 (with attachments)
Charge of Discrimination- 12/8/08

cc: Dorothy Yee
Gloria Louie, Airport EEO Manager
file

CHARGE OF DISCRIMINATION

(To be Completed by EEO Staff In Consultation with Complainant)

1. Name of Complainant: Sonva Knudsen
Address:
Work Phone.: 650-821-6726
Home Phone:

2. Respondent Department: SF International Airport
Worksite: SF Airport Museums Telephone No.: 650-821-6700
Address: SF International Airport, PO Box 8097, San Francisco, CA 94128

3. Complainant's Current Employment Status (circle one): Classification: PEX 3546
PCS TCS LT NCS PV PC TE PROB NOT A CITY EMPLOYEE

- 4. Basis of Discrimination (specify):
Race:
Color:
Religion:
Creed:
Sex:
National Origin:
Ethnicity:
Age:
Disability/Medical Condition:
Political Affiliation:
Sexual Orientation:
Ancestry:
Marital or Domestic Partner Status:
Gender Identity:
Parental Status:
Other Non-Merit Factors:
Retaliation:

- 5. Issue complained of:
Denial of Employment
Denial of Training
Denial of Promotion
Denial of Reasonable Accommodation
Termination
Lay-off
Constructive Discharge
Disciplinary Action
Harassment
Work Assignment
Sexual Harassment
Compensation
Other (please specify):

6. Has the Complainant filed the complaint with any other local, state or federal agency? Yes No
If yes, please specify:

7. Has the Complainant filed a grievance or lawsuit? Yes No
If yes, please specify:

8. Is the Complainant represented by a Union or an Attorney? Yes No

Name: Steve Pitocchi Organization/Firm: SEIU Local 1021
Address: 350 Rhode Island St., Suite 100 So. Bldg., SF Phone No.: 415-848-3641

9. Describe specifically and in detail the circumstances of the alleged discrimination. Please include date(s) of adverse employment action(s).

In March 2008 Ms. Sonya Knudsen filed a discrimination complaint against manager, Mr. Blake Summers, Director/Chief Curator-SF Airport Museums for November 2007 denial of reasonable accommodation. EEO informed Summers of complaint; Summers refused mediation June 2008. July 2008 DHR Director determination: insufficient evidence to support the charge; Knudsen filed appeal with Civil Service Commission.

Due to March 2008 complaint filing Summers subjects Knudsen to harassment, disparate treatment, and intimidation upon April 2008 full-time return to work; second discrimination complaint filed by Knudsen against Summers in June 2008 re redefined and restructured work assignments, excessive scrutiny and interference, and denied promotion (0922 Manager 1, from 3546 Curator IV). Summers' comment, "why would I promote you, you haven't been here this past year?"

Manager's assistant, Ms. Kathie Smookler, on July 1, 2008 harasses, intimidates, and physically blocks Ms. Knudsen, in loud and aggressive manner accusing Knudsen of undermining Summers. Following that, on July 9, 2008 Summers informed Knudsen of Airport Facilities department complaints without providing details, and in a meeting in his office behind closed doors, accused Knudsen of being a problem from day-one, of having numerous complaints lodged against her, and of being "complaint-happy," denied Knudsen third party representation, saying "he wasn't going there, like mediation downtown." Mr. Summers commented, "...don't sit there all proper.." knowing of Knudsen accommodation needs. Specifically, Mr. Summers linked the complaints Knudsen filed with comment that she should resign, "...look at the number of complaints you've filed, you're unhappy, do you want to quit?"


Since April 2008 return to work Knudsen has been subjected to discrimination, harassment, intimidation, disparate treatment, and retaliation from Mr. Summers and Ms. Smookler, working in an increasingly difficult, strained and hostile work environment, with fear for her continued employment.

10. Has the Complainant taken any action to resolve the issue(s)? If yes, please specify.
Complainant has filed discrimination complaints in an effort to bring about corrective action.

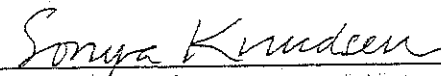
11. Remedy or corrective action desired by Complainant:
1. Cease and desist workplace harassment and discrimination.
 2. Granted promotion with applicable backpay/seniority.
 3. Reassignment to another comparable position with department.

12. Is the Complainant willing to participate in an informal resolution process? Yes No

Completed by:


EEO Staff Signature

12/3/08
Date


Complainant's Signature

280
12/8/08
Date

DEPARTMENT REPORT OF EMPLOYMENT DISCRIMINATION COMPLAINT

* Report Within Five Working Days of Receipt of Complaint*

Return to: Dorothy Yee, DHR/EEO Division, 44 Gough Street, San Francisco, CA 94103

1. Department/Worksite: SAN FRANCISCO AIRPORT MUSEUMS SF-INTL AIRPORT

2. Complainant: SONYA KAUSDEN Tel. No. (Work): 650 821 6726

Address: _____ Tel. No. (Home): _____

3. Complaint Filing Date: 11 JULY 2008

4. Complainant's Current Employment Status (circle one): Classification: 3546 CURATOR IV
PCS TCS LT NCS PV PE TE PROB NOT A CITY EMPLOYEE

- 5. Basis of Discrimination (specify):
Race: _____
Color: _____
Religion: _____
Creed: _____
Sex: _____
National Origin: _____
Ethnicity: _____
Age: _____
Disability/Medical Condition: _____
Political Affiliation: _____
Sexual Orientation: _____
Ancestry: _____
Marital or Domestic Partner Status: _____
Gender Identity: _____
Parental Status: _____
Other Non-Merit Factors: _____
Retaliation: _____

- 6. Issue complained of:
Denial of Employment
Denial of Training
Denial of Promotion
Denial of Reasonable Accommodation
Termination
Lay-off
Constructive Discharge
Disciplinary Action
Harassment
Work Assignment
Sexual Harassment
Compensation
Other (please specify): RETALIATION

7. Describe the circumstances of the alleged discrimination and include date(s) of adverse employment action(s): (Attach letter of complaint) SEE ATTACHED COMPLAINT LETTER AGAINST BLAKE SUMMERS RE HARASSMENT AND RETALIATION, INCLUSIVE OF UNWELCOME & OFFENSIVE CONDUCT, VERBAL HARASSMENT, INTIMIDATION, SLANDER, UNSUBSTANTIATED ACCUSATIONS, DEROGATORY COMMENTS, DENIAL OF REQUEST FOR A THIRD-PARTY WITNESS, AND RETALIATION FROM PREVIOUSLY FILED DISCRIMINATION COMPLAINTS.

8. Has the Complainant filed a grievance or lawsuit regarding this complaint? Yes No

If yes, please specify: _____

9. Is the Complainant represented by a Union or an Attorney? Yes No

Name: _____ Organization/Firm: _____

Address: _____ Phone No.: _____

*10. What steps does the department recommend be taken to address this complaint? (For instance, investigation, alternative dispute resolution, dismissal)

*10a. Name and position of staff who will implement recommended steps:

11. Completed by: _____ Date: _____

Address: _____ Tel. No. _____

*12. Please notify DHR/EEO in written form immediately upon resolution of this complaint.

***Subject to the Human Resources Director's approval**

HUMAN RESOURCES DIRECTOR REVIEW

Complaint is assigned EEO File Number: _____

Approve department's recommendations for addressing complaint. Proceed and notify HR Director of actions, findings, and recommendations for resolution.

Complaint is assigned by HR Director to: _____
and/or the following actions are to be taken:

282

for Philip A. Ginsburg, Human Resources Director

Date

SONYA KNIIDSEN

11 July 2008

Dorothy Yee
Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
44 Gough Street
San Francisco, CA 94103-1233

Harassment and retaliation complaint re: Blake Summers, San Francisco Airport Museums, San Francisco International Airport

Dear Ms. Yee:

By means of this letter and attached City and County of San Francisco (CCSF) "Department Report of Employment Discrimination Complaint" form I am filing an harassment and retaliation complaint against Blake Summers, Director and Chief Curator, San Francisco Airport Museums, San Francisco International Airport, regarding a 9 July 2008 meeting, inclusive of unwelcome and offensive conduct, verbal harassment, intimidation, slander, unsubstantiated accusations, derogatory comments, denial of request for a third-party witness, and retaliation from previously filed discrimination complaints.

On Wednesday, 9 July 2008, at approx. 2:45 PM, I was in my office on the phone when my supervisor, Blake Summers, came to my doorway. Seeing that I was on the phone Summers departed. I was off the phone within a minute, and sought out Summers, first outside my office, and then in the Museums' loading dock area, inquiring of Roman Korolev and Kelvin Godshall whether they had recently seen Summers and if so, what direction he had gone. Both indicated that Summers had returned to his office.

I went to Summers' office, knocked on his door, and standing at his doorway was then asked by Summers whether I had a recent altercation with staff from the Airport Facilities' Carpentry department. Surprised at the question I replied no and asked why. Summers said he had received a phone call from Peter Acton, Facilities Deputy Director, re a complaint received against me from the Carpentry department. Summers again asked if I had an altercation, and what recent dealings I had with Carpentry personnel. I explained that I had worked with two Carpentry staff on Tuesday, 8 July 2008, at the Museums' West Field Road storage room re bolting down shelving units, and had been on the phone briefly with Larry Tuccio, Carpentry Supervisor, but that there had been no incidents or difficulties. I said I had not been at work on Monday, 7 July 2008, and that Roman Korolev had worked with the Carpentry people in the storage room that day. I said I had briefly worked with one Carpentry person the previous Thursday, 3 July 2008, when he had come by to assess the storage bolting down shelves project.

I then asked Summers if he had more details of the Carpentry complaint, and Summers replied no. I explained to Summers that I was surprised to hear of the complaint, and that it was difficult to respond to a complaint not knowing specific details and what the complaint was about. Summers

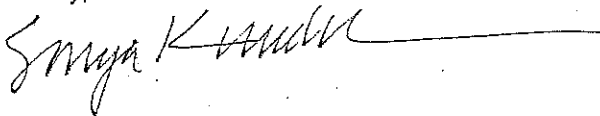
SONYA KNUDSEN

Knudsen harassment complaint against Summers
Page two, 11 July 2008

again asked if I had any altercation with Carpentry and I said no, but that I had received some good news from Tuccio re the tension-wire cement floors in storage. I said to Summers that I found this Carpentry complaint disturbing, and that it was a repeat of a similar complaint that Summers had brought forth in April 2008 received from the Electrical department, a duplication of not having any details or knowing who had lodged the complaint, how to reply or defend against faceless and nebulous accusations. Summers said he had told me back then to lay low, not ask Facilities personnel to do anything beyond what they were required to do, and to avoid altercations or putting in excessive work orders. I replied to Summers that I had been especially careful when interacting with Facilities personnel thus was all the more surprised to hear of the Carpentry complaint, but also how difficult such complaints would make my job overseeing facility management responsibilities, working with Facilities personnel, etc.

I then asked Summers what he had said to Acton, whether he had backed me. Summers paused, and then said he had a difficult time supporting me given my reputation for being difficult to work with, not getting along with others, the pattern of recent complaints I had recently filed. Summers then asked me to come into his office and close his door. What followed, in a private conversation that lasted approximately ten minutes, was unwelcome and offensive conduct and behavior from Summers, inclusive of verbal harassment, intimidation, slander, unsubstantiated accusations, derogatory comments, denial of request for a third-party witness, retaliation from previously filed discrimination complaints – all severe and pervasive harassment from Summers in an increasingly hostile and abusive work relationship and environment. I will provide further details in the investigation process. After receiving a query from Summers re whether I was going to quit, I concluded the meeting by replying that I was not quitting, but quitting for the day and would be at work on Thursday, 10 July 2008, with a major project at Spruce warehouse to oversee. I then left the office at 3:00 PM in shock, deeply shaken, devastated, and offended by Summers conduct and behavior, driving directly into San Francisco to go to the SEIU Local 1021 office.

Sincerely,



Sonya Knudsen

attachment: CCSF Department Report of Employment Discrimination Complaint form

cc: Steve Pitocchi, SEIU Local 1021

DEPARTMENT REPORT OF EMPLOYMENT DISCRIMINATION COMPLAINT

* Report Within Five Working Days of Receipt of Complaint*

Return to: Dorothy Yee, DHR/EEO Division, 44 Gough Street, San Francisco, CA 94103

1. Department/Worksite: SAN FRANCISCO AIRPORT MUSEUMS, SF INTL AIRPORT

2. Complainant: SONYA KAUSEN Tel. No. (Work): 650 821 6726

Address: _____ Tel. No. (Home): _____

3. Complaint Filing Date: 11 JULY 2008

4. Complainant's Current Employment Status (circle one): Classification: 3546 CURATOR IV
PCS TCS LT NCS PV PE TE PROB NOT A CITY EMPLOYEE

- 5. Basis of Discrimination (specify):
Race: _____
Color: _____
Religion: _____
Creed: _____
Sex: _____
National Origin: _____
Ethnicity: _____
Age: _____
Disability/Medical Condition: _____
Political Affiliation: _____
Sexual Orientation: _____
Ancestry: _____
Marital or Domestic Partner Status: _____
Gender Identity: _____
Parental Status: _____
Other Non-Merit Factors: _____
Retaliation: _____

- 6. Issue complained of:
Denial of Employment
Denial of Training
Denial of Promotion
Denial of Reasonable Accommodation
Termination
Lay-off
Constructive Discharge
Disciplinary Action INAPPROPRIATE
Harassment
Work Assignment
Sexual Harassment
Compensation
Other (please specify): IMPROPER PHYSICAL CONDUCT RETALIATION

7. Describe the circumstances of the alleged discrimination and include date(s) of adverse employment action(s): (Attach letter of complaint) SEE ATTACHED COMPLAINT LETTER AGAINST KATHIE SMOOKLER RE HARASSMENT INCLUSIVE OF VERBAL HARASSMENT, INAPPROPRIATE DISCIPLINE, IMPROPER PHYSICAL CONDUCT, AND RETALIATION.

8. Has the Complainant filed a grievance or lawsuit regarding this complaint? Yes No

If yes, please specify: _____

9. Is the Complainant represented by a Union or an Attorney? Yes No

Name: _____ Organization/Firm: _____

Address: _____ Phone No.: _____

*10. What steps does the department recommend be taken to address this complaint? (For instance, investigation, alternative dispute resolution, dismissal)

*10a. Name and position of staff who will implement recommended steps:

11. Completed by: _____ Date: _____

Address: _____ Tel. No. _____

*12. Please notify DHR/EEO in written form immediately upon resolution of this complaint.

***Subject to the Human Resources Director's approval**

HUMAN RESOURCES DIRECTOR REVIEW

Complaint is assigned EEO File Number: _____

Approve department's recommendations for addressing complaint. Proceed and notify HR Director of actions, findings, and recommendations for resolution.

Complaint is assigned by HR Director to: _____
and/or the following actions are to be taken:

for Philip A. Ginsburg, Human Resources Director

Date

SONYA KNUDSEN

11 July 2008

Dorothy Yee
Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
44 Gough Street
San Francisco, CA 94103-1233

Harassment complaint re: Kathie Smookler, San Francisco Airport Museums, San Francisco International Airport

Dear Ms. Yee:

By means of this letter and attached City and County of San Francisco (CCSF) "Department Report of Employment Discrimination Complaint" form I am filing an harassment complaint against Kathie Smookler, Assistant to the Director, San Francisco Airport Museums, San Francisco International Airport, with regard to a 1 July 2008 workplace situation, inclusive of verbal harassment, inappropriate discipline, improper physical conduct, and retaliation.

On 1 July 2008, in a private meeting in my office, Smookler harshly reprimanded and accused me of planning a 4th of July Airport Museums staff barbeque without the involvement and knowledge of Summers, using terms such as undermining, sneaky, disrespectful, and planning behind his back. Smookler accused me of placing another Museums staff member, Timothy O'Brien, in a "mediator position" between Summers and myself, forcing O'Brien into an awkward position to inform Summers of the barbecue, act as go-between. Smookler accused me of being blatantly unaware of how busy O'Brien's work schedule was, and that he should not be bothered or involved in such a matter.

In this conversation, Smookler was very angry and increasingly animated and unreasonable, conveying that she thought I was disrespectful of and undermining Summers within the Museums work setting. While we talked, on two separate occasions I requested of Smookler to be allowed to depart my office, first to seek out O'Brien to involve him so as to clear up misunderstandings, and later, a second attempt, because I found her comments harassing, distressing, and upsetting. Both attempts to leave my office were not possible as she blocked my way.

There are additional details and subsequent meetings and encounters between Knudsen and O'Brien; Knudsen, O'Brien, and Smookler; Smookler, O'Brien, and Knudsen; O'Brien and Knudsen; Knudsen and Summers; Knudsen and Smookler regarding the Museums' 4th of July barbecue, all of which will be provided in the investigation. Please note the Museums' 4th of July barbecue was cancelled.

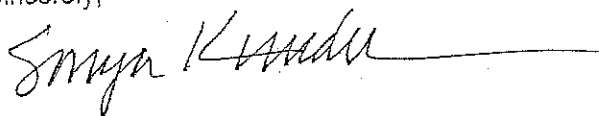
SONYA KNUDSEN

Knudsen harassment complaint against Smookler
Page two, 11 July 2008

Smookler is the Assistant to the Director, Blake Summers, an ally quite close and a confidant to him. Because of her position, Smookler is privy to confidential matters such as filed discrimination complaints thus my perception is that the 1 July 2008 situation is harassment and as well as retaliation from an earlier filed discrimination complaint I had filed against Summers, my supervisor.

Please note that I had attempted to schedule a meeting with SFO-EEO on 3 July 2008 to report the above harassment incident and was told that I should amend my earlier discrimination complaint filed against my supervisor, Blake Summers, due to a November 2007 event. Per advice received from my SEIU Local 1021 union representative, I then contacted Silvia Castellanos at the DHR-EEO office to request a meeting to file an oral report, and was instructed to provide this written report.

Sincerely,



Sonya Knudsen

attachment: CCSF Department Report of Employment Discrimination Complaint form

cc: Steve Pitocchi, SEIU Local 1021

Exhibit E

Response to RFI, 12/31/08

December 31, 2008

VIA INTEROFFICE MAIL

Silvia Castellanos
DHR-EEO Assistant Manager
City and County of San Francisco
Department of Human Resources
44 Gough Street
San Francisco, CA 94103-1233

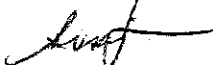
SUBJECT: Request for Information – Sonya Knudsen, 3546 Curator IV
DHR-EEO File No. 1371

Dear Ms. Castellanos:

The information enclosed is in response to the Request for Information submitted by the Department of Human Resources Equal Employment Opportunity Division (DHR-EEO) regarding the Charge of Discrimination filed by Sonya Knudsen, 3546 Curator IV, on July 11, 2008. The Airport Commission submits the following response and information regarding Ms. Knudsen's discrimination complaint against the City and County of San Francisco, Airport Museums, based on retaliation (i.e., denial of promotion and harassment).

Should you require additional information or have any questions, please do not hesitate to contact me at (650) 821-3592.

Sincerely,



Susan Kim
Assistant Manager
EEO Programs

cc: Gloria Louie, EEO Director

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Response to Complainant's Specific Allegations Listed in the Charge of Discrimination

- I. In March 2008 Ms. Sonya Knudsen filed a discrimination complaint against manager, Mr. Blake Summers, Director/Chief Curator-SF Airport Museums for November 2007 denial of reasonable accommodation. EEO informed Summers of complaint; Summers refused mediation June 2008. July 2008 DHR Director determination: insufficient evidence to support the charge; Knudsen filed appeal with Civil Service Commission.

On March 12, 2008, Ms. Knudsen filed a charge of discrimination against her supervisor, Blake Summers, Director and Chief Curator of the San Francisco Airport Museums ("Airport Museums"). In her complaint, Ms. Knudsen alleges Mr. Summers wrongfully denied her accommodation in November 2007 by refusing to allow her to return to work on a part-time schedule. Based on the investigative findings, the Human Resources Director determined there was insufficient evidence to substantiate Ms. Knudsen's allegation and dismissed the complaint on July 29, 2008. Ms. Knudsen subsequently filed a timely appeal of the Human Resources Director's determination on August 8, 2008. That appeal is now pending.

Mr. Summers states he met with Silvia Castellanos, DHR-EEO, regarding Ms. Knudsen's November 2007 complaint. During that meeting, it was agreed mediation would likely be unsuccessful and alternative dispute resolution was not pursued any further.

- II. Due to March 2008 complaint filing, Summers subjects Knudsen to harassment, disparate treatment, and intimidation upon April 2008 full-time return to work; second discrimination complaint filed by Knudsen against Summers in June 2008 regarding redefined and restructured work assignments, excessive scrutiny and interference, and denied promotion (0922 Manager I, from 3546 Curator IV). Summers' comment, "Why would I promote you, you haven't been here this past year?"

The Airport Commission denies Mr. Summers has, at any time, subjected Ms. Knudsen to harassment, disparate treatment, and/or intimidation. The Airport Commission also denies Ms. Knudsen's charge that Mr. Summers subjected her to excessive scrutiny and interference, wrongfully restructured her work assignments, or that he unlawfully denied her promotion.

Ms. Knudsen's main function as Curator IV in Charge of Administration is to perform special projects and duties, as assigned. Thus, her particular assignments can vary, depending on the department's needs.

From March 2007 to present, the majority of Ms. Knudsen's assignments have remained the same and are ongoing. During her leave of absence, however, certain projects requiring immediate attention were reassigned to other Airport Museums staff. Barbara Geib, Curator in Charge of Registration, was assigned four of the eight reassigned tasks. These tasks were: creating the Risk Management monthly insurance report, overseeing FAMSF Conservation invoice administration, and creating exhibition schedule updates on both excel and on Filemaker. All are ongoing assignments which Ms. Geib continues to oversee.

Mr. Summers assigned Roman Korolev, Museum Preparator, three of Ms. Knudsen's projects during her leave of absence. Two of these projects were completed upon Knudsen's return to work. The Kids' Spot repairs is an ongoing assignment which Mr. Korolev continues to oversee. The remaining assignment, the Arts Commission maintenance installations project, has been assigned to a new employee hired specifically to manage this project.

In addition to the eight reassigned tasks/projects, Mr. Summers assigned Ms. Knudsen four special projects upon her return to work in April 2008: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. All projects, except for the completed Spruce Street storage move, are ongoing and are currently being performed by Ms. Knudsen. No "restructuring" or further changes have been made to Ms. Knudsen's work assignments since her return to work.

According to the Airport's records, Mr. Summers has not made any 0922 Manager I appointments since 2006. In May 2006, Mr. Summers appointed Abe Garfield from a class 3547 Curator V, to a lateral Manager I, Assistant Director of Exhibitions.

III. Manager's assistant, Ms. Kathie Smookler, on July 1, 2008, harasses, intimidates, and physically blocks Ms. Knudsen in loud and aggressive manner accusing Knudsen of undermining Summers. Following that, on July 9, 2008, Summers informed Knudsen of Airport Facilities department complaints without providing details, and in a meeting in his office behind closed doors, accused Knudsen of being a problem from day-one, of having numerous complaints lodged against her, and of being "complaint-happy." denied Knudsen third party representation, saying, "he wasn't going there, like mediation downtown." Mr. Summers commented, "...don't sit there all proper..." knowing of Knudsen's accommodation needs. Specifically, Mr. Summers linked the complaints Knudsen filed with comment that she should resign, "...look at the number of complaints you've filed, you're unhappy, do you want to quit?"

Charge of Harassment against Kathie Smookler

During the week of July 1, 2008, Timothy O'Brien, Curator III, approached Mr. Summers about a 4th of July barbecue being coordinated by Ms. Knudsen. O'Brien felt it was important the Museums Director be made aware of plans involving his department, even though Knudsen had offered to purchase all the food for the festivities. Kathie Smookler, Executive Secretary to Summers, was also present during the conversation.

O'Brien informed Summers that Knudsen had approached him earlier, requesting that O'Brien grill meat for the barbecue. O'Brien asked Summers for his approval to grill. While Summers and Smookler had no previous knowledge of the planning of this event, Summers' response to O'Brien was, "I guess so." During the interaction, Smookler asked O'Brien if he wished to grill the food, as requested by Knudsen, and O'Brien responded, "not really." O'Brien states that while he normally would not have volunteered to participate as the event's cook, he felt it was not a huge imposition to do so. Both Smookler and Summers were not scheduled to work on the day of the event.

On the following day, Smookler was approached at her desk by Barbara Geib. Geib stated to Smookler, "They're planning the party now." Smookler then approached Knudsen in her office regarding the event. While Smookler does not deny using the words "undermining," and "disrespectful," during her interaction with Knudsen, she states the point of the exchange was not to harass or intimidate Knudsen, but to communicate the importance of keeping the Museums Director abreast of any plans involving his department. Smookler stated to Knudsen that she should have shown greater respect for Summers by informing him of any plans for a party, rather than coordinating for a staff luncheon during his absence.

Smookler was upset that Knudsen had taken it upon herself to coordinate the event without involvement of the entire department. She points out that in the past, some individuals have been excluded from the planning of holiday parties and, thus, would often not know of the event's occurrence until the day of. During her exchange with Knudsen, Smookler voiced that she felt it was inappropriate for Knudsen to recruit O'Brien to grill meat, as he clearly had not volunteered for the job and had more pressing work obligations to attend to.

Smookler admits she was upset during her interaction with Knudsen and that she stood in the doorway when Knudsen got up from her desk to leave the room. This action, however, was Smookler's attempt to discuss the situation openly, rather than trying to avoid the matter. At this time, Smookler communicated several times to Knudsen that she simply wanted to talk to her.

Knudsen departed the office to confront O'Brien. According to O'Brien, Knudsen was upset as she described the exchange that had just occurred between her and

Smookler. O'Brien suggested they meet with Smookler to clear up any misunderstanding. Both he and Knudsen approached Smookler. O'Brien stated to both of them that he no longer wished to participate in the barbecue and that he would feel more comfortable if, in the future, the planning of staff parties came from Summers' directive only. Smookler politely apologized to Knudsen for any confusion and the matter appeared to be resolved according to O'Brien. The following day, Smookler was informed the party had been cancelled.

The Airport Commission denies the July 2008 interaction between Ms. Smookler and Ms. Knudsen subjected Knudsen to harassment.

Charge of Harassment and Retaliation against Blake Summers

In July 2008, Mr. Summers had a meeting with Ms. Knudsen to inquire about her recent interaction with Airport Facilities staff, particularly staff from the Carpentry section. During this meeting, Summers asked Knudsen if there were any incidents to report regarding her recent work with the carpenters. Summers explained to Knudsen that he had received a complaint from Peter Acton, Facilities Deputy Director, regarding her most recent interaction with the Carpentry staff. Knudsen was not supplied specific details of the complaint, such as who reported the incident to Acton. Summers felt the situation may be aggravated by Knudsen's attempt to personally confront the carpenters about the complaint.

Summers was informed that Knudsen had made some unwelcome statements to the carpenters and had acted rudely in her interaction with them. Summers does not recall verbatim the statements reportedly made by Knudsen, but does recall Acton reporting that Knudsen referred to the Museums department as "my house" in her conversation with the carpenters. Additionally, it was reported that Knudsen, in referencing the electric carts used by the carpenters, stated to them, "I'll write a letter to John Martin (Airport Director) to get you a bigger car." After receiving this information, Summers felt it appropriate to meet with Knudsen, communicate the department's receipt of this complaint, and allow Knudsen an opportunity to present her side of the exchange. Knudsen denied any negative interaction with the Carpentry staff.

Knudsen inquired as to whether Summers came to her defense during his conversation with Acton and, according to Summers, became upset upon learning her actions were not defended by Summers. The Carpentry Shop complaint, however, had not been the first complaint received by Summers regarding Knudsen's abrasive interactions with Facilities staff. Several months before the carpenters' complaint, Acton informed Summers that Electric Shop staff were upset, complaining Knudsen acted very "bossy" and rude during their interactions with her. Staff stated Knudsen often demanded her work requests be attended to immediately, without consideration of other priority assignments.

After receiving the Electric Shop's complaint, Acton stated to Summers he did not

appreciate Knudsen's mistreatment of his staff. He stated that while his staff would gladly continue to complete assignments for the Airport Museums, Knudsen should not directly coordinate these projects and interfere with the work to be performed. Summers then communicated to Knudsen that she should "lay low" by not demanding Facilities staff to perform work beyond what is required of them. Several months later, the carpenters' complaint was received.

The purpose of Summers' July 2008 exchange with Knudsen was not to subject her to verbal harassment and/or intimidation, but to obtain information about her recent interaction with the carpenters. Summers does not recall discussing mediation during this meeting, or making any inappropriate statements referencing Knudsen's need for disability accommodation. While he inquired as to whether Knudsen was happy at her job, he does not recall accusing Knudsen of being "complaint-happy," as alleged. Summers did remind Knudsen of his earlier directive to her to request only that work which Facilities staff were required to perform.

Mr. Summers' paramount concern has been, and continues to be, that the Airport Museums maintain its ability to utilize the services of the Facilities Division and retain its positive working relationship with the crafts staff. The Airport Commission denies Ms. Knudsen's charge that Mr. Summers has subjected her to harassment and retaliation.

IV. Since April 2008 return to work, Knudsen has been subjected to discrimination, harassment, intimidation, disparate treatment, and retaliation from Mr. Summers and Ms. Smookler, working in an increasingly difficult, strained and hostile work environment, with fear for her continued employment.

The Airport Commission wholly denies Ms. Knudsen's charge that it has taken actions subjecting her to discrimination, intimidation, disparate treatment, and/or retaliation. At no time has Ms. Knudsen been subject to harassment, nor has she been wrongfully denied promotion, as alleged in her complaint.

Witnesses for the Department

The following witnesses may have relevant information for this investigation:

- Blake Summers, 0933 Director and Chief Curator
- Kathie Smookler, 1452 Executive Secretary II
- Timothy O'Brien, 3544 Curator III
- Abe Garfield, 0922 Manager I, Assistant Director of Exhibitions
- Peter Acton, Assistant Deputy Director, Facilities

Request for Information

1. Please see Attachment A for a list of the essential functions for Ms. Knudsen's 3546 Curator IV position. A general job description with important and essential duties for a Curator IV has also been attached. (See Attachment B) Please note the Airport Museums presently employs three (3) 3546 Curator IVs, each with independent responsibilities: Curator in Charge of Aviation (John Hill); Curator in Charge of Registration (Barbara Geib); and Curator in Charge of Administration and Museums Programs (Sonya Knudsen). As Curator in Charge of Administration and Museums Programs, Ms. Knudsen performs special assignments and related duties.
2. There have been no changes to Ms. Knudsen's essential functions as identified in Attachment A. While Ms. Knudsen's duty to perform assigned projects has remained the same, some changes have been made to her particular work assignments after March 2008. As explained above, upon her return to full-time work in April 2008, Mr. Summers assigned Ms. Knudsen four special projects: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. Projects 2-4 are ongoing and are currently being supervised by Ms. Knudsen, while the Spruce Street storage move has been completed. Eight of Knudsen's assignments were also reassigned to other Museums staff during her leave of absence, as these projects required immediate attention. Among these, two projects were completed upon Knudsen's return to work. The remaining six projects are ongoing. (See Attachment C for a written description of Knudsen's past/present work assignments and Response II for greater detail)
3. According to Airport Human Resources, Blake Summers has not made any 0922 Manager I appointments from March 2008 to present.

Scheduling of Interviews

The Airport's EEO Unit will gladly assist in the scheduling of interviews with Blake Summers, Kathie Smookler, and Timothy O'Brien during the week of January 12, 2009. The foregoing parties have been notified. Please contact Susan Kim at (650) 821-3592 with a tentative interview schedule for further coordination.

DHR-EEO Request for Information
Knudsen, Sonya
EEO File No. 1371
Page 8 of 8

Referenced Documents

The following referenced documents have been attached:

- Attachment A: Essential Functions for Ms. Knudsen's 3546 Curator IV position.
- Attachment B: General 3546 Curator IV Job Description.
- Attachment C: List of Knudsen's ongoing work assignments and noted project changes post March 2008.

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ATTACHMENT A

ESSENTIAL FUNCTIONS GUIDE

For each essential function listed, please check if this person can perform that function, with or without accommodation, or not at all. If you indicate that an accommodation is needed, please specify the accommodation.

Name of Employee: Sonya Knudsen
 Class 3546 Title Curator IV Department Museums
 Work Shift, if applicable: 8 hours/day, 40 hours/week

General Description of Position:

Under general administrative direction, plans and directs the activities of a special department of the museum; plans, assigns and supervises the activities of subordinate personnel engaged in assisting with such work; and performs related duties as required. Requires responsibility for: developing, coordinating and carrying out policies and procedures relative to the operations of special phases of museum activities; making regular personal contacts with outside organizations, professional personnel and the general public in connection with assigned museum activities and operations; preparing and maintaining operational records and reports relating to the assigned activities.

Essential Function	Able to Perform without an accommodation.	Able to Perform with an accommodation. (Identify Below)	Unable to Perform with or without an accommodation.
1. Sitting, 5-6 hours daily			
2. Walking, 1-2 hours daily			
3. Standing, 1-2 hours daily			
4. Repetitive Use of Hands: dominant hand (either left/right) – up to 6 hours daily; non-dominant hand - up to 4 hours daily; use of both left and right hands - up to 4 hours daily; simple grasping of both right & left hand, up to 2 hours daily; up to 2 hours daily for both right/left hand – power grasping, fine dexterity			
5. Grasping: left/right/both (simple/light) – up to 2 hours daily; left/right/both (firm/strong) – up to 2 hours daily			
6. Fine Dexterity: left/right/both – up to 2 hours daily			
7. Other Activities: Up to 2 hours daily – kneeling, bending over, reaching overhead, crouching, balancing, pushing or pulling, bending (neck)	299		
8. Lifting or Carrying: Up to 2 hours daily (10-25			

lbs); up to 2 hours daily (26-50 lbs), though on rare occasion			
9. Job requires driving a motor vehicle (i.e., car) to meetings.			
10. Job requires working around office equipment & machinery.			

As to each essential function for which the individual seeks an accommodation, please identify your recommended accommodation.

I, the undersigned health care provider, certify that the information I have provided regarding the above-referenced individual is complete and accurate to the best of my knowledge. I understand that my cooperation is necessary for the employer to make an accurate determination regarding my patient's reasonable accommodation request.

Health Care Provider's Signature

Date

Print Name

License No.

Phone Number

Area of Practice

301
ATTACHMENT B



Department of Human Resources

Curator IV (#3546)

\$35.16-\$42.72 hourly / \$6,095.00-\$7,406.00 monthly / \$73,138.00-\$88,868.00 Yearly



Email Me when a Job Opens for the above position(s)

Definition

Under general administrative direction, plans and directs the activities of a special department of the museum; plans, assigns and supervises the activities of subordinate personnel engaged in assisting with such work; and performs related duties as required.

Requires responsibility for: developing, coordinating and carrying out policies and procedures relative to the operations of special phases of museum activities; making regular personal contacts with outside organizations, professional personnel and the general public in connection with assigned museum activities and operations; preparing and maintaining operational records and reports relating to the assigned activities.

Examples of Important and Essential Duties

1. Plans and supervises the installation of the museum's collections; identifies, classifies and makes descriptions of works of art; supervises the care and preservation of works of art.
2. Conducts research in connection with identifying and publicizing objects in the collections; makes recommendations for acquisitions.
3. Plans and organizes loan exhibitions; makes cost estimates; corresponds with lenders; designs and supervises installations; coordinates the installation of exhibitions with other museum personnel; assembles data and photographs for publicity and prepares labels; compiles catalogues; prepares brochures.
4. Orders, classifies and catalogues art reference library books; maintains files of photographs, slides and other reproductions; plans; supervises and conducts programs of instruction in art and art appreciation for children and adults; supervises, counsels and instructs students in research study of the museum's collections and activities.
5. Interprets the museum's collections and exhibitions in all fields of art; lectures and conducts gallery tours; presents radio and television programs.
6. Plans and prepares circulating exhibitions for loan to other institutions; recommends on the loan of museum objects requested by other institutions and furnishes photographs and other data for catalogues and publicity.
7. Organizes and supervises the work of voluntary assistants; corresponds and confers with scholars, specialists and the public, and performs other miscellaneous and related duties.

Knowledge, Skills and Abilities

Requires considerable knowledge of: methods, techniques and procedures involved in the maintenance and care of a museum

collection of fine arts; international art publications, art, art history, and painting and decorative arts.

Requires considerable ability to: teach and instruct art and art appreciation; speak and write effectively; deal tactfully and courteously with the general public and outside organizations and groups utilizing museum facilities; employ a fair reading knowledge of German, French, Italian and Latin.

Experience and Training

Requires completion of a four-year college or university with a baccalaureate degree, with major course work in art history and fine arts.

Requires at least seven years of progressively responsible museum experience in the field to which assigned, including two years of responsible supervisory experience; or an equivalent combination of training and experience.

Disaster Service Workers

All City and County of San Francisco employees are designated Disaster Service Workers through state and local law (California Government Code Section 3100-3109). Employment with the City requires the affirmation of a loyalty oath to this effect. Employees are required to complete all Disaster Service Worker-related training as assigned, and to return to work as ordered in the event of an emergency.

CLASS: 3546
EEOC: 2

EST:

REV:
MEDICAL:

FORMERLY JOB TITLE:

REPLACES JOB TITLE:

304

ATTACHMENT C

Mar-07	On Going	Changes
Monthly activities report to Administration	on going	none
Monthly insurance report to Risk Management	on going	assigned to B Gieb during SK leave
Monthly Knudsen report to Summers	on going	none
FAMSF Conservation invoice administration	on going	assigned to B Gieb during SK leave
Proofread exhibition label copy	on going	none
Exhibition Schedule updates on Excel	on going	assigned to B Gieb during SK leave
Exhibition Schedule updates on Filemaker Pro	on going	assigned to B Gieb during SK leave
Assist with exhibition info to SFO Public Affairs	on going	none
Facility Maintenance of West Field Road/SFO	on going	none
Arts Commission maintenance installations @SFO	on going	assigned to new employee hired specifically for this purpose
Employee orientation packet/security alarm/keys	on going	none
SFAM Collection Management Policy	on going	none
SFO Emergency Operations Group involvement	on going	none
SFAM Facility Reports - SFO & WFR	on going	none
Painting of Mills Field Hangar 7 siding panels	complete	
Deinstallation of Arts Commission O'Banion work	complete	
Kids' Spot repairs	on going	assigned to R Korolev during SK leave
AAM reaccreditation preparations	on going	none
United Hub plane deinstallation for Paint Dept. project	complete	
United Hub plane installation after Paint Dept. project completion	complete	
Resolve "Skyflights" insurance claim	complete	
ChemPack Emergency Procedural Plan	complete	
Electrical lights & timer improvement to IT Cases	complete	assigned to R Korolev during SK leave
Resume HVAC reports for IT Cases	on going	none
West Field Rd. Tech Shop HVAC Dust Collector	complete	
Recarpeting of West Field Rd. Registration Area	incomplete	
Assuming responsibilities for West Field Rd. (WFR) security alarm system	on going	none
Cleaning & resealing of WFR hallways	on going	none
Cleaning & resealing of WFR Mezzanine floors	on going	none
SFAM Emergency Plan for WFR and SFO sites	incomplete	none
WFR Boiler Room improvements	complete	
Painting perimeter of 670 West Field Rd.	incomplete	none
Spruce St. storage inventory & relocation	complete	
WFR building improvements/expansion into unused quadrant	complete	assigned to R Korolev during SK leave
Since Mar-08	On Going	Changes
Spruce St. storage move	complete	
Data migration Filemaker database	on going	none (work assigned to B Summers during SK leave)
Collection Appraisals RFQ	on going	none (work assigned to B Summers during SK leave)
Implement Collection Appraisals	on going	none (work assigned to B Summers during SK leave)

Exhibit F

Rebuttal Statement, 2/1/09

SONYA KNUDSEN

1 February 2009

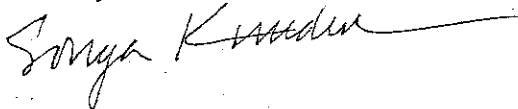
Ms. Silvia Castellanos
Assistant Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
1 South Van Ness Avenue, 4th floor
San Francisco, CA 94103-1233

re: 23 January 2009 meeting

Dear Ms. Castellanos:

Please note enclosed response to the DHR/EEO meeting of 23 January 2009 regarding Mr. Summers, related disparate treatment, discrimination and retaliation.

Sincerely,



Sonya Knudsen

cc: Steve Pitocchi, SEIU Local 1021

enclosure: Knudsen response to 23 Jan meeting, seven (7) pages

The following protected categories apply to Ms. Sonya Knudsen, 3546 – Curator IV, Curator in Charge of Administration, San Francisco Airport Museums (SFAM), San Francisco International Airport (SFO), City and County of San Francisco (CCSF):

FMLA; disability; filing a discrimination complaint; sex/gender; age

Ms. Knudsen was on approved CCSF FMLA sick leave for the following dates:

- 14 March – 1 April 2007, full-time CCSF FMLA sick leave;
- 2 April – 8 June 2007, part-time CCSF FMLA sick leave;
- 8 June 2007 – 1 April 2008, full-time CCSF FMLA sick leave;
- 26 August – 16 September 2008, full-time CCSF FMLA sick leave;
- 8 October – 29 October 2008, revised to 18 November – 9 December 2008, full-time CCSF FMLA sick leave

Upon her FMLA return to SFAM in April 2008, Ms. Knudsen was medically designated disabled with need for reasonable accommodation; CCSF paperwork is on file. Ms. Knudsen is a qualified individual with a disability as defined by ADA, able to perform her essential job responsibilities.

Six CCSF discrimination complaints have been filed at DHR/EEO by Ms. Knudsen, as follows:

- March 2008 vs. Mr. Blake Summers, Manager V, SFAM Director and Chief Curator, re November 2007 denial of reasonable accommodation, inclusive of FMLA return to part-time work schedule at SFAM;
- June 2008 vs. Mr. Summers re his actions from April to June 2008, inclusive of discrimination, harassment, disparate treatment, change of job responsibilities, denial of promotion;
- June 2008 vs. SFO/EEO re their handling of March 2008 request for reasonable accommodation;
- June 2008 vs. SFO/EEO and DHR/EEO re their handling of March 2008 discrimination complaint;
- July 2008 vs. Mr. Summers, re his actions on 9 July 2008, inclusive of retaliation;
- July 2008 vs. Ms. Kathie Smookler, secretary to Mr. Summers, re her actions on 2 July 2008

Mr. Summers meets with Ms. Veronica Davis, Senior Labor Relations Analyst, SFO/HR, after receiving a certified letter dated 23 November 2007 from Ms. Knudsen re their phone conversation of 19 November 2007 in which Mr. Summers' denied Ms. Knudsen request to return to SFAM with reasonable accommodation:

- November 2007

Ms. Knudsen and Mr. Steve Pitocchi, SEIU Local 1021, requests to DHR/EEO and SFO/HR for temporary reassignment of Ms. Knudsen from SFAM to SFO Risk Management:

- 17 September 2008;
- 24 October 2008

Ms. Knudsen has been subjected to a notable and consistent pattern of discrimination, disparate treatment, and retaliation, and has brought these matters to the attention of CCSF, via formal discrimination complaint filings, correspondence, and meetings at DHR/EEO, SFO/EEO, and SFO/HR, requesting and seeking CCSF Administration assistance, attention, and remedy to concerns brought forth. As of this writing, core issues and aspects have yet to

be addressed by CCSF and are outstanding, inclusive of a CCSF Civil Service Commission appeal filed in July 2008. The CCSF discrimination process has not adhered to CCSF policies and procedures, and has been inconsistent, tedious, and prolonged, far from effective, responsive and timely. Ms. Knudsen continues to work at SFAM, with her supervisor, Mr. Summers, in an awkward, strained, and difficult environment, subject to unwelcome, offensive conduct that has been pervasive as to alter the condition of employment.

The examples that follow are a comparison of Ms. Knudsen's Curator IV classification/position: before and after her FMLA leave; to two other SFAM Curator IV positions (Mr. John Hill, Curator-in-Charge of Aviation, and Ms. Barbara Geib, Curator-in-Charge of Registration); and comparison to all SFAM employees. SFAM is a small department at SFO, and many positions and related job descriptions are unique within SFAM but mirror those in much larger SFO/CCSF departments, e.g., Administration, Facilities.

Attendance standards

Ms. Knudsen's SFAM attendance standards were not questioned or scrutinized prior to April 2008. Ms. Knudsen has always adhered and exhibited reliable and consistent attendance standards, responsibly fulfilling her assigned work schedule and hours, nor abusing or misusing sick leave, vacation leave, et al. CCSF timesheets, computer-logs of office building access via SFAM scan card, and performance evaluations confirm such, as well as an established reputation at SFAM and SFO of working more than a full work day/week plus, inclusive of after-hours and weekends.

But since Ms. Knudsen's FMLA return to full-time work in April 2008, Ms. Knudsen has been unduly scrutinized and questioned by her supervisor, Mr. Summers, and his secretary, Ms. Kathie Smookler, regarding her timesheets, use of vacation leave and sick leave for medical appointments, FMLA requests, et al. Unlike Ms. Knudsen, Mr. Hill and Ms. Geib, as well as SFAM staff, are not held accountable or observed to such a degree.

From Ms. Knudsen's employment start at SFAM in 1997 to present, there has been and continues to be notable misconduct, consistent misuse and abuse of, and lack of adherence to attendance standards by many SFAM employees. Examples include SFAM employee sick and vacation leave abuse, work breaks and lunch hour abuse, timesheets not accurately reflecting actual time worked, etc., with suspect administrative monitoring and enforcement.

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merit for Ms. Knudsen to be promoted, Ms. Knudsen had to request a promotion, and that the SFAM budgeted position was for promoting Mr. John Hill from Curator IV to Manager I. Mr. Summers' statement regarding planned promotion and pre-selection of a candidate from an applicant pool is a violation of CCSF policy, and also confirmed Mr. Summers' intent to promote Mr. Hill, not Ms. Knudsen.

Regarding merit, Ms. Knudsen was promoted by Mr. Summers in 1999 from Senior Museum Registrar (3558) to Curator-in-Charge of Registration (3546 Curator IV). In 2006, Mr. Summers promoted Ms. Knudsen from Curator-in-Charge of Registration to Curator-in-Charge of Administration (both Curator IV), with added responsibilities but without upgrades to classification or salary. These promotions were due to Mr. Summers' acknowledgment of Ms. Knudsen's notable SFAM contributions and work product, meeting and exceeding all job responsibilities and assignments, fulfilling SFAM organizational need. In the 2006 promotion, Mr. Summers expected Ms. Knudsen to assume added administrative responsibilities and maintain her responsibilities for the Registration department as well. Ms. Knudsen suggested that it would be difficult to do two full-time jobs. Ms. Knudsen said to Mr. Summers that Ms. Barbara Geib, to be promoted to Curator-in-Charge of Registration (Curator IV), a department head capacity, should assume related responsibilities and assignments, and that Ms. Knudsen would provide assistance and instruction.

As SFAM department head of Registration, Ms. Knudsen interviewed and selected Ms. Geib for a Museum Registrar position in 1997. Ms. Geib was promoted to Senior Museum Registrar in 1999, then to Curator-in-Charge of Registration in 2006, both positions previously Ms. Knudsen's that became open and available when Ms. Knudsen was promoted.

Mr. Hill has a long established reputation of missed deadlines and incomplete assignments, delaying and impacting the SFAM exhibition schedule, needing continual aid and support from SFAM staff to fulfill his responsibilities. Given Mr. Summers' intent to promote Mr. Hill, not Ms. Knudsen, it appears that SFO continues to have a bias benefitting Caucasian males, especially in senior administrative staff positions, with favoritism and promotion of individuals with questionable merit while excluding or penalizing qualified individuals, inclusive of those in protected categories.

Ms. Knudsen is currently ranked #1 on both the CCSF Manager I and CCSF Manager VI lists, telling indication and confirmation of her qualifications, skills, and experience. The Manager VI position, Director and Chief Curator of Airport Museums, was a newly created CCSF position posted in November 2008 on a limited basis; save for Mr. Summers, no one on SFAM staff seemed to know about it. Ms. Knudsen discovered the posting when she had gone on the CCSF website to confirm application details for the Manager I position, and subsequently applied and met the qualifications criteria for both the Manager I and Manager VI positions.

Change of Responsibilities

Prior to Ms. Knudsen's June 2007 to April 2008 full-time FMLA leave, the following were some of her primary SFAM duties and responsibilities:

- Facility management of 670 West Field Road (WFR) and all SFO SFAM exhibition and storage sites, inclusive of capital improvements and upgrades, working with SFAM, SFO departments (e.g., Architecture, Engineering, Maintenance and Facilities' crafts), and outside vendors, issuing pertinent work requests, coordinating, collaborating with, facilitating, and supervising personnel for timely project completion;
- Monthly SFAM administrative reports;
- Monthly SFAM risk management reports re exhibitions and permanent collection;
- Liaison to FAMSF Conservation re SFAM exhibitions, inclusive of management of scheduling, staffing, budgets, supplies, invoices

- Updates and maintenance of SFAM exhibition schedule/calendar on FilemakerPro and Excel, providing applicable reports;
- Updates and maintenance of SFAM exhibition activity log on FilemakerPro and Excel, providing applicable reports;
- Updates and maintenance of SFAM collection management FilemakerPro databases (exhibitions and permanent collection), planning for database upgrades and migration into combined collection management system;
- Security and alarms, inclusive of maintenance, upgrades, and being on SFAM Emergency Call List for SFO, Fire, Police, EOG
- Special projects and assignments (e.g., security and alarm system upgrades, member of Emergency Operations Group; lawsuit re SFO-leased Burlingame office facility; lawsuit re Kaslikowski exhibition loan; re-roofing of 670 WFR, updating SFAM policies, updating American Association of Museums' Facility Reports; relocation of Spruce storage)

An employee returning from FMLA leave is entitled to reinstatement to an equivalent position that must be virtually identical to the employee's former position (e.g., in pay, benefits, job duties). In March 2008, Ms. Knudsen submitted to CCSF FMLA paperwork for return to work at SFAM in April 2008, inclusive of medical certification and request for reasonable accommodation due to disability status, and also filed a discrimination complaint against Mr. Summers with DHR/EEO. Upon Ms. Knudsen's April 2008 FMLA return to SFAM, her job duties and responsibilities were not the same, changed and altered in position scope, conditions, methodology, rank, and SFAM and SFO staff interaction, with further restraints, censorship, and isolation as a result. For example:

Facility management

While facility management responsibilities were the same, the manner and method in which Ms. Knudsen conducted these responsibilities was hampered. Ms. Knudsen was told by Mr. Summers (e.g., April 2008 and July 2008) that she should not generate excessive work requests, not rock-the-boat, and that complaints had been received against her. Mr. Summers did not describe or clarify the alleged problems or provide details of the alleged complaints, and did not provide a description of what changes/improvements was expected, as is standard per CCSF policy. This pattern of not providing clarification and details regarding alleged problems duplicated Mr. Summers' actions of November 2007 when he told Ms. Knudsen that when she had worked a part-time FMLA schedule in April to June 2007, that it had been disruptive to SFAM staff and operations without providing explanation. Mr. Summers penalized Ms. Knudsen by implying that she was at fault, stating that she had issued too many work requests, taking assignments away (e.g., working with SFO Electrical re lighting improvements at IT wall cases), and necessitating Ms. Knudsen to become especially selective and passive rather than proactive and involved when generating FOM work requests and working with staff.

SFAM risk management, exhibition schedule, exhibition activity log, conservation, et al.

Ms. Knudsen handled risk management, exhibition schedule, exhibition activity log, conservation, et al. responsibilities when she was on a part-time FMLA schedule in April to June 2007. When Ms. Knudsen was on a full-time FMLA sick leave from June 2007 to April 2008, these responsibilities were delegated to Ms. Barbara Geib, Curator IV (Curator-in-Charge of Registration). Upon Ms. Knudsen's return in April 2008, Ms. Geib retained these responsibilities.

By May 2008 Ms. Geib had three new staff registrars, recovering positions lost due to budget cuts when Ms. Knudsen was Registration department head (1997 – 2006). Even with additional staff, Ms. Geib has difficulty in managing the Registration department and fulfilling Ms. Knudsen's prior responsibilities. As a result Ms. Knudsen provides ongoing assistance.

Collection Management FilemakerPro databases

Prior to Ms. Knudsen's 2007 FMLA leave, Ms. Knudsen had an ongoing, collaborative working relationship with Mr. Summers regarding SFAM exhibition and permanent collection FilemakerPro database management, upgrades, and improvements, coordinating and disseminating various aspects and details with SFAM staff, e.g., Registration. A long term goal to migrate via in-house personnel into an upgraded, exhibition and permanent collection-combined, FilemakerPro database system was suspended well before Ms. Knudsen's FMLA leave.

Upon Ms. Knudsen's April 2008 FMLA return to SFAM, Ms. Knudsen found that SFAM was in the process of preparing for migration into an updated, combined collection management FilemakerPro database, working with an outside contractor. Mr. Summers instructed Ms. Knudsen to report to Ms. Barbara Geib, Curator-in-Charge of Registration, and Ms. Julie Takata, Librarian, ask them for priority list and assignments, and keep them apprised of her work progress. Such direction demoted Ms. Knudsen to a secondary, supportive role, often in the capacity of filling in holes re information needs for the computer contractor, compiling key information and reports (e.g., database file and field structure and content) that would have been better served provided in the initial planning stages of contracted work.

Currently, one of Ms. Knudsen's job assignments is FilemakerPro datascrub to prepare for projected Spring 2009 migration into a new database; Ms. Geib, Ms. Takata, and Registration, Library, and Curatorial staff have sporadically been working on datascrub to prepare for database migration, concentrating more on exhibition and curatorial responsibilities.

Standards for Employee Conduct and Employee Disciplinary Actions

SFO, through its managers, supervisors, and various programs, attempts to create a harmonious work environment for its employees, administer personnel policies that are fair and equitable, and treat all employees with consideration and respect. It is CCSF and SFO policy to develop and foster effective communication between supervisors and their employees regarding employee performance and conduct, with a consistent approach to employee discipline.

Prior to November 2007, Mr. Summers had not provided Ms. Knudsen any indication of concern regarding her conduct and work performance; Ms. Knudsen's CCSF performance evaluations reflect consistent and exemplary accomplishments and standards. But after Ms. Knudsen's March 2007 car accident and related FMLA sick leave, disability status, filing of discrimination complaints, et al., Mr. Summers had issue with Ms. Knudsen, altering the terms and tone of her employment at SFAM.

In November 2007, Ms. Knudsen was told by Mr. Summers that her request to return to SFAM in December 2007 with reasonable accommodations was denied. This denial was a contradiction to past SFAM precedent as many staff had been accommodated in like circumstances. Prior to and after November 2007 SFAM staff accommodation requests have been granted by Mr. Summers.

Mr. Summers also told Ms. Knudsen in November 2007 that when she had worked a part-time FMLA schedule in April to June 2007 it had been disruptive to SFAM staff and operations. This statement surprised Ms. Knudsen as she had never been informed of such during that April to June 2007 period, verbally or in writing, and was now hearing about it well after the fact. No explanation has been given to this point.

Ms. Knudsen sent a November 2007 letter to Mr. Summers reiterating their phone conversation. Upon receipt, Mr. Summers met with Ms. Veronica Davis, Senior Labor Relations Analyst at SFO/HR, regarding the letter and was informed that he has not followed proper CCSF procedures.

In April 2008 and July 2008, Mr. Summers verbally reprimanded and penalized Ms. Knudsen regarding separate verbal complaints that had been received against her from FOM Electrical and FOM Carpentry, respectively, and did not provide Ms. Knudsen clarification or representation, a thorough or informative description, or explanation of the alleged issues, nor offered suggestions or established an action plan to address the alleged concerns brought forth.

Mr. Summers did not implement CCSF disciplinary protocols, meet with either SFO/HR or SEIU Local 1021 regarding the FOM complaints against Ms. Knudsen, nor was Ms. Knudsen involved in a formal employee progressive disciplinary process. Instead, Ms. Knudsen was seemingly judged and juried by Mr. Summers, without support or adherence to CCSF policies and procedures.

Ms. Knudsen met several times with Ms. Veronica Davis, Senior Labor Relations Analyst at SFO/HR, regarding concerns related to Mr. Summers, supplementing DHR/EEO meetings and correspondence.

Protected Categories: FMLA, disability, discrimination complaint filing, sex/gender, age

While there is managerial discretion to amend and alter employee duties and responsibilities, such should fall within reasonable parameters, be judicious and appropriate based on CCSF policies and procedures, employment and labor contracts, organizational needs, and available resources. Ms. Knudsen's position and associated job duties upon her April 2008 FMLA return should have been virtually identical to those that she had before her leave. Mr. Summers disregarded or dismissed Ms. Knudsen's protected category status, changed her job duties, altered and adversely impacted the interaction and relationship Ms. Knudsen had with SFAM and SFO staff, and provided Ms. Knudsen inconsistent and conflicting direction regarding work duties and expectations. Given Mr. Summers' discriminatory and retaliatory actions, and a related hostile work environment with disparate treatment, it was and remains difficult for Ms. Knudsen to confer with Mr. Summers for supervisory clarity and instructions. Ms. Knudsen did seek out aid and assistance from DHR/EEO and SFO/HR in discrimination complaints, meetings and correspondence, requesting assistance, support, intervention, and remedy regarding concerns brought forth.

Mr. Summers knew of the March 2008 and June 2008 discrimination complaints filed by Ms. Knudsen at DHR/EEO because on 9 July 2008 he accused Ms. Knudsen of being complaint happy, refusing her request for third party representation, saying he "wasn't going there, like the request for mediation downtown." This mediation reference was regarding DHR/EEO investigation of the March 2008 discrimination complaint and Ms. Knudsen's request for DHR/EEO mediation via Hastings School of Law, which Mr. Summers refused. The June 2008 discrimination complaint filed by Ms. Knudsen against Mr. Summers had yet to be investigated by DHR/EEO, and Ms. Knudsen had just received on 3 July 2008 the DHR/EEO determination results regarding the March 2008 discrimination complaint.

In the meeting of 23 January 2009 regarding the combined June 2008 and July 2008 discrimination complaints, Ms. Castellanos stated Mr. Summers' position and reference to Ms. Knudsen as being a strong, abrasive personality (rather than competent and professional), conveying Mr. Summers' gender stereotypes and personality preference.

In 2006, Mr. Summers denied Ms. Knudsen a promotion from Curator IV to Manager I, citing budget restraints and that a promotion would not be well received by Mr. Garfield and Mr. Hill. Now in January 2009, Mr. Summers indicated to Ms. Castellanos that there are no merits for Ms. Knudsen to be promoted, there is no budget allocation for such, and that Ms. Knudsen should be asking for a promotion. In 2006 and 2009, also confirmed in a 2007 five-year SFAM succession plan, Mr. Summers projects no intention of ever promoting Ms. Knudsen, despite Ms. Knudsen's competence and qualifications.

Mr. Summers provided a five-year SFAM succession plan to SFO Administration in December 2007; SFAM staff promotions are projected to be male only, evidence of workplace gender preference. Mr. Summers has intention to promote Mr. Abe Garfield, a male Caucasian, from Manager I to Manager II, and Mr. John Hill, a male Caucasian, from Curator IV to Manager I. When Mr. Hill is promoted to the Manager I position, his previous Curator IV position is slated to be filled by a male Caucasian currently on SFAM curatorial staff. Further, Mr. Kelvin Godshall, a male Caucasian, was recently promoted from Senior Preparator to Curator II, part of the succession plan. By posting the Director and Chief Curator Airport Museums' Manager VI position on the CCSF website for such a short duration, SFO Administration conveys an intention to promote Mr. Blake Summers, a male Caucasian.

There is a distinct CCSF and SFO bias favoring the employer rather than neutrality for both employer and employee in the CCSF discrimination complaint process. Discrimination complaints filed by Ms. Knudsen against Mr. Summers

in March 2008, June 2008, and July 2008 remain outstanding, yet to be addressed or resolved by CCSF, while Ms. Knudsen has worked in a discriminatory, hostile, and isolated work environment from April 2008 to present, despite being in a protected category.

In the July 2008 meeting, Mr. Summers denied Ms. Knudsen's request for third-party representation, and proceeded to intimidate and harass her with harsh, unprofessional, inappropriate, and unwelcome comments, further discrimination and pointed retaliation against Ms. Knudsen for filing discrimination complaints. The actions and words of Mr. Summers on 9 July 2008 were offensive and telling, indicating his established mindset and agenda, a pronouncement of his desire for Ms. Knudsen to quit. The shock that Ms. Knudsen experienced in November 2007 when Mr. Summers denied her request to return to SFAM with reasonable accommodations was notable. Ms. Knudsen was further surprised and dismayed about Mr. Summers' professional behavior and actions since Ms. Knudsen's FMLA return to SFAM in April 2008. But all paled in comparison to the adverse impact and distress Ms. Knudsen felt after departing Mr. Summers' office on 9 July 2009. Ms. Knudsen was dismayed about the ongoing and escalating actions of Mr. Summers, concerned about her current and future CCSF employment.

Mr. Summers is on SFO Senior Administrative Staff and the SFAM Director and Chief Curator. As such, anyone placed under him, in this instance Ms. Knudsen, is in a subordinate position. The CCSF and SFO failure to respond and remedy in a timely manner to the discrimination complaints that have been filed by Ms. Knudsen exacerbate and compounds the issues brought forth. Mr. Summers' disregard and violation of CCSF policies and procedures, related discrimination, harassment, intimidation, retaliation, and disparate treatment of Ms. Knudsen is established, whether comparing Ms. Knudsen to her status, job duties, and work environment before and after the 2007 FMLA leave and subsequent protected categories from April 2008 to present, to like Curator IV staff, and to all SFAM staff.

Ms. Knudsen is in an awkward, untenable situation but has maintained a professional decorum, continues to work and fulfill her job responsibilities in exemplary manner. Ms. Knudsen has adjusted to a work style forced upon her, isolated from SFAM and SFO staff, in a secondary, supportive and passive role, waiting to be assigned projects by Mr. Summers rather than volunteering and initiating project involvement, facility management, and day-to-day tasks. There are a myriad of projects that need to be addressed at SFAM, and Ms. Knudsen's skills and expertise are not being fully utilized by her supervisor to that end. Instead, Mr. Summers has and continues to penalize and discriminate against Ms. Knudsen despite her protected category status. If a person is retaliated against due to raising a good faith concern about discrimination, harassment, or disparate treatment, they should be protected, and a remedy provided.

Exhibit G

Second RFI, 2/12/09



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

February 12, 2009

San Francisco International Airport
c/o Ms. Susan Kim
Assistant EEO Manager
P.O. Box 8097
San Francisco, CA 94128

Re: Request for Additional Information - Knudsen, S. vs. SF Airport
EEO File No.: 1371

Dear Ms. Kim:

Following my interviews of staff on January 12, 2009, I met with the Complainant and her representative on January 23, 2009 to review the department's position and to review the information gathered in my interviews of staff.

The Complainant has submitted a rebuttal statement dated February 1, 2009 (please see attached) and at this time, I am requesting that the department respond to this statement with as much detail as possible.

Included in her rebuttal statement, the Complainant makes the contentions that the Airport violated FMLA provisions when she returned to duty in April 2008 and found certain job tasks reassigned; that Mr. Summers' intention regarding a budgeted position for another Curator IV employee violates merit system policies; that she was verbally reprimanded by her manager in April 2008 and July 2008; that her manager applies gender stereotypes; and that the Airport favors Caucasian males.

In addition to your response to the Complainant's rebuttal statement, I am also requesting essential function information for the Curator IV positions held by Mr. John Hill and Ms. Barbara Geib.

Please provide this information by or before February 27, 2009 and please feel free to give me a call at 415 557-4855 should you have any questions. Thank you very much for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Silvia Castellanos".

Silvia Castellanos
HUMAN RESOURCES EEO
Enclosure

SONYA KNUDSEN

1 February 2009

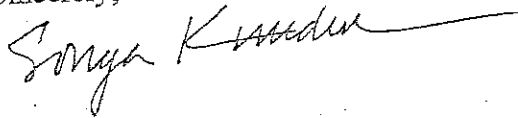
Ms. Silvia Castellanos
Assistant Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
1 South Van Ness Avenue, 4th floor
San Francisco, CA 94103-1233

re: 23 January 2009 meeting

Dear Ms. Castellanos:

Please note enclosed response to the DHR/EEO meeting of 23 January 2009 regarding Mr. Summers, related disparate treatment, discrimination and retaliation.

Sincerely,



Sonya Knudsen

cc: Steve Pitocchi, SEIU Local 1021

enclosure: Knudsen response to 23 Jan meeting, seven (7) pages

The following protected categories apply to Ms. Sonya Knudsen, 3546 – Curator IV, Curator in Charge of Administration, San Francisco Airport Museums (SFAM); San Francisco International Airport (SFO), City and County of San Francisco (CCSF):

FMLA; disability; filing a discrimination complaint; sex/gender; age

Ms. Knudsen was on approved CCSF FMLA sick leave for the following dates:

- 14 March – 1 April 2007, full-time CCSF FMLA sick leave;
- 2 April – 8 June 2007, part-time CCSF FMLA sick leave;
- 8 June 2007 – 1 April 2008, full-time CCSF FMLA sick leave;
- 26 August – 16 September 2008, full-time CCSF FMLA sick leave;
- 8 October – 29 October 2008, revised to 18 November – 9 December 2008, full-time CCSF FMLA sick leave

Upon her FMLA return to SFAM in April 2008, Ms. Knudsen was medically designated disabled with need for reasonable accommodation; CCSF paperwork is on file. Ms. Knudsen is a qualified individual with a disability as defined by ADA, able to perform her essential job responsibilities.

Six CCSF discrimination complaints have been filed at DHR/EEO by Ms. Knudsen, as follows:

- March 2008 vs. Mr. Blake Summers, Manager V, SFAM Director and Chief Curator, re November 2007 denial of reasonable accommodation, inclusive of FMLA return to part-time work schedule at SFAM;
- June 2008 vs. Mr. Summers re his actions from April to June 2008, inclusive of discrimination, harassment, disparate treatment, change of job responsibilities, denial of promotion;
- June 2008 vs. SFO/EEO re their handling of March 2008 request for reasonable accommodation;
- June 2008 vs. SFO/EEO and DHR/EEO re their handling of March 2008 discrimination complaint;
- July 2008 vs. Mr. Summers, re his actions on 9 July 2008, inclusive of retaliation;
- July 2008 vs. Ms. Kathie Smookler, secretary to Mr. Summers, re her actions on 2 July 2008

Mr. Summers meets with Ms. Veronica Davis, Senior Labor Relations Analyst, SFO/HR, after receiving a certified letter dated 23 November 2007 from Ms. Knudsen re their phone conversation of 19 November 2007 in which Mr. Summers' denied Ms. Knudsen request to return to SFAM with reasonable accommodation:

- November 2007

Ms. Knudsen and Mr. Steve Pitocchi, SEIU Local 1021, requests to DHR/EEO and SFO/HR for temporary reassignment of Ms. Knudsen from SFAM to SFO Risk Management:

- 17 September 2008;
- 24 October 2008

Ms. Knudsen has been subjected to a notable and consistent pattern of discrimination, disparate treatment, and retaliation, and has brought these matters to the attention of CCSF, via formal discrimination complaint filings, correspondence, and meetings at DHR/EEO, SFO/EEO, and SFO/HR, requesting and seeking CCSF Administration assistance, attention, and remedy to concerns brought forth. As of this writing, core issues and aspects have yet to

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merit for Ms. Knudsen to be promoted, Ms. Knudsen had to request a promotion, and that the SFAM budgeted position was for promoting Mr. John Hill from Curator IV to Manager I. Mr. Summers' statement regarding planned promotion and pre-selection of a candidate from an applicant pool is a violation of CCSF policy, and also confirmed Mr. Summers' intent to promote Mr. Hill, not Ms. Knudsen.

Regarding merit, Ms. Knudsen was promoted by Mr. Summers in 1999 from Senior Museum Registrar (3558) to Curator-in-Charge of Registration (3546 Curator IV). In 2006, Mr. Summers promoted Ms. Knudsen from Curator-in-Charge of Registration to Curator-in-Charge of Administration (both Curator IV), with added responsibilities but without upgrades to classification or salary. These promotions were due to Mr. Summers' acknowledgment of Ms. Knudsen's notable SFAM contributions and work product, meeting and exceeding all job responsibilities and assignments, fulfilling SFAM organizational need. In the 2006 promotion, Mr. Summers expected Ms. Knudsen to assume added administrative responsibilities and maintain her responsibilities for the Registration department as well. Ms. Knudsen suggested that it would be difficult to do two full-time jobs. Ms. Knudsen said to Mr. Summers that Ms. Barbara Geib, to be promoted to Curator-in-Charge of Registration (Curator IV), a department head capacity, should assume related responsibilities and assignments, and that Ms. Knudsen would provide assistance and instruction.

As SFAM department head of Registration, Ms. Knudsen interviewed and selected Ms. Geib for a Museum Registrar position in 1997. Ms. Geib was promoted to Senior Museum Registrar in 1999, then to Curator-in-Charge of Registration in 2006, both positions previously Ms. Knudsen's that became open and available when Ms. Knudsen was promoted.

Mr. Hill has a long established reputation of missed deadlines and incomplete assignments, delaying and impacting the SFAM exhibition schedule, needing continual aid and support from SFAM staff to fulfill his responsibilities. Given Mr. Summers' intent to promote Mr. Hill, not Ms. Knudsen, it appears that SFO continues to have a bias benefitting Caucasian males, especially in senior administrative staff positions, with favoritism and promotion of individuals with questionable merit while excluding or penalizing qualified individuals, inclusive of those in protected categories.

Ms. Knudsen is currently ranked #1 on both the CCSF Manager I and CCSF Manager VI lists, telling indication and confirmation of her qualifications, skills, and experience. The Manager VI position, Director and Chief Curator of Airport Museums, was a newly created CCSF position posted in November 2008 on a limited basis; save for Mr. Summers, no one on SFAM staff seemed to know about it. Ms. Knudsen discovered the posting when she had gone on the CCSF website to confirm application details for the Manager I position, and subsequently applied and met the qualifications criteria for both the Manager I and Manager VI positions.

Change of Responsibilities

Prior to Ms. Knudsen's June 2007 to April 2008 full-time FMLA leave, the following were some of her primary SFAM duties and responsibilities:

- Facility management of 670 West Field Road (WFR) and all SFO SFAM exhibition and storage sites, inclusive of capital improvements and upgrades, working with SFAM, SFO departments (e.g., Architecture, Engineering, Maintenance and Facilities' crafts), and outside vendors, issuing pertinent work requests, coordinating, collaborating with, facilitating, and supervising personnel for timely project completion;
- Monthly SFAM administrative reports;
- Monthly SFAM risk management reports re exhibitions and permanent collection;
- Liaison to FAMSF Conservation re SFAM exhibitions, inclusive of management of scheduling, staffing, budgets, supplies, invoices

- Updates and maintenance of SFAM exhibition schedule/calendar on FilemakerPro and Excel, providing applicable reports;
- Updates and maintenance of SFAM exhibition activity log on FilemakerPro and Excel, providing applicable reports;
- Updates and maintenance of SFAM collection management FilemakerPro databases (exhibitions and permanent collection), planning for database upgrades and migration into combined collection management system;
- Security and alarms, inclusive of maintenance, upgrades, and being on SFAM Emergency Call List for SFO, Fire, Police, EOG
- Special projects and assignments (e.g., security and alarm system upgrades, member of Emergency Operations Group; lawsuit re SFO-leased Burlingame office facility; lawsuit re Kaslikowski exhibition loan; re-roofing of 670 WFR, updating SFAM policies, updating American Association of Museums' Facility Reports; relocation of Spruce storage)

An employee returning from FMLA leave is entitled to reinstatement to an equivalent position that must be virtually identical to the employee's former position (e.g., in pay, benefits, job duties). In March 2008, Ms. Knudsen submitted to CCSF FMLA paperwork for return to work at SFAM in April 2008, inclusive of medical certification and request for reasonable accommodation due to disability status, and also filed a discrimination complaint against Mr. Summers with DHR/EEO. Upon Ms. Knudsen's April 2008 FMLA return to SFAM, her job duties and responsibilities were not the same, changed and altered in position scope, conditions, methodology, rank, and SFAM and SFO staff interaction, with further restraints, censorship, and isolation as a result. For example:

Facility management

While facility management responsibilities were the same, the manner and method in which Ms. Knudsen conducted these responsibilities was hampered. Ms. Knudsen was told by Mr. Summers (e.g., April 2008 and July 2008) that she should not generate excessive work requests, not rock-the-boat, and that complaints had been received against her. Mr. Summers did not describe or clarify the alleged problems or provide details of the alleged complaints, and did not provide a description of what changes/improvements was expected, as is standard per CCSF policy. This pattern of not providing clarification and details regarding alleged problems duplicated Mr. Summers' actions of November 2007 when he told Ms. Knudsen that when she had worked a part-time FMLA schedule in April to June 2007, that it had been disruptive to SFAM staff and operations without providing explanation. Mr. Summers penalized Ms. Knudsen by implying that she was at fault, stating that she had issued too many work requests, taking assignments away (e.g., working with SFO Electrical re lighting improvements at IT wall cases), and necessitating Ms. Knudsen to become especially selective and passive rather than proactive and involved when generating FOM work requests and working with staff.

SFAM risk management, exhibition schedule, exhibition activity log, conservation, et al.

Ms. Knudsen handled risk management, exhibition schedule, exhibition activity log, conservation, et al. responsibilities when she was on a part-time FMLA schedule in April to June 2007. When Ms. Knudsen was on a full-time FMLA sick leave from June 2007 to April 2008, these responsibilities were delegated to Ms. Barbara Geib, Curator IV (Curator-in-Charge of Registration). Upon Ms. Knudsen's return in April 2008, Ms. Geib retained these responsibilities.

By May 2008 Ms. Geib had three new staff registrars, recovering positions lost due to budget cuts when Ms. Knudsen was Registration department head (1997 - 2006). Even with additional staff, Ms. Geib has difficulty in managing the Registration department and fulfilling Ms. Knudsen's prior responsibilities. As a result Ms. Knudsen provides ongoing assistance.

Collection Management FilemakerPro databases

Prior to Ms. Knudsen's 2007 FMLA leave; Ms. Knudsen had an ongoing, collaborative working relationship with Mr. Summers regarding SFAM exhibition and permanent collection FilemakerPro database management, upgrades, and improvements, coordinating and disseminating various aspects and details with SFAM staff, e.g., Registration. A long term goal to migrate via in-house personnel into an upgraded, exhibition and permanent collection-combined, FilemakerPro database system was suspended well before Ms. Knudsen's FMLA leave.

Upon Ms. Knudsen's April 2008 FMLA return to SFAM, Ms. Knudsen found that SFAM was in the process of preparing for migration into an updated, combined collection management FilemakerPro database, working with an outside contractor. Mr. Summers instructed Ms. Knudsen to report to Ms. Barbara Geib, Curator-in-Charge of Registration, and Ms. Julie Takata, Librarian, ask them for priority list and assignments, and keep them apprised of her work progress. Such direction demoted Ms. Knudsen to a secondary, supportive role, often in the capacity of filling in holes re information needs for the computer contractor, compiling key information and reports (e.g., database file and field structure and content) that would have been better served provided in the initial planning stages of contracted work.

Currently, one of Ms. Knudsen's job assignments is FilemakerPro datascrub to prepare for projected Spring 2009 migration into a new database; Ms. Geib, Ms. Takata, and Registration, Library, and Curatorial staff have sporadically been working on datascrub to prepare for database migration, concentrating more on exhibition and curatorial responsibilities.

Standards for Employee Conduct and Employee Disciplinary Actions

SFO, through its managers, supervisors, and various programs, attempts to create a harmonious work environment for its employees, administer personnel policies that are fair and equitable, and treat all employees with consideration and respect. It is CCSF and SFO policy to develop and foster effective communication between supervisors and their employees regarding employee performance and conduct, with a consistent approach to employee discipline.

Prior to November 2007, Mr. Summers had not provided Ms. Knudsen any indication of concern regarding her conduct and work performance; Ms. Knudsen's CCSF performance evaluations reflect consistent and exemplary accomplishments and standards. But after Ms. Knudsen's March 2007 car accident and related FMLA sick leave, disability status, filing of discrimination complaints, et al., Mr. Summers had issue with Ms. Knudsen, altering the terms and tone of her employment at SFAM.

In November 2007, Ms. Knudsen was told by Mr. Summers that her request to return to SFAM in December 2007 with reasonable accommodations was denied. This denial was a contradiction to past SFAM precedent as many staff had been accommodated in like circumstances. Prior to and after November 2007 SFAM staff accommodation requests have been granted by Mr. Summers.

Mr. Summers also told Ms. Knudsen in November 2007 that when she had worked a part-time FMLA schedule in April to June 2007 it had been disruptive to SFAM staff and operations. This statement surprised Ms. Knudsen as she had never been informed of such during that April to June 2007 period, verbally or in writing, and was now hearing about it well after the fact. No explanation has been given to this point.

Ms. Knudsen sent a November 2007 letter to Mr. Summers reiterating their phone conversation. Upon receipt, Mr. Summers met with Ms. Veronica Davis, Senior Labor Relations Analyst at SFO/HR, regarding the letter and was informed that he has not followed proper CCSF procedures.

In April 2008 and July 2008, Mr. Summers verbally reprimanded and penalized Ms. Knudsen regarding separate verbal complaints that had been received against her from FOM Electrical and FOM Carpentry, respectively, and did not provide Ms. Knudsen clarification or representation, a thorough or informative description, or explanation of the alleged issues, nor offered suggestions or established an action plan to address the alleged concerns brought forth.

Mr. Summers did not implement CCSF disciplinary protocols, meet with either SFO/HR or SEIU Local 1021 regarding the FOM complaints against Ms. Knudsen, nor was Ms. Knudsen involved in a formal employee progressive disciplinary process. Instead, Ms. Knudsen was seemingly judged and juried by Mr. Summers, without support or adherence to CCSF policies and procedures.

Ms. Knudsen met several times with Ms. Veronica Davis, Senior Labor Relations Analyst at SFO/HR, regarding concerns related to Mr. Summers, supplementing DHR/EEO meetings and correspondence.

Protected Categories: FMLA, disability, discrimination complaint filing, sex/gender, age

While there is managerial discretion to amend and alter employee duties and responsibilities, such should fall within reasonable parameters, be judicious and appropriate based on CCSF policies and procedures, employment and labor contracts, organizational needs, and available resources. Ms. Knudsen's position and associated job duties upon her April 2008 FMLA return should have been virtually identical to those that she had before her leave. Mr. Summers disregarded or dismissed Ms. Knudsen's protected category status, changed her job duties, altered and adversely impacted the interaction and relationship Ms. Knudsen had with SFAM and SFO staff, and provided Ms. Knudsen inconsistent and conflicting direction regarding work duties and expectations. Given Mr. Summers' discriminatory and retaliatory actions, and a related hostile work environment with disparate treatment, it was and remains difficult for Ms. Knudsen to confer with Mr. Summers for supervisory clarity and instructions. Ms. Knudsen did seek out aid and assistance from DHR/EEO and SFO/HR in discrimination complaints, meetings and correspondence, requesting assistance, support, intervention, and remedy regarding concerns brought forth.

Mr. Summers knew of the March 2008 and June 2008 discrimination complaints filed by Ms. Knudsen at DHR/EEO because on 9 July 2008 he accused Ms. Knudsen of being complaint happy, refusing her request for third party representation, saying he "wasn't going there, like the request for mediation downtown." This mediation reference was regarding DHR/EEO investigation of the March 2008 discrimination complaint and Ms. Knudsen's request for DHR/EEO mediation via Hastings School of Law, which Mr. Summers refused. The June 2008 discrimination complaint filed by Ms. Knudsen against Mr. Summers had yet to be investigated by DHR/EEO, and Ms. Knudsen had just received on 3 July 2008 the DHR/EEO determination results regarding the March 2008 discrimination complaint.

In the meeting of 23 January 2009 regarding the combined June 2008 and July 2008 discrimination complaints, Ms. Castellanos stated Mr. Summers' position and reference to Ms. Knudsen as being a strong, abrasive personality (rather than competent and professional), conveying Mr. Summers' gender stereotypes and personality preference.

In 2006, Mr. Summers denied Ms. Knudsen a promotion from Curator IV to Manager I, citing budget restraints and that a promotion would not be well received by Mr. Garfield and Mr. Hill. Now in January 2009, Mr. Summers indicated to Ms. Castellanos that there are no merits for Ms. Knudsen to be promoted, there is no budget allocation for such, and that Ms. Knudsen should be asking for a promotion. In 2006 and 2009, also confirmed in a 2007 five-year SFAM succession plan, Mr. Summers projects no intention of ever promoting Ms. Knudsen, despite Ms. Knudsen's competence and qualifications.

Mr. Summers provided a five-year SFAM succession plan to SFO Administration in December 2007; SFAM staff promotions are projected to be male only, evidence of workplace gender preference. Mr. Summers has intention to promote Mr. Abe Garfield, a male Caucasian, from Manager I to Manager II, and Mr. John Hill, a male Caucasian, from Curator IV to Manager I. When Mr. Hill is promoted to the Manager I position, his previous Curator IV position is slated to be filled by a male Caucasian currently on SFAM curatorial staff. Further, Mr. Kelvin Godshall, a male Caucasian, was recently promoted from Senior Preparator to Curator II, part of the succession plan. By posting the Director and Chief Curator Airport Museums' Manager VI position on the CCSF website for such a short duration, SFO Administration conveys an intention to promote Mr. Blake Summers, a male Caucasian.

There is a distinct CCSF and SFO bias favoring the employer rather than neutrality for both employer and employee in the CCSF discrimination complaint process. Discrimination complaints filed by Ms. Knudsen against Mr. Summers

in March 2008, June 2008, and July 2008 remain outstanding, yet to be addressed or resolved by CCSF, while Ms. Knudsen has worked in a discriminatory, hostile, and isolated work environment from April 2008 to present, despite being in a protected category.

In the July 2008 meeting, Mr. Summers denied Ms. Knudsen's request for third-party representation, and proceeded to intimidate and harass her with harsh, unprofessional, inappropriate, and unwelcome comments, further discrimination and pointed retaliation against Ms. Knudsen for filing discrimination complaints. The actions and words of Mr. Summers on 9 July 2008 were offensive and telling, indicating his established mindset and agenda, a pronouncement of his desire for Ms. Knudsen to quit. The shock that Ms. Knudsen experienced in November 2007 when Mr. Summers denied her request to return to SFAM with reasonable accommodations was notable. Ms. Knudsen was further surprised and dismayed about Mr. Summers' professional behavior and actions since Ms. Knudsen's FMLA return to SFAM in April 2008. But all paled in comparison to the adverse impact and distress Ms. Knudsen felt after departing Mr. Summers' office on 9 July 2009. Ms. Knudsen was dismayed about the ongoing and escalating actions of Mr. Summers, concerned about her current and future CCSF employment.

Mr. Summers is on SFO Senior Administrative Staff and the SFAM Director and Chief Curator. As such, anyone placed under him, in this instance Ms. Knudsen, is in a subordinate position. The CCSF and SFO failure to respond and remedy in a timely manner to the discrimination complaints that have been filed by Ms. Knudsen exacerbate and compound the issues brought forth. Mr. Summers' disregard and violation of CCSF policies and procedures, related discrimination, harassment, intimidation, retaliation, and disparate treatment of Ms. Knudsen is established, whether comparing Ms. Knudsen to her status, job duties, and work environment before and after the 2007 FMLA leave and subsequent protected categories from April 2008 to present, to like Curator IV staff, and to all SFAM staff.

Ms. Knudsen is in an awkward, untenable situation but has maintained a professional decorum, continues to work and fulfill her job responsibilities in exemplary manner. Ms. Knudsen has adjusted to a work style forced upon her, isolated from SFAM and SFO staff, in a secondary, supportive and passive role, waiting to be assigned projects by Mr. Summers rather than volunteering and initiating project involvement, facility management, and day-to-day tasks. There are a myriad of projects that need to be addressed at SFAM, and Ms. Knudsen's skills and expertise are not being fully utilized by her supervisor to that end. Instead, Mr. Summers has and continues to penalize and discriminate against Ms. Knudsen despite her protected category status. If a person is retaliated against due to raising a good faith concern about discrimination, harassment, or disparate treatment, they should be protected, and a remedy provided.

Exhibit H

Response to RFI, 3/6/09

March 6, 2009

**VIA INTEROFFICE MAIL
& FACSIMILE**

Silvia Castellanos
DHR-EEO Assistant Manager
City and County of San Francisco
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103-1233

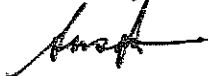
SUBJECT: Request for Information – Sonya Knudsen, 3546 Curator IV
DHR-EEO File No. 1371

Dear Ms. Castellanos:

The information enclosed is in response to your Request for Additional Information regarding the July 11, 2008 Charge of Discrimination filed against the San Francisco Airport Museums by Sonya Knudsen, 3546 Curator IV. Specifically, the information speaks to Ms. Knudsen's rebuttal statement dated February 1, 2009.

Should you require additional information or have any questions, you may contact me at (650) 821-3592.

Sincerely,



Susan Kim
Assistant Manager
EEO Programs

cc: Gloria Louie, EEO Director

Response to Complainant's Rebuttal Statement of February 1, 2009

Sonya Knudsen, hereinafter "Complainant," alleges the following:

I. Attendance Standards

- Since returning to full-time work in April 2008, Complainant has been "unduly scrutinized and questioned" by Blake Summers, Chief Curator of the San Francisco Airport Museums ("Airport Museums") and Kathie Smookler, Executive Secretary to Summers, regarding Complainant's timesheets, use of vacation leave/sick leave, and Family Medical Leave Act (FMLA) requests.
- Other Airport Museums staff are not similarly held accountable or questioned.

Response

The Airport Commission denies Complainant's charge that she is being excessively scrutinized and questioned by Mr. Summers and Ms. Smookler regarding her timesheets, use of vacation/sick leave, and/or requests for FMLA leave. Further, Complainant has always been held to the same attendance standard applied to all Airport Museums staff.

Mr. Summers recalls questioning Complainant about her timesheet only one time. On this occasion, Complainant stated she was leaving to attend a doctor's appointment during regular work hours. After noticing that Complainant's timesheet failed to account for the time she was not present for work during her appointment, Summers approached Complainant. In response, Complainant stated she would either work late or come in early during the work week to make up the hours. Summers did not take issue with Complainant making up the time later in the week, and did not pursue the matter any further.

II. Denial of Promotion

- By planning and budgeting for John Hill's promotion from a Curator IV to a Manager I position, Mr. Summers is in violation of the merit system policies of the City and County of San Francisco (CCSF).
- Mr. Summers' intent to promote Mr. Hill, and not Complainant, evidences the Airport's bias toward Caucasian males in senior administrative staff positions.

Response

The Airport Commission denies Complainant's charge that Mr. Summers has taken actions in violation of the City's merit system policies.

Included in the Airport Museums' proposed budget for 2009-2010 (still pending approval by the Mayor's Office and Board of Supervisors), is a request for a position substitution of a Curator IV to a Manager I. ³²⁷ If this substitution is approved, it will affect the requisition currently occupied by John Hill.

There are three individuals at Airport Museums holding the 3546 Curator IV position (John Hill- Curator in Charge of Aviation, Barbara Geib- Curator in Charge of Registration, and Complainant- Curator in Charge of Administration). While all share the same classification, their individual duties and responsibilities vary.

Mr. Hill's Curator IV position was selected for substitution because the duties and responsibilities associated with this position most closely match those expected to be performed by the proposed Manager I. Mr. Hill's present Curator IV duties and responsibilities are as follows:

- Direct and research development of approximately ten exhibitions annually on Airport and aviation history for the Airport Commission's Aviation Library and Louis A. Turpin Aviation Museum (ALM).
- Supervise work of Curator II in assisting with research and development of aviation related exhibitions.
- Direct and research identification and description of collection objects. Make recommendations for acquisitions and continually assess the appropriateness of all aspects of the aviation permanent collection.
- Liaise through outreach and public speaking between the Airport Commission and the airline/aviation/museums community to increase awareness of the ALM.
- Direct research of, and familiarization with, related collections of outside organizations and private sources and identify potential exhibition loan sources.
- Organize, train, and supervise the work of volunteers in the ALM.
- Retain membership with the Collections Review Committee, and the Operational Scheduling Committee.

Some of the duties and responsibilities for the proposed Manager I position are as follows:

- Oversee and direct the research and development of approximately ten exhibitions annually on Airport and aviation history for the ALM. Includes supervision of subordinate staff, such as the Curator II.
- Oversee and direct the development of aviation related exhibitions for new exhibitions program in renovated Terminal 2 space.
- Oversee and direct the development of new symposiums and publications relating to aviation exhibitions.
- Oversee and direct the development and production of educational programs and publications in conjunction with current exhibitions.
- Oversee and direct the development and launch of online library collection catalogue.
- Oversee and direct the development of special projects, such as the visitors' survey and public access database.
- Liaise between the Airport Commission and San Francisco Aeronautical Society Board of Directors, the nonprofit support group to the Airport

Museums.

- Oversee the management of ALM facility/staff/volunteers, including the ALM manager and head librarian. Oversee the coordination of ALM activities with other Airport divisions and managers, the daily operations of the facility, as well as special events.

The Airport Commission denies Mr. Summers has, in any way, compromised the competitive Civil Service selection process. Complainant's ability to apply and compete for the Manager I position remains intact, as Mr. Hill's placement in the position is not guaranteed. As with any Airport Commission employment vacancy, all qualified candidates will receive equal consideration for employment.

The Airport denies, and there is no information to support, the existence of an Airport bias favoring Caucasian males in the hiring and selection process for senior level jobs. The Airport Commission endorses a policy of fairness and equality for employment and career advancement of all people, without regard to race, color, religion, national origin, sex, age or disability.

III. Change of Responsibilities upon Complainant's return to full-time work

- Upon Complainant's return to work in April 2008, her job duties and responsibilities were altered in position scope, conditions, methodology, rank, and staff interaction.

Response

As Curator in Charge of Administration, Complainant performs a variety of special projects and duties for the Airport Museums. These projects are assigned to Complainant by Mr. Summers based on the department's needs.

Since March 2007 to present, the majority of Complainant's assignments have remained the same and are ongoing. Certain projects requiring immediate attention, however, were reassigned to other Airport Museums staff during Complainant's leave of absence. (See Attachment A for a list of Complainant's ongoing work assignments and noted project changes post March 2008) There were eight total reassigned tasks. In addition to performing her regular work, Barbara Geib, Curator in Charge of Registration, was assigned half of these tasks: creating the Risk Management monthly insurance report, overseeing FAMSF Conservation invoice administration, and creating exhibition schedule updates on both excel and on Filemaker. All are ongoing assignments which Ms. Geib continues to oversee.

Mr. Summers assigned Roman Korolev, Museum Preparator, three of Complainant's projects during her leave of absence. Two of these projects were completed upon Complainant's return to work. The Kids' Spot repairs is an ongoing assignment which Mr. Korolev continues to oversee. The remaining assignment, the Arts Commission

maintenance installations project, has been assigned to a new employee hired specifically to manage this project.

Upon her April 2008 return to work, Mr. Summers assigned Complainant four special projects: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. All projects, except for the completed Spruce Street storage move, are ongoing and are currently being performed by Complainant. No other alterations have been made to Complainant's job duties and responsibilities.

IV. Standards for Employee Conduct and Employee Disciplinary Actions

- Mr. Summers failed to adhere to CCSF policies and procedures when, in April and July 2008, he verbally reprimanded Complainant regarding complaints that had been received against her from the Airport's Electric and Carpentry Shops.
- After her March 2007 car accident and related FMLA sick leave, disability status, and filing of discrimination complaints, Mr. Summers altered the terms and tone of Complainant's employment.

Response

In or around April 2008, Peter Acton, Facilities Deputy Director, informed Mr. Summers that Electric Shop staff were upset, complaining Complainant acted "bossy" and rude during their interactions with her. Staff stated Complainant often demanded her work requests be attended to immediately, without consideration of existing priority assignments. After receiving the Electric Shop's complaint, Acton stated to Summers he did not appreciate Complainant's mistreatment of his staff. He stated that while his staff would gladly continue to complete assignments for the Airport Museums, Complainant should not directly coordinate these projects and interfere with the work to be performed. In turn, Summers communicated to Complainant that she should "lay low" by not demanding Facilities staff to perform work beyond that required of them.

Several months later, in July 2008, a second complaint was received by Summers from the Airport's Carpenters Shop regarding Complainant. It was reported by Acton that Complainant had made some unwelcome statements to the carpenters and had acted rudely in her interaction with them. After receiving this information, Summers felt it appropriate to meet with Complainant, communicate the department's receipt of this complaint, and allow Complainant an opportunity to present her side of the exchange. During this meeting, Complainant denied any negative interaction with the Carpentry staff.

Complainant did inquire as to whether Summers came to her defense during his conversation with Acton and, according to Summers, became upset upon learning her

actions were not defended. During this meeting, Summers reminded Complainant of his earlier directive to her to request only that work which Facilities staff are required to perform.

Mr. Summers' paramount concern has been, and continues to be, that the Airport Museums maintain its ability to utilize the services of the Facilities Division and retain its positive working relationship with the crafts staff. The Airport Commission denies any wrongdoing concerning Mr. Summers' April and July 2008 meetings with Complainant. The purpose of the referenced meetings was not to intimidate, harass, discipline, or otherwise reprimand Complainant. Rather, the intention was to communicate and hopefully address the complaints received by certain Maintenance Division staff regarding their work interactions with Complainant.

The Airport Commission denies the charge that Mr. Summers has unlawfully altered the terms and tone of Complainant's employment based on her FMLA leave, disability status, and/or previously filed discrimination complaints.

V. Protected Categories

- Mr. Summers has and continues to penalize and discriminate against Complainant despite her protected category status.
- Complainant's skills and expertise are not being fully utilized by her supervisor, as she has been forced to take a secondary and passive role in her work style.
- There is a distinct CCSF and Airport bias favoring the employer rather than neutrality for both employer and employee in the CCSF discrimination complaint process.

Response

The Airport Commission denies Complainant's charge that she has been subject to discrimination and/or "penalized" based on her protected category status. The Airport Commission denies taking action forcing Complainant to modify her adopted work style, as Airport Museums staff are encouraged by management to take a proactive role in their approach to work. Further, there is no information to support the existence of a City or Airport bias favoring the employer. Thus, the Airport Commission denies Complainant's charge that the CCSF's discrimination complaint process is partial to the department employer in its implementation.

DHR-EEO Request for Information
Knudsen, Sonya
EEO File No. 1371
Page 7 of 7

Referenced Documents

The following referenced document has been attached:

Attachment A: List of Complainant's ongoing work assignments and noted project changes post March 2008.

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ATTACHMENT A

Mar-07	On Going	Changes
Monthly activities report to Administration	on going	none
Monthly insurance report to Risk Management	on going	assigned to B Gieb during SK leave
Monthly Knudsen report to Summers	on going	none
FAMSF Conservation invoice administration	on going	assigned to B Gieb during SK leave
Proofread exhibition label copy	on going	none
Exhibition Schedule updates on Excel	on going	assigned to B Gieb during SK leave
Exhibition Schedule updates on Filemaker Pro	on going	assigned to B Gieb during SK leave
Assist with exhibition info to SFO Public Affairs	on going	none
Facility Maintenance of West Field Road/SFO	on going	none
Arts Commission maintenance installations @SFO	on going	assigned to new employee hired specifically for this purpose
Employee orientation packet/security alarm/keys	on going	none
SFAM Collection Management Policy	on going	none
SFO Emergency Operations Group involvement	on going	none
SFAM Facility Reports - SFO & WFR	on going	none
Painting of Mills Field Hangar 7 siding panels	complete	
Deinstallation of Arts Commission O'Banion work	complete	
Kids' Spot repairs	on going	assigned to R Korolev during SK leave
AAM reaccreditation preparations	on going	none
United Hub plane deinstallation for Paint Dept. project	complete	
United Hub plane installation after Paint Dept. project completion	complete	
Resolve "Skyflights" insurance claim	complete	
ChemPack Emergency Procedural Plan	complete	
Electrical lights & timer improvement to IT Cases	complete	assigned to R Korolev during SK leave
Resume HVAC reports for IT Cases	on going	none
West Field Rd. Tech Shop HVAC Dust Collector	complete	
Recarpeting of West Field Rd. Registration Area	incomplete	
Assuming responsibilities for West Field Rd. (WFR) security alarm system	on going	none
Cleaning & resealing of WFR hallways	on going	none
Cleaning & resealing of WFR Mezzanine floors	on going	none
SFAM Emergency Plan for WFR and SFO sites	incomplete	none
WFR Boiler Room improvements	complete	
Painting perimeter of 670 West Field Rd.	incomplete	none
Spruce St. storage inventory & relocation	complete	
WFR building improvements/expansion into unused quadrant	complete	assigned to R Korolev during SK leave
Since Mar-08	On Going	Changes
Spruce St. storage move	complete	
Data migration Filemaker database	on going	none (work assigned to B Summers during SK leave)
Collection Appraisals RFQ	on going	none (work assigned to B Summers during SK leave)
Implement Collection Appraisals	on going	none (work assigned to B Summers during SK leave)

Exhibit I

Airport Museums Timesheet

**AIRPORT COMMISSION - MUSEUMS
WEEKLY ATTENDANCE REPORT**

ROSTER 10230

WEEK OF:

April 25 - Nov 1, 2009

PAGE 1 OF 3

CLASS	NAME	SATURDAY			SUNDAY			MONDAY			TUESDAY			WEDNESDAY			THURSDAY			FRIDAY				
		Wk Hrs	Initials	Code	Wk Hrs	Initials	Code	Wk Hrs	Initials	Code	Wk Hrs	Initials	Code	Wk Hrs	Initials	Code	Wk Hrs	Initials	Code	Wk Hrs	Initials	Code		
3310	ANDERSON, CHAD	8			8			8	CA		8	CA		8	CA		8	CA		8	CA		8	CA
3322	BIUC, THAI	8			8			8	TB		8	TB		8	DD		8	TB		8	TB		8	TB
3338	CALLAN, MEDAN	8			8			8	ME		8	ME		8	ME		8	ME		8	ME		8	ME
0822	GARFIELD, JAMES	8			8			8	ME		8	ME		8	ME		8	ME		8	ME		8	ME
3346	GIBB, BARBARA	8			8			8	ME		8	ME		8	ME		8	ME		8	ME		8	ME
3343	GOOSHALL, MELVIN	8			8			8	ME		8	ME		8	ME		8	ME		8	ME		8	ME
3348	HILL, JOHN	8			8			8	ME		8	ME		8	ME		8	ME		8	ME		8	ME
3320	METZLO, DMS	8			8			8	VA		8	VA		8	VA		8	VA		8	VA		8	VA
3344	KRUDSEN, SONJA	8			8			8	VA		8	VA		8	VA		8	VA		8	VA		8	VA

SUPERVISOR'S DAILY APPROVAL:

PAID/NONPAID CODES:

OU = COMP TIME USED WK = WORK
 FH = FLOATING HOLIDAY VA = VACATION
 LH = LEGAL HOLIDAY SP = SICK PAY
 HI = HOLIDAY IN-LIEU OE = HOLIDAY COMP TIME EARNED
 SI = SICK LEAVE
 PT = PARENTS TEACHER JD = JURY DUTY
 AW = AWOL PL = PERSONAL LEAVE
 SN = SUSPENSION
 WC = WORKERS COMP

Blake Summers
 APPROVED BY: BLAKE SUMMERS, Director.

Exhibit J

Airport Policies



Susan Kim
<Susan.Kim@flysfo.com>
03/10/2009 09:40 AM

To Silvia Castellanos <Sylvia.Castellanos@sfgov.org>
cc
bcc
Subject FW: Executive Directive 99-05 Airport Commission
Discrimination Process and Executive Directive 00-02
Standard of Conduct

Hi Silvia, here you are. The policy was redistributed Airport-wide to all Senior and Management staff to share with their individual divisions.

Thanks,
Susan

From: Gloria Louie
Sent: Thursday, February 05, 2009 3:31 PM
To: SFO Senior and Management Staff
Cc: SFO Senior Secretarial Staff; Susan Kim
Subject: Executive Directive 99-05 Airport Commission Discrimination Process and Executive Directive 00-02 Standard of Conduct

Airport Commission employees are called upon to commit themselves to continuously building a team that strives for the highest quality work product and for professionalism and respect in all dealings with co-workers, Airport tenants and the traveling public. To help assure the highest possible level of service to the traveling public, effectiveness of all Airport divisions in carrying out their missions, and a positive working environment, please review with your staff, the Airport Commission's Executive Directive 00-02 Standards of Conduct. (See attached).

In addition, it is the Airport's desire to handle employee concerns effectively, fairly, and internally, building a favorable work environment in which employees feel free to bring their concerns to their respective managers or the Airport Commission EEO office. Please review with your staff members the Airport Commission's Executive Directive 99-05 Airport Discrimination Complaint Process.

If you or any of your staff members have questions about these two Executive Directives, please call me at 1x3588 or Susan Kim, Assistant Manager, EEO Programs at 1x3592.

Thank you for your attention to this matter.

Gloria Louie
EEO Programs Director
San Francisco Airport Commission
650.821.3588



00-02.pdf



99-05.pdf

EXECUTIVE DIRECTIVE

00-02

Standards for Employee Conduct

To help assure the highest possible level of service to the travelling public, effectiveness of all Airport divisions in carrying out their missions and a positive working environment, the following set of standards are established to guide the performance of Airport Commission employees. Above all, these standards call upon all Airport Commission employees to commit themselves to continuously building a team that strives for the highest quality work product and for professionalism and respect in all dealings with co-workers, Airport tenants and the travelling public.

As Airport Commission employees, our performance is evaluated based upon our demonstrated commitment to the following standards:

1. To carry out the mission of the Airport Commission. This mission is carried forth through the Airport's commitment to being recognized as the world leader in setting the standard for
 - Customer service and satisfaction
 - Safety and security
 - Financial and economic viability
 - Community relations
 - Quality of facilities
 - Environmental Responsibility
2. To take responsibility for completing our work in a quality and timely way so that others know they can depend upon us; to carry out the tasks we commit to carrying out; to support our supervisors and co-workers in their work; and to anticipate problems and issues that may arise out of our work and engage effectively with others to resolve them.
3. To communicate effectively and professionally with others; to keep employees we supervise and co-workers informed so that they can perform their duties well; and to encourage honest and open communication that assures the mission of the Airport is accomplished.
4. To discourage unprofessional communication (verbally, in writing, or through electronic mail) including the dissemination of false or misleading information, gossip, or personal attacks; to protect the confidentiality of information entrusted to us as a necessary function of the position we hold.
5. To maintain the highest standards of personal conduct by treating employees we supervise, co-workers, tenants and the public fairly, respectfully, and professionally; to observe all City policies that prohibit discrimination, harassment (including sexual harassment) and the use of slurs against any individual based on their race, ethnicity, national origin, religion, age, gender, gender identity, sexual orientation, disability, or medical condition.

EXECUTIVE DIRECTIVE

00-02 continued

6. To respect and maintain in excellent condition all Airport property including facilities, equipment, and supplies.
7. To refrain from soliciting or receiving for ourselves or for a third party anything of value from anyone in return for business, services, or confidential information from the Airport Commission; and
8. To discharge all responsibilities and those of the Airport Commission in compliance with State and Federal laws, City Ordinances, and County Rules and Regulations (e.g., Conflict of Interest Code), Airport Rules, Regulations and Directives.

Failure to meet any of the standards described above shall be considered in evaluating the fitness of the Airport employee, shall be entered in the performance appraisal evaluation, and may result in disciplinary action.

John L. Martin
Airport Director

Issue Date: February 2, 2000

Effective Date: February 2, 2000

Supersedes Executive Directive 86-11 issued 12/12/86

EXECUTIVE DIRECTIVE

99-05

Airport Discrimination Complaint Process

It is the Airport's desire to handle employee concerns effectively, fairly and internally, and to build a favorable work environment in which employees feel free to bring their concerns to management. To ensure this work environment, the Airport Director has designated the Equal Employment Opportunity and Diversity office to monitor and respond immediately and effectively to discrimination complaints, handle all equal employment opportunity concerns and matters of diversity. This office reports solely to the Airport Director.

Under Federal, State and City and County of San Francisco law, it is illegal to discriminate against any employee or applicant on the basis of race, color, religion, creed, sex, national origin, ethnicity, age (40+), physical or mental disability, medical condition (cancer related), Acquired Immunity Deficiency (AIDS/HIV) or AIDS related conditions, political affiliation, sexual orientation, ancestry, martial or domestic partner status, pregnancy or pregnancy leave, gender identity, parental status, or other non-merit factors. It is also illegal to retaliate against any employee or applicant for having made a good faith complaint, for reporting discrimination, and/or for participating or aiding in an employment discrimination investigation.

If any employee believes that he/she has been discriminated against for any of the aforementioned bases, the employee may attempt to resolve the matter by way of one of the following internal or external processes:

INTERNAL PROCESSES

At The Work Site: The employee may want to first discuss his/her alleged discrimination charge with the immediate supervisor. By taking this initial action, the supervisor may be able to quickly resolve the employee's concern. The employee should be as specific as possible about what actions were taken, when the actions occurred, who took such actions, how the employee was affected and why the employee believes that the actions were discriminatory. The employee should present any evidence, which relates to the allegations. If the allegations are against the employee's supervisor, the employee may address his/her concerns directly to the supervisor's supervisor. Airport supervisors and managers are required to report complaints of discrimination within three (3) working days of receiving the complaint to the Airport's EEO and Diversity Programs Office.

Airport's Office of Equal Employment Opportunity and Diversity Programs: If the employee feels uncomfortable raising his/her concern within the work unit's chain of command, or if the matter cannot be resolved after talking to the appropriate supervisor/manager, the employee is encouraged to contact the Airport's EEO and Diversity Programs office. An investigator will be assigned to investigate the complaint and issue a preliminary finding including any recommendations for a change, if appropriate. The investigative report will be forwarded to the Airport Director for review and disposition.

EXECUTIVE DIRECTIVE

99-05 continued

EXTERNAL PROCESSES

Department of Human Resources (Citywide administrative process): The employee also has the option to directly contact the City's Department of Human Resources' EEO Office at 44 Gough Street. Pursuant to Civil Service Commission Rule 3, such contact should be initiated no later than one hundred eighty (180) calendar days from the date the alleged discriminatory action occurred, or the date the employee/applicant should have first become aware of the violation. For complaints of sexual harassment employees may also call the San Francisco City and County's Department of Human Resources Sexual Harassment Helpline at (415) 554-4900 to make a sexual harassment complaint.

Union Grievance Procedure: Depending on a complainant's employee organization, certain procedure may include a grievance procedure for resolving discrimination complaints. Such procedures, if any, are set forth in the Memorandum of Understanding (MOU) covering the pertinent union.

Federal and State Agencies: Employees also have the right to file a complaint with the federal Equal Employment Opportunity Commission (EEOC) and/or the state Department of Fair Employment and Housing (DFEH).

The Airport EEO and Diversity Programs office is available to assist employees and supervisors in understanding their respective roles in maintaining a discrimination free work environment, and in handling issues that arise. Please contact the staff at 650-821-3590.

John L. Martin
Airport Director

Issue Date: July 26, 1999

Effective Date: August 2, 1999

Supersedes: Executive Directive 83-27 issued 12/7/83 & 99-05 issued 7/26/99

CSC Report

EXHIBIT D

Complainant Interviews, Witness Summaries
EEO File #1371

Knudsen, S. vs. SFO

EEO File: 1371

INTAKE - 9/17/08, with Steve Pitocchi (Local 1021)

Incident of 7/1/08: K. Smookler, Executive Secretary (for B.Summers)

Time: mid-day on 7/1/08.

Duration: 10 – 15 minutes

Location: CP's Office.

K.Smookler closed the door to her office. K.Smookler asked her, "why are you organizing BBQ? Why are you putting T.O'Brien in position of mediator?" CP explained was one of the organizers, T.O'Brien had asked permission for BBQ, had a BBQ in 2006, not aware was problem for T.O'Brien, not aware it was a problem.

K.Smookler went on and on (she intimidates staff). CP did not react even though exchange was intimidating. K.Smookler said CP should talk directly with B.Summers. K.Smookler wanted to know who was behind BBQ. CP did not provide names. CP got up to go get T.O'Brien. K.Smookler wouldn't let her leave the office. K.Smookler got more and more upset and stormed out of the office.

- Both CP and K.Smookler were standing, with K.Smookler in front, blocking CP's way out of the office.
- K.Smookler raised her voice throughout conversation.
- K.Smookler's demeanor was hostile, antagonistic. Her words were loud, angry, judgemental.
- K.Smookler is about 5'5.
- CP not aware if anyone overheard.
- K.Smookler shows pattern and has harangued other staff. CP has filed complaints on others' behalf (late June).

CP went to T.O'Brien and asked if he had any difficulties with organizing the BBQ. He apologized and said he had gone to B.Summers and secured permission. In talking with T.O'Brien, CP discussed whether or not to have a BBQ. He suggested maybe they should go talk with K.Smookler. CP suggested they talk with K.Smookler and B.Summers, or maybe they should cancel.

They both went to talk with K.Smookler. K.Smookler apologized. K.Smookler said B.Summers did not like socializing. K.Smookler suggested they go to FOM for \$. K.Smookler asked, 'what do you need?'. CP suggested cups.

However, CP and T.O'Brien decided not to have the BBQ.

CP explained "mediator": as in go-between, as in why not talk with B.Summers? why undermine B.Summers.

CP explained “**verbal harassment**”: words that convey harassment such as K.Smookler’s words of ‘go-between’, ‘mediator’, ‘undermining’, and how K.Smookler passes judgement.

CP explained “**inappropriate discipline**”: felt that K.Smookler was reprimanding CP. K.Smookler was passing judgement, saying she (CP) was undermining.

CP explained “**inappropriate physical conduct**”: K.Smookler closed CP’s office door and blocked CP from leaving. K.Smookler was standing in a confrontational pose (arms crossed).

Incident of July 9, 2008

(B.Summers, in pm)

CP went to B.Summers' office, after he had come to her office. CP standing in doorway, B.Summers was sitting, with arms crossed. He asked, "have you had an altercation with Carpentry?". B.Summers had received a 'complaint' from Carpentry. He asked, 'what involvement have you had?'. CP answered, 'very little'. CP asked, 'do you have more details?'. B.Summers said 'no, I don't'. B.Summers said, 'this is becoming a problem'. CP agreed. B.Summers said there were 'several' complaints, 'numerous' complaints. B.Summers said, 'I told you to be low-key'. B. Summers said, 'close the door'.

Since back at work, the work environment and work relationship with supervisor has shifted and CP was concerned but went ahead and closed the door.

B.Summers proceeded on with 'numerous' complaints. CP asked B.Summers if he had supported her or judged her as guilty. B.Summers paused, and said 'I have a difficult time supporting you'. He said, 'look at all the complaints you've filed. You've been a problem since we were at El Camino. A problem from day 1. Look how complaint-happy you've been'.

His voice was raising. His tone was confrontational. CP was even more concerned. She asked to have a third-party witness present. He said, 'I'm not going there', referring to her previous complaints.

CP has to sit a certain way to be comfortable. B.Summers said, 'don't sit there all proper'. CP asked why she was just now hearing about problems with her.

B.Summers did most of the talking. He continued the tirade, saying 'you never listen', 'look at the number of complaint you've filed, you're unhappy- do you want to quit?'

CP was very offended. Shocked. Concerned at hearing his judgements, that he wanted her out. As there were no witnesses, CP thought it was best to stop the conversation and said she didn't want to quit, but would quit for the day and suggested perhaps they have a further meeting. She left an hour early that day.

CP explained "**derogatory comments**": as in 'sitting there proper', as in 'problem from get-go', as in 'difficult to work with'.

CP said B.Summers has continued to be difficult. Regarding her recent surgery, he asked "what's this request for leave for?" where everybody could hear (breach of confidentiality on 8/26/08). CP said it's been very isolating. B.Summers is never available. His response is to delay

(Blank)



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

CONFIDENTIAL

DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT

INTERVIEW SUMMARY

WITNESS: Blake Summers	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) September 23, 2010
Representative: None	
Location: 1 South Van Ness Avenue (Phone Interview)	Pages: 2

1. What triggered the discussion with S.Knudsen in July 2008?

Peter Acton, in charge of Maintenance (within Facilities Department), is a fellow manager. P.Acton told him 'keep her away from my people' basically. There had been a specific incident where a crew had come on-site, had not checked in with her, been a back/forth, which she had not told him about and then she had teased the crew member about his cart, something like, 'if you need to get a real truck, I can talk to John Martin.'. The maintenance staff (electrician? Carpenter?) was upset. This was not the first time* that P.Acton had said the same thing. She needed to interact with maintenance crews, the Museum needs to have a good working relationship with maintenance. His intention was to convey, 'keep your head down', convey a 'heads-up', to not have more interaction with maintenance than was necessary to do her job.

She wanted to know details, exactly who had complained about her? He did not give details, concerned situation would escalate.

He began conversation in hallway outside his office, she immediately became upset, said she felt he wasn't being supportive of her so he invited her into his office so they wouldn't have a public conversation. His intention was not to upset her. His comments were true, she hadn't been happy, she'd outgrown her position. She started saying how supportive she'd been (of him) and that wasn't true, otherwise she wouldn't have filed all those complaints. He felt her statement or comment, that she'd supported him, was not accurate. His comments weren't related to her leave or in retaliation for her complaints. What she said wasn't true, she hadn't been supportive of him.

2. "Mentor"- a formal arrangement?

No, not a formal arrangement. Previously, they'd always had that relationship, she respected him, she was always in his office discussing stuff, asking for his advice. They'd worked together since 1997, since the

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previous Museums Director. Sometimes their discussions were of a more personal nature, such as how to talk to someone, how not to ruffle feathers. They are polite and professional, he says "hello", "good morning". He's assigned the Curator IV's to Abe Garfield.

***Note: Per Airport response of March 6, 2009: On or about April 2008, P.Acton, Facilities Deputy Director informed B.Summers that Electric Shop staff were upset. S.Knudsen had acted "bossy" and was rude with Shop staff. Shop staff complained that S.Knudsen was demanding and inconsiderate regarding their prioritization of assignments. P.Acton told B.Summers that Shop staff would continue to complete projects for the Airport Museums but he did not appreciate the mistreatment of his staff and S.Knudsen should not directly coordinate these projects and interfere with work of the Shop staff.**

In July 2008, B.Summers received a second complaint from P.Acton relating to Carpenter Shop staff complaining that S.Knudsen had acted rudely.)

INTERVIEW SUMMARY

WITNESS: Blake Summers	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 12, 2009, 9:00 am
Representative: None	
Location: SFO	Pages: 2

1. Upon her RTW April 2008, how was SKnudsen informed of her assigned projects? Did you meet with S.Knudsen?

She had a list, before leaving, of active assignments; she was given a list, when she returned.

2. Since her RTW April 2008 has S.Knudsen informed you that she considers her work assignments "restructured/redefined"? ("providing monthly insurance reports to SFO Risk Management, updating and managing FilemakerPro and Excel databases re permanent collection and exhibition schedules", as opposed to working directly with supervisor to plan/develop and implement database improvements).

Updating database, managing insurance had been moved with SKnudsen; while she was gone had started working on new database; SKnudsen has been doing database clean-up, did not have decision-making responsibilities ("plan/develop"). Her work was dictated by needs of the department and those shift and vary. S.Knudsen used to be Chief Registrar, responsible for objects, then assigned her to more administrative tasks and B.Geib now runs Registration.

3. Has she complained to you of "excessive scrutiny and interference"?
No, she works independently.

4. Promotions – Has S.Knudsen spoken to you re a promotion? When, what was context of discussion? In updating monthly report, she saw that he had upgraded Curator IV to Manager I (it's in the budget but hasn't gone through yet). Museums has shrunk in staffing, has had 1 Manager I (Curator V, Abe Garfield); she questioned him as to why not upgrade for her. Proposed upgrade is Aviation Curator. It hasn't happened yet, not a done deal, for next FY, currently Curator of Aviation is John Hill.

5. Did you state to S.Knudsen, "why would I promote you, you haven't been here this past year?" That was at the same discussion (on July 9, 2008? Took place last year, towards late Spring or early Summer) regarding John Hill and the upgraded Curator position. The context was, S.Knudsen criticized J.Hill and promoted herself. His work and responsibilities merit promotion- his work is more complex, more responsibilities are involved.

6. There were initial plans for a 7/4/08 BBQ. How did you first become aware of these plans?

Through T.O'Brien, he used to be on the Museum crew. The BBQ was not an issue, it wasn't a big deal. K.Smookler voiced concern about it, had an air of exclusion. There were social functions before (at SFAM), they weren't well-organized and people felt excluded. Re K.Smooker's conversation with S.Knudsen: Became aware of it through K.Smookler, she called him over the weekend and G.Louie let him know S.Knudsen had filed a complaint on part of T.O'Brien, where he wasn't interested in filing a complaint. K.Smookler said she may have over-reacted.

7. Ever state to S.Knudsen, "you are unhappy here, look at all the complaints you have filed, do you want to quit?"

I got a call from P.Acton, he was asking me to keep her away from his people. He'd gotten feedback from Facilities that they weren't happy with her and he asked her to keep a low profile. S.Knudsen wanted to know the details, she felt he wasn't being supportive.... Statement true, in context of her protesting she got along with everybody, and he spoke frankly. She didn't ask for a 3rd. party witness, she talked about mediation as a 3rd. party, not having someone come into the meeting then and there.

"complaint-happy"?

Don't recall using those words, jist of it is true, context was, why would he think she was complaining to the Director about the cart; he was talking about the written complaints (denial of accommodation and about T.O'Brien).

"don't sit there all proper"?

Probably, not certain...

"problem from day 1"? "can't change you, never listen"?

Yes, might have said that..

S.Knudsen very much into self-help, trying to grow, he was her mentor. She became very defensive. He was honest in his feedback. She has a healthy ego but also very fragile, she left in tears. He didn't mean to upset her.



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

INTERVIEW SUMMARY

WITNESS: Kathie Smookler	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 12, 2009
Representative: None	
Location: SFO	Pages: 2

1. Currently 1452 Executive Secretary II. Report to B.Summers.
2. Do you have authority to reprimand S.Knudsen? No.
3. How would you describe your working relationship with S.Knudsen?

Has known S.Knudsen since 1990 (sympathetic to S.Knudsen's car accident of 2006- she had a car accident in 2000, came back pt...). Both she and B.Summers worked for the previous Museums Director, who was a woman.

4. The plans for a 7/4/08 BBQ. How did you first become aware of those plans?

T.O'Brien came by, late at night. She wondered why T.O'Brien was asking (if it was ok to have the BBQ) instead of S.Knudsen.

5. What happened when you discussed BBQ w/S.Knudsen?

The next day (after T.O'Brien came by), B.Geib (new Curator IV in Charge of Registration) went to her desk (to tell her of the BBQ). Did stand by the door, did insist that S.Knudsen speak about the BBQ and why she hadn't approached B.Summers and why she'd designated T.O'Brien to be at the grill, T.O'Brien felt put-upon.

6. What was S.Knudsen's reaction to the discussion?

She wanted T.O'Brien to come in to the conversation.

7. You then had a discussion with both S.Knudsen and T.O'Brien?

Yes. T.O'Brien said he did not feel put-upon to be at the grill. S.Smookler apologized, twice.

8. Previous BBQ's for Museums staff? How organized?

Informally and not well-organized, certain staff (Abe Garfield) excluded, or not invited until day-of; 1 staff person cut themselves badly, generally held on Fridays when she and B.Summers are not there. FOM staff had organized a BBQ, Museum staff could go to that.

9. Any policy re social functions such as a BBQ?

Always have a Xmas party. True that B.Summers not very social, work is more important.

Documents from K.Smooker:

- Emails related to 4/24/06 incident.
(Material not relevant to this investigation. Involved privileged/confidential information. Maintained separately in manila envelope.)



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

INTERVIEW SUMMARY

WITNESS: Timothy O'Brien	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 12, 2009
Representative: None	
Location: SFO	Pages: 2

1. Currently 3544 Curator III. Who do you report to?

Abe Garfield and Blake Summers.

2. What are your current duties as a Curator III?

Research and write, consult with curatorial board regarding possible exhibits, trying to get objects loaned to the Museums.

3. Do you have any direct reports?

1 Curator II that reports to him.

4. During the course of your duties, do you have regular contact with S.Knudsen?

No. S.Knudsen was previously in charge of Registration now interaction is less and less.

5. How would you describe your working relationship w/S.Knudsen?

It's good. It's good with all the staff, prides himself in getting along with everyone at work. It's not a big department and there are strong personalities.

6. There were plans for a 7/4 BBQ. How did you first become aware of these plans?

Museums staff is not very social, previous events were informal; S.Knudsen has, in the past, been the person responsible for initiating events and he has previously staffed the grill. S.Knudsen misperceived that he was big on grilling. He said "ok", but was not really interested. She said she would bring meat and he suggested and/or asked if others would bring stuff. Grilling was not a big deal.

7. Discussed BBQ plans with B.Summers? Plans approved?

Yes, after speaking with S.Knudsen, he felt it was important to 'receive his blessing' as the boss, to let him know what was intended. B.Summers was ok with the plans for a BBQ.

8. Aware of any concerns from B.Summers/K.Smookler re BBQ?

K.Smookler voiced an objection to the way it was being handled, she thought he may have felt put-upon. He didn't think it was a big deal, he has a very good relationship with K.Smookler. The BBQ, July 4th. may have been on a Friday. Specifics re K.Smookler's concerns: "don't remember"

9. Any policy re social functions such as a BBQ?

No, no policy against, these are informal. Manager believes in getting job done (first and foremost).

10. K. Smookler then had a discussion re BBQ w/S.Knudsen. S.Knudsen then discussed with you. How did S.Knudsen describe her discussion with K.Smookler?

S.Knudsen was upset, said "I had a very unpleasant encounter with K.Smooker", that K.Smookler claims he was being forced into something he was not into.

What did he do?

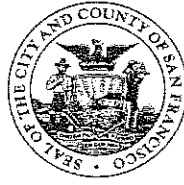
He suggested they both go speak with K.Smooker.

Describe:

...went to K.Smookler's desk, they politely discussed the miscommunication and he apologized for any impression he might have given, that he felt put upon; K.Smookler apologized for possibly over-reacting and she said, "lets do it".

11. How was it agreed that BBQ would not take place?

He suggested it, to S.Knudsen, that they not do it, he wasn't comfortable going forward. It's a very professional work environment, given the diverse range of work styles, duties. He thought that was the end of it, he was surprised at the complaint. Both K.Smookler and S.Knudsen are strong personalities.



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

INTERVIEW SUMMARY

WITNESS: Veronica Davis	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) February 20, 2009
Representative: None	
Location: SFO	Pages: 2

- As a Sr. Labor Relations Analyst, you provide HR support for Airport Museums? Yes. Describe:

Support managers and employees with all employee/labor functions; since a 2007 restructure of HR, previously supported Engineering, Architects; involve coaching/counseling? Yes; involve preparing budgets? No, not since with Labor; involve Performance Appraisals? Maintain schedules and involved when there's an Unsatisfactory/Development Needed rating, then will coach/counsel; discipline? Yes; leave management? Yes, also contract negotiations and non-DOT drug-testing, special pay/compensation issues.

- Support other Airport Divisions?

Yes, Airport Operations, Administration, COO's, Commission Secretary, Director's office, legal, Airfield Development, Business/Finance, Design and Construction.

- How do you compare the Museums with Other Divisions?

Museums is a very small unit, smallest unit is Ground/Transportation Unit which has 7/10 people, on that level.

- Currently, Airport Museums has 3 Curator IV employees. Are they comparable/distinct?

Don't have familiarity with the Curator IV's, there are MQ's, baseline standards they would all have to meet.

- Do you have regular meetings with Blake Summers, Museums Director?

No, only meet if he requests, Museums is quiet compared to other Divisions, very under the radar.

- Do you advise on FMLA?

Yes, 1244's are now final decision-makers.

7. Did S.Knudsen ask you about FMLA?

Yes, she came in and got a packet, 2/3 times. Museums' liaison to HR is Gayle Eavis-Woo (1842). Took the FMLA piece of that. S.Knudsen was on FMLA 2/3 times, there were lots of emails/phone calls from her re leave-status questions. HR manages the FMLA process and forms are available on-line. Managers are not entitled to complete information, that's confidential. Don't know of Museum's internal process.

8. While S.Knudsen was on leave (2007 – 2008), aware of some of her duties being reassigned?

No, that's not something HR would be aware of unless a manager is concerned re any MOU provisions.

9. Do your duties involve meeting with employees? Did you meet with S.Knudsen?

Is available but encourages employee to call for an appointment. Received an email from S.Knudsen regarding "compressed work week", alternative work schedule. Curators under SEIU, a compressed work week can be 9/80 shift, 4/10 work schedules. For S.Knudsen, she was reporting to work at 7am, worked 9/80 schedule and she returned to work to the same schedule. Met with S.Knudsen on 3/13/08 regarding payroll/SDI, applying for ADA, emailed S.Kim regarding RA request. 3/13/08 S.Knudsen emailed and asked for duties/responsibilities. On 6/5/08, contacted by S.Knudsen (phone calls 10:am, 11:45 am), she was angry. Museums has 1) failed to accommodate her by her return; retaliated against her; subjected her to unfair treatment and gender bias, removed her from certain job duties, in a hostile work environment; Blake told her, why would he (when she asked about a promotion to Manager I)?, 'you haven't been here', she linked that reference to her being back from FMLA.

Documents from V.Davis Attached:

- 3/14/08 email to B.Summers, re SKnudsen's RTW 4/1/08, what are responsibilities/duties/projects?
- 3/19/08 email from Gale Eavis for B.Summers, please see attached duties and responsibilities upon her return.
- 3/19/08 Sonya Knudsen Duties and Responsibilities (25 tasks)

When provided list of Duties and Responsibilities to S.Knudsen? 3/20/08



Veronica Davis

03/14/2008 09:59 AM

To: Blake Summers/SFO/CCSF@CCSF

cc:

Subject: Request for Information from Sonya Knudsen

Good morning Blake:

I'm still familiarizing myself with the reporting structure of your section. Therefore, if this request should be provided to a level in between yours, and Sonya, I apologize. If so, please let me know whom should be the recipient, and I will forward the request accordingly.

I met with Sonya regarding a few HR and payroll issues yesterday morning. I just retrieved an e-mail from Sonya requesting that I forward an information request to you on her behalf. She has requested to receive the following information:

- Her approved leave ends on Tuesday, April 1, 2008. She will return to duty on Wednesday, April 2, 2008 at 7:00 a.m. Please confirm that her 7:00 a.m. beginning work time (i.e. status of her previous 9/80 work schedule is still active).
- She would like to receive advance notice (by no later than March 24, 2008), of what responsibilities, duties, and projects will be assigned to her so she can come in prepared (i.e. smooth transition back to duty).

Please let me know if you have any questions or if I may be of further assistance to you.

Thanks Blake.

Veronica M. Davis
Senior Labor Relations Analyst
Airport Commission Human Resources
(650) 821-2072

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s), and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by persons or entities other than the intended recipient(s) is prohibited. If you are not the intended recipient, please notify the sender by replying and destroy all copies (electronic or otherwise) of the original message.

Thank you for your cooperation.



Gale Eavis

03/19/2008 03:06 PM

To: Veronica Davis/SFO/CCSF@CCSF
cc: Gloria Louie/SFO/CCSF@CCSF
Subject: Request for Information from Sonya Knudsen

Veronica

Per Blake, Sonya's previous 9/80 work schedule is still active.

Please see the attached regarding her duties and responsibilities upon her return.

Knudsen duties.doc

Regards, Gale

Gale Eavis
San Francisco Airport Museums
650.821.6754
650.821.6777 fax

March 19, 2008

Sonya Knudsen
Duties and Responsibilities

- Monthly activities report to Administration
- Monthly Knudsen report to Summers
- Proofread exhibition label copy
- Assist with exhibition info to SFO Public Affairs
- Facility maintenance of WFR/SFO
- Employee orientation packet/security alarm/keys
- SFO Emergency Operations Group involvement
- Kids Spot repairs
- Resolve SkyFlights insurance claim
- ChemPack Emergency Procedural Plan
- Electrical lights and timer improvements to IT Wall Cases
- Resume HVAC reports for IT wall and freestanding cases
- WFR Tech Shop HVAC/Dust collector improvement
- Recarpeting of WFR Registration Offices
- Assuming responsibilities for WFR security alarm system
- Cleaning and resealing of WFR hallways
- Cleaning and resealing of WFR mezzanine floors
- SFAM Emergency Plan for WFR and SFO sites
- WFR Boiler Room improvements
- WFR Electrical Room improvements
- Painting of 670 WFR perimeter
- Spruce Street storage inventory and relocation
- WFR building improvements/expansion into unused quadrant
- Terminal 2 exhibition galleries ramp-up
- SFAM database data scrub for migration



Gavin Newsom

Micki

Callahan

Mayor

Human Resources

Director

INTERVIEW SUMMARY.

WITNESS: Kathie Smookler	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) September 23, 2010
Representative: None	
Location: PHONE	Pages: 1

1. Aware of S.Knudsen's complaint of discrimination at time of discussion in July 2008?

Yes. Discussion in office had nothing to do with that (discrimination complaint), it had nothing to do with B.Summers. July 4 is her (S.Knudsen's birthday), she buys food and staff grills meat, she doesn't ask B.Summers' permission to do it and not everybody is included.

Tim (T.O'Brien) had come by and mentioned, "S.Knudsen asked me if I would grill at the BB". Blake said, 'ok, if you want to..'. She asked Tim, 'how do you feel about it?', thinking it was an imposition and he said, 'ok'. The next day, B.Geib came by her desk and noted the BB was going to take place.

2. Approach S.Knudsen on behalf of B.Summers? Did B.Summers know you intended to speak with S.Knudsen?

No. It was her idea, B.Summers wasn't even there. It was a big mistake and she ended up looking like a shmuck because the BB was canceled and there were Registrar interns who had no idea and they had been excited and probably considered her a big party-pooper.

Regrets the whole thing, and she apologized twice. Has known S.Knudsen since 1990. Has learned her lesson though. Now she asks people, 'what are you going to do about it?' when they come to her about things that bother them, and people do come to her.



CONFIDENTIAL

DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT

REBUTTAL MEETING NOTES

COMPLAINANT: Sonya Knudsen	EEO File No./Name: #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 23, 2009 (9:00) 2.) March 27, 2009 (11:00)
Representative: S.Pitocchi	
Location: a. DHR, 1 South Van Ness	Pages: 5

1. Review of the basis and issues: Retaliation, Harassment due to Retaliation, Disparate Treatment.

2. Review of the Standards:

Retaliation

1. The Complainant engaged in a protected activity;
2. The Complainant suffered an adverse employment action; and
3. There was a causal link between the protected activity and the adverse employment action.

Harassment- Hostile Work Environment Standard

1. The Complainant is subject to physical, verbal or visual conduct on account of the Complainant's membership in a protected category;
2. The conduct is unwelcome; and
3. The conduct is sufficiently severe or pervasive as to alter the condition of the Complainant's employment and create an abusive working environment.

Disparate Treatment Standard

1. The Complainant is a member of a protected category;
2. The Complainant has suffered an adverse employment action; and
3. The Complainant suffered an adverse employment action because of his or her membership in a protected category.

S.Knudsen: the standards she's being assessed and judged under are different. Schedule? 6:30 – 4:00 pm, alternate Fridays off, with Mondays for Rotary lunches, Dr's appointments.

Examples? Other Curator IV comes in "consistently late". V. Davis is Analyst for Museums, she's a resource for staff, she's unbiased and a neutral party, serves to clarify FMLA. She can give indication of B.Summers' response re CP's concerns.

Review of Allegations:

- A. Harassment, Denial of Promotion- Since RTW April 2008, work assignments have been redefined and restructured. Subjected to excessive scrutiny and interference. Denial of promotion to Manager I, "why would I promote you, you haven't been here this past year?"
- B. Harassment- 7/1/08 confronted by K.Smookler who was confrontational, aggressive, and physically blocked CP's egress from office.
- C. Harassment- 7/9/08 accused by B.Summers of "being a problem from day 1", of being "complaint-happy", of sitting there "all proper", of not being happy, perhaps she wanted "to quit?"

Correct. B.Summers' asked her specifically, "do you want to quit"? Regarding the promotion to J.Hill, 'why would I promote you?, you haven't been here' – reference to her leave.

Reviewed fact finding:

Work Assignments have been re-defined and re-structured (core job responsibilities no longer the same as prior to 3/2007. Key duties of monthly insurance reports to SFO Risk and updating and managing Filemaker Pro and Excel databases reassigned. Has been placed in a supporting role):

- The essential function of CP's position is to perform special assignments and related duties as assigned. Those essential functions have not changed.
- CP as resumed the same work schedule she had previously.
- Based on department need, some of CP's work assignments were reassigned, and CP was given new assignments upon her return from leave (storage move from Spruce St.; management of data migration database; management of collection appraisals requests for clarification; implementation of collection appraisals).
- CP continues to be assigned special projects.
- CP continues on same work schedule as before.
- During leave, certain assignments were reassigned to other staff. Manager can determine that those assignments will continue with other staff.
- Does not amount to tangible adverse employment action.
- Does not support Harassment, Retaliation.

V.Davis can offer insight- she was the first person to interact with B.Summers (duties upon return) as well as decision not to return her to work part time. CP spoke with V.Davis, brought her a spreadsheet, management was exceeded its right (to reassign work).

Excessive scrutiny and interference:

- Per B.Summers, continues to work independently. CP not mentioned excessive scrutiny and interference to him, he's not aware of her concerns.

CP and representative took notes- will respond after they confer.

Denial of promotion to Manager I, "why would I promote you, you haven't been here this past year?":

- B.Summers has not made any 0922 Manager I appointments since 2006, for Abe Garfield, who was a Curator V.
- B.Summers has requested a Manager I position be included in the department's budget for a provisional promotive appointment for a Curator IV employee, John Hill, to a Manager I. The Manager I position is currently in the department's budget, it has not gone through the complete approval process and the promotive appointment has not taken place.
- B.Summers did have a conversation with the CP where he explained he would not be recommending a promotive appointment for her. B.Summers explained to CP, in a frank and direct manner, that he does not feel she merits a promotion.
- B.Summers declined to recommend CP for promotion. There was no actual promotive position under consideration.
- Not situation where CP competed for a promotive position and was not selected.

CP and representative took notes- will respond after they confer.

Verbal harassment- comments were harassing, distressing and upsetting. Amounted to inappropriate discipline (reprimand). Improper physical conduct (blocking egress). Was retaliation.

- K.Smookler admitted her conduct/behavior was inappropriate.
- K.Smookler has no authority to discipline CP.
- K.Smookler apologized *twice*.
- K.Smookler stated she only wanted to communicate concerns. K.Smookler felt that knowing CP as long as she has, she could be frank and direct.
- K.Smookler has since been civil and professional.
- K.Smookler does not assign/direct CP's work.
- K.Smookler's interaction with CP on 7/1/08 was not disciplinary.
- K.Smookler has no authority to discipline CP.
- This was 1 instance. T.O'Brien confirmed K.Smookler apologized, was polite.
- K.Smookler's behavior with CP was unprofessional.
- K.Smookler did have knowledge of CP's engaging in protected activity (complaint actions).
- K.Smookler not in position to take adverse employment action against CP. This was 1 instance. It was unpleasant, very unprofessional but does not rise to level of severe/pervasive. Does not support Harassment. Does not support Retaliation.
Recommendation: Airport redistribute "Standards for Employee Conduct" policy.

CP and representative took notes – will respond after they confer.

Unwelcome and offensive conduct, verbal harassment, intimidation, slander, unsubstantiated accusations, derogatory comments, denial of request for third party witness, retaliation.

- B. Summers did receive verbal complaints re CP's interactions from the Facilities Deputy Director, as conveyed by Carpentry staff.
- B. Summers did meet with CP in his office on 7/9/08.
- On 7/9/08 B. Summers did ask CP about her interactions with Carpentry staff.
- B. Summers did not provide CP with specific information regarding Carpentry complaints. B. Summers was concerned that situation would be aggravated by CP personally confronting staff about their complaints.
- As the manager, B. Summers wanted CP's feedback of her interactions with staff.
- As the manager, B. Summers' intent was to have a frank and honest discussion with CP about her method of interaction with others, which has been perceived as abrasive.
- B. Summers does not specifically recall calling CP "complaint-happy".
- B. Summers not certain he said "don't sit there all proper".
- B. Summers stated he *may* have said, "problem from Day 1, you don't listen, can't change you".
- B. Summers did say, "you are unhappy here, look at all the complaints you have filed, do you want to quit?".
- B. Summers recognizes and acknowledges that his manner hurt CP's feelings, he showed poor judgement.
 - Was not 'unwelcome and offensive conduct', 'verbal harassment', 'unsubstantiated accusations', 'derogatory comments'.

S. Pitocchi- pervasive (disregard) at Airport with the EEO process, based on other situations he's involved with.

Re this specific complaint, CP and representative took notes, will respond after they confer.

FINAL REBUTTAL MEETING March 27, 2009

1. Reviewed – I received her rebuttal statement of 2/1/09. Provided that statement to the Department. The Department responded on 3/6/09 and I have interviewed V. Davis (2/20/09).

CP stated "tone" of Museums interaction with her has been "inappropriate", B. Summers said he needed to have information re FMLA and she was forced to divulge information regarding her FMLA. CP stated managers need to attend FMLA/ADA training.

CP agrees she has not been denied FMLA. CP stated she continues in a very awkward and strained work environment and she hopes staff will recommend mediation. Re disparate treatment, if Museums is too small a comparison (similarly situated Curator IV's) then should be able to broaden that to overall Department workforce. Re the Manager I Aviation description, that's what John Hill has been doing.

CP/representative made no other comment, reviewed staff report would be submitted to HRD for her determination. Letter of determination sent to both parties. Appeal is to CSC.

CSC Report
EXHIBIT E

Appellant's Performance Appraisal Report-
Curator in Charge of Registration

**City
and
County
of
San
Francisco**

Performance Appraisal Report

Identification

1 Last Name, First Name, Middle Initial Knudsen, Sonya	2 Class No and Title 3546 Curator IV		3 Status PEX
4 Work Location and Division Chief Operating Officer Museums	5 Department AIRPORT COMMISSION	6 Reason for Report Annual	7 1 st Date in Class 11/29/1999
	8 Period of Report From 7/1/2005 to 6/30/2006		9 Probation Ends

I. Duties and Responsibilities / Performance Criteria

Curator in Charge of Registration. Responsible for the supervision of the registrars and interns. Responsible for the planning, directing, and management of the Collection Management activities for the permanent collections (Aviation and Education). Responsible for all objects on loan for exhibitions; this includes but is not limited to loan agreement forms, incoming and outgoing receipts, safety and security of objects, proper handling, shipping and packing requirements, condition reports, storage, installation and deinstallation.

Liaison with the City Risk Manager.

Liaison with the Fine Arts Museums of San Francisco Conservation Lab.

Consults with the Director and Chief Curator of development of the new collections database.

As one of the Readers, proofs all label copy for exhibitions and brochures.

Responsible for the deaccessioning of collections objects, per the recommendation of the Collections Review Committee.

Works and collaborates with other SFAM staff, interns, volunteers, airport personnel, private collectors, museums, and outside vendors.

A member of the Airport Museums Senior Staff, the Collections Review Committee, and the Operational Scheduling Committee.

Definition of Ratings

Use the following definitions to identify employee's level of performance when rating factors in Sections II, III and IV.

Competent and Effective	Performs assigned duties in an acceptable level through demonstrated application of skills.
Exceeds Standards	Performs assigned duties in a manner indicating exceptional understanding of essential functions. Results achieved are often better than expected of performance rated "Competent and Effective," but not of such uniqueness as to warrant an "Outstanding" rating.
Outstanding	Performs assigned duties in a manner demonstrating mastery at every level of major responsibility. Results achieved are well beyond the level of performance rated "Exceeds Standards."
Development Needed	Performance in one or more areas does not meet the requirement for a "Competent and Effective" rating. Improvement is required if acceptable results are to be achieved.
Unacceptable	Even under close direction, performance does not demonstrate the ability and/or willingness to produce required results.

II. Performance Factors (Required for all employees)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Attendance and Punctuality				
Good observance of work hours; only routine absence from work <input type="checkbox"/>	Very punctual and dependable <input type="checkbox"/>	Extremely punctual and dependable <input checked="" type="checkbox"/>	High rate of lateness and/or absence from work <input type="checkbox"/>	Excessive and persistent pattern of lateness and/or absence from work <input type="checkbox"/>
2. Knowledge of Job				
Well-informed on important phase of the job <input type="checkbox"/>	Well-informed on all phases of the job <input checked="" type="checkbox"/>	Exceptional knowledge and understanding of the job <input type="checkbox"/>	Lacks knowledge of some important phases of the job <input type="checkbox"/>	Insufficient knowledge to perform the essential job requirements <input type="checkbox"/>
3. Quantity of Work Performed				
Quantity of work meets essential job requirements <input type="checkbox"/>	Quantity of work often exceeds job requirements <input checked="" type="checkbox"/>	Quantity of work consistently exceeds job requirements <input type="checkbox"/>	Quantity of work does not meet job requirements in some areas <input type="checkbox"/>	Quantity of work fails to meet essential job requirements <input type="checkbox"/>
4. Quality of Work Performed				
Quality of work meets essential job requirements <input type="checkbox"/>	Quality of work often exceeds job requirement <input checked="" type="checkbox"/>	Quality of work consistently exceeds job requirements <input type="checkbox"/>	Quality of work does not meet job requirements in some areas <input type="checkbox"/>	Quality of work fails to meet essential job requirements <input type="checkbox"/>
5. Effectiveness in Working with Others				
Work effectively with others <input checked="" type="checkbox"/>	Works effectively with others under difficult circumstances <input type="checkbox"/>	Actively promotes good relations with others <input type="checkbox"/>	Occasionally has difficulty in working with others <input type="checkbox"/>	Serious inattention to needs of others and/or continued conflict with others <input type="checkbox"/>
6. Adaptation to Work Situations				
Effectively adapts to day-to-day demands of the job <input type="checkbox"/>	Performs well even under pressure in difficult situations <input checked="" type="checkbox"/>	Performs effectively in crisis situations <input type="checkbox"/>	Performance consistently declines in other than routine situations <input type="checkbox"/>	Does not adapt to routine demands of the job <input type="checkbox"/>
7. Use of Materials and Equipment				
Routinely conserves materials and/or maintains equipment <input type="checkbox"/>	Obtains maximum utilization of materials and/or equipment <input type="checkbox"/>	Develops improved techniques for the use of materials and/or equipment <input checked="" type="checkbox"/>	Occasionally wasteful and/or careless <input type="checkbox"/>	Unacceptably wasteful and/or careless <input type="checkbox"/>
8. Safety				
Routinely observes all safety practices <input type="checkbox"/>	Identifies and reports safety hazards <input type="checkbox"/>	Consistently identifies safety hazards and initiates corrective action <input checked="" type="checkbox"/>	Occasionally disregards safety practices <input type="checkbox"/>	Seriously disregards safety practices <input type="checkbox"/>
III. Managerial Factors (Required for all supervisory personnel)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Communicating				
Usually communicates clearly and produces effective level of understanding <input checked="" type="checkbox"/>	Frequently uses language skills to promote optimal level of clarity and understanding <input type="checkbox"/>	Consistently uses language skills to manage interpersonal problems effectively <input type="checkbox"/>	Sometimes fails to communicate clearly, resulting in misunderstanding and/or confusion <input type="checkbox"/>	Serious and/or persistent problems using language skills <input type="checkbox"/>
2. Planning				
Develops necessary goals and plans and evaluates results <input type="checkbox"/>	Identifies potential problems and develops contingency plans <input type="checkbox"/>	Plans creatively to optimize use of all resources <input checked="" type="checkbox"/>	Poor attention to planning and/or inefficient use of resources <input type="checkbox"/>	Serious inattention to planning and/or extremely weak in utilizing resources <input type="checkbox"/>
3. Decision Making				
Usually demonstrates sound evaluation or factors in routine matters <input checked="" type="checkbox"/>	Demonstrates exceptional ability to solve difficult problems <input type="checkbox"/>	Consistently demonstrates ability to solve problems of a highly complex nature <input type="checkbox"/>	Sometimes overlooks and/or misjudges basic factors in routine matters <input type="checkbox"/>	Serious inattention to decision making; Decisions produce poor results <input type="checkbox"/>
4. Directing and Motivating Employees				
Effectively directs the work of employees <input type="checkbox"/>	Motivates employees to achieve high performance <input checked="" type="checkbox"/>	Identifies employee potential and provides opportunities for optimal performance <input type="checkbox"/>	Has difficulty in directing and/or motivating employees <input type="checkbox"/>	Serious inattention to directing and/or motivating employees <input type="checkbox"/>
5. Training and Developing Employees				
Makes provisions for employees to acquire necessary job skills and knowledge <input type="checkbox"/>	Encourages employees in career development <input type="checkbox"/>	Actively provides employee training and development opportunities <input checked="" type="checkbox"/>	Sometimes fails to provide needed training or job information to employees <input type="checkbox"/>	Serious inattention to employee training needs <input type="checkbox"/>
IV. Overall Evaluation				
Competent and Effective <input type="checkbox"/>	Exceeds Standards <input checked="" type="checkbox"/>	Outstanding <input type="checkbox"/>	Development Needed <input type="checkbox"/>	Unacceptable <input type="checkbox"/>

V. Comments. *Must be completed according to instructions.*

A. Facts/Specific Performance Documentation: *Adequate and accurate documentation is required. (Attach additional pages as necessary.)*

Despite our inability to fill vacant positions during the last fiscal year Ms Knudsen and her staff have managed to patch together the registration department and continue the program continuity to bring in objects to keep the exhibition schedule moving ahead.

Ms Knudsen has continued to focus on her work with the facilities maintenance staff to help oversee the various construction projects in the Airport Museums West Field Rd facility. Some of these projects include the re-roofing of the building, the replacement of floor tiles on the mezzanine and the lights for the parking lot. By doing so Ms Knudsen has minimized the impact on the Airport Museums staff and expedited the construction process. Ms Knudsen has also worked on maintaining the Kid's Spot in Terminal 3, by bringing the Exploritorium staff together with the facilities maintenance staff.

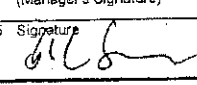
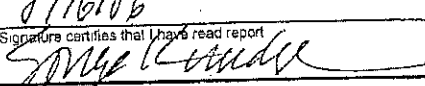
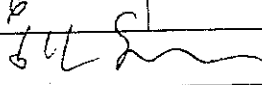
B. Employee Strengths:

Ms Knudsen works well independently without my having to micro-manage her time. Sonya is a very hard worker and will always go the extra mile to complete the necessary tasks. She is very motivated.

C. Work Plan for Next Report Period:

Ms Knudsen should work with the staff and our interns to continue to update the permanent collection inventory. This is an ongoing process and needs constant upkeep. We should also continue the process of deaccessioning the objects from the permanent collection as deemed necessary by the collections review committee.

D. Recommendations:

VI. Reporting Manager		
1 Name, Work Address Blake Summers San Francisco Airport Museums	2 Class No and Title 0933 Manager V	3 Conference Report With (Manager's Signature)
	4 Date of Report 8/16/2006	5 Signature 
VII. Employee's Statement (See Handbook for Statement of Employee Rights)		
1 <input checked="" type="checkbox"/> I agree with this report. <input type="checkbox"/> I do not agree with this report. Section _____ Number _____ <input type="checkbox"/> I request a conference with the Reviewer. <input type="checkbox"/> Rebuttal Attached.	2 Date of Counseling Interview 8/16/06	3 Signature certifies that I have read report 
VIII. Reviewer's Certification		
1 Name, Work Address Blake Summers San Francisco Airport Museums	2 Class No and Title 0933 Manager V	3 Date of Conference Initials of those Present
	4 Date of Report 8.14.2006	
5 <input checked="" type="checkbox"/> I certify I have reviewed this report <input type="checkbox"/> I have taken the following action:	6 Signature 	

**ADDITIONAL INFORMATION
SUBMITTED BY APPELLANT**

4 August 2011

CCSF CIVIL SERVICE COMMISSION

President E. Dennis Normandy
Vice President Donald A. Casper
Commissioner Morgan R. Gorrone
Commissioner. Mary Y. Jung
Commissioner. Lisa Seitz Gruwell

Through Ms. Anita Sanchez, Executive Officer
City and County of San Francisco
5 Van Ness Avenue, Suite 720
San Francisco, CA 94102-6033

Dear Commissioners:

I am submitting the attached packet of materials which I would like you to use as evidence to take into consideration to grant my appeal and sustain my discrimination complaints as outlined in EEO File #1371.

ISSUES OF APPEAL, per 7/5/2011 Civil Service Commission Report, page 4:

- Harassment - Hostile Work Environment
- Retaliation
- Discrimination

The EEO File #1371 complaint was denied by Department of Human Resources (DHR) Director Ms. Micki Callahan based upon the facts that the complaints did not rise to the level of threshold as outlined in the July 5, 2011 Civil Service Commission (CSC) Report "Standards and Definitions (CSC pg. 4):

Harassment – Hostile Work Environment

The legal standards for a discrimination complaint under a harassment – hostile work environment theory are:

- The complainant is subject to physical, verbal, or visual conduct on account of complainant's membership in a protected category;
- The conduct is unwelcome; and
- The conduct is sufficiently severe or pervasive as to alter the condition of the complainant's employment and create an abusive working environment.

Retaliation

The legal standards for a discrimination complaint under the theory of retaliation are:

- The complainant engaged in a protected activity;
- The complainant suffered an adverse employment action; and
- There was a causal link between the protected activity and the adverse employment action.

Discrimination

The legal standards for a discrimination claim under a disparate treatment theory are:

- The complainant is a member of a protected category;
- The complainant has suffered an adverse employment action; and

The complainant suffered an adverse employment action because of her membership in a protected category.

The attached documents are separated by number designations 1, 2, and 3, to coordinate with the EEO File #1371 appeal, the subject of this report, as noted in the 7/5/11 CSC Report (CSC pg. 2), and 6/25/08 EEO Investigative Report (CSC pgs. 41 and 44). Added numbers are supplemental information, 5, and remedy, 6.

- 1) Allegation D. Harassment due to Retaliation on 7/1/08 – Ms. Kathie Smookler
- 2) Allegation E. Harassment due to Retaliation and Disparate Treatment – Mr. Blake Summers
- 3) Allegation C. Harassment due to Retaliation and Denial of Promotion – Mr. Blake Summers

It is without questions that I am in a protected group as outlined in documentation provided by Employer, and has never been denied.

1) Allegation D. Harassment due to Retaliation on 7/1/08 – Ms. Kathie Smookler

The following correlated to Allegation D, that show that indeed in this case there was a threshold for which harassment, hostile work environment, and retaliation has been met. The same is true for Allegation E. (CSC pgs. 30, 42, 57, 59, 293, 344, 351, 363)

1. I was subjected to verbal and physical conduct on the part of Ms. Smookler. Ms. Smookler has not denied using words undermining and disrespectful (CSC pg. 292) point of exchange was not to harass or intimidate me, but to communicate the importance of keeping museum director abreast of any plans involved his department (CSC pg. 293). Additionally Ms. Smookler blocked my egress from my office during confrontation.
2. The conduct of Ms. Smookler was unwelcome – Ms. Smookler indicated that she could have a frank and honest discussion with me (CSC pg. 56), and did admit that her conduct and behavior was inappropriate (CSC pg. 363). The CCSF investigation established that Ms. Smookler's conduct was unwelcome (CSC pgs. 30, 33), and that her behavior was unprofessional (CSC pg. 363)
3. The actions of Ms. Smookler on July 1, 2008, and from March 2008 to present is sufficiently severe or pervasive as to alter the condition of my employment and create an abusive working environment at SFO Museum

The causal link between the action and condition of employment includes the following:

My working environment has been altered. Ms. Smookler thought it odd that I did not come by to ask Mr. Summers permission for the barbecue, and despite the fact that Mr. Summers approved the barbecue, Ms. Smookler did approach me afterwards (CSC pg. 57). As Mr. Summers Executive Secretary, Ms. Smookler acts as agent and liaison, knows of my filing complaints (CSC pg. 363), and she has no authority to discipline me (CSC pg. 363). Before my 2007-2008 FMLA leave, I did go directly to Mr. Summers for applicable permission, discussion, and conversation regarding work-related matters. Upon my return, after requesting reasonable accommodations and filing a discrimination complaint, I was no longer able to do so. Ms. Smookler and Mr. Summers, in their bias, actions, words, and behavior, effectively alienated and ostracized me from SFO Museum and SFO staff. Fulfilling my essential work responsibilities were and remain restricted, offsetting and placing a ceiling on any possible expansion of job responsibilities and applicable promotions. These hostile working conditions are indeed pervasive as that is my day-to-day.

2) Allegation E. Harassment due to Retaliation and Disparate Treatment – Mr. Blake Summers

(CSC pgs. 30, 33, 42, 51, 54, 63, 64)

The following correlated to Allegation E, that show that indeed in this case there was a threshold for which harassment, retaliation, and disparate treatment has been met.

1. I have had and continue to have unfair and inequitable treatment and scrutiny of timesheets, vacation leave, and sick time usage; there has been more than one occasion contrary to CCSF statement (CSC pgs. 30, 42, 51)

DHR did determine that SFO Museum timesheets could be improved (CSC pgs. 30, 33), a telling indication that timesheets protocols were not being observed by SFO Museum staff. Subsequent to my complaint filing and related CCSF investigation, SFO Museum staff did in fact become more responsible in and correct their work hours, attendance, and timesheet sign-in, but there remain abuses. From my March 2008 return to present, I have been continually questioned by Mr. Summers, Ms. Smookler, and Mr. Garfield with regard to use of vacation, sick, FMLA leave, and comp time, countering instructions I had received from SFO Payroll. Examples include a recent workshop tile-floor project, where I worked both day and graveyard shifts; being questioned why I had gone to the hospital; and being specifically instructed to inform my supervisor and the receptionist and / or secretary when I depart for lunch each day, or go to the Airport for project assignments.

2. My job responsibilities have been and continue to be diminished, restructured, and reassigned after return from protected FMLA leave in 2008 (CSC pg. 54). Many of the duties listed are not accurate.

3. Mr. Summers did accuse me of being a problem, of being 'complaint-happy,' and intimating that I should resign as my complaints were evidence that I was not happy in the workplace.

CCSF investigation did establish Mr. Summers acted inappropriately, (CSC pgs. 30, 33), with recommendation from DHR Director to SFO Airport Director to counsel manager, provide with training, and propose mediation (CSC pg.64). Yet, Mr. Summers contradicts himself by stating the he does not specifically recall calling me 'complaint-happy,' may have said I have been a problem from day one, I don't listen, he could not change me, and did say that I was unhappy (at SFO Museum), look at all the complaints you have filed, do you want to quit? (CSC pgs. 63, 364). Mr. Summers admits that he showed poor judgment. (CSC pg. 364)

3) Allegation C. Harassment due to Retaliation and Denial of Promotion – Mr. Blake Summers

1. Biased regarding ADA and accommodation

CCSF Investigation established that Mr. Summers denied that he had not any bias or resentment on his part for my FMLA leave (CSC pg. 33) but in fact, that is not true. Mr. Summers denied my November 2007 request to return to work with reasonable accommodation, which led to my filing a complaint (EEO File #1343) in March 2008, which eventually led to an appeal before the Civil Service Commission in November 2009, which was granted. Upon my return Mr. Summers and Ms. Smookler questioned the use of my vacation hours after SFO Payroll has provided me instruction to use such as my sick leave hours had been exhausted due to my extended 2007 – 2008 FMLA leave, as well as nature of my absences. Due to car-accident related injuries which necessitated surgeries, Mr. Summers refused to sign FMLA paperwork until I divulged reason for FMLA request, angry that I not provided him paperwork before submitting to SFO HR. Submitting FMLA paperwork to SFO HR is proper protocol, and only the cover page is sent to supervisor for signature to ensure confidentiality. There have been numerous times I have offered to assist staff, and have been rebuked. For example, due an extended absence due to the marriage and honeymoon of the Aviation Museum manager, I had offered to substitute for day-to-day responsibilities, as-needed, as well as overseeing set-up and overseeing evening functions / events at Aviation Museum. Mr. Summers said I was unable to fulfill responsibilities as such entailed lifting chairs and tables. All such event set-ups are done with assistance of SFO Pavement & Grounds. I subsequently found that Mr. Summers had promoted an intern to a newly created Associate Registrar position; this individual, a man, is now substituting for the Aviation Museum manager due to manager's FMLA paternity leave.

2. Strained working environment

Employer denies Mr. Summers harassed me (CSG pgs. 291, 62). Mr. Summers did say "you are unhappy here, look at all the complaints you have filed, do you want to quit?" Mr. Summers stated he may have said you've been a problem from day one, you don't listen, I can't change you." (CSC pg.364). Mr. Summers said this. Mr. Summers confirmed that he did receive verbal complaint regarding my interactions from the Facility Deputy Director, as conveyed by the Carpentry staff, and did not provide me specific information (CSC pgs.

61, 363). Mr. Summers did convey "a head's up to keep my head down, to not have more interaction with Maintenance than was necessary to do my job (CSC pgs. 347, 62). Maintenance complaints are heresay. Mr. Summers said his comments were true, that I was not happy, that I had outgrown my position (CSC pg. 347). There was a denial of promotion to Manager I (CSC pgs. 30, 33, 49, 52-54)

Investigation established that there was not a promotive position, and that there was a marked difference in the level of responsibilities. (CSC pg.30)

Department denies that my work assignments have been wrongfully restructured since my return from leave (CSC pg.49) Airport says my assignments have remained the same and are ongoing (CSC pg. 292)

Department states that Mr. Summers did have a conversation with me and said that he would not be recommending me for a promotive appointment. The department states that Mr. Summers explained to me in a frank and direct manner that he did not feel I merit a promotion, nor was there an actual promotive position under consideration (CSC pg.363)

Department agrees that during my leave of absence, certain projects were reassigned to other Airport Museum staff.

The department denies that Mr. Summers denied me a promotion to Manager I. The department responded that Mr. Summers had not made any appointment to 0922 Manager I since 2006, and that Mr. Summers appointed Mr. Abe Garfield to Manager I. The appointment of Mr. Garfield was a reclassification from 3547 Curator V (CSC pg. 50)

The department contends that for FY09/10, the Airport Museums requested a position substitution for a Curator IV classification to a Manager I. If the position substitution request is approved through the budget process, the 0922 Manager I reclassification will affect the 3546 Curator IV position held by Mr. John Hill, Curator in Charge of Aviation. Job duties listed (CSC pg. 52) The Aviation Curator IV position was approved for reclassification to Manager I. The reclassification was based on the level of responsibilities currently performed by the Curator IV in charge of Aviation. ... When the position is announced and open for application, I would have the opportunity to compete and be considered for the position. (CSC pg. 54)

The Curator IV positions are significantly different in terms of responsibilities. The Curator IV in Aviation manages a sizeable program and staff, whereas I perform special projects as needed (CSC pg. 54)

The department contends that, should the Manager I – Aviation position remain in the department's budget, a selection process will be implemented and I will be able to compete for the position (CSC pg. 52)

Summers stated that since my return from leave, I had been assigned to conduct database clean-up, and that there had been no changes to my decision-making responsibilities (CSC pg. 52)

Summers stated that I worked independently and that I had not informed him that I felt I had been subjected to excessive scrutiny and interference, and in regards to timesheet/attendance. Mr. Summers recalls only one instance asking about my timesheet (CSC pg. 52). But in fact, there have many instances.

Mr. Summers stated that it is a long-standing situation that I do not like fellow Curator IV John Hill, and that he was not surprised about my disparaging views. Mr. Summers stated that the work performed by John Hill related to Aviation was more complex and involved more responsibilities and, therefore, upgrading the position to Manager I was merited. (CSC pg. 53)

Mr. Summers agreed that in his conversation with me in May 2008, he did make a statement "why would I promote you, you haven't been here this past year." This statement was both a factual observation of Mr. Summers' bias and in reference to my FMLA leave of 2007-2008 (CSC pg. 53)

The department agrees certain projects were assigned to other staff while I was on leave, but the evidence established that the majority of projects I was responsible for, I continue to be responsible for (CSC pg. 54)

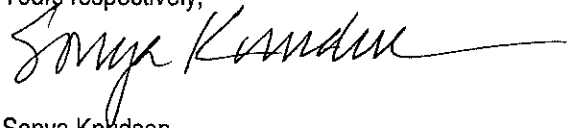
Mediation CSC pgs. 33, 292

EEO and Summers agreed that mediation likely be unsuccessful and alternate dispute resolution was not pursued any further. DHR noted relationship between Mr. Summers and me was strained, recommending mediation to re-establish working relationship with improved communication (CSC pg. 33). Mediation was not ultimately achieved (CSC pg. 3). There was not good faith effort on part of Employer .

MAKE WHOLE REMEDY RETROACTIVE TO INITIAL COMPLAING DATE:

1. Grant / Sustain Appeal by Appellant Sonya Knudsen;
2. Promotion to Manager I, Assistant Director of Administration and Special Projects
reinstatement of all duties removed from me to include staff management, administrative
assignments, as well as duties related to Airport expansion of media and community outreach;
3. Reinstate \$32,500, the differential between 2008 and present re loss earnings and retirement;
4. All reasonable attorney fees paid for by Employer

Yours respectively,

A handwritten signature in black ink that reads "Sonya Knudsen". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Sonya Knudsen



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

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August 4, 2011

NOTICE OF CIVIL SERVICE COMMISSION MEETING

E. DENNIS NORMANDY
PRESIDENT

DONALD A. CASPER
VICE PRESIDENT

MORGAN R. GORRANO
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

LISA SEITZ GRUWELL
COMMISSIONER

ANITA SANCHEZ
EXECUTIVE OFFICER

Sonya Knudsen
~~B.O. # 28279A~~
San Francisco, CA 94128

SUBJECT: APPEAL BY SONYA KNUDSEN OF THE HUMAN RESOURCES DIRECTOR'S DECISION TO DISMISS HER EEO FILE #1371 DUE TO INSUFFICIENT EVIDENCE TO SUSTAIN A COMPLAINT OF HARASSMENT, RETALIATION AND DISPARATE TREATMENT.

Dear Ms. Knudsen:

The above matter will be considered by the Civil Service Commission at a meeting to be held on August 15, 2011 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the regular agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

All nonprivileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

CIVIL SERVICE COMMISSION

ANITA SANCHEZ
Executive Officer

Attachment

- c: Silvia Castellanos, Department of Human Resources
- Susan Kim, San Francisco International Airport
- Gloria Louie, San Francisco International Airport
- Steve Pitocchi, SEIU 1021, 350 Rhode Island, Ste. 100 So., S.F., CA 94103
- Linda Simon, Department of Human Resources
- Blake Summers, San Francisco International Airport
- Janie White, Department of Human Resources
- Commission File
- Commissioners' Binder
- Chron

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CIVIL SERVICE COMMISSION REPORT

MEMORANDUM

TO: Civil Service Commission
THROUGH: Micki Callahan, Human Resources Director
THROUGH: Linda Simon, Deputy Director- EEO Programs
FROM: Silvia Castellanos, Sr. EEO Program Specialist
DATE: July 5, 2011
EEO FILE NO: 1371

REGISTER NO: 0343-09-6
APPELLANT: Sonya Knudsen

1. Authority

The San Francisco Charter, Section 10:103, and Civil Service Commission Rules provide that the Human Resources Director shall review and resolve complaints of employment discrimination. Pursuant to Civil Service Commission Rule, Section 103.3, the Civil Service Commission shall review and resolve appeals of the Human Resources Director's determinations.

2. Summary

The Appellant is a permanent exempt 3546 Curator IV- Administration with the San Francisco Airport Museums (SFAM). SFAM is accredited by the American Association of Museums and features approximately twenty (20) galleries throughout the Airport terminals displaying art, history, science and cultural exhibitions. SFAM also features the San Francisco Airport Commission Aviation Library and Louis A. Turpen Aviation Museum, a permanent collection of the history of commercial aviation.

SFAM is headed by Director and Chief Curator, Blake Summers. The Appellant performs special projects for SFAM. The Appellant is the only Curator IV with this specialty. SFAM has two other Curator IV employees, Ms. Barbara Geib, Curator IV- Registration, and Mr. Timothy O'Brien, Curator IV - Exhibitions. All Curator IV employees report to Mr. Abe Garfield, 0932 Manager II*, Assistant Director-SFAM.

*Note: At the time this complaint was filed and investigated, the Appellant reported directly to Blake Summers and Mr. O'Brien was a Curator III.

Previous EEO Complaint #1343

In March 2008, the Appellant filed a discrimination complaint against SFAM alleging denial of accommodation (return to work on part-time basis). On July 29, 2008, the Human Resources Director issued her determination finding there was insufficient evidence to substantiate the Appellant's claim that she was denied accommodation.

The Appellant appealed the Human Resources Director's determination and on November 16, 2009, the Civil Service Commission granted her appeal. As a result of the Commission's determination, the Appellant received restoration of sick leave and vacation leave.

Current EEO Complaint #1371

The Appellant submitted 6 letters of complaint to the Department of Human Resources EEO Unit (DHR/EEO) between June 25, 2008 and July 11, 2008. In her letters of complaint, the Appellant alleges the following:

A. Denial of Accommodation- Airport EEO

Airport EEO denied accommodation (phone headset, ergonomic work station). Appellant alleged that it took over three weeks for the department to provide her with the requested equipment, impacting and hampering her ability to fulfill her job duties and responsibilities. Appellant also alleged that her accommodation request to telecommute was denied without evaluation.

B. Discrimination by Airport and DHR EEO

DHR/EEO and Airport EEO Division gave inconsistent, confusing and contradictory explanations of the complaint process; exhibited a conflict of interest, lack of third party impartiality and neutrality.

C. Harassment due to Retaliation and Denial of Promotion – Blake Summers

The Museums Director was biased regarding ADA and accommodation; Appellant worked in a strained work environment; isolation and denial of promotion to 0922 Manager I on May 28, 2008.

D. Harassment due to Retaliation on 7/1/08 – Kathie Smookler

Harassment due to retaliation by Kathie Smookler, Executive Secretary to Blake Summers, on July 1, 2008, when Ms. Smookler accused Appellant of undermining Blake Summers and physically blocked Appellant's efforts to leave her office.

E. Harassment due to Retaliation and Disparate Treatment – Blake Summers

Harassment due to retaliation and disparate treatment by Blake Summers in the form of: 1) unfair and inequitable treatment and scrutiny of Appellant's timesheets, vacation, leave and sick time usage and 2) diminished job responsibilities, restructuring and reassignments after return from protected FMLA leave in 2008. Harassment due to retaliation by Blake Summers on July 9, 2008, when he accused her of being a problem, of being 'complaint-happy' and intimating that she should resign as her complaints were evidence that she was not happy in the workplace.

See Exhibit C, Attachments A- A9. pages 66 - 266

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Allegations Not Investigated

Allegation A – Denial of Accommodation by Airport EEO (ergonomic equipment and workstation) was not investigated as Appellant was, in fact, provided with the requested ergonomic equipment and workstation and her request for telecommuting was considered, however the duties of her position required her to be at work to plan and supervise special projects.

Allegation B – Discrimination on part of Airport and Department of Human Resources EEO staff was not investigated as Appellant's discrimination complaint (EEO complaint # 1343) was processed in compliance with applicable Rules and policies.

Allegation C – Denial of Promotion

Allegation C was initially accepted for investigation but it was established that there was no cause of action as there had been no selection process or appointment for the 0922 Manager I-Aviation position as of the date of the Appellant's charge. Therefore, Appellant had not been denied a promotion, she had not suffered an adverse employment action; and had not established a prima facie case of discrimination. *See Exhibit C, pg. 54*

Human Resources Director's Determination

On September 25, 2009, the Human Resources Director issued her determination that there was insufficient evidence to sustain the Appellant's complaint of harassment, retaliation or disparate treatment. *See Exhibit B, pages 28 - 34*

The Human Resources Director found that the Appellant had not provided any specific information regarding excessive or unreasonable scrutiny of timesheets or attendance; that there had been no denial of leave, vacation or sick time usage; that the Appellant had returned to work from leave to the same position and responsibility of performing special projects; that she had not been denied a promotion and that Kathie Smookler and Blake Summers had not harassed or retaliated against her.

Mediation

In January 2010, through DHR EEO's Alternative Dispute Resolution Program, both parties agreed to enter into mediation with Ms. Lucia Kanter St. Amour, Adjunct Professor with Hastings College of Law-Center for Negotiation and Dispute Resolution.

Mediation sessions were held on:

- April 8, 2010, a Pre-caucus Session;
- April 21, 2010, a Joint Mediation Session; and
- July 27, 2010, a Joint Mediation Session.

Mediation of the Appellant's current charge was not ultimately achieved. However, both parties expressed an interest in continuing settlement discussions and Professor Kanter St. Amour agreed to make herself available should ongoing mediation services be requested by the parties in the future.

3. Issues on Appeal to the Civil Service Commission

The following issues are before the Commission:

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Allegation D – Harassment due to Retaliation on July 1, 2008 by Kathie Smookler.

Allegation E – Harassment due to Retaliation and Disparate Treatment by Blake Summers.

Appellant's Letter of Appeal – October 22, 2009

Appellant submitted a timely appeal of the Human Resources Director's determination. However, Appellant did not provide any new evidence in support of her claims.

See Exhibit A, pages 14 – 25

4. The Standards and Definitions

Harassment- Hostile Work Environment

The legal standards for a discrimination complaint under a harassment- hostile work environment theory are:

The complainant is subject to physical, verbal or visual conduct on account of the complainant's membership in a protected category;
The conduct is unwelcome; and
The conduct is sufficiently severe or pervasive as to alter the condition of the complainant's employment and create an abusive working environment.

Retaliation

The legal standards for a discrimination complaint under the theory of retaliation are:

The complainant engaged in a protected activity;
The complainant suffered an adverse employment action; and
There was a causal link between the protected activity and the adverse employment action.

Discrimination

The legal standards for a discrimination claim under a disparate treatment theory are:

The complainant is the member of a protected category;
The complainant has suffered an adverse employment action; and
The complainant suffered an adverse employment action because of her membership in a protected category.

5. Findings/Analysis

DHR/EEO conducted a thorough investigation including interviewing relevant witnesses, reviewing written information from both the Appellant and the department, and gathering other pertinent document. See Exhibit C: Investigative Report and Attachments, pages 38 – 342

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The following responds to the appealable issues in this matter:

Allegation D: The Evidence Is Insufficient to Show that Kathie Smookler subjected the Appellant to Harassment due to Retaliation on July 1, 2008, for previously filing a discrimination complaint against Blake Summers.

A. Investigative Findings

In 2008 the Appellant planned to host a Fourth of July barbeque for SFAM employees. She approached then-Curator III Tim O'Brien and asked if he would grill at the barbeque and Mr. O'Brien agreed. Mr. O'Brien stated Appellant misperceived that he was big on grilling. While he was not opposed to grilling at the barbeque and he had agreed to grill, he was not really interested in grilling at the barbeque.

Appellant had not advised Mr. Summers about the planned barbeque. Mr. O'Brien thought Mr. Summers, as Director of the Department, should be informed of the planned Fourth of July barbeque. He asked Mr. Summers for permission and Mr. Summers agreed. Ms. Smookler, executive secretary for Mr. Summers, was also present when Mr. O'Brien briefed Mr. Summers about the barbeque. Ms. Smookler asked Mr. O'Brien how he felt about having to grill and he responded, "ok". Ms. Smookler interpreted his response as an indication that he felt it was an imposition.

Ms. Smookler already had concerns regarding previous barbeques organized by the Appellant because they had either excluded certain staff or failed to give staff prior notice of the event and had generally been scheduled for Friday, a day that neither she nor Mr. Summers worked. Ms. Smookler was concerned that Appellant had taken it upon herself to coordinate the barbeque without involvement of the entire department and had imposed on Mr. O'Brien by asking him to grill.

The next day, after another employee, Barbara Geib, Curator IV Registration told Ms. Smookler about Appellant planning the barbeque, Ms. Smookler went to Appellant's office to discuss the issue. She asked Appellant why she hadn't advised Mr. Summers about the barbeque, why she had designated Mr. O'Brien to grill, as she felt that Mr. O'Brien felt put upon (by having to grill). When Appellant stood up from her desk to leave the room, Ms. Smookler stood in the doorway and insisted that Appellant discuss the situation.

Appellant departed the office and went to confide in Mr. O'Brien that she had had a very unpleasant encounter with Ms. Smookler who had accused her of forcing Mr. O'Brien into something he did not want to do. Mr. O'Brien suggested they go speak with Ms. Smookler. According to Mr. O'Brien, they approached Ms. Smookler and politely discussed the miscommunication. He apologized if he had given any misimpression regarding his being asked to barbeque and Ms. Smookler apologized for over-reacting and said, "let's do it".

See Exhibit C, pages 55 – 59 and Exhibit D, pages 351, 360

B. Analysis

Ms. Smookler was aware the Appellant had filed discrimination complaints against SFAM and Mr. Summers. The evidence demonstrates that Appellant was subjected to

verbal conduct by Ms. Smookler which she found unwelcome. However, the evidence also demonstrates that it was Ms. Smookler's concerns of Appellant's handling of prior Fourth of July barbecues, along with her current assessment that Appellant had imposed upon Mr. O'Brien by asking him to grill and had inappropriately bypassed Mr. Summers when planning a Department social event, that triggered her going to Appellant's office and accusing her of being sneaky, disrespectful and of undermining Mr. Summer's authority. The Appellant was not subjected to verbal comments by Ms. Smookler because she had previously filed an EEO complaint.

Additionally, as Ms. Smookler apologized to both the Appellant and Mr. O'Brien and this was a one-time occurrence, Ms. Smookler's conduct was neither sufficiently severe nor pervasive as to alter the condition of the Appellant's employment and create an abusive working environment. *See Exhibit D, pages 351, 360*

Allegation E: The Evidence Is Insufficient to Show that Blake Summers subjected the Appellant to Harassment due to Retaliation and Disparate Treatment in the form of: 1) unfair and inequitable treatment and scrutiny of Appellant's timesheets, vacation, leave and sick time usage and 2) diminished job responsibilities, restructuring and reassignments after return from protected FMLA leave in 2008. The Evidence is Insufficient to Show that Blake Summers subjected the Appellant to Harassment due to Retaliation on July 9, 2008, when he accused her of being a problem, being 'complaint-happy' and intimating that she should resign as her complaints were evidence that she was not happy in the workplace.

A. Investigative Findings

Harassment due to Retaliation and Disparate Treatment by Blake Summers -Excessive Scrutiny of Timesheets, Vacation, Leave and Sick Time Usage

Appellant submits that upon her return to work in April 2008 she was instructed to sign out and use vacation time when attending Burlingame Rotary Club lunch meetings. She does not allege that other employees are attending such meetings and not being asked to take vacation. Appellant also made general allegations that she was being subjected to excessive scrutiny.

The Airport Museums timekeeping practice involved having employees report and initial hours worked or leave taken, on a weekly timesheet. The Appellant returned to work from leave in April 2008 to the same practice of signing in and initialing her hours worked or leave taken, as all other SFAM employees.

The Airport Museums has designated forms for employees to use when taking sick pay or leave. The Appellant returned to work from leave in April 2008 to the same practice of using designated forms to request approved absence from work, as all other SFAM employees. All of Appellant's requests for vacation, leave, and sick pay were granted.

Mr. Summers recalls one instance where the Appellant's recorded time did not reflect her absence to attend a medical appointment and he asked the Appellant about her recorded time. The Appellant explained that she would be making up the time by either working late or coming in early. Mr. Summers was satisfied with her explanation and did not say anything else about it. That is the only instance recalled by Mr. Summers where the Appellant was approached and asked about her recorded time. *See Exhibit C - Staff Report, pages 39 - 65*

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Harassment due to Retaliation and Disparate Treatment– Diminished Job Responsibilities, Restructuring and Reassignment

Appellant was on an extended medical leave from March 2007 – April 2008. The Appellant returned to the same Curator IV classification, the same work schedule, the same reporting structure, and the same responsibility of being Curator in Charge of Administration, which includes facilities maintenance and performing special projects.

The Department confirmed that five of Appellant’s previously assigned tasks were reassigned during her medical leave to others and were not returned to Appellant upon her return from medical leave. Four tasks were reassigned to the Curator of Registration and one task was assigned to an employee hired specifically to perform that function. *See Chart: S Knudsen Duties and Responsibilities*

Appellant was the Curator in Charge of Registration until December 18, 2006. When she assumed the Curator of Administration position, she continued to perform four tasks from Registration. When Appellant began her leave in 2007, those four tasks still needed to be performed, so they were reassigned back to the Curator of Registration. The Department contends they were appropriately assigned to Registration before and are appropriately assigned to Registration now. *See Exhibit E, pages 367 – 369*

As identified in the Department’s contemporaneous listing of Appellant’s duties and responsibilities in March 2008 (*See Exhibit D- Interview of Veronica Davis, page 359*) and clarifying the listing of Appellant’s duties and responsibilities as identified in the Department’s responses of December 31, 2008 and March 6, 2009 (*See Exhibit C, pages 49, 50*), the Appellant’s duties and responsibilities before and after her leave are as follows:

S.Knudsen Duties and Responsibilities

Assignments in 2007 Before Leave	Assignments in 2008 After Leave	Assignments Reassigned
Monthly insurance report to Risk Management.		To: Curator of Registration
FAMSF Conservation invoice administration.		To: Curator of Registration
Exhibition Schedule updates on Excel.		To: Curator of Registration
Exhibition Schedule updates on Filemaker Pro.		To: Curator of Registration
Arts Commission maintenance installations @ SFO.		To: 3554 Associate Museum Registrar
Monthly report to Administration.	Monthly report to Administration.	
Monthly report to Blake Summers.	Monthly report to B.Summers.	
Proofread label exhibition copy.	Proofread label exhibition copy.	
Assist with exhibition info to SFO Public Affairs.	Assist with exhibition info to SFO Public Affairs.	

Employee orientation packet/security alarm/keys.	Employee orientation packet/security alarm/keys.	
SFO Emergency Operations Group. SFAM Emergency Plan for WFR/SFO. ChemPack Emergency Procedural Plan	SFO Emergency Operations Group. SFAM Emergency Plan for WFR/SFO. ChemPack Emergency Procedural Plan.	
SFAM Collection Management Policy.	Other Administrative (Spruce St. storage inventory/relocation; resolve SkyFlights insurance claim; Terminal 2 exhibition galleries ramp-up; SFAM Collection Management Policy; AAM reaccreditation preparations, etc.).	
AAM reaccreditation preparations, other Administrative (Spruce St. storage inventory/relocation)	Facilities Maintenance of WFR/SFO (Kids' Spot repairs; electrical lights/timer improvements; WFR building improvements/expansion into unused quadrant, etc.).	
Facilities Maintenance of WFR/SFO.		

In July 2006, prior to Appellant's medical leave, the Department began efforts to request a requisition for a 3554 Associate Museum Registrar position. The 3554 requisition was approved in August 2007. The Job Analysis for the 3554 position was conducted in February 2008. Interviews for the 3554 position were conducted in May 2008 and an appointment was made in June 2008. The Department assigned one task related to the Art Commission installations to this new position.

Prior to the Appellant's medical leave in 2007, as the Curator IV in Charge of Administration she was assigned fourteen (14) tasks, including the core functions of facilities maintenance and special projects. Upon Appellant's return from the medical leave in 2008, she returned to nine (8) tasks, including the same core functions of facilities maintenance and special projects.

See Exhibit C – Staff Report, pages 49, 50

Harassment due to Retaliation – Meeting with Blake Summers on July 9, 2008

The Appellant is in charge of facilities maintenance which requires interaction with maintenance staff. In or around April 2008, Mr. Peter Acton, Facilities Deputy Director, informed Mr. Summers that Electric Shop staff were upset, complaining Appellant acted "bossy" and rude during their interactions. They complained she often demanded her work requests be attended to immediately, without consideration of existing priority assignments. Mr. Acton told Mr. Summers he did not appreciate Complainant's mistreatment of his staff and that Appellant should not directly coordinate projects and interfere with the work to be performed. Mr. Summers told Appellant to "lay low" and not demand Facilities staff perform work beyond that required of them.

In July 2008, Mr. Summers received a second complaint from Mr. Acton regarding Appellant's interactions with the Carpentry Shop. Mr. Acton reported that Carpentry staff had complained the Appellant was rude to them and Mr. Acton requested that the Appellant not have unnecessary interaction with his subordinate maintenance staff.

On July 9, 2008, Mr. Summers met with Appellant to discuss the feedback regarding her interactions with maintenance staff. Appellant became upset and wanted detailed information about who had complained and what had been said, as she contended she gets along with everyone and she asked Mr. Summers if he had supported her in his conversation with Mr. Acton, noting how she had supported Mr. Summers. Mr. Summers did not provide specific details to the Appellant regarding which maintenance employee had complained, as he did not want the Appellant to confront maintenance staff, escalating a delicate situation.

Mr. Summers stated that his intention, in initiating the conversation with the Appellant, was to relay the feedback from Mr. Acton and advise her to 'keep her head down' and not have more interaction with the maintenance staff than was necessary. However, the Appellant became defensive and insisted on knowing if Mr. Summers had supported her in his conversation with Mr. Acton. Mr. Summers stated that when the Appellant protested that she had been supportive of him, he felt that was not a true statement and he did make a comment regarding the complaints she had filed against him and he did observe that she did not appear to be happy in her position: "you are unhappy here, look at all the complaints you have filed, do you want to quit"? *See Exhibit D, pages 347 – 350*

B. Analysis

Harassment due to Retaliation and Disparate Treatment- Excessive Scrutiny of Timesheets, Vacation, leave and Sick Time Usage

The Appellant did not provide any specific information regarding when or how she was subjected to excessive scrutiny regarding attendance; or any specific information regarding when or how she was uniquely scrutinized or questioned regarding her requests for vacation, leave or sick time; or specific information identifying in comparison to whom and how, did she feel she was excessively scrutinized regarding her attendance or requests for approved absence from work. Additionally, the Department contends, and the Appellant does not dispute, that Appellant's requests for approved absence from work were all granted. Appellant did not establish that she has been treated differently than others.

The Department contends there was one occasion when the Appellant was asked to clarify her time as she had been out on a medical appointment and her timesheet showed no documentation for leave. Once Appellant explained that she would stay late to make up the time, the issue was dropped. The fact that Appellant was asked on one occasion about her time reporting does not rise to the level of being severe and pervasive conduct as to alter the conditions of her employment and create an abusive working environment.

Harassment due to Retaliation and Disparate Treatment- Diminished Job Responsibilities, Restructuring and Reassignment

It was established that the Department did make certain changes and reassigned certain tasks and projects during the Appellant's period of leave in 2007 to April 2008, and that those reassignments continued upon Appellant's return from leave. Four tasks were reassigned from Administration to Registration during Appellant's leave and those tasks remained with Registration upon Appellant's return to work in April 2008.

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The Department provided a copy of the Appellant's Performance Appraisal Report for 2005 to 2006 (*See Exhibit F, pages 367 - 369*) when the Appellant was Curator IV in Charge of Registration. At that time, the tasks of working with the City Risk Manager, the Conservation Lab, and responsibility for objects on loan for exhibition were part of Registration. In December 2006, Ms. Barbara Geib assumed the responsibility of Curator IV in Charge of Registration. At that time, Registration was short-staffed, so it was assistive to the Department that Appellant continue to perform those Registration tasks when she assumed the position of Curator in Charge of Administration. In 2007, while Appellant was on leave, the Department had to make provisions to make sure those tasks were still completed, so they were reassigned back to Registration. Upon Appellant's return from leave in 2008, those tasks remained with Registration as they were originally Registration tasks and Ms. Geib was well able to resume responsibility for those Registration tasks.

The Department began efforts to add a 3554 Associate Museum Registrar position to perform maintenance of Arts Commission installations to their budget in July 2006, prior to the Appellant's March 2007 medical leave. In August 2007, the 3554 requisition was approved; the selection process was conducted in May 2008 and an appointment was made in June 2008. The work performed by the 3554 employee, assisting in the handling and processing of objects acquired for collections and/or exhibitions, is a task supervised by the Curator of Registration.

There was no evidence that the Department reassigned tasks during Appellant's leave in retaliation for Appellant being on leave or in retaliation for Appellant filing a discrimination complaint in March 2008. The Department had to make decisions as to how to continue to complete assignments/tasks during Appellant's extended medical leave. In doing so, they identified those tasks which were more appropriately aligned with Registration. Four of the tasks had been previously assigned to Registration so it made sense to reassign them back to Registration. The other task was assigned to a 3554 employee who had been appointed to perform that task. Appellant, upon her return from medical leave, continued to perform the core functions of her position, namely facilities maintenance and special projects. The Appellant did not suffer any change in class, status or any loss of pay. The reassignment of tasks, while maintaining the Appellant's core function of performing facilities maintenance and special projects, is not an adverse employment action.

Harassment due to Retaliation – Interaction of July 9, 2008 with Blake Summers

In July 2008, Mr. Summers received a verbal notice from a fellow manager, Mr. Peter Acton that maintenance staff had complained of Appellant's method and style of interaction. As the Museums work depends on the cooperation and assistance from maintenance staff and as this was a second similar notice within a short period of time, the first being April 2008, Mr. Summers initiated a conversation with the Appellant on July 9, 2008, to discuss the feedback from Mr. Acton.

It was established that Mr. Summers did make comments to the Appellant that inappropriately coupled the fact of her protected activity of filing a complaint together with speculation that she was not happy at SFAM and perhaps needed to leave City service. Mr. Summers' comments were a one-time occurrence and were not repeated. Additionally, the evidence does not establish that the motivation for the discussion with Appellant was her filing of previous complaints; rather, the impetus for Mr. Summers' conversation with the Appellant on July 9, 2008 was Mr. Acton's second complaint in

three months regarding Appellant's negative interactions with maintenance staff. It was Mr. Summers' intent to communicate this feedback to Appellant so as to improve said communications and ensure a positive working relationship with maintenance staff.

While Mr. Summers' interaction with Appellant was very upsetting, it did not rise to the level of being severe or pervasive as to alter the condition of Appellant's employment or create an abusive working environment. The evidence established Mr. Summers did make some inappropriate references to Appellants filing of complaints, inferred that it was evident she was unhappy and asked if she wanted to quit. However, the context of the remarks were in response to Appellant's defensive rebuttal to the feedback, denying any responsibility, asserting that she got along well with everyone, demanding to know who had made the complaint and asserting that Mr. Summers had not defended her. This was a one-time occurrence, it has not been repeated and Appellant did not miss work or take leave due to the disagreement. Complainant suffered no loss of employment, demotion or other adverse employment action and she was not intimidated or dissuaded from subsequently filing another discrimination complaint.

The Department recognized the seriousness of a manager making these comments to an employee who had engaged in protected activity and reissued key policies regarding the right of employees to file discrimination complaints and the City's prohibition of retaliation. The Department also complied with additional corrective action regarding Mr. Summers as recommended by the Human Resources Director in her letter of determination dated September 25, 2009.

6. HR Director's Determination

Following review of the investigative report, the Human Resources Director determined that there was insufficient evidence to support the Appellant's charges of discrimination (*See Exhibit B, pages 28 - 34*). In addition to the Airport's re-issuance of applicable department policies, the Human Resources Director also directed the Airport to take corrective action regarding Mr. Summers for his behavior on July 9, 2008, and the Department has done so.

Mediation Sessions

Further, by mutual agreement, Mr. Summers and the Appellant entered into facilitated mediation sessions in 2010. These sessions allowed both parties to air and discuss concerns and were assistive to their working relationship and SFAM as a whole.

7. Recommendation

For all the reasons set forth above, the Human Resources Director's decision should be upheld and the appeal should be denied.

8. Notification

Ms. Sonya Knudsen

P.O. Box 8097

~~San Francisco, CA 94133~~

Ms. Gloria Louie, Airport EEO Manager
San Francisco International Airport
P.O. Box 8097

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San Francisco, CA 94128

Ms. Susan Kim, Assistant Airport EEO Manager
San Francisco International Airport
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Mr. Blake Summers
Director and Chief Curator - Airport Museums
P.O. box 8097
San Francisco, CA 94128

Ms. Linda Simon, Deputy Director- EEO Programs
Department of Human Resources
1 South Van Ness Avenue
San Francisco, CA 94103

Ms. Silvia Castellanos
Department of Human Resources
1 South Van Ness Avenue
San Francisco, CA 94103

9. Appendix/Attachments to Report

- Exhibit A: Appellant's Letter of Appeal, 10/22/09.
- Exhibit B: HRD Letters of Determination, 9/25/09.
- Exhibit C: DHR/EEO Staff Report and Attachments, 9/15/09
- Exhibit D: Complainant Interviews, Witness Summaries – EEO #1371
- Exhibit E: Appellant's Performance Appraisal Report-
Curator in Charge of Registration

EEO INVESTIGATIVE REPORT

To: Micki Callahan
Human Resources Director

Through: Linda Simon,
Acting Manager, EEO Division

From: Silvia Castellanos
Assistant EEO Manager

EEO File No.: 1371

Complainant: Sonya Knudsen

Respondent: San Francisco Airport Museums

Issues: Harassment/Hostile Work Environment
Denial of Promotion

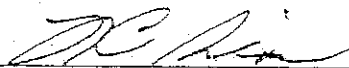
Basis: Retaliation

Date Complaint Filed: June 25, 2008

Date of Report: September 15, 2009



EEO Investigator Signature



EEO Supervisor Signature

1. Introduction

Complainant is a PEX 3546 Curator IV with the San Francisco Airport Museums. She is a longtime employee of the Airport Museums, starting in 1990 as a Non Civil Service 3556 Museum Registrar. In 1997 Complainant was promoted to PCS 3558 Sr. Museum Registrar and in 1999 she was promoted to PEX Curator IV. Currently, Complainant is responsible for special projects at the Airport Museums.

Complainant alleges that she has been subjected to Retaliation in the form of Harassment and Denial of Promotion by her manager, Blake Summers, Director and Chief Curator, and Harassment by his executive secretary, Kathie Smookler.

Previously, Complainant has taken FMLA leave and filed a discrimination complaint against Blake Summers in March 2008.

2. Complainant's Allegations

A. Denial of Accommodation- Airport EEO

Complainant filed letters of complaint dated June 25, 2008 and August 11, 2008 against the Airport EEO Office. Complainant alleges she was denied accommodation (phone headset, ergonomic work station). Complainant alleges that it took over three weeks for the department to provide her with the requested equipment, impacting and hampering her ability to fulfill her job duties and responsibilities. Complainant also alleges that her accommodation request to telecommute was denied by the department without evaluation.

(See Exhibits A, A-1)

B. Discrimination by Airport and DHR EEO

Complainant filed letters of complaint dated June 25, 2008 and August 17, 2008 against Department of Human Resources and Airport EEO Divisions regarding her previous complaint of discrimination (EEO complaint #1343). Complainant alleged there was inconsistent, confusing and contradictory explanations of the complaint process; a conflict of interest, lack of third party impartiality and neutrality.

(See Exhibits A-2, A-3)

C. Harassment and Denial of Promotion - Blake Summers

Complainant filed letters of complaint dated June 25, 2008, July 9, 2008 and August 23, 2008. She alleges Museums Director has continued bias regarding ADA and accommodation; she works in a strained work environment; in isolation and has been denied promotion.

(See Exhibits A-4, A-5, A-6)

D. Harassment and Retaliation on 7/1/08 – Kathie Smookler

Complainant filed a letter of complaint dated July 11, 2008 alleging harassment by Kathie Smookler, Executive Secretary to Blake Summers, on July 1, 2008.

Ms. Smookler accused Complainant of undermining Blake Summers and physically blocked Complainant's efforts to leave the office.

(See Exhibit A-7)

E. Harassment, Disparate Treatment and Retaliation on 7/9/08 – Blake Summers

Unfair and inequitable treatment and scrutiny by Blake Summers; diminished job responsibilities, restructuring and reassignments. Harassment and retaliation by Blake Summers on July 9, 2008, when he accused her of being a problem, of being 'complaint-happy', intimating that she should resign as her complaints were evidence that she was not happy in the workplace.

(See Exhibit A-8)

Complainant submitted a Summation of her complaints dated September 16, 2008.

(See Exhibit A-9).

Complainant seeks the following relief:

1. That workplace harassment cease and desist.
2. That she be granted promotion with applicable back-pay/seniority.
3. That she be reassigned to another comparable position within the department.

(See Exhibit C- Charge of Discrimination)

3. Allegations Not Investigated

Allegation A. – Denial of Accommodation by Airport EEO (ergonomic equipment and workstation) was not investigated as Complainant was, in fact, provided with the requested ergonomic equipment and workstation:

Chronology of Request for Accommodation:

3/10/08	Date of Complainant's Request for Accommodation: "Ergonomic standardization for work station. Phone headset, book stand, drafting table, work schedule to include 1 to 3 minute breaks every 15 to 30 minutes as applicable. Possible telecommuting."
3/14/08	Complainant's Request for Accommodation is received by Airport EEO.
3/19/08	Complainant meets with Airport EEO staff Susan Kim to review her request for ergonomic equipment and workstation.
3/25/08	Airport EEO contacts Complainant's Health Care Provider regarding Complainant's request for ergonomic equipment and workstation.

3/27/08	Airport EEO writes to Complainant: periodic breaks can be incorporated into work day; an ergonomic workplace evaluation has been scheduled; Telecommuting would not be compatible with duties and responsibilities as Complainant needs to be at work to plan and supervise special projects and activities as assigned.
4/2/08	Complainant returns to work from leave.
4/2/08	Ergonomic evaluation of Complainant's workstation is conducted.
4/3/08	Ear/Headset installed.
4/4/08	Airport Carpentry, Health & Safety assess Complainant's work station.
4/4/08	Complainant provided with temporary book stand with slant feature.
4/4/08	Airport EEO updates Complainant re progress of request. Informs Complainant department is working expeditiously to put requested items in place. Advises Complainant that if she feels current work site is causing discomfort, recommended she stop working until desk and chair have been delivered. Advises Complainant of option of additional leave until requested items in place.
4/7/08	Airport EEO advises Complainant larger ergonomic desk has been ordered and will be shipped 4/8/08.
4/7/08	Complainant visits The Chair Place. Ergonomic chair that fulfills specifications located.
4/15/08	Purchase Order for Complainant's Chair is approved.
4/21/08	Requested ergonomic equipment is in place.

Allegation B. – Discrimination on part of Airport and Department of Human Resources EEO staff was not investigated as Complainant's discrimination complaint (EEO complaint # 1343) was, in fact, processed in compliance with applicable Rules and policies.

(See Exhibit B)

Allegations Investigated

Allegations C – E were investigated and are the subject of this report.

4. Relevant Background

Complainant is a Curator IV in the Airport Museums in charge of Administration and Museum Programs. She is responsible for special projects and duties as assigned. She has no direct reports and reports directly to Blake Summers.

Curator IV Workforce

There are three Curator IV employees at the Airport Museums:

Name	Title
1. Complainant	Curator in Charge of Administration
2. Barbara Geib	Curator in Charge of Registration
3. John Hill	Curator in Charge of Aviation

5. Departmental Responses

The Department denies that Complainant has been subjected to harassment, retaliation or been denied a promotion.

Department's First Response

On December 10, 2008, a Notice of a Charge of Discrimination and a Request for Information was sent to the Department (See Exhibit D). The department's first response is dated December 31, 2008. Ms. Susan Kim, Assistant Manager Airport EEO responded for the department (See Exhibit E).

Department's Second Response

The department submitted a second response dated March 6, 2009 (See Exhibit H). Specifically, in response to Complainant's allegations, the department contends that:

Change of Work Assignments - Complainant's work assignments can vary depending on the department's needs. ~~To meet operational needs, certain work assignments were~~ reassigned while she was on leave and remained reassigned once she returned from leave. However, she continues to perform the essential functions of her position, i.e. special projects.

Timesheets, Requests for Vacation, Sick Time - Complainant was asked to account for her time in one instance. Complainant has not been denied any use of requested time. Complainant uses the same timesheet for attendance as everyone else within the Airport Museums (See Exhibit I).

Incident on 7/1/08 - Kathie Smookler did behave inappropriately towards Complainant on July 1, 2008. Ms. Smookler apologized to Complainant the same day, and there has been no repetition of inappropriate behavior. Ms. Smookler does not supervise

Complainant, and the interaction between both employees has been cordial and professional.

Incident on 7/9/08 – Blake Summers attempted to have an honest discussion with Complainant on July 9, 2008. His intentions were not to upset her but to communicate concerns from other staff regarding Complainant's methods of interaction.

Allegation of Denial of Promotion - Complainant has not been denied a promotion. Blake Summers requested a position substitution in the department's budget, which was approved. The position substitution involved the Curator IV duties currently performed by the Curator of Aviation. Based on the level of responsibility, a more appropriate classification for the duties performed by the Curator of Aviation is Manager I. Once the position is open for application, Complainant will be free to apply. At no time, currently or previously, did Blake Summers promise or imply that he would propose or request a promotive reclassification for Complainant.

6. Investigative Standards

The applicable standards for discrimination in this matter are:

Harassment- Hostile Work Environment Standard

1. The Complainant is subject to physical, verbal or visual conduct on account of the Complainant's membership in a protected category;
2. The conduct is unwelcome; and
3. The conduct is sufficiently severe or pervasive as to alter the condition of the Complainant's employment and create an abusive working environment.

Retaliation

1. The Complainant engaged in a protected activity;
2. The Complainant suffered an adverse employment action; and
3. There was a causal link between the protected activity and the adverse employment action.

Disparate Treatment

1. The Complainant is a member of a protected category;
2. The Complainant has suffered an adverse employment action; and
3. The Complainant suffered an adverse employment action because of his or her membership in a protected category.

7. The Investigation

a. The Investigative Process

An intake interview with the Complainant was held on September 17, 2008. The Complainant signed the Charge form on December 8, 2008 (See Exhibit C).

DATE	INVESTIGATIVE PROCESS
12/10/08.	Charge of Discrimination and Request for Information sent to Airport. (See Exhibit D)

12/31/08	Department submitted response to Request for Information. (See Exhibit E)
01/12/09	Fact-finding interviews conducted.
01/12/09	Complainant's personnel file reviewed.
01/23/09	Meeting with Complainant and Representative to review information gathered. Complainant was afforded opportunity to rebut department's position.
02/01/09	Complainant submitted rebuttal statement. (See Exhibit F)
02/12/09	2 nd . Request for Information sent to department. (See Exhibit G)
02/20/09	Additional fact-finding interview conducted.
03/04/09	Additional information obtained from Airport Budget Office.
03/06/09	Department submitted response to 2 nd . Request for Information. (See Exhibit H)
03/27/09	Meeting with Complainant and Representative to review information gathered and afford Complainant opportunity to rebut department's position.

8. Findings of Fact

Allegation C: Upon her return to work from FMLA leave in April 2008, Complainant's work assignments were redefined and restructured, key duties were reassigned to others and she was placed in a supporting role. Complainant's timesheets and requests to use vacation and sick pay have been unduly scrutinized and questioned; Complainant was denied promotion to Manager I.

Summary of Relevant Evidence:

1. Complainant's Written Complaints

6/25/08 Letter

Complainant's letter of 6/25/08 contends that upon returning to work on April 2, 2008, she was subjected to discriminatory attitude and actions by supervisor, unfair and inequitable treatment and scrutiny; diminished job responsibilities and restructuring and reassignment; continued bias regarding ADA and reasonable accommodation, adversely impacted, strained work environment and conditions and isolation. Complainant alleges she was denied promotion.

(See Exhibit A-4)

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7/9/08 Letter

Complainant's letter of July 9, 2008 alleges inequitable treatment and work assignment disparity on part of Blake Summers.
(See Exhibit A - 5)

8/23/08 Letter

Complainant's statement of August 23, 2008 contends her work attendance is exemplary, while there is wide-spread abuse at Airport Museums and that since returning to work on April 2, 2008 she has been instructed to sign out and use vacation when attending Rotary Club of Burlingame lunch meetings; and she has been subjected to discriminatory, retaliatory and inequitable treatment and work assignment-disparities. Complainant identifies that her daily and weekly hours have been questioned and scrutinized; that she has been asked how she signs in/out for the work day and told to change how she signs out; and that she has been asked about using sick leave versus vacation hours.

Denial of Promotion

Complainant recounts that on May 28, 2008, in a discussion with Blake Summers, she learned that a 0922 Manager I position in the department's budget for FY 08-09 was not intended for her. Complainant recounts that when she queried Blake Summers, he responded, "why would I promote you? You weren't here for a year.", thereby referring negatively to the fact that she had been out on medical leave.

Complainant contends that the Manager I upgrade is intended for her colleague, John Hill, the Curator in Charge of Aviation, a Caucasian male; and that in contrast to John Hill, she has consistently been working out-of-class and exceeding work responsibilities and duties.

Complainant contends that Blake Summers had previously implied that he would request a classification change with salary increase for her. Complainant alleges that she was denied promotion and subjected to gender bias, in retaliation for exercising her right to FMLA leave and in retaliation for filing a discrimination complaint against Blake Summers (See Exhibit A-6)

9/16/08 Summation

Complainant's statement of September 16, 2008 contends that since her return to work in 2008, she found her core job responsibilities changed and key duties such as:

- Providing monthly insurance reports to Risk Management;
 - Updating and managing Filemaker Pro and Excel databases,
- were no longer her responsibility.

Complainant contends she was placed in a supporting role instead of working directly with Blake Summers to plan, develop and implement database improvement.

Denial of Promotion

Complainant alleges that Blake Summers has failed to include her in staff promotions. Complainant contends that in a conversation she had with Blake Summers in May 2008,

he answered her query regarding staff promotions, stating "why would I promote you? You haven't been here this past year", referring negatively to her FMLA leave.

Complainant contends that in 2006 she was promised a reclassification with salary increase.

(See Exhibit A-9)

Charge of Discrimination

Complainant's signed Charge of Discrimination form dated December 8, 2008 alleges that upon her return from leave in April 2008, her work assignments were re-defined and restructured.

Denial of Promotion

Complainant alleges that Blake Summers denied her a promotion to 0922 Manager I while negatively referring to her absence from work while she was on FMLA Leave.

(See Exhibit B)

2/1/09 Statement

Complainant's statement of 2/1/09 contends she is the only Curator IV employee to have her timesheets and use of vacation and sick leave unduly scrutinized and questioned.

Complainant contends that the following were the assignment changes she was subjected to:

Duties and Responsibilities before Leave	Duties and Responsibilities after Leave
Facility management of 670 West Field Road and all SFO exhibition and storage sites.	CP told by Blake Summers not to generate excessive work requests. Therefore, the manner and method in which CP conducts these duties is hampered.
Monthly SFAM administrative reports.	
Monthly SFAM risk management reports re exhibitions and permanent collection.	Risk management; Conservation, exhibition activity log were delegated to B.Geib.
Liaison to FAMSF Conservation.	
Updates and maintenance of SFAM exhibition schedule/calendar on FilemakerPro and Excel.	
Updates and maintenance of SFAM exhibition activity log on FilemakerPro and Excel.	
Updates and maintenance of SFAM collection management FilemakerPro databases.	

<p>Security and alarms, being on SFAM Emergency Call List for SFO, Fire, Police, EOG.</p>	
<p>Special projects and assignments (security and alarm system upgrates, member of Emergency Operations Group, re-roofing 670 WFR, updating SFAM policies, updating American Association of Museums' Facility Reports; relocation of Spruce storage).</p>	
	<p>CP returned from Leave to find SFAM in process of preparing for migration into updated, combined collection management FilemakerPro database. CP was instructed to report to B.Geib, Curator in Charge of Registration and Julie Takata, Librarian, and ask them for priority list and assignments and keep them apprised of her work progress.</p>
	<p>FilemakerPro datascrub to prepare for projected Spring 2009 migration into a new database.</p>

Complainant contends that while there is managerial discretion to amend and alter employee duties and responsibilities, such should fall within reasonable parameters, be judicious and appropriate based on CCSF policies and procedures, employment and labor contracts, organizational needs and available resources.

Complainant contends that that upon her return from April 2008 FMLA leave, her job duties should have been virtually identical to those that she had before her leave. Instead, Complainant contends that Blake Summers changed her job duties, altered and adversely impacted the interaction and relationship Complainant had with other staff and provided Complainant with inconsistent and conflicting direction regarding her work duties and expectations.

Denial of Promotion

Complainant alleges that she was promoted in name only in 2006 from Curator in Charge of Registration to Curator in Charge of Administration, her current Curator IV assignment.

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Complainant alleges that Blake Summers told her then that he would incorporate a promotion for her into the budget, at some future time, and Complainant provided Blake Summers with a preliminary JAQ and spreadsheet information.

In May 2008, when she queried Blake Summers about the line item regarding a promotion from Curator IV to Manager I and whether that applied to her, Blake Summers responded, "why would I promote you, you weren't here last year?". Complainant contends this was an inappropriate comment and it violated FMLA and ADA standards.

Complainant contends that her promotion from Sr. Museum Registrar to Curator IV in 1999 and from Curator in Charge of Registration to Curator in Charge of Administration were due to her meeting and exceeding all job responsibilities and assignments. By contrast, Complainant contends that Mr. Hill has an established reputation of missed deadlines and incomplete assignments. In Blake Summers' intent to promote John Hill, Complainant contends that the Airport has a bias benefiting Caucasian males.

2. Interview of Complainant

Meeting of 9/17/08

This investigator met with Complainant and her representative on September 17, 2008. Complainant stated that since her return to work from FMLA leave on April 2, 2008, the work environment and her working relationship with Blake Summers has shifted and he has continued to be difficult.

Meeting of 1/23/09

This investigator met with Complainant and her representative on January 23, 2009. Complainant did not dispute that she returned from leave and resumed the same work schedule as before her leave. Complainant did not dispute that she continues to be assigned special projects. Complainant stated that management had exceeded its right to reassign work duties.

Complainant contended that Blake Summers' reference to her being absent from the workplace as the reason he wouldn't consider her for promotion, was a negative reference and established his bias against Complainant taking FMLA leave.

Meeting of 3/27/09

This investigator met with Complainant and her representative on March 27, 2009. Complainant did not dispute that her requests for FMLA had been granted by the department. Complainant did not dispute that her chain-of-command has not been changed since her return from leave.

Complainant contends that her manager used an inappropriate "tone" when presented with additional request for FMLA leave in the latter part of 2008 and that he demanded specific information regarding her need for FMLA leave and that Complainant was forced to divulge additional information regarding her request.

Complainant did not dispute that, in fact, a promotion for fellow Curator IV John Hill had not taken place, and she continued to contend she had been denied promotion.

3. Department's Response

Written Response of 12/31/08

In the department's written response of December 31, 2008, the department denies that Complainant's work assignments have been wrongfully restructured since her return from leave. The department contends that Complainant's essential function as a Curator IV in Charge of Administration is to perform special projects and duties as assigned. Therefore, her assignments can vary depending on the needs of the department.

The department agrees that during Complainant's leave of absence, certain projects were reassigned to other Airport staff. The department also contends that upon her return from leave, Complainant was assigned four special projects. The department contends that while specific, particular special projects assigned to the Complainant may vary, the essential functions of her Curator IV position to perform special projects, continue:

Complainant's Work Assignments Before/After Leave

Assignments Before March 2007	Assignments After March 2008
Monthly activities report to Administration.	On-going. No change.
Monthly report to Blake Summers.	
Proofread label exhibition copy.	
Assist with exhibition info to SFO Public Affairs.	
Facility Maintenance of West Field Road/SFO.	
Employee orientation packet/security alarm/keys.	
SFAM Collection Management Policy.	
SFO Emergency Operations Group involvement.	
SFAM Facility Reports- SFO & WFR.	
AAM reaccreditation preparations.	

HVAC reports for IT cases.	
Re-carpeting of West Field Road registration area.	
West Field Road security alarm system.	
Cleaning and resealing of WFR hallways.	
Cleaning and resealing of WFR Mezzanine floors.	
SFAM Emergency Plan for WFR and SFO sites.	
Painting perimeter of 670 West Field Road.	

Assignments Reassigned to Other Staff

Monthly report to Risk Management.	Assigned to B.Gieb during CP's leave.
FAMSF Conservation invoice administration.	Assigned to B.Gieb during CP's leave.
Exhibition Schedule Updates on Excel.	Assigned to B.Gieb during CP's leave.
Exhibition Schedule Updates on FilemakerPro.	Assigned to B.Gieb during CP's leave.
Arts Commission maintenance installations at SFO.	Assigned to new employee hired specifically to perform this task.
Kids' Spot Repairs.	Assigned to R.Korolev, Museum Preparator, during CP's leave.
Electrical Lights and timer improvement to IT Cases.	Assigned to R.Korolev, Museum Preparator, during CP's leave.
WFR building improvements/expansion into unused quadrant.	Assigned to R.Korolev, Museum Preparator, during CP's leave.

Assignments Since Return from Leave

Spruce St. storage move.	Completed.
Data migration Filemaker database.	On going.
Collection Appraisals RFQ.	On going.
Implement Collection Appraisals.	On going.

Denial of Promotion

The department denies that Blake Summers denied Complainant a promotion to Manager 1. The department responded that Blake Summers had not made any appointments to 0922 Manager I since 2006. In 2006, Blake Summers appointed Abe Garfield to Manager 1. The appointment of Abe Garfield to Manager I was a reclassification from 3547 Curator V.

(See Exhibit E)

Written Response of 3/6/09

In the department's response of March 6, 2009, the department identifies that the Complainant continues to perform a variety of special projects and duties for the Airport Museums based on the needs of the department. The department responds that the majority of Complainant's assignments are the same and ongoing.

Certain projects, requiring immediate attention, were reassigned to other staff during Complainant's leave. After Complainant's return from leave, Blake Summers assigned four special projects to Complainant: 1.) coordination of the storage move from the Spruce Street warehouse location; 2.) management of the data migration filemaker database; 3.) management of the collection appraisals request for qualifications; and 4.) implementation of the collection appraisals. No other alterations have been made to Complainant's job duties and responsibilities.

Timesheets, Vacation/Sick Leave

The department's written request dated March 6, 2008 contends that Complainant is not treated any differently in the matter of timesheets or use of vacation and sick leave, as anyone else at the Airport Museums. The department contends that Blake Summers recalls asking Complainant about her timesheet on one occasion. In that instance, Complainant left work to attend a doctor's appointment and her timesheet did not account for the time she was absent from the workplace. Blake Summers approached Complainant and Complainant stated she would either come in early or leave late to make up the hours. Blake Summers did not pursue the matter further.

Denial of Promotion

The department endorses a policy of fairness and equality for employment and career advancement of all people without regard to race, color, religion, national origin, sex, age or disability. The department denies the existence of any bias favoring Caucasian males.

The department contends that for Fiscal Year 2009 – 2010, the Airport Museums requested a position substitution of a Curator IV classification to a Manager I. If the position substitution request is approved through the budget process, the 0922 Manager I reclassification will affect the 3546 Curator IV position held by John Hill, Curator in Charge of Aviation.

Curator IV of Aviation Duties

The department identifies that the Curator IV duties as performed by John Hill are more properly within Manager I and involve:

- Direct and research development of approximately ten exhibitions annually on Airport and aviation history for the Aviation Library and Louis A. Turpin Aviation Museum (ALM).
- Supervise work of Curator II in assisting with research and development of aviation related exhibitions.

- Direct and research identification and description of collection objects. Make recommendations for acquisitions and continually assess the appropriateness of all aspects of the aviation permanent collection.
- Liaise through outreach and public speaking between the Airport commission and the airline/aviation/museums community to increase awareness of the ALM.
- Direct research of, and familiarization with, related collections of outside organizations and private sources and identify potential exhibition loan sources.
- Organize, train, and supervise the work of volunteers in the ALM.
- Retain membership with the collections Review Committee and the Operational Scheduling Committee.

The department contends that, should the Manager I – Aviation position remain in the department's budget, a selection process will be implemented and Complainant will be able to compete for the position.

(See Exhibit H)

Airport Museums Timesheet

The department submitted a copy of a Weekly Attendance Report. This sheet shows weekly attendance for the Complainant and the two other Curator IV employees.

Employees sign in the number of hours worked per day and initial the appropriate box.

(See Exhibit I)

4. Interview of Blake Summers

This investigator interviewed Blake Summers on January 12, 2009. Mr. Summers stated that certain database updating had been reassigned while Complainant was on leave, and that since her return from leave, she had been assigned to conduct database clean-up. Mr. Summers stated that there had been no changes to Complainant's decision-making responsibilities.

Mr. Summers stated that in making assignments of museums staff, he is guided by the needs of the department, and those needs can shift and vary.

Mr. Summers stated that Complainant works independently and that she had not informed him she feels she's been subjected to excessive scrutiny and interference and in regards to timesheet/attendance, Mr. Summers recalled only one instance where he had specifically asked her about the recording of her time, as her absence to attend a doctor's appointment was not reflected on her timesheet.

Denial of Promotion

Mr. Summers recalled that after Complainant returned from leave in 2008, she was updating a monthly report and she viewed that he had upgraded a Curator IV position to Manager I. Mr. Summers recalled that Complainant questioned him as to why the upgrade would be for Curator of Aviation (John Hill) and not her.

Mr. Summers stated that, unfortunately, it is a long-standing situation that the Complainant does not like fellow Curator IV John Hill, and Mr. Summers indicated that he was not surprised by her disparaging view of Mr. Hill. However, Mr. Summers stated that the work performed by John Hill related to Aviation was more complex and involved more responsibilities and, therefore, upgrading the position to Manager I was merited.

Mr. Summers agreed that in his conversation with the Complainant regarding the intent to upgrade the Curator IV position in Aviation, he did make a statement to the effect of "Why would I promote you, you haven't been here this past year". Mr. Summers stated his statement was a factual observation, and it was not intended or offered as a negative reference of Complainant's leave (FMLA).

Mr. Summers denies that he, at any time, implied he would seek to reclassify Complainant's position and/or promote her as Complainant alleges.

5. Airport Budget Office

This investigator contacted the Airport Budget Office on March 4, 2009. It was established that the department's proposed FY2009/2010 Operating Budget did include a position substitution for 3546 Curator IV to 0922 Manager I. The justification for this request is the following:

"One 3546 Curator IV to 0922 Manager I in AIREXHIBIT. When the San Francisco Airport Commission Aviation Library and Louis A. Turpen Aviation Museum opened in 2001, the scope of responsibilities for this position expanded to include the management and oversight of this new facility and related staff. These duties include supervision of a staff of two librarians and the Museum Manager, development of aviation exhibitions, management of the Oral History Program, liaising with aviation related support groups, developing the aviation collection primarily through donations, producing educational programs and publications and representing the Director/Chief Curator and Assistant Director as needed."

The Airport Budget Office identifies that the Airport Museums request to reclassify the Curator IV in Aviation position was submitted on November 17, 2008.

6. FMLA Job Benefits and Protection

The Family and Medical Leave Act provides that an employee returning to work from an FMLA/CFRA leave is entitled to be restored to the same position of employment (the one held by the employee when notice was given or the leave commenced) or to an equivalent position with equivalent employee benefits, pay, and other terms and conditions of employment.

Analysis:

Complainant has established that she engaged in the protected activity of taking FMLA leave and that she returned to work from such leave on April 2, 2008. The available evidence on this matter establishes that Complainant returned to the same work schedule (alternate Fridays off) and the same reporting structure she had before she went on leave; that she performed special projects before going on leave and that she resumed performing special projects after returning from leave.

The department agrees certain projects were reassigned to other staff while Complainant was on leave, but the evidence establishes that the majority of projects Complainant was responsible for, she continues to be responsible for.

Complainant has not established that she was denied the same or equivalent Curator IV position, with attendant special projects, that she occupied before she took FMLA leave in 2007.

Denial of Promotion

The facts establish that there was no position open for application for which the Complainant applied and was not selected.

The Aviation Curator IV position was approved for reclassification to Manager I. The reclassification was based on the level of responsibilities currently performed by the Curator IV in charge of Aviation. If the budget process allows for the reclassification to proceed and the Manager I position is announced and open for application, Complainant will have the opportunity to compete and be considered for the position.

Complainant contends that Blake Summers should be seeking to re-classify *her* Curator IV position. However, the Curator IV positions are significantly different in terms of responsibilities. The Curator IV in Aviation manages a sizeable program and staff. The Complainant's Curator IV position performs special projects as needed.

Timesheets, Vacation – Sick Leave

Complainant did not provide any specific examples of how her timesheets or vacation/sick leave requests were singled out for scrutiny. Complainant acknowledged she has not been denied any request to use vacation or sick pay and Complainant acknowledged she returned from leave to the same work schedule she had before she went on leave.

Allegation D: On July 1, 2008 Complainant was harassed and verbally reprimanded by Kathie Smookler, Executive Secretary to Blake Summers. Ms. Smookler accused Complainant of undermining Blake Summers and physically blocked Complainant's efforts to leave the office.

Summary of Relevant Evidence:

1. Complainant's Written Complaint

7/11/08 Letter

Complainant's letter of July 11, 2008 relays that on July 1, 2008, in her office at the Airport Museum's, she was verbally harassed and reprimanded by Kathie Smookler, Assistant to Blake Summers, and subjected to physical intimidation by Kathie Smookler.

Complaint alleges that her effort to organize a staff barbeque with a colleague, Tim O'Brien, was instead characterized by Kathie Smookler as being undermining, sneaky and disrespectful of Blake Summers.

Complainant alleges that Kathie Smookler's accusations on July 1, 2008 were extremely upsetting, such that when she tried to leave her office, Kathie Smookler blocked her way. Complainant alleges that as assistant to Blake Summers, Kathie Smookler is privy to knowledge of confidential matters, such as Complainant's previous discrimination complaint against Blake Summers and, therefore, Complainant considers the incident of July 1, 2008 with Kathie Smookler was retaliatory.
(See Exhibit A-7)

9/16/08 Summation

Complainant contends that on July 1, 2008, Kathie Smookler, secretary to Blake Summers, reprimanded and accused Complainant of being undermining, sneaky and disrespectful of Blake Summers and of placing a colleague, Tim O'Brien, in an awkward position by including him in her effort to organize a barbeque.

Complainant contends that Kathie Smookler was angry, unreasonable and accusatory and wouldn't let Complainant leave her office. Complainant identifies that Kathie Smookler subsequently apologized to her and Tim O'Brien on July 1, 2008, and Kathie Smookler admitted that she had over-reacted.
(See Exhibit A-9)

2. Interview of Complainant

Meeting of 9/17/08

This investigator met with the Complainant and her representative on September 17, 2008. Complainant stated that at approximately mid-day on July 1, 2008, Kathie Smookler, Executive Secretary to Blake Summers, came to her office, closed the door and asked her a series of questions regarding a planned July 4th Barbeque.

Complainant contended that Ms. Smookler's questions involved:

- "Why are you organizing the BBQ?"
- "Why are you putting Tim (Tim O'Brien) in the position of mediator?"

Complainant contends that Ms. Smookler's demeanor was hostile and antagonistic and her words were loud, angry and judgemental.

At one point, Complainant contends that she stood up, with the intent to go to Mr. O'Brien for assistance and clarification, and that Ms. Smookler wouldn't let her leave the office. Complainant contends that Ms. Smookler became increasingly upset and finally stormed out of her office. Complainant then sought out Mr. O'Brien and they both went to speak with Ms. Smookler.

Complainant stated that after discussion, Ms. Smookler apologized to them both and asked if they needed anything for the barbeque. Ultimately, Complainant and Mr. O'Brien decided not to have the barbeque.

Complainant explained that "verbal harassment", as she alleged in her letters of July 11, 2008 and August 8, 2008, related to words used by Ms. Smookler that conveyed harassment to the Complainant, such as "go-between", "mediator" and "undermining".

Complainant explained that "inappropriate discipline", as she alleged in her letters of July 11, 2008 and August 8, 2008, related to the fact that Complainant felt Ms. Smookler was reprimanding her and passing judgement by stating that Complainant was undermining Blake Summers.

Complainant explained that "inappropriate physical conduct", as she alleged in her letters of July 11, 2008 and August 8, 2008, related to the fact that Ms. Smookler closed the door to Complainant's office and blocked Complainant's efforts to leave, while standing in a confrontational pose (arms crossed).

3. Interview of Kathie Smookler

This investigator interviewed Kathie Smookler, 1452 Executive Secretary II, on January 12, 2009. Ms. Smookler stated that she has known and worked with the Complainant since 1990. Ms. Smookler indicated that, having known Complainant for as long as she has, she felt she could have a frank and honest discussion about the planned staff barbeque in 2008.

Ms. Smookler explained that Blake Summers is not as interested in social events as he is in ensuring that the work of the Museums is getting done. Ms. Smookler explained that previous staff barbeques have not been well planned or organized and not everyone was invited which resulted in certain staff feeling excluded. Also, Ms. Smookler explained that at a previous staff barbeque, a staff member had cut himself badly. Ms. Smookler pointed out that Facilities Maintenance staff have a barbeque and Museums staff could attend that function.

Ms. Smookler stated that on June 30, 2008, Tim O'Brien had come by the office to speak with Blake Summers, that she was also present, and that Mr. O'Brien had asked for permission for the barbeque to take place. Ms. Smookler indicated that Mr. O'Brien is very easy going but her sense was that he felt pressured to participate and pressured to

staff the grill. Ms. Smookler thought it odd that Complainant herself had not come by to ask for permission and so Ms. Smookler approached her the next day.

Ms. Smookler stated that based on her many years of working with Complainant, she thought she could speak plainly. Ms. Smookler stated that she asked the Complainant why she hadn't approached Blake Summers directly, as Tim O'Brien was put into an uncomfortable position. Ms. Smookler stated that she asked the Complainant why and how it was decided that Tim O'Brien would be stationed at the grill, as Tim O'Brien felt put-upon and felt he couldn't refuse when Complainant approached him about planning the barbeque. Ms. Smookler stated that she did stand by the door in Complainant's office and that she did insist the Complainant speak to her about the barbeque.

Ms. Smookler stated that she recognized her behavior and actions were inappropriate and she did subsequently apologize that day, twice, to both Complainant and Mr. O'Brien.

4. Department's Response

Written Response of 12/31/08

The department's written response of December 31, 2008 identifies that during the week of July 1, 2008, Timothy O'Brien, Curator III, approached Blake Summers about a barbeque being coordinated by the Complainant and he asked Blake Summers' approval to grill. Ms. Smookler was present in the office at this time. Both Blake Summers and Ms. Smookler had been unaware that this event was being planned.

Ms. Smookler asked Mr. O'Brien if he wanted to grill the food, as requested by the Complainant and he answered "not really" and stated that while he wouldn't volunteer to be the cook, it wasn't a huge imposition either. Both Ms. Smookler and Blake Summers were not scheduled to work the day of the planned event.

The next day, Ms. Smookler went to Complainant's office and she did use words such as "undermining" and "disrespectful", but her intent was to communicate the need to keep Blake Summers informed of such events. Ms. Smookler also voiced her opinion that it was inappropriate for Complainant to delegate Mr. O'Brien to be the cook as he had not volunteered for the task and he had more pressing matters to attend to.

Ms. Smookler admits that she was upset and that she stood in the doorway of Complainant's office when Complainant got up to leave the room. Ms. Smookler stated that she was attempting to discuss the situation openly and that she communicated several times that she simply wanted to speak with the Complainant.

Subsequently, Ms. Smookler did apologize for her behavior and the matter appeared to be resolved, though the event was subsequently cancelled. The department denied that this interaction amounted to harassment.

(See Exhibit E)

5. Interview of Timothy O'Brien

This investigator interviewed Mr. O'Brien on January 12, 2009. Mr. O'Brien is a 3544 Curator III with the Airports Museums. His responsibilities include conducting research and writing reports regarding exhibits, consulting with the department's curatorial board regarding possible exhibits and effecting loans of objects to the Museum. Mr. O'Brien reports to the Assistant Chief Curator and to Blake Summers. Mr. O'Brien supervises a Curator II employee.

Mr. O'Brien described that he has a good working relationship with the Complainant and Ms. Smookler. Mr. O'Brien described the Airport Museums as a very small workplace and he prided himself on getting along well with everyone.

While a small workforce, Mr. O'Brien stated that the Airport Museums is not a workforce known for social networking. Previous social events among employees have been informal and Complainant has been responsible for initiating social events. Previously, Mr. O'Brien staffed the grill at other barbeques and he felt that Complainant may have misperceived that he was invested somehow, in being the person to do the grilling. Mr. O'Brien stated that Complainant approached him about the Fourth of July Barbeque and he said "OK", even though he was not really interested in doing that. Complainant told him that she would bring the meat and he suggested that other staff also be asked to bring contributions.

After speaking with the Complainant, Mr. O'Brien did approach Blake Summers, as he was the manager and Mr. O'Brien felt it was important to let him know what was intended and receive his approval. Blake Summers was in his office with Kathie Smookler when Mr. O'Brien talked to him about the barbeque plans. Blake Summers did not object and Mr. O'Brien recalled that Ms. Smookler perceived that he was being put-upon, in being asked to do the grilling, though he indicated it was not a big deal.

Subsequently, Complainant came to see him and she was clearly upset, her voice was shaky, and she told him that she'd had a very unpleasant encounter with Ms. Smookler. Complainant relayed to him that Ms. Smookler claimed he was being forced into participating in the barbeque. He suggested that they both go and speak with Ms. Smookler to clarify any misunderstandings.

Mr. O'Brien stated that both he and Complainant went to speak with Ms. Smookler at her desk, where they politely discussed the miscommunication and he apologized for any impression he might have given regarding his participation in the barbeque. Mr. O'Brien stated that Ms. Smookler apologized to them both for over-reacting. Mr. O'Brien stated that at that point, he was not comfortable going forward. Complainant felt the same way and they both decided that they would not have the barbeque.

Mr. O'Brien stated that the Airport Museums is a very professional work environment with a diverse range of work styles among the different duties being performed. Mr.

O'Brien characterized both the Complainant and Ms. Smookler as being "strong personalities", and he regretted if there was anything in his communication between the two women that resulted in, or added to any confusion or miscommunication.

Analysis:

There is no dispute that Ms. Smookler and Complainant did indeed have a very unpleasant interaction on or about July 1, 2008. Ms. Smookler admits that her behavior was inappropriate and unprofessional and all parties do agree that she did subsequently apologize for the way she acted.

Complainant and Ms. Smookler continue to have a professional, cordial working relationship. The interaction in Complainant's office was a one-time occurrence. It has not been repeated. This one-time incident does not rise to the level of being severe and pervasive so as to establish hostile work environment harassment.

While Ms. Smookler, as confidential secretary to Blake Summers, was aware of Complainant's protected activity of filing a discrimination complaint against Blake Summers, there is no evidence that her behavior towards the Complainant on or about July 1, 2008 was as a result of Complainant's engaging in that protected activity.

Allegation E: On July 9, 2008 Complainant was confronted by Blake Summers, who accused her of being a problem, of being 'complaint-happy', of intimating that she should resign as her complaints were evidence that she was not happy in the workplace.

Summary of Relevant Evidence:

1. Complainant's Written Complaints

7/11/08 Letter

Complainant's letter of July 11, 2008 alleges harassment and retaliation on part of Blake Summers. Complainant alleges that on July 9, 2008, Blake Summers subjected her to unwelcome and offensive conduct, verbal harassment, intimidation, slander, unsubstantiated accusations, derogatory comments, denial of request for third-party witness and retaliation for filing a previous discrimination complaint.

Complainant recounts that on July 9, 2008, Blake Summers told her he had received a complaint about her from Carpentry staff, but did not provide her with more information. Previously, Blake Summers had told her in April 2008 that he had received a complaint about her from Electrical staff, but also did not provide her with any information.

Complainant contends that on July 9, 2008 Blake Summers told her he had a difficult time supporting her, given her reputation for being difficult to work with and not getting along with others. Complainant contends that on July 9, 2008, Blake Summers told her to come

into his office and then subjected her to unwelcome and offensive conduct and behavior which included verbal harassment, slander, unsubstantiated accusations, derogatory comments, denial of request for third-party witness and retaliation for her previous complaint against him.

(See Exhibit A-8)

9/16/08 Summation

Complainant's statement of September 16, 2008 alleges that on July 9, 2008, Blake Summers asked Complainant if she had had any altercations with Carpentry staff because the Assistant Deputy Director of Airport Maintenance had contacted him with a complaint about Complainant from Carpentry staff. Complainant contends Blake Summers would not give her additional details about the complaint.

Complainant alleges that she told Blake Summers that hearing about vague unsubstantiated complaints against her was becoming a disturbing pattern, as he had told her in April 2008 about complaints about her from the Electrical staff.

Complainant alleges that Blake Summers told her there had been several significant complaints against her. Once in his office, Complainant alleges that Blake Summers told her she was difficult to work with and that everyone knew she was difficult to work with. Complainant alleges Blake Summers told her he had a difficult time supporting her against Carpentry staff's complaint against her, as she was "complaint-happy" and noted the discrimination complaints she had filed. When Complainant asked for their meeting to include a third-party witness and participant, Complainant alleges Blake Summers told her he "wasn't going there".

Further, Complainant alleges that Blake Summers told her, "You've been a problem from the get-go" and that her actions, behavior and tone of voice were a continual problem. Complainant alleges Blake Summers told her, "Don't sit there all proper." He told her, "I can't change you, you never listen, I have been your strongest advocate." Complainant alleges Blake Summers told her, "You're unhappy here, look at the number of complaints you've filed, do you want to quit?"

Complainant states she was completely devastated by the discussion with Blake Summers on July 9, 2008 and she contends he was resentful of the complaints she had filed and implied strongly that he wanted her to resign (See Exhibit A - 9).

2/1/09 Statement

Complainant contends that Blake Summers harassed her on July 9, 2008 with unprofessional, inappropriate and unwelcome comments which were offensive and indicative of his desire that she resign. Complainant contends that she left Blake Summers' office concerned about her current and future employment with the City. (See Exhibit F)

Meeting of 9/17/08

This investigator met with the Complainant and her representative on September 17, 2008. Complainant alleges that on July 9, 2008, she went to Blake Summers' office, after he had come by her office while she was on the phone. At the doorway to his office, Blake Summers asked her, "have you had an altercation with Carpentry?",

Blake Summers explained that he had received a complaint from Carpentry staff about her. He asked her what involvement she'd had with Carpentry staff and Complainant answered that she'd had very little involvement. Complainant asked for more details of the complaint and Blake Summers said he didn't have more details. Blake Summers then said there had been 'several' and 'numerous' complaints about her. Complainant alleges that Blake Summers then asked her to close the door and Complainant did so and sat down.

Complainant stated that she asked him if he had backed her. Complainant alleges that Blake Summers responded that he had a difficult time supporting her, that he said, "look at all the complaints you've filed. You've been a problem since we were at El Camino. A problem from Day One. Look how complaint-happy you've been".

Complainant alleged that as he spoke, Blake Summers' voice was raising and his tone was becoming confrontational. Complainant became concerned and asked to have someone else present, and Blake Summers refused her request.

Complainant has to sit a certain way to be comfortable. Complainant stated that Blake Summers made a comment regarding the way she was sitting, Complainant alleges that he told her, "don't sit there, all proper...". Complainant asked him why she was just now hearing about problems with her. Complainant alleges that he continued with his 'tirade', saying, "look at the number of complaints you've filed, you're unhappy, do you want to quit?".

Complainant stated that she was shocked and offended at hearing Blake Summers basically say he wanted her out. Complainant excused herself, suggested that they perhaps have another meeting and left work early that day.

3. Department's Response

Written Response of 12/31/08

The department provided a written response dated December 31, 2008. The department states that in July 2008, Blake Summers had received a verbal complaint from the Facilities Deputy Director, Peter Acton, regarding Complainant's interaction with Carpentry staff. The department agrees that Blake Summers did not provide Complainant with specific details of the complaint, such as which staff had made the complaint, as he was concerned that Complainant would directly confront staff and aggravate the situation.

The department contends that the nature of the complaints were incidents where Complainant acted rudely and imperiously to Carpentry staff, such as referring to the Museums department as "my house", and stating to Carpentry staff that she would write to the Airport Director to get bigger carts for Carpentry staff.

The department contends that Mr. Acton's complaint was not the first that Blake Summers had received about Complainant from Facilities staff. The department contends that previously, Electric Shop staff complained that Complainant had acted rudely and was "bossy" in her interactions with staff and that Blake Summers had counseled her not to ask Facilities staff to perform work that they were not required to perform. There were complaints that Complainant would often demand that her work requests be attended to immediately, without considering other priority assignments.

The department contends that Blake Summers sought to have a frank and honest discussion with Complainant about her interactions with staff and denies that the intent was to harass or intimidate her as a form of retaliation. The department contends that Blake Summers did ask Complainant whether she was happy at her job, but that he did not accuse her of being "complaint-happy".

(See Exhibit E)

Written Response of 3/6/09

The department contends that after receiving a second complaint from the Facilities Division regarding Complainant's interactions with staff, Blake Summers did meet with Complainant in July 2008. The purpose of the meeting was to communicate and address complaints received by Facilities staff alleging rude behavior on part of Complainant.

The department denies that this necessary communication by Blake Summers was in any way harassing or in retaliation for her previous discrimination complaints or for taking FMLA leave, or as a result of her disability status.

(See Exhibit H)

Re-distribution of Airport Executive Directive

On February 5, 2009, the department's Executive Directive 99-05 was re-distributed to Senior and Management Airport staff.

The Executive Directive 99-05 involves the discrimination complaint process and reaffirms the rights of employees to file a complaint. The Directive also reaffirmed the prohibition regarding retaliation for having made a complaint.

(See Exhibit J)

4. Interview of Blake Summers

Interview of 1/12/09

This investigator interviewed Blake Summers on January 12, 2009. Mr. Summers stated that he received a call from Peter Action, the Facilities Director, who basically asked that the Complainant be kept away from his staff. Previously, Mr. Summers stated that he had gotten feedback from Facilities staff that they were not happy with Complainant and he had asked her to keep a low profile. With this second complaint, he spoke with her again. Mr. Summers stated that she was upset that he had not been supportive of her and that he wouldn't provide details of the complaints.

"You are unhappy here, look at all the complaints you have filed, do you want to quit?"

Mr. Summers stated that yes, he had made that statement. He stated that it was in the context of Complainant protesting that she gets along with everybody. He felt that he needed to speak frankly to her.

"complaint-happy"

Mr. Summers did not recall using these words, though he acknowledged that the 'jist' of it was true and it was based on her ready solution to complain to the Airport Director about a cart for Carpentry, and her attempts to complain on part of others (such as Tim O'Brien), and her own complaints.

"don't sit there all proper"

Mr. Summers was not certain he made such a comment, he stated he probably had but was not certain.

"problem from Day One", "can't change you, you never listen"

Mr. Summers stated that yes, he might have made those comments.

Mr. Summers stated that he considered himself a mentor to the Complainant and he was attempting to give her honest feedback about herself and her method of interacting with others and how others perceive her. However, Complainant became very defensive. Mr. Summers commented that Complainant has a healthy ego but she is also very fragile as she left his office in tears.

5. Complainant's Performance Appraisals, Personnel File

This investigator reviewed Complainant's personnel file on January 12, 2009. The Performance Appraisals on file were the following:

Dates	Class	Overall Rating	Comments
1. 7/1/05 to 6/30/06	3546 Curator IV	Exceeds Standards	
2. 7/1/04 to 6/30/05	3546 Curator IV	Exceeds Standards	
3. 01/01/03 to 6/30/04	3546 Curator IV	Exceeds Standards	"Occasionally has difficulty working with others." Recommendation: Improve Communication

4. 11/17/97 to 05/16/98	3558 Sr. Museum Registrar	Outstanding	
5. 11/17/97 to 02/16/98	3558 Sr. Museum Registrar	Outstanding	

Complainant has no record of any disciplinary action.

Analysis:

Complainant engaged in the protected activity of filing a discrimination complaint against Blake Summers in March 2008 (EEO File #1343). Blake Summers was well aware of Complainant's previous filing of a discrimination complaint that specifically named him as engaging in discrimination against her. His comments to Complainant on or about July 9, 2008 were seriously inappropriate.

However, Mr. Summers' comments were a one-time occurrence and were not severe or pervasive so as to alter the terms or conditions of Complainant's employment. Complainant did not experience any disciplinary action, demotion or loss of pay; any sudden unfavorable change in work shift, assignment, or responsibilities. In short, Complainant did not experience any tangible adverse employment action and she was not dissuaded from filing her subsequent complaints.

9. Recommendations

The department acknowledged the inappropriateness of Blake Summers' comments and reissued an Executive Directive regarding the right of employees to file complaints and the prohibition against retaliation. The department's re-distribution of key policies is a good start. However, the department needs to take the following steps:

- a.) Counsel the manager immediately. Mr. Summers needs to understand how inappropriate his comments were. Such counseling needs to include a clear and firm reiteration of the City's zero tolerance for retaliation.
- b.) Provide the manager with training. Mr. Summers needs to develop his skills in effective communication, establishing performance expectations; conducting accurate performance appraisals; and managing problem performance.
- c.) Propose mediation to both the manager and Complainant. The Airport Museums is a small division and the working relationship between Complainant and her manager is strained.

Recommendations Regarding Other Workplace Issues/Practices

- a.) Revise Sign-in Sheets for Airport Museums. The Airport needs to assist the manager in revising the Museums sign-in sheet so that employee hours are more accurately documented for all employees.

10. Attachments to Report

Attached to this report are the following Exhibits:

- Exhibit A: Letter of Complaint, 6/25/08 – Denial of Accommodation, Airport EEO
A-1 Letter of 8/11/08 - Denial of Accommodation, Airport EEO
A-2 Letter of Complaint, 6/25/08 - DHR, Airport EEO
A-3 Letter of 8/17/08. - DHR, Airport EEO
A-4 Letter of Complaint, 6/25/08 - Harassment, Denial of Promotion
A-5 Letter of 7/9/08 - Blake Summers
A-6 Letter of 8/23/08 - Blake Summers
A-7 Letter of Complaint, 7/11/08 – Kathie Smookler
A-8 Letter of Complaint, 7/11/08 – Blake Summers
A-9 Complainant's Summation of Complaints, 9/16/08

Exhibit B: DHR's Responses- 7/2/08, 7/23/08

Exhibit C: Charge Form, 12/8/08

Exhibit D: Charge and RFI, 12/10/08

Exhibit E: Response to RFI, 12/31/08

Exhibit F: Rebuttal Statement, 2/1/09

Exhibit G: Second RFI, 2/12/09

Exhibit H: Response to RFI, 3/6/09

Exhibit I: Airport Museums Timesheet

Exhibit J: Airport Policies



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

September 25, 2009

Ms. Sonya Knudsen
~~XXXXXXXXXXXXXXXXXXXX~~
San Francisco, CA ~~XXXXXXXXXX~~

RE: Complaint of Employment Discrimination
EEO File No. 1371

Dear Ms. Knudsen:

In accordance with the San Francisco Charter, § 10.103, the Human Resources Director shall review and resolve all allegations of discrimination. Your letter of complaint dated June 25, 2008 was reported to me and recorded as EEO File #1371.

You are a PEX Curator IV, Curator in Charge of Administration, with the Airport Museums. In your complaint, you allege that in retaliation for engaging in the protected activity of filing a previous discrimination complaint against him, Airport Museums Director Blake Summers and his assistant, Kathie Smookler, have retaliated against you by subjecting you to harassment which has created a hostile work environment, and Blake Summers has denied you promotion to a Manager I position due to retaliation and your gender (female).

A. Allegations

I. Harassment due to Retaliation

You allege that upon your return to work in April 2008, you were subjected to harassment in the form of:

- a. Excessive scrutiny regarding your timesheets and requests to use Vacation and Sick Leave.
- b. Having your work assignments redefined and restructured, having key duties reassigned to others and being placed in a supporting role. You allege violation of FMLA job restoration requirements because you did not return to work from leave to the exact same assignments.
- c. A confrontation with Kathie Smookler on July 1, 2008 where she verbally reprimanded you in a loud and intimidating manner and physically blocked your egress from your office when you attempted to leave.
- d. A confrontation with Blake Summers on July 9, 2008 where he verbally reprimanded you for filing complaints against him and asked you if you wanted to quit.

II. Denial of Promotion due to Retaliation and Gender (female)

You allege that you were denied promotion to 0922 Manager I in retaliation for previously filing a discrimination complaint against Blake Summers and that Blake Summers alluded negatively to the fact

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that you had been on leave when you inquired about the Manager I position. You allege that your manager had previously implied that he would be seeking a promotive reclassification for you and instead, is seeking to promote a male co-worker, the current Curator IV of Aviation.

B. Standards of Discrimination

Harassment- Hostile Work Environment

The standards for Harassment- Hostile Work Environment involve the following:

1. The Complainant is subject to physical, verbal or visual conduct on account of the Complainant's membership in a protected category;
2. The conduct is unwelcome; and
3. The conduct is sufficiently severe or pervasive as to alter the condition of the Complainant's employment and create an abusive working environment.

Retaliation

The standards for discrimination on the basis of retaliation involve the following:

1. The Complainant engaged in a protected activity;
2. The Complainant suffered an adverse employment action; and
3. There was a causal link between the protected activity and the adverse employment action.

Disparate Treatment Standard

1. The Complainant is a member of a protected category;
2. The Complainant has suffered an adverse employment action; and
3. The Complainant suffered an adverse employment action because of his or her membership in a protected category.

C. Investigative Findings

Harassment

a. Excessive Scrutiny: You did not provide specific examples of how your timesheets, vacation and/or sick leave requests were excessively or unreasonably scrutinized after your return from leave as opposed to before your leave, or as opposed to before you filed your discrimination complaints. You did not identify any specific instances where your timesheets were questioned, nor any specific instances where your vacation and/or sick leave requests were denied. In fact, you agreed that none of your leave, vacation or sick time usage requests have been denied.

Investigation established that the Airport Museums currently uses a timesheet method where all Museums staff merely note the number of hours worked each day. The Airport Museums contends that there was one occasion where Blake Summers asked you how you recorded time used to attend a medical appointment when that appointment wasn't recorded on your timesheet. There is no record of any dates or times of your attendance which have been contested, nor does the Airport Museums identify any dates or times of your attendance which have been contested.

Managers have a responsibility to ensure employees are accurately documenting their work time and it is possible that the Airport Museums may change the current method of daily sign-in by all employees in order to more accurately record employee time.

b. Change in Work Assignments: The essential functions of your Curator IV position are to perform special projects for the Airport Museums. Investigation established that during your leave in 2007, certain assignments were reassigned to other staff and that upon your return from leave in 2008 certain assignments remained reassigned to other staff. Investigation also established that you continue to be assigned special projects.

FMLA leave provisions entitle employees to be restored to the same or equivalent position and a department is entitled to reassign duties based on the operational needs of the department.

c. Confrontation with Kathie Smookler on July 1, 2008: Investigation established that Ms. Smookler did behave unprofessionally and inappropriately when she came into your office on or about July 1, 2008 and refused to let you leave your office.

Investigation also established, and you agree, that Ms. Smookler apologized to you that same day for her behavior and that Ms. Smookler has not repeated that behavior. Investigation established that Ms. Smookler does not supervise you, did not reprimand you nor does she have any authority to reprimand you, and that she does not come into regular contact with you except as may be required.

Confrontation with Blake Summers on July 9, 2008: Investigation established that comments made by your manager, Blake Summers, on or about July 9, 2008 were extremely upsetting to you and Mr. Summers' comments were inappropriate. However, the evidence did not demonstrate that this interaction was severe or pervasive as to alter the terms and condition of your employment; the comments did not dissuade you from exercising your right to file complaints; and there was no evidence of any tangible adverse employment action.

Denial of Promotion

Investigation established that there was not a promotive position that you applied for, competed for and were not appointed to. Investigation established that your manager submitted a request which was approved by the Airport Budget Office, based on the level of responsibilities and staff managed by the functions of the Curator IV in Charge of Aviation. The Curator IV in Charge of Aviation manages a sizeable program and staff. Investigation established that there is a marked difference in the level of responsibilities between the Curator IV in Charge of Aviation and your current Curator IV in Charge of Administration, which performs special projects as assigned.

The department's request for position substitution has not been actualized to date. Should the request to substitute a Manager I position for the Curator IV in Charge of Aviation continue to remain in the department's budget, the department will proceed with a selection process in which you will be free to participate. Blake Summers denies that he previously implied or promised he would seek a promotive reclassification for you.

Determination

I have reviewed the investigative report and I find that there is insufficient evidence to sustain your complaint of harassment, retaliation or disparate treatment.

Your manager's comments to you on July 9, 2008 are a serious concern. They were inappropriate and please be advised that by separate cover I am addressing that issue with Mr. Martin. The City and County of San Francisco stands firmly in supporting employee rights to file discrimination complaints without fear of retaliation or reprisal. The Airport has already taken action to re-distribute key Executive Directives affirming an employee's right to file a discrimination complaint without fear of retaliation or reprisal.

The decision of the Human Resources Director is final unless the decision is appealed to the Civil Service Commission, and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within thirty (30) calendar days of the postmarked date of this letter.

You may contact Linda Simon in the Department of Human Resources Equal Employment Opportunity Division at 557-4837 if you have any questions.

Sincerely,



Micki Callahan
Human Resources Director

cc: John L. Martin, Airport Director
Susan Kim, Airport EEO
Linda Simon, DHR/EEO

file

Gavin Newsom
Mayor



Micki Callahan
Human Resources Director

September 25, 2009

John L. Martin, Director
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128

RE: Complaint of Employment Discrimination
EEO File No. 1371

Dear Director Martin:

In accordance with the San Francisco Charter, § 10.103, the Human Resources Director shall review and resolve all allegations of discrimination. The purpose of my letter is to notify you of my determination in the complaint of discrimination filed by Sonya Knudsen, Curator IV in Charge of Administration, with the Airport Museums.

Beginning June 2008 Ms. Knudsen filed several complaints of retaliation alleging that she had been subjected to harassment which has created a hostile work environment and denied promotion due to retaliation and her gender (female).

Ms. Silvia Castellanos, Assistant EEO Manager, Department of Human Resources, completed the investigation and has submitted her report to me for a determination.

Investigative Findings

Allegation of Harassment due to Retaliation

Ms. Knudsen alleged that she was subjected to excessive scrutiny regarding her timesheets and requests to use vacation and sick leave; that her work assignments were redefined and restructured; that key duties were reassigned to others and she was placed in a supporting role; that the Airport violated FMLA job restoration requirements because she did not return to work in the exact same assignments; that she was verbally reprimanded by Kathie Smookler on July 1, 2008; and that she was verbally reprimanded by Blake Summers on July 9, 2008 for filing complaints against him.

However, Ms. Knudsen failed to provide specific instances where she was subjected to excessive scrutiny and the evidence established that none of her requests for vacation or leave have been denied and investigation did not establish any violation of FMLA job restoration requirements. Investigation established that the Airport Museums uses a sign-in sheet where employees simply record the number of hours worked per day. In order to more

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accurately reflect employees' work hours, the Airport Museums may want to consider alternate methods of taking attendance.

Investigation did not establish that Ms. Smookler harassed Ms. Knudsen.

Allegation of Harassment by Blake Summers

Investigation established that Blake Summers did speak inappropriately to Ms. Knudsen on July 9, 2008. Ms. Castellanos interviewed Mr. Summers on January 12, 2009 and Mr. Summers admitted to the following:

- He did make a comment to Ms. Knudsen regarding the complaints she had filed, "you are unhappy here, look at all the complaints you have filed, do you want to quit?";
- He may have made a comment to Ms. Knudsen along the lines of, "you've been a problem from Day One, I can't change you, you never listen".

These comments, on part of a manager, are a serious concern. However, they were a one-time occurrence, not severe or pervasive so as to alter the terms and conditions of Ms. Knudsen's employment and she was not dissuaded or 'chilled' from filing her subsequent complaints. The Airport EEO Office took action to re-distribute key EEO Executive Directives in February 2009. However, I would also recommend additional steps which include counseling Mr. Summers that an employee has a right to file complaints, and that the City prohibits retaliation for doing so. It is also apparent that the working relationship between Mr. Summers and Ms. Knudsen is strained and I would recommend that the department explore mediation for both Ms. Knudsen and Mr. Summers to re-establish a smoother working relationship with improved communication.

Allegation of Denial of Promotion

Ms. Knudsen alleged that her manager, Airport Museums Director Blake Summers denied her a promotion to Manager I while granting promotion to a male co-worker. Ms. Knudsen also alleges that Mr. Summers had previously implied he would seek a promotive position for her.

However, investigation established that there had not, in fact, been a promotion. Rather, the Airport Museums requested and was approved for a position reclassification which remains in the budget process. Should the department be able to fill the reclassified position, the Airport will implement a formal selection process to appoint the best qualified candidate and Ms. Knudsen will be welcome to apply and compete in the selection process. Mr. Summers denied that he previously implied or promised Ms. Knudsen a promotion and there was no evidence that a factual observation he made that she had not been in the workplace for a certain time, spoke to any bias or resentment on his part for the fact of her FMLA leave, when he has not denied Ms. Knudsen any request to use vacation, sick or FMLA leave time.

Determination

Based on a careful review of the investigative report, I have determined that there is insufficient evidence to sustain the charge of discrimination. A copy of my determination to Ms. Knudsen is enclosed.

The San Francisco Charter, § 10.103, provides that the decision of the Human Resources Director shall be final unless the decision is appealed to the Civil Service Commission, and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within thirty (30) calendar days of the postmarked date of this letter.

You may contact Linda Simon in the Department of Human Resources Equal Employment Opportunity Division at 557-4837 if you have any questions.

Sincerely,



Micki Callahan
Human Resources Director.

Enclosure
Letter of Determination - S.Knudsen

cc: Susan Kim, Airport EEO
Linda Simon, DHR/EEO

File

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December 31, 2008

VIA INTEROFFICE MAIL

Silvia Castellanos
DHR-EEO Assistant Manager
City and County of San Francisco
Department of Human Resources
44 Gough Street
San Francisco, CA 94103-1233

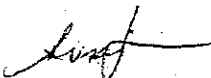
SUBJECT: Request for Information – Sonya Knudsen, 3546 Curator IV
DHR-EEO File No. 1371

Dear Ms. Castellanos:

The information enclosed is in response to the Request for Information submitted by the Department of Human Resources Equal Employment Opportunity Division (DHR-EEO) regarding the Charge of Discrimination filed by Sonya Knudsen, 3546 Curator IV, on July 11, 2008. The Airport Commission submits the following response and information regarding Ms. Knudsen's discrimination complaint against the City and County of San Francisco, Airport Museums, based on retaliation (i.e., denial of promotion and harassment).

Should you require additional information or have any questions, please do not hesitate to contact me at (650) 821-3592.

Sincerely,



Susan Kim
Assistant Manager
EEO Programs

cc: Gloria Louie, EEO Director

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Response to Complainant's Specific Allegations Listed in the Charge of Discrimination

- I. In March 2008 Ms. Sonya Knudsen filed a discrimination complaint against manager, Mr. Blake Summers, Director/Chief Curator-SF Airport Museums for November 2007 denial of reasonable accommodation. EEO informed Summers of complaint; Summers refused mediation June 2008. July 2008 DHR Director determination: insufficient evidence to support the charge; Knudsen filed appeal with Civil Service Commission.

On March 12, 2008, Ms. Knudsen filed a charge of discrimination against her supervisor, Blake Summers, Director and Chief Curator of the San Francisco Airport Museums ("Airport Museums"). In her complaint, Ms. Knudsen alleges Mr. Summers wrongfully denied her accommodation in November 2007 by refusing to allow her to return to work on a part-time schedule. Based on the investigative findings, the Human Resources Director determined there was insufficient evidence to substantiate Ms. Knudsen's allegation and dismissed the complaint on July 29, 2008. Ms. Knudsen subsequently filed a timely appeal of the Human Resources Director's determination on August 8, 2008. That appeal is now pending.

Mr. Summers states he met with Silvia Castellanos, DHR-EEO, regarding Ms. Knudsen's November 2007 complaint. During that meeting, it was agreed mediation would likely be unsuccessful and alternative dispute resolution was not pursued any further.

- II. Due to March 2008 complaint filing, Summers subjects Knudsen to harassment, disparate treatment, and intimidation upon April 2008 full-time return to work; second discrimination complaint filed by Knudsen against Summers in June 2008 regarding redefined and restructured work assignments, excessive scrutiny and interference, and denied promotion (0922 Manager I, from 3546 Curator IV). Summers' comment, "Why would I promote you, you haven't been here this past year?"

The Airport Commission denies Mr. Summers has, at any time, subjected Ms. Knudsen to harassment, disparate treatment, and/or intimidation. The Airport Commission also denies Ms. Knudsen's charge that Mr. Summers subjected her to excessive scrutiny and interference, wrongfully restructured her work assignments, or that he unlawfully denied her promotion.

Ms. Knudsen's main function as Curator IV in Charge of Administration is to perform special projects and duties, as assigned. Thus, her particular assignments can vary, depending on the department's needs.

From March 2007 to present, the majority of Ms. Knudsen's assignments have remained the same and are ongoing. During her leave of absence, however, certain projects requiring immediate attention were reassigned to other Airport-Museums staff. Barbara Geib, Curator in Charge of Registration, was assigned four of the eight reassigned tasks. These tasks were: creating the Risk Management monthly insurance report, overseeing FAMSF Conservation invoice administration, and creating exhibition schedule updates on both excel and on Filemaker. All are ongoing assignments which Ms. Geib continues to oversee.

Mr. Summers assigned Roman Korolev, Museum Preparator, three of Ms. Knudsen's projects during her leave of absence. Two of these projects were completed upon Knudsen's return to work. The Kids' Spot repairs is an ongoing assignment which Mr. Korolev continues to oversee. The remaining assignment, the Arts Commission maintenance installations project, has been assigned to a new employee hired specifically to manage this project.

In addition to the eight reassigned tasks/projects, Mr. Summers assigned Ms. Knudsen four special projects upon her return to work in April 2008: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. All projects, except for the completed Spruce Street storage move, are ongoing and are currently being performed by Ms. Knudsen. No "restructuring" or further changes have been made to Ms. Knudsen's work assignments since her return to work.

According to the Airport's records, Mr. Summers has not made any 0922 Manager I appointments since 2006. In May 2006, Mr. Summers appointed Abe Garfield from a class 3547 Curator V, to a lateral Manager I, Assistant Director of Exhibitions.

III. Manager's assistant, Ms. Kathie Smooklet, on July 1, 2008, harasses, intimidates, and physically blocks Ms. Knudsen in loud and aggressive manner accusing Knudsen of undermining Summers. Following that, on July 9, 2008, Summers informed Knudsen of Airport Facilities department complaints without providing details, and in a meeting in his office behind closed doors, accused Knudsen of being a problem from day-one, of having numerous complaints lodged against her, and of being "complaint-happy," denied Knudsen third party representation, saying, "he wasn't going there, like mediation downtown." Mr. Summers commented, "... don't sit there all proper..." knowing of Knudsen's accommodation needs. Specifically, Mr. Summers linked the complaints Knudsen filed with comment that she should resign, "...look at the number of complaints you've filed, you're unhappy, do you want to quit?"

Charge of Harassment against Kathie Smookler

During the week of July 1, 2008, Timothy O'Brien, Curator III, approached Mr. Summers about a 4th of July barbecue being coordinated by Ms. Knudsen. O'Brien felt it was important the Museums Director be made aware of plans involving his department, even though Knudsen had offered to purchase all the food for the festivities. Kathie Smookler, Executive Secretary to Summers, was also present during the conversation.

O'Brien informed Summers that Knudsen had approached him earlier, requesting that O'Brien grill meat for the barbecue. O'Brien asked Summers for his approval to grill. While Summers and Smookler had no previous knowledge of the planning of this event, Summers' response to O'Brien was, "I guess so." During the interaction, Smookler asked O'Brien if he wished to grill the food, as requested by Knudsen, and O'Brien responded, "not really." O'Brien states that while he normally would not have volunteered to participate as the event's cook, he felt it was not a huge imposition to do so. Both Smookler and Summers were not scheduled to work on the day of the event.

On the following day, Smookler was approached at her desk by Barbara Geib. Geib stated to Smookler, "They're planning the party now." Smookler then approached Knudsen in her office regarding the event. While Smookler does not deny using the words "undermining," and "disrespectful," during her interaction with Knudsen, she states the point of the exchange was not to harass or intimidate Knudsen, but to communicate the importance of keeping the Museums Director abreast of any plans involving his department. Smookler stated to Knudsen that she should have shown greater respect for Summers by informing him of any plans for a party, rather than coordinating for a staff luncheon during his absence.

Smookler was upset that Knudsen had taken it upon herself to coordinate the event without involvement of the entire department. She points out that in the past, some individuals have been excluded from the planning of holiday parties and, thus, would often not know of the event's occurrence until the day of. During her exchange with Knudsen, Smookler voiced that she felt it was inappropriate for Knudsen to recruit O'Brien to grill meat, as he clearly had not volunteered for the job and had more pressing work obligations to attend to.

Smookler admits she was upset during her interaction with Knudsen and that she stood in the doorway when Knudsen got up from her desk to leave the room. This action, however, was Smookler's attempt to discuss the situation openly, rather than trying to avoid the matter. At this time, Smookler communicated several times to Knudsen that she simply wanted to talk to her.

Knudsen departed the office to confront O'Brien. According to O'Brien, Knudsen was upset as she described the exchange that had just occurred between her and

Smookler. O'Brien suggested they meet with Smookler to clear up any misunderstanding. Both he and Knudsen approached Smookler. O'Brien stated to both of them that he no longer wished to participate in the barbecue and that he would feel more comfortable if, in the future, the planning of staff parties came from Summers' directive only. Smookler politely apologized to Knudsen for any confusion and the matter appeared to be resolved according to O'Brien. The following day, Smookler was informed the party had been cancelled.

The Airport Commission denies the July 2008 interaction between Ms. Smookler and Ms. Knudsen subjected Knudsen to harassment.

Charge of Harassment and Retaliation against Blake Summers

In July 2008, Mr. Summers had a meeting with Ms. Knudsen to inquire about her recent interaction with Airport Facilities staff, particularly staff from the Carpentry section. During this meeting, Summers asked Knudsen if there were any incidents to report regarding her recent work with the carpenters. Summers explained to Knudsen that he had received a complaint from Peter Acton, Facilities Deputy Director, regarding her most recent interaction with the Carpentry staff. Knudsen was not supplied specific details of the complaint, such as who reported the incident to Acton. Summers felt the situation may be aggravated by Knudsen's attempt to personally confront the carpenters about the complaint.

Summers was informed that Knudsen had made some unwelcome statements to the carpenters and had acted rudely in her interaction with them. Summers does not recall verbatim the statements reportedly made by Knudsen, but does recall Acton reporting that Knudsen referred to the Museums department as "my house" in her conversation with the carpenters. Additionally, it was reported that Knudsen, in referencing the electric carts used by the carpenters, stated to them, "I'll write a letter to John Martin (Airport Director) to get you a bigger car." After receiving this information, Summers felt it appropriate to meet with Knudsen, communicate the department's receipt of this complaint, and allow Knudsen an opportunity to present her side of the exchange. Knudsen denied any negative interaction with the Carpentry staff.

Knudsen inquired as to whether Summers came to her defense during his conversation with Acton and, according to Summers, became upset upon learning her actions were not defended by Summers. The Carpentry Shop complaint, however, had not been the first complaint received by Summers regarding Knudsen's abrasive interactions with Facilities staff. Several months before the carpenters' complaint, Acton informed Summers that Electric Shop staff were upset, complaining Knudsen acted very "bossy" and rude during their interactions with her. Staff stated Knudsen often demanded her work requests be attended to immediately, without consideration of other priority assignments.

After receiving the Electric Shop's complaint, Acton stated to Summers he did not

appreciate Knudsen's mistreatment of his staff. He stated that while his staff would gladly continue to complete assignments for the Airport Museums, Knudsen should not directly coordinate these projects and interfere with the work to be performed. Summers then communicated to Knudsen that she should "lay low" by not demanding Facilities staff to perform work beyond what is required of them. Several months later, the carpenters' complaint was received.

The purpose of Summers' July 2008 exchange with Knudsen was not to subject her to verbal harassment and/or intimidation, but to obtain information about her recent interaction with the carpenters. Summers does not recall discussing mediation during this meeting, or making any inappropriate statements referencing Knudsen's need for disability accommodation. While he inquired as to whether Knudsen was happy at her job, he does not recall accusing Knudsen of being "complaint-happy," as alleged. Summers did remind Knudsen of his earlier directive to her to request only that work which Facilities staff were required to perform.

Mr. Summers' paramount concern has been, and continues to be, that the Airport Museums maintain its ability to utilize the services of the Facilities Division and retain its positive working relationship with the crafts staff. The Airport Commission denies Ms. Knudsen's charge that Mr. Summers has subjected her to harassment and retaliation.

IV. Since April 2008 return to work, Knudsen has been subjected to discrimination, harassment, intimidation, disparate treatment, and retaliation from Mr. Summers and Ms. Smookler, working in an increasingly difficult, strained and hostile work environment, with fear for her continued employment.

The Airport Commission wholly denies Ms. Knudsen's charge that it has taken actions subjecting her to discrimination, intimidation, disparate treatment, and/or retaliation. At no time has Ms. Knudsen been subject to harassment, nor has she been wrongfully denied promotion, as alleged in her complaint.

Witnesses for the Department

The following witnesses may have relevant information for this investigation:

- Blake Summers, 0933 Director and Chief Curator
- Kathie Smookler, 1452 Executive Secretary II
- Timothy O'Brien, 3544 Curator III
- Abe Garfield, 0922 Manager I, Assistant Director of Exhibitions
- Peter Acton, Assistant Deputy Director, Facilities

Request for Information

1. Please see Attachment A for a list of the essential functions for Ms. Knudsen's 3546 Curator IV position. A general job description with important and essential duties for a Curator IV has also been attached. (See Attachment B) Please note the Airport Museums presently employs three (3) 3546 Curator IVs, each with independent responsibilities: Curator in Charge of Aviation (John Hill); Curator in Charge of Registration (Barbara Geib); and Curator in Charge of Administration and Museums Programs (Sonya Knudsen). As Curator in Charge of Administration and Museums Programs, Ms. Knudsen performs special assignments and related duties.
2. There have been no changes to Ms. Knudsen's essential functions as identified in Attachment A. While Ms. Knudsen's duty to perform assigned projects has remained the same, some changes have been made to her particular work assignments after March 2008. As explained above, upon her return to full-time work in April 2008, Mr. Summers assigned Ms. Knudsen four special projects: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. Projects 2-4 are ongoing and are currently being supervised by Ms. Knudsen, while the Spruce Street storage move has been completed. Eight of Knudsen's assignments were also reassigned to other Museums staff during her leave of absence, as these projects required immediate attention. Among these, two projects were completed upon Knudsen's return to work. The remaining six projects are ongoing. (See Attachment C for a written description of Knudsen's past/present work assignments and Response II for greater detail)
3. According to Airport Human Resources, Blake Summers has not made any 0922 Manager I appointments from March 2008 to present.

Scheduling of Interviews

The Airport's EEO Unit will gladly assist in the scheduling of interviews with Blake Summers, Kathie Smookler, and Timothy O'Brien during the week of January 12, 2009. The foregoing parties have been notified. Please contact Susan Kim at (650) 821-3592 with a tentative interview schedule for further coordination.

Referenced Documents

The following referenced documents have been attached:

- Attachment A: Essential Functions for Ms. Knudsen's 3546 Curator IV position.
- Attachment B: General 3546 Curator IV Job Description.
- Attachment C: List of Knudsen's ongoing work assignments and noted project changes post March 2008.

Kruidsen, S. vs. SFO

EEO File: 1371

INTAKE - 9/17/08, with Steve Pitocchi (Local 1021)

Incident of 7/1/08: K. Smookler, Executive Secretary (for B. Summers)

Time: mid-day on 7/1/08.

Duration: 10 – 15 minutes

Location: CP's Office.

K.Smookler closed the door to her office. K.Smookler asked her, "why are you organizing BBQ? Why are you putting T.O'Brien in position of mediator?" CP explained was one of the organizers, T.O'Brien had asked permission for BBQ, had a BBQ in 2006, not aware was problem for T.O'Brien, not aware it was a problem.

K.Smookler went on and on (she intimidates staff). CP did not react even though exchange was intimidating. K.Smookler said CP should talk directly with B.Summers. K.Smookler wanted to know who was behind BBQ. CP did not provide names. CP got up to go get T.O'Brien. K.Smookler wouldn't let her leave the office. K.Smookler got more and more upset and stormed out of the office.

- Both CP and K.Smookler were standing, with K.Smookler in front, blocking CP's way out of the office.
- K.Smookler raised her voice throughout conversation.
- K.Smookler's demeanor was hostile, antagonistic. Her words were loud, angry, judgemental.
- K.Smookler is about 5'5.
- CP not aware if anyone overheard.
- K.Smookler shows pattern and has harangued other staff. CP has filed complaints on others' behalf (late June).

CP went to T.O'Brien and asked if he had any difficulties with organizing the BBQ. He apologized and said he had gone to B.Summers and secured permission. In talking with T.O'Brien, CP discussed whether or not to have a BBQ. He suggested maybe they should go talk with K.Smookler. CP suggested they talk with K.Smookler and B.Summers, or maybe they should cancel.

They both went to talk with K.Smookler. K.Smookler apologized. K.Smookler said B.Summers did not like socializing. K.Smookler suggested they go to FOM for \$. K.Smookler asked, 'what do you need?'. CP suggested cups.

However, CP and T.O'Brien decided not to have the BBQ.

CP explained "**mediator**": as in go-between, as in why not talk with B.Summers? why undermine B.Summers.

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CP explained "**verbal harassment**": words that convey harassment such as K.Smookler's words of 'go-between', 'mediator', 'undermining', and how K.Smookler passes judgement.

CP explained "**inappropriate discipline**": felt that K.Smookler was reprimanding CP. K.Smookler was passing judgement, saying she (CP) was undermining.

CP explained "**inappropriate physical conduct**": K.Smookler closed CP's office door and blocked CP from leaving. K.Smookler was standing in a confrontational pose (arms crossed).

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Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

INTERVIEW SUMMARY

WITNESS: Kathie Smookler	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 12, 2009
Representative: None	
Location: SFO	Pages: 2

1. Currently 1452 Executive Secretary II. Report to B.Summers.
2. Do you have authority to reprimand S.Knudsen? No.
3. How would you describe your working relationship with S.Knudsen?

Has known S.Knudsen since 1990 (sympathetic to S.Knudsen's car accident of 2006- she had a car accident in 2000, came back pt...). Both she and B.Summers worked for the previous Museums Director, who was a woman.

4. The plans for a 7/4/08 BBQ. How did you first become aware of those plans?

T.O'Brien came by, late at night. She wondered why T.O'Brien was asking (if it was ok to have the BBQ) instead of S.Knudsen.

5. What happened when you discussed BBQ w/S.Knudsen?

The next day (after T.O'Brien came by), B.Geib (new Curator IV in Charge of Registration) went to her desk (to tell her of the BBQ). Did stand by the door, did insist that S.Knudsen speak about the BBQ and why she hadn't approached B.Summers and why she'd designated T.O'Brien to be at the grill, T.O'Brien felt put-upon.

6. What was S.Knudsen's reaction to the discussion?

She wanted T.O'Brien to come in to the conversation.

7. You then had a discussion with both S.Knudsen and T.O'Brien?

Yes. T.O'Brien said he did not feel put-upon to be at the grill. S.Smookler apologized, twice.

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8. Previous BBQ's for Museums staff? How organized?

Informally and not well-organized, certain staff (Abe Garfield) excluded, or not invited until day-of; 1 staff person cut themselves badly, generally held on Fridays when she and B.Summers are not there. FOM staff had organized a BBQ, Museum staff could go to that.

9. Any policy re social functions such as a BBQ?

Always have a Xmas party. True that B.Summers not very social, work is more important.

Documents from K.Smooker:

- Emails related to 4/24/06 incident.
(Material not relevant to this investigation. Involved privileged/confidential information. Maintained separately in manila envelope.)

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CONFIDENTIAL

DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT

REBUTTAL MEETING NOTES

COMPLAINANT: Sonya Knudsen	EEO File No./Name: #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 23, 2009 (9:00) 2.) March 27, 2009 (11:00)
Representative: S.Pitocchi	
Location: a. DHR, 1 South Van Ness	Pages: 5

1. Review of the basis and issues: Retaliation, Harassment due to Retaliation, Disparate Treatment.

2. Review of the Standards:

Retaliation

1. The Complainant engaged in a protected activity;
2. The Complainant suffered an adverse employment action; and
3. There was a causal link between the protected activity and the adverse employment action.

Harassment- Hostile Work Environment Standard

1. The Complainant is subject to physical, verbal or visual conduct on account of the Complainant's membership in a protected category;
2. The conduct is unwelcome; and
3. The conduct is sufficiently severe or pervasive as to alter the condition of the Complainant's employment and create an abusive working environment.

Disparate Treatment Standard

1. The Complainant is a member of a protected category;
2. The Complainant has suffered an adverse employment action; and
3. The Complainant suffered an adverse employment action because of his or her membership in a protected category.

S.Knudsen: the standards she's being assessed and judged under are different. Schedule? 6:30 - 4:00 pm, alternate Fridays off, with Mondays for Rotary lunches, Dr's appointments.

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Examples? Other Curator IV comes in "consistently late". V. Davis is Analyst for Museums, she's a resource for staff, she's unbiased and a neutral party, serves to clarify FMLA. She can give indication of B.Summers' response re CP's concerns.

Review of Allegations:

- A. Harassment, Denial of Promotion- Since RTW April 2008, work assignments have been redefined and restructured. Subjected to excessive scrutiny and interference. Denial of promotion to Manager I, "why would I promote you, you haven't been here this past year?"
- B. Harassment- 7/1/08 confronted by K.Smookler who was confrontational, aggressive, and physically blocked CP's egress from office.
- C. Harassment- 7/9/08 accused by B.Summers of "being a problem from day 1", of being "complaint-happy", of sitting there "all proper", of not being happy, perhaps she wanted "to quit?"

Correct. B.Summers' asked her specifically, "do you want to quit"? Regarding the promotion to J.Hill, 'why would I promote you?, you haven't been here' – reference to her leave.

Reviewed fact finding:

Work Assignments have been re-defined and re-structured (core job responsibilities no longer the same as prior to 3/2007. Key duties of monthly insurance reports to SFO Risk and updating and managing Filemaker Pro and Excel databases reassigned. Has been placed in a supporting role):

- The essential function of CP's position is to perform special assignments and related duties as assigned. Those essential functions have not changed.
- CP as resumed the same work schedule she had previously.
- Based on department need, some of CP's work assignments were reassigned, and CP was given new assignments upon her return from leave (storage move from Spruce St.; management of data migration database; management of collection appraisals requests for clarification; implementation of collection appraisals).
- CP continues to be assigned special projects.
- CP continues on same work schedule as before.
- During leave, certain assignments were reassigned to other staff. Manager can determine that those assignments will continue with other staff.
- Does not amount to tangible adverse employment action.
- Does not support Harassment, Retaliation.

V.Davis can offer insight- she was the first person to interact with B.Summers (duties upon return) as well as decision not to return her to work part time. CP spoke with V.Davis, brought her a spreadsheet, management was exceeded its right (to reassign work).

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Excessive scrutiny and interference:

- Per B. Summers, continues to work independently. CP not mentioned excessive scrutiny and interference to him, he's not aware of her concerns.

CP and representative took notes- will respond after they confer.

Denial of promotion to Manager I, "why would I promote you, you haven't been here this past year?:"

- B. Summers has not made any 0922 Manager I appointments since 2006, for Abe Garfield, who was a Curator V.
- B. Summers has requested a Manager I position be included in the department's budget for a provisional promotive appointment for a Curator IV employee, John Hill, to a Manager I. The Manager I position is currently in the department's budget, it has not gone through the complete approval process and the promotive appointment has not taken place.
- B. Summers did have a conversation with the CP where he explained he would not be recommending a promotive appointment for her. B. Summers explained to CP, in a frank and direct manner, that he does not feel she merits a promotion.
- B. Summers declined to recommend CP for promotion. There was no actual promotive position under consideration.
- Not situation where CP competed for a promotive position and was not selected.

CP and representative took notes- will respond after they confer.

Verbal harassment- comments were harassing, distressing and upsetting. Amounted to inappropriate discipline (reprimand). Improper physical conduct (blocking egress). Was retaliation.

- K. Smookler admitted her conduct/behavior was inappropriate.
 - K. Smookler has no authority to discipline CP.
 - K. Smookler apologized twice.
 - K. Smookler stated she only wanted to communicate concerns. K. Smookler felt that knowing CP as long as she has, she could be frank and direct.
 - K. Smookler has since been civil and professional.
 - K. Smookler does not assign/direct CP's work.
 - K. Smookler's interaction with CP on 7/1/08 was not disciplinary.
 - K. Smookler has no authority to discipline CP.
 - This was 1 instance. T. O'Brien confirmed K. Smookler apologized, was polite.
 - K. Smookler's behavior with CP was unprofessional.
 - K. Smookler did have knowledge of CP's engaging in protected activity (complaint actions).
 - K. Smookler not in position to take adverse employment action against CP. This was 1 instance. It was unpleasant, very unprofessional but does not rise to level of severe/pervasive. Does not support Harassment. Does not support Retaliation.
- Recommendation: Airport redistribute "Standards for Employee Conduct" policy.

CP and representative took notes - will respond after they confer.

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Unwelcome and offensive conduct, verbal harassment, intimidation, slander, unsubstantiated accusations, derogatory comments, denial of request for third party witness, retaliation.

- B.Summers did receive verbal complaints re CP's interactions from the Facilities Deputy Director, as conveyed by Carpentry staff.
- B.Summers did meet with CP in his office on 7/9/08.
- On 7/9/08 B.Summers did ask CP about her interactions with Carpentry staff.
- B.Summers did not provide CP with specific information regarding Carpentry complaints. B.Summers was concerned that situation would be aggravated by CP personally confronting staff about their complaints.
- As the manager, B.Summers wanted CP's feedback of her interactions with staff.
- As the manager, B.Summers' intent was to have a frank and honest discussion with CP about her method of interaction with others, which has been perceived as abrasive.
- B.Summers does not specifically recall calling CP "complaint-happy".
- B.Summers not certain he said "don't sit there all proper".
- B.Summers stated he *may* have said, "problem from Day 1, you don't listen, can't change you".
- B.Summers did say, "you are unhappy here, look at all the complaints you have filed, do you want to quit?".
- B.Summers recognizes and acknowledges that his manner hurt CP's feelings, he showed poor judgement.
 - Was not 'unwelcome and offensive conduct', 'verbal harassment', 'unsubstantiated accusations', 'derogatory comments'.

S.Pitocchi- pervasive (disregard) at Airport with the EEO process, based on other situations he's involved with.

Re this specific complaint, CP and representative took notes, will respond after they confer.

FINAL REBUTTAL MEETING March 27, 2009

1. Reviewed – I received her rebuttal statement of 2/1/09. Provided that statement to the Department. The Department responded on 3/6/09 and I have interviewed V.Davis (2/20/09).

CP stated "tone" of Museums interaction with her has been "inappropriate", B.Summers said he needed to have information re FMLA and she was forced to divulge information regarding her FMLA. CP stated managers need to attend FMLA/ADA training.

CP agrees she has not been denied FMLA. CP stated she continues in a very awkward and strained work environment and she hopes staff will recommend mediation. Re disparate treatment, if Museums is too small a comparison (similarly situated Curator IV's) then should be able to broaden that to overall Department workforce. Re the Manager I Aviation description, that's what John Hill has been doing.

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CONFIDENTIAL

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March 6, 2009

**VIA INTEROFFICE MAIL
& FACSIMILE**

Silvia Castellanos
DHR-EEO Assistant Manager
City and County of San Francisco
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103-1233

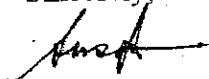
SUBJECT: Request for Information – Sonya Knudsen, 3546 Curator IV
DHR-EEO File No. 1371

Dear Ms. Castellanos:

The information enclosed is in response to your Request for Additional Information regarding the July 11, 2008 Charge of Discrimination filed against the San Francisco Airport Museums by Sonya Knudsen, 3546 Curator IV. Specifically, the information speaks to Ms. Knudsen's rebuttal statement dated February 1, 2009.

Should you require additional information or have any questions, you may contact me at (650) 821-3592.

Sincerely,



Susan Kim
Assistant Manager
EEO Programs

cc: Gloria Louie, EEO Director

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Response to Complainant's Rebuttal Statement of February 1, 2009

Sonya Knudsen, hereinafter "Complainant," alleges the following:

I. Attendance Standards

- Since returning to full-time work in April 2008, Complainant has been "unduly scrutinized and questioned" by Blake Summers, Chief Curator of the San Francisco Airport Museums ("Airport Museums") and Kathie Smookler, Executive Secretary to Summers, regarding Complainant's timesheets, use of vacation leave/sick leave, and Family Medical Leave Act (FMLA) requests.
- Other Airport Museums staff are not similarly held accountable or questioned.

Response

The Airport Commission denies Complainant's charge that she is being excessively scrutinized and questioned by Mr. Summers and Ms. Smookler regarding her timesheets, use of vacation/sick leave, and/or requests for FMLA leave. Further, Complainant has always been held to the same attendance standard applied to all Airport Museums staff.

Mr. Summers recalls questioning Complainant about her timesheet only one time. On this occasion, Complainant stated she was leaving to attend a doctor's appointment during regular work hours. After noticing that Complainant's timesheet failed to account for the time she was not present for work during her appointment, Summers approached Complainant. In response, Complainant stated she would either work late or come in early during the work week to make up the hours. Summers did not take issue with Complainant making up the time later in the week, and did not pursue the matter any further.

II. Denial of Promotion

- By planning and budgeting for John Hill's promotion from a Curator IV to a Manager I position, Mr. Summers is in violation of the merit system policies of the City and County of San Francisco (CCSF).
- Mr. Summers' intent to promote Mr. Hill, and not Complainant, evidences the Airport's bias toward Caucasian males in senior administrative staff positions.

Response

The Airport Commission denies Complainant's charge that Mr. Summers has taken actions in violation of the City's merit system policies.

Included in the Airport Museums' proposed budget for 2009-2010 (still pending approval by the Mayor's Office and Board of Supervisors), is a request for a position substitution of a Curator IV to a Manager I. If this substitution is approved, it will affect the requisition currently occupied by John Hill.

There are three individuals at Airport Museums holding the 3546 Curator IV position (John Hill- Curator in Charge of Aviation, Barbara Geib- Curator in Charge of Registration, and Complainant- Curator in Charge of Administration). While all share the same classification, their individual duties and responsibilities vary.

Mr. Hill's Curator IV position was selected for substitution because the duties and responsibilities associated with this position most closely match those expected to be performed by the proposed Manager I. Mr. Hill's present Curator IV duties and responsibilities are as follows:

- Direct and research development of approximately ten exhibitions annually on Airport and aviation history for the Airport Commission's Aviation Library and Louis A. Turpin Aviation Museum (ALM).
- Supervise work of Curator II in assisting with research and development of aviation related exhibitions.
- Direct and research identification and description of collection objects. Make recommendations for acquisitions and continually assess the appropriateness of all aspects of the aviation permanent collection.
- Liaise through outreach and public speaking between the Airport Commission and the airline/aviation/museums community to increase awareness of the ALM.
- Direct research of, and familiarization with, related collections of outside organizations and private sources and identify potential exhibition loan sources.
- Organize, train, and supervise the work of volunteers in the ALM.
- Retain membership with the Collections Review Committee, and the Operational Scheduling Committee.

Some of the duties and responsibilities for the proposed Manager I position are as follows:

- Oversee and direct the research and development of approximately ten exhibitions annually on Airport and aviation history for the ALM. Includes supervision of subordinate staff, such as the Curator II.
- Oversee and direct the development of aviation related exhibitions for new exhibitions program in renovated Terminal 2 space.
- Oversee and direct the development of new symposiums and publications relating to aviation exhibitions.
- Oversee and direct the development and production of educational programs and publications in conjunction with current exhibitions.
- Oversee and direct the development and launch of online library collection catalogue.
- Oversee and direct the development of special projects, such as the visitors' survey and public access database.
- Liaise between the Airport Commission and San Francisco Aeronautical Society Board of Directors, the nonprofit support group to the Airport

Museums.

- Oversee the management of ALM facility/staff/volunteers, including the ALM manager and head librarian. Oversee the coordination of ALM activities with other Airport divisions and managers, the daily operations of the facility, as well as special events.

The Airport Commission denies Mr. Summers has, in any way, compromised the competitive Civil Service selection process. Complainant's ability to apply and compete for the Manager I position remains intact, as Mr. Hill's placement in the position is not guaranteed. As with any Airport Commission employment vacancy, all qualified candidates will receive equal consideration for employment.

The Airport denies, and there is no information to support, the existence of an Airport bias favoring Caucasian males in the hiring and selection process for senior level jobs. The Airport Commission endorses a policy of fairness and equality for employment and career advancement of all people, without regard to race, color, religion, national origin, sex, age or disability.

III. Change of Responsibilities upon Complainant's return to full-time work

- Upon Complainant's return to work in April 2008, her job duties and responsibilities were altered in position scope, conditions, methodology, rank, and staff interaction.

Response

As Curator in Charge of Administration, Complainant performs a variety of special projects and duties for the Airport Museums. These projects are assigned to Complainant by Mr. Summers based on the department's needs.

Since March 2007 to present, the majority of Complainant's assignments have remained the same and are ongoing. Certain projects requiring immediate attention, however, were reassigned to other Airport Museums staff during Complainant's leave of absence. (See Attachment A for a list of Complainant's ongoing work assignments and noted project changes post March 2008) There were eight total reassigned tasks. In addition to performing her regular work, Barbara Geib, Curator in Charge of Registration, was assigned half of these tasks: creating the Risk Management monthly insurance report, overseeing FAMSF Conservation invoice administration, and creating exhibition schedule updates on both excel and on Filemaker. All are ongoing assignments which Ms. Geib continues to oversee.

Mr. Summers assigned Roman Korolev, Museum Preparator, three of Complainant's projects during her leave of absence. Two of these projects were completed upon Complainant's return to work. The Kids' Spot repairs is an ongoing assignment which Mr. Korolev continues to oversee. The remaining assignment, the Arts Commission

maintenance installations project, has been assigned to a new employee hired specifically to manage this project.

Upon her April 2008 return to work, Mr. Summers assigned Complainant four special projects: 1) coordination of the storage move from the Spruce Street warehouse location; 2) management of the data migration filemaker database; 3) management of the collection appraisals request for qualifications; and 4) implementation of the collection appraisals. All projects, except for the completed Spruce Street storage move, are ongoing and are currently being performed by Complainant. No other alterations have been made to Complainant's job duties and responsibilities.

IV. Standards for Employee Conduct and Employee Disciplinary Actions

- Mr. Summers failed to adhere to CCSF policies and procedures when, in April and July 2008, he verbally reprimanded Complainant regarding complaints that had been received against her from the Airport's Electric and Carpentry Shops.
- After her March 2007 car accident and related FMLA sick leave, disability status, and filing of discrimination complaints, Mr. Summers altered the terms and tone of Complainant's employment.

Response

In or around April 2008, Peter Acton, Facilities Deputy Director, informed Mr. Summers that Electric Shop staff were upset, complaining Complainant acted "bossy" and rude during their interactions with her. Staff stated Complainant often demanded her work requests be attended to immediately, without consideration of existing priority assignments. After receiving the Electric Shop's complaint, Acton stated to Summers he did not appreciate Complainant's mistreatment of his staff. He stated that while his staff would gladly continue to complete assignments for the Airport Museums, Complainant should not directly coordinate these projects and interfere with the work to be performed. In turn, Summers communicated to Complainant that she should "lay low" by not demanding Facilities staff to perform work beyond that required of them.

Several months later, in July 2008, a second complaint was received by Summers from the Airport's Carpenters Shop regarding Complainant. It was reported by Acton that Complainant had made some unwelcome statements to the carpenters and had acted rudely in her interaction with them. After receiving this information, Summers felt it appropriate to meet with Complainant, communicate the department's receipt of this complaint, and allow Complainant an opportunity to present her side of the exchange. During this meeting, Complainant denied any negative interaction with the Carpentry staff.

Complainant did inquire as to whether Summers came to her defense during his conversation with Acton and, according to Summers, became upset upon learning her

actions were not defended. During this meeting, Summers reminded Complainant of his earlier directive to her to request only that work which Facilities staff are required to perform.

Mr. Summers' paramount concern has been, and continues to be, that the Airport Museums maintain its ability to utilize the services of the Facilities Division and retain its positive working relationship with the crafts staff. The Airport Commission denies any wrongdoing concerning Mr. Summers' April and July 2008 meetings with Complainant. The purpose of the referenced meetings was not to intimidate, harass, discipline, or otherwise reprimand Complainant. Rather, the intention was to communicate and hopefully address the complaints received by certain Maintenance Division staff regarding their work interactions with Complainant.

The Airport Commission denies the charge that Mr. Summers has unlawfully altered the terms and tone of Complainant's employment based on her FMLA leave, disability status, and/or previously filed discrimination complaints.

V. Protected Categories

- Mr. Summers has and continues to penalize and discriminate against Complainant despite her protected category status.
- Complainant's skills and expertise are not being fully utilized by her supervisor, as she has been forced to take a secondary and passive role in her work style.
- There is a distinct CCSF and Airport bias favoring the employer rather than neutrality for both employer and employee in the CCSF discrimination complaint process.

Response

The Airport Commission denies Complainant's charge that she has been subject to discrimination and/or "penalized" based on her protected category status. The Airport Commission denies taking action forcing Complainant to modify her adopted work style, as Airport Museums staff are encouraged by management to take a proactive role in their approach to work. Further, there is no information to support the existence of a City or Airport bias favoring the employer. Thus, the Airport Commission denies Complainant's charge that the CCSF's discrimination complaint process is partial to the department employer in its implementation.

DHR-EEO Request for Information
Knudsen, Sonya
EEO File No. 1371
Page 7 of 7

Referenced Documents

The following referenced document has been attached:

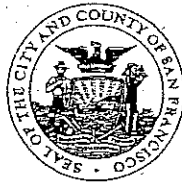
Attachment A: List of Complainant's ongoing work assignments and noted project changes post March 2008.

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ATTACHMENT A

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Gavin Newsom
Mayor



Micki Callahan
Human Resources Director

September 25, 2009

John L. Martin, Director
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128

RE: Complaint of Employment Discrimination
EEO File No. 1371

Dear Director Martin:

In accordance with the San Francisco Charter, § 10.103, the Human Resources Director shall review and resolve all allegations of discrimination. The purpose of my letter is to notify you of my determination in the complaint of discrimination filed by Sonya Knudsen, Curator IV in Charge of Administration, with the Airport Museums.

Beginning June 2008 Ms. Knudsen filed several complaints of retaliation alleging that she had been subjected to harassment which has created a hostile work environment and denied promotion due to retaliation and her gender (female).

Ms. Silvia Castellanos, Assistant EEO Manager, Department of Human Resources, completed the investigation and has submitted her report to me for a determination.

Investigative Findings

Allegation of Harassment due to Retaliation

Ms. Knudsen alleged that she was subjected to excessive scrutiny regarding her timesheets and requests to use vacation and sick leave; that her work assignments were redefined and restructured; that key duties were reassigned to others and she was placed in a supporting role; that the Airport violated FMLA job restoration requirements because she did not return to work in the exact same assignments; that she was verbally reprimanded by Kathie Smookler on July 1, 2008; and that she was verbally reprimanded by Blake Summers on July 9, 2008 for filing complaints against him.

However, Ms. Knudsen failed to provide specific instances where she was subjected to excessive scrutiny and the evidence established that none of her requests for vacation or leave have been denied and investigation did not establish any violation of FMLA job restoration requirements. Investigation established that the Airport Museums uses a sign-in sheet where employees simply record the number of hours worked per day. In order to more

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accurately reflect employees' work hours, the Airport Museums may want to consider alternate methods of taking attendance.

Investigation did not establish that Ms. Smookler harassed Ms. Knudsen.

Allegation of Harassment by Blake Summers

Investigation established that Blake Summers did speak inappropriately to Ms. Knudsen on July 9, 2008. Ms. Castellanos interviewed Mr. Summers on January 12, 2009 and Mr. Summers admitted to the following:

- He did make a comment to Ms. Knudsen regarding the complaints she had filed, "you are unhappy here, look at all the complaints you have filed, do you want to quit?";
- He may have made a comment to Ms. Knudsen along the lines of, "you've been a problem from Day One, I can't change you, you never listen".

These comments, on part of a manager, are a serious concern. However, they were a one-time occurrence, not severe or pervasive so as to alter the terms and conditions of Ms. Knudsen's employment and she was not dissuaded or 'chilled' from filing her subsequent complaints. The Airport EEO Office took action to re-distribute key EEO Executive Directives in February 2009. However, I would also recommend additional steps which include counseling Mr. Summers that an employee has a right to file complaints, and that the City prohibits retaliation for doing so. It is also apparent that the working relationship between Mr. Summers and Ms. Knudsen is strained and I would recommend that the department explore mediation for both Ms. Knudsen and Mr. Summers to re-establish a smoother working relationship with improved communication.

Allegation of Denial of Promotion

Ms. Knudsen alleged that her manager, Airport Museums Director Blake Summers denied her a promotion to Manager I while granting promotion to a male co-worker. Ms. Knudsen also alleges that Mr. Summers had previously implied he would seek a promotive position for her.

However, investigation established that there had not, in fact, been a promotion. Rather, the Airport Museums requested and was approved for a position reclassification which remains in the budget process. Should the department be able to fill the reclassified position, the Airport will implement a formal selection process to appoint the best qualified candidate and Ms. Knudsen will be welcome to apply and compete in the selection process. Mr. Summers denied that he previously implied or promised Ms. Knudsen a promotion and there was no evidence that a factual observation he made that she had not been in the workplace for a certain time, spoke to any bias or resentment on his part for the fact of her FMLA leave, when he has not denied Ms. Knudsen any request to use vacation, sick or FMLA leave time.

Determination

Based on a careful review of the investigative report, I have determined that there is insufficient evidence to sustain the charge of discrimination. A copy of my determination to Ms. Knudsen is enclosed.

The San Francisco Charter, § 10.103, provides that the decision of the Human Resources Director shall be final unless the decision is appealed to the Civil Service Commission, and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within thirty (30) calendar days of the postmarked date of this letter.

You may contact Linda Simon in the Department of Human Resources Equal Employment Opportunity Division at 557-4837 if you have any questions.

Sincerely,



Micki Callahan
Human Resources Director.

Enclosure
Letter of Determination - S.Knudsen

cc: Susan Kim, Airport EEO
Linda Simon, DHR/EEO

File

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INTERVIEW SUMMARY

WITNESS: Blake Summers	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) January 12, 2009, 9:00 am
Representative: None	
Location: SFO	Pages: 2

1. Upon her RTW April 2008, how was SKnudsen informed of her assigned projects? Did you meet with S.Knudsen?
She had a list, before leaving, of active assignments; she was given a list, when she returned.
2. Since her RTW April 2008 has S.Knudsen informed you that she considers her work assignments "restructured/redefined"? ("providing monthly insurance reports to SFO Risk Management, updating and managing FilemakerPro and Excel databases re permanent collection and exhibition schedules", as opposed to working directly with supervisor to plan/develop and implement database improvements).
ing database, managing insurance had been moved with SKnudsen; while she was gone had started working on new database; SKnudsen has been doing database clean-up, did not have decision-making responsibilities ("plan/develop"). Her work was dictated by needs of the department and those shift and vary. S.Knudsen used to be Chief Registrar, responsible for objects, then assigned her to more administrative tasks and B.Geib now runs Registration.
3. Has she complained to you of "excessive scrutiny and interference"?
No, she works independently.
4. Promotions - Has S.Knudsen spoken to you re a promotion? When, what was context of discussion?
In updating monthly report, she saw that he had upgraded Curator IV to Manager I (it's in the budget but hasn't gone through yet). Museums has shrunk in staffing, has had 1 Manager I (Curator V, Abe Garfield); she questioned him as to why not upgrade for her. Proposed upgrade is Aviation Curator. It hasn't happened yet, not a done deal, for next FY, currently Curator of Aviation is John Hill.
5. Did you state to S.Knudsen, "why would I promote you, you haven't been here this past year?"
That was at the same discussion (on July 9, 2008? Took place last year, towards late Spring or early Summer) regarding John Hill and the upgraded Curator position. The context was, S.Knudsen criticized J.Hill and promoted herself. His work and responsibilities merit promotion- his work is more complex, more responsibilities are involved.
6. There were initial plans for a 7/4/08 BBQ. How did you first become aware of these plans?

Through T.O'Brien, he used to be on the Museum crew. The BBQ was not an issue, it wasn't a big deal. K.Smookler voiced concern about it, had an air of exclusion. There were social functions before (at SFAM), they weren't well-organized and people felt excluded. Re K.Smooker's conversation with S.Knudsen: Became aware of it through K.Smookler, she called him over the weekend and G.Louie let him know S.Knudsen had filed a complaint on part of T.O'Brien, where he wasn't interested in filing a complaint. K.Smookler said she may have over-reacted.

7. Ever state to S.Knudsen, "you are unhappy here, look at all the complaints you have filed, do you want to quit?"

I got a call from P.Acton, he was asking me to keep her away from his people. He'd gotten feedback from Facilities that they weren't happy with her and he asked her to keep a low profile. S.Knudsen wanted to know the details, she felt he wasn't being supportive.... Statement true, in context of her protesting she got along with everybody, and he spoke frankly. She didn't ask for a 3rd party witness, she talked about mediation as a 3rd party, not having someone come into the meeting then and there.

"complaint-happy"?

Don't recall using those words, jist of it is true, context was, why would he think she was complaining to the Director about the cart; he was talking about the written complaints (denial of accommodation and about T.O'Brien).

"don't sit there all proper"?

Probably, not certain...

"problem from day 1"? "can't change you, never listen"?

Yes, might have said that..

S.Knudsen very much into self-help, trying to grow, he was her mentor. She became very defensive. He was honest in his feedback. She has a healthy ego but also very fragile, she left in tears. He didn't mean to upset her.



CONFIDENTIAL

DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT

INTERVIEW SUMMARY

WITNESS: Blake Summers	EEO File No./Name: Knudsen, Sonya vs. Airport Museums #1371
Investigator: Silvia Castellanos	Date(s): 1.) September 23, 2010
Representative: None	
Location: 1 South Van Ness Avenue (Phone Interview)	Pages: 2

1. What triggered the discussion with S.Knudsen in July 2008?

Peter Acton, in charge of Maintenance (within Facilities Department), is a fellow manager. P. Acton told her "keep her away from my people" basically. There had been a specific incident where a crew had been on-site, had not checked in with her, been a back/forth, which she had not told him about and then she had teased the crew member about his cart, something like, "if you need to get a real truck, I can talk to John Martin...". The maintenance staff (electrician? Carpenter?) was upset. This was not the first time* that P. Acton had said the same thing. She needed to interact with maintenance crews, the Museum needs to have a good working relationship with maintenance. His intention was to convey, 'keep your head down', convey a 'heads-up', to not have more interaction with maintenance than was necessary to do her job.

She wanted to know details, exactly who had complained about her? He did not give details, concerned situation would escalate.

He began conversation in hallway outside his office, she immediately became upset, said she felt he wasn't being supportive of her so he invited her into his office so they wouldn't have a public conversation. His intention was not to upset her. His comments were true, she hadn't been happy, she'd outgrown her position. She started saying how supportive she'd been (of him) and that wasn't true, otherwise she wouldn't have filed all those complaints. He felt her statement or comment, that she'd supported him, was not accurate. His comments weren't related to her leave or in retaliation for her complaints. What she said wasn't true, she hadn't been supportive of him.

2. "Mentor"- a formal arrangement?

No not a formal arrangement. Previously, they'd always had that relationship, she respected him, she was in his office discussing stuff, asking for his advice. They'd worked together since 1997, since the

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previous Museums Director. Sometimes their discussions were of a more personal nature, such as how to talk to someone, how not to ruffle feathers. They are polite and professional, he says "hello", "good morning". He's assigned the Curator IV's to Abe Garfield.

***Note: Per Airport response of March 6, 2009: On or about April 2008, P.Acton, Facilities Deputy Director informed B.Summers that Electric Shop staff were upset. S.Knudsen had acted "bossy" and was rude with Shop staff. Shop staff complained that S.Knudsen was demanding and inconsiderate regarding their prioritization of assignments. P.Acton told B.Summers that Shop staff would continue to complete projects for the Airport Museums but he did not appreciate the mistreatment of his staff and S.Knudsen should not directly coordinate these projects and interfere with work of the Shop staff.**

In July 2008, B.Summers received a second complaint from P.Acton relating to Carpenter Shop staff complaining that S.Knudsen had acted rudely.)

SFO Museum staff name	Previous position	Promotive Position	Promotive Year
Blake Summers	0940 - Manager V	0941- Manager VI	2008
Abe Garfield	3547 - Curator V	0922 - Manager I	2006
Abe Garfield	0922 - Manager I	0923 - Manager II	2009
John Hill	3546 - Curator IV	0922 - Manager I	2010
Timothy O'Brien	3544 - Curator III	3546 - Curator IV	2010
Sonya Knudsen	3558 - Senior Museum Registrar	3546 Curator IV	1999

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**City
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Performance Appraisal Report

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Identification

1 Last Name, First Name, Middle Initial Knudsen, Sonya	2 Class No and Title 3546 Curator IV		3 Status PEX
4 Work Location and Division COO Museums	5 Department AIRPORT COMMISSION	6 Reason for Report Annual	7 1 st Date in Class 11/29/1999
	8 Period of Report From 7/1/2008 to 6/30/2009		9 Probation Ends

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I. Duties and Responsibilities / Performance Criteria

Sonya Knudsen, Curator in Charge of Administration and Special Projects:

- Responsible for computer database maintenance, i.e., "scrubbing" of the Collections Database.
- Facilities manager for 30,000 sq. ft. office/storage facility and 25 exhibition and storage sites.
- Responsible for scheduling routine maintenance for the San Francisco Airport Museums West Field Road facility as well as the Airport terminal galleries and storage facilities.
- Identifies and schedules emergency maintenance as necessary.
- Responsible for the security alarm systems, and interfaces and coordinates alarm maintenance with FOM Electricians.
- Schedules and monitors quarterly weekend floor cleaning and sealing maintenance at 670 West Field Road facility.
- Responsible for the daily monitoring of climatic conditions in all galleries throughout the Airport terminals.
- Liaison with the Airport Fire Marshall and coordinates safety inspections for 670 West Field Road facility.
- Responsible for creating the monthly activity report for the Director and Chief Curator.
- Acts as a member of the Airport Museums' Collections Review Committee.
- Related duties as required/requested by Director and Chief Curator.

Definition of Ratings

Use the following definitions to identify employee's level of performance when rating factors in Sections II, III and IV.

Competent and Effective	Performs assigned duties in an acceptable level through demonstrated application of skills.
Exceeds Standards	Performs assigned duties in a manner indicating exceptional understanding of essential functions. Results achieved are often better than expected of performance rated "Competent and Effective," but not of such uniqueness as to warrant an "Outstanding" rating.
Outstanding	Performs assigned duties in a manner demonstrating mastery at every level of major responsibility. Results achieved are well beyond the level of performance rated "Exceeds Standards."
Development Needed	Performance in one or more areas does not meet the requirement for a "Competent and Effective" rating. Improvement is required if acceptable results are to be achieved.
Unacceptable	Even under close direction, performance does not demonstrate the ability and/or willingness to produce required results.

II. Performance Factors (Required for all employees)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Attendance and Punctuality				
Good observance of work hours; only routine absence from work <input type="checkbox"/>	Very punctual and dependable <input checked="" type="checkbox"/>	Extremely punctual and dependable <input type="checkbox"/>	High rate of lateness and/or absence from work <input type="checkbox"/>	Excessive and persistent pattern of lateness and/or absence from work <input type="checkbox"/>
2. Knowledge of Job				
Well-informed on important phase of the job <input type="checkbox"/>	Well-informed on all phases of the job <input checked="" type="checkbox"/>	Exceptional knowledge and understanding of the job <input type="checkbox"/>	Lacks knowledge of some important phases of the job <input type="checkbox"/>	Insufficient knowledge to perform the essential job requirements <input type="checkbox"/>
3. Quantity of Work Performed				
Quantity of work meets essential job requirements <input type="checkbox"/>	Quantity of work often exceeds job requirements <input checked="" type="checkbox"/>	Quantity of work consistently exceeds job requirements <input type="checkbox"/>	Quantity of work does not meet job requirements in some areas <input type="checkbox"/>	Quantity of work fails to meet essential job requirements <input type="checkbox"/>
4. Quality of Work Performed				
Quality of work meets essential job requirements <input type="checkbox"/>	Quality of work often exceeds job requirement <input checked="" type="checkbox"/>	Quality of work consistently exceeds job requirements <input type="checkbox"/>	Quality of work does not meet job requirements in some areas <input type="checkbox"/>	Quality of work fails to meet essential job requirements <input type="checkbox"/>
5. Effectiveness in Working with Others				
Work effectively with others <input checked="" type="checkbox"/>	Works effectively with others under difficult circumstances <input type="checkbox"/>	Actively promotes good relations with others <input type="checkbox"/>	Occasionally has difficulty in working with others <input type="checkbox"/>	Serious inattention to needs of others and/or continued conflict with others <input type="checkbox"/>
6. Adaptation to Work Situations				
Effectively adapts to day-to-day demands of the job <input type="checkbox"/>	Performs well even under pressure in difficult situations <input checked="" type="checkbox"/>	Performs effectively in crisis situations <input type="checkbox"/>	Performance consistently declines in other than routine situations <input type="checkbox"/>	Does not adapt to routine demands of the job <input type="checkbox"/>
7. Use of Materials and Equipment				
Routinely conserves materials and/or maintains equipment <input type="checkbox"/>	Obtains maximum utilization of materials and/or equipment <input checked="" type="checkbox"/>	Develops improved techniques for the use of materials and/or equipment <input type="checkbox"/>	Occasionally wasteful and/or careless <input type="checkbox"/>	Unacceptably wasteful and/or careless <input type="checkbox"/>
8. Safety				
Routinely observes all safety practices <input type="checkbox"/>	Identifies and reports safety hazards <input checked="" type="checkbox"/>	Consistently identifies safety hazards and initiates corrective action <input type="checkbox"/>	Occasionally disregards safety practices <input type="checkbox"/>	Seriously disregards safety practices <input type="checkbox"/>
III. Managerial Factors (Required for all supervisory personnel)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Communicating				
Usually communicates clearly and produces effective level of understanding <input type="checkbox"/>	Frequently uses language skills to promote optimal level of clarity and understanding <input checked="" type="checkbox"/>	Consistently uses language skills to manage interpersonal problems effectively <input type="checkbox"/>	Sometimes fails to communicate clearly resulting in misunderstanding and/or confusion <input type="checkbox"/>	Serious and/or persistent problems using language skills <input type="checkbox"/>
2. Planning				
Develops necessary goals and plans and evaluates results <input type="checkbox"/>	Identifies potential problems and develops contingency plans <input checked="" type="checkbox"/>	Plans creatively to optimize use of all resources <input type="checkbox"/>	Poor attention to planning and/or inefficient use of resources <input type="checkbox"/>	Serious inattention to planning and/or extremely weak in utilizing resources <input type="checkbox"/>
3. Decision Making				
Usually demonstrates sound evaluation or factors in routine matters <input checked="" type="checkbox"/>	Demonstrates exceptional ability to solve difficult problems <input type="checkbox"/>	Consistently demonstrates ability to solve problems of a highly complex nature <input type="checkbox"/>	Sometimes overlooks and/or misjudges basic factors in routine matters <input type="checkbox"/>	Serious inattention to decision making; Decisions produce poor results <input type="checkbox"/>
4. Directing and Motivating Employees				
Effectively directs the work of employees <input type="checkbox"/>	Motivates employees to achieve high performance <input checked="" type="checkbox"/>	Identifies employee potential and provides opportunities for optimal performance <input type="checkbox"/>	Has difficulty in directing and/or motivating employees <input type="checkbox"/>	Serious inattention to directing and/or motivating employees <input type="checkbox"/>
5. Training and Developing Employees				
Makes provisions for employees to acquire necessary job skills and knowledge <input type="checkbox"/>	Encourages employees in career development <input checked="" type="checkbox"/>	Actively provides employee training and development opportunities <input type="checkbox"/>	Sometimes fails to provide needed training or job information to employees <input type="checkbox"/>	Serious inattention to employee training needs <input type="checkbox"/>
IV. Overall Evaluation				
Competent and Effective <input type="checkbox"/>	Exceeds Standards <input checked="" type="checkbox"/>	Outstanding <input type="checkbox"/>	Development Needed <input type="checkbox"/>	Unacceptable <input type="checkbox"/>

V. Comments. *Must be completed according to instructions.*

A. Facts/Specific Performance Documentation: *Adequate and accurate documentation is required. (Attach additional pages as necessary.)*

Ms. Knudsen has been helpful and dedicated with the maintenance and "scrubbing" of the Airport Museums' newly designed Collections Database system. Ms. Knudsen has done an excellent job of maintaining the facility at 670 West Field Road, and has developed and maintained a good-working relationship with the various departments at FOM.

B. Employee Strengths: Eagerly accepts and completes all assignments and diligently approaches all tasks that she is responsible for. Ms. Knudsen identifies potential maintenance issues/repairs at the 670 West Field Road helping to avoid emergency assistance. She is well connected with the many varied Maintenance departments and successfully uses those relationships in maintaining the Airport Museums facility.

C. Work Plan for Next Report Period: Please see the new 09/10 Appraisal Report.

D. Recommendations:

VI. Reporting Manager

1 Name, Work Address Blake Summers 670 West Field Rd.	2 Class No and Title 0941 Director and Chief Curator	3 Conference Report With (Manager's Signature) 8-25-09
	4 Date of Report 7/29/09	5 Signature <i>[Signature]</i>

VII. Employee's Statement *(See Handbook for Statement of Employee Rights)*

1 <input type="checkbox"/> I agree with this report.	2 Date of Counseling Interview 8/25/09
<input checked="" type="checkbox"/> I do not agree with this report. Section _____ Number _____	3 Signature certifies that I have read report <i>[Signature]</i>
<input type="checkbox"/> I request a conference with the Reviewer.	
<input checked="" type="checkbox"/> Rebuttal Attached. PLEASE SEE PREVIOUS PAR	

VIII. Reviewer's Certification

1 Name, Work Address	2 Class No and Title 7/30/09	3 Date of Conference Initials of those Present
	4 Date of Report	
5 <input checked="" type="checkbox"/> I certify I have reviewed the report <input type="checkbox"/> I have taken the following action:	6 Signature <i>[Signature]</i>	

TO: Blake Summers, SFAM Director and Chief Curator

FROM: Sonya Knudsen, SFAM Curator in Charge of Administration / Special Projects

DATE: 16 August 2009

RE: rebuttal to be attached to FY08/09 CCSF Performance Evaluation Report

Re our 29 and 30 July 2009 meetings to review and discuss my FY08/09 CCSF Performance Evaluation Report (PAR), while your overall report rating of "Exceeds Standards" acknowledges my contributions and value to the San Francisco Airport Museums (SFAM), I do not agree with particular sections noted below and submit this rebuttal to be attached to my FY08/09 PAR.

Section I, Duties and Responsibilities / Performance Criteria

While FY08/09 duties listed provide indication of facility management responsibilities crucial to SFAM operations, there have also been administration and special projects responsibilities. Some examples include:

- In addition to "scrubbing" data in FilemakerPro exhibition and permanent collection databases, an essential accomplishment was providing an overall assessment report re the structure, field content and SFAM staff usage of both databases to aid the outside vendor, Soliant, resulting in a time-sensitive, seamless migration into a new, combined collection management database.
- Acting as liaison and mentor for newly hired Assistant Registrar for San Francisco Art Commission permanent collection and pertinent SFO personnel, inclusive of Maintenance and Duty Managers.
- Working with SFO Risk Manager to provide Airport Commission packet re recommendation report for outside assessment and appraisals of San Francisco Art Commission and San Francisco Airport Museums permanent and exhibition collections, in adherence to CCSF, AAM, and ASA standards.

Sector II, Performance Factors, #1: Attendance and Punctuality

I have been at SFAM since 1997 and in all my PARs, from the first one in FY97/98 up to FY05/06, the last one on file, I have always had a rating of "Outstanding" for Attendance and Punctuality. Your initial FY08/09 rating of "Competent and Effective" then was surprising, and your comments indicated that I was marked down two levels because of FMLA leave absences, related medical appointments, and once a week attendance to Burlingame Rotary lunch meetings, comparing my attendance to pre-FMLA and to your own example of dental appointments scheduled every six months.

FY08/09 attendance criteria then seems to be that I had more absences than in prior years, but reduced work hours was due to the necessity of CCSF-approved FMLA leave and related medical appointments. After I explained that FMLA absences and related medical appointments were not applicable to attendance criteria, and that I worked hours beyond my compressed schedule to offset medical appointments that could not be scheduled after hours as well as once-a-week attendance at Burlingame Rotary lunch meetings, you upgraded my rating to "Exceeds Standards," a rating I still think inappropriate, seemingly a demotion from prior PAR ratings, and not performance based.

Section II, Performance Factors #5: Effectiveness in Working with Others

When I requested an example for the criteria in rating my effectiveness in working with others, you referred to my involvement with SFAM staff. My core administrative and facility management responsibilities are more closely tied to you and somewhat independent from SFAM staff, with far more interaction and collaborations with SFO personnel, e.g., Facilities, Maintenance, Engineering, Risk Management,

Emergency Operations, Fire, Police, et al. Because I have established and sustained positive and constructive relationships with SFO personnel, I am able to streamline completion of SFAM projects and expand peer support. Some examples include:

- Worked with SFO Storeroom, Pavement and Grounds, and Carpentry department personnel to transfer all SFAM exhibition, archives and office material due to closure of SFO Spruce warehouse to SFAM West Field Road facility, expanding into unused building quadrant with shelving installation and seismic precautions beforehand, accomplished at record and timely pace, the first SFO department to be completely out of Spruce well before FOM deadline.
- Established consistent HVAC computer and manual monitoring of relative humidity and temperature levels for ITB exhibition galleries and West Field Road facility, collaborating with SFO Mechanical Maintenance and FAMSF Conservation re baseline needs, upgrades and improvements.

Section III, Managerial Factors #3: Decision Making

When I requested an example for the criteria in rating my decision making, you referred to the monthly administrative reports I provide to you at the end of each month for submittal to Airport Administration, saying that ideally you should not have to provide me amendments or edits before forwarding it. I agree but as mentioned, in preparing these reports for your sign-off, I am dependent on being privy to key information and communication re SFAM program activities. Since my April 2008 FMLA return, I am no longer involved in SFAM exhibition staff meetings and it is time consuming to seek out individuals for information needed, and to clarify information posted on Excel and FilemakerPro files. This gathered information is often contradictory or outdated, thus the need on my part to request clarification and definitive word from you as department head. The same is true re being assigned a project, with direction and expectation that I complete it as best deemed appropriate with minimal guidance or instruction from you, only then to be told when well into a project of your requirements or preferences. As we both agreed in our PAR discussion, I am capable, proactive, goal and results-oriented, without need for excessive direction or instruction in completion of job responsibilities, but additional communication, interaction, and feedback from you and SFAM staff will be of benefit to ensure that projects are accomplished in a streamlined, timely manner.

Section V, Comments

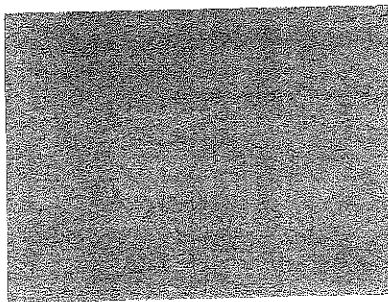
As the SFAM Curator in Charge of Administration and Special Projects, I am a responsible, hard-working, and conscientious professional, continuously seek to improve my work performance, refine and expand my skills, take initiative to branch out and be of aid with other work and staff needs, with dedication in being an invaluable and noteworthy employee and contributor to SFAM and SFO. My FMLA-related absences and medical status does not alter such a commitment, nor are there health concerns that affect my work performance, contributions, or product, thus mention of such is inappropriate and out of place.

My comprehensive skills, education, and experience can be used to aid and provide you the means of addressing and realizing core SFAM administrative and operational needs, capitalizing on my public administration and project management proficiencies, especially those pertaining to SFAM program, personnel and budget management, as well as community outreach. FY09/10 work plan on file can be amended accordingly, incorporating as applicable goals suggested in Knudsen memo of 21 July 2009.

Below is a listing of notable FY08/09 projects accomplished, supplementing those provided above:

- Proofread and edited SFAM exhibition introductory panel and label copy materials provided by curators.
- Assisted Curator in Charge of Registration and Senior Museum Registrar with misc. projects and assignments pertaining to FilemakerPro and Excel exhibition and permanent collection databases, schedules, reports, risk management, and logs.

- SFAM participant and host in Russel Wright reception for exhibition lenders at Aviation Library and Museum and Terminal 3 exhibition gallery site, as well as coordinated event set-up with primary Wright lender, security aspects, and wheelchair accommodations with TSA / Covenant.
- Expanded community outreach and collaborations, e.g., on Board of Directors and Community Service Chair at Rotary Club of Burlingame; speaking engagements at Burlingame Lyons Club, Rotary Clubs of SFO, Burlingame and San Carlos; mentored and assisted Burlingame Historical Society re opening of Burlingame Hillsborough History Museum and establishment of exhibitions and museum collection management program.
- Responsible for ongoing facility and security management and administration re SFAM facilities, storage and exhibition sites at SFO, Spruce warehouse, and West Field Road facility, collaborating with SFO personnel, inclusive of FOM, Duty Managers, Electronic Tech, Communications Center, Emergency Operations, Police and Fire, and outside agencies.
- Organized SFO Mechanical Maintenance behind-the-scenes tour of de Young Museum and meeting with FAMSF Mechanical and Conservation personnel re viewing and discussion re state-of-the-art HVAC computerized system that is relative humidity based, rather than industry standard temperature.
- On emergency call for after-hour needs, e.g., security alarm calls for SFAM exhibition sites and storage facilities; San Francisco Art Commission ceiling sculpture leak, coordinating clean-up with SFO Duty Managers, Custodial, and deinstallation with SFAM staff, SFO Pavement & Grounds.
- Scheduled and supervised SFO Custodial weekend floor cleaning and sealing maintenance at 670 West Field Road facility





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BY EMPLOYER*

**City
and
County
of
San
Francisco**

Performance Appraisal Report

Identification

1 Last Name, First Name, Middle Initial Knudsen, Sonya	2 Class No and Title 3546 Curator IV	3 Status PEX
4 Work Location and Division Chief Operating Officer Museums	5 Department AIRPORT COMMISSION	6 Reason for Report Annual
	7 1 st Date in Class 11/29/1999	8 Period of Report From 7/1/2005 to 6/30/2006
		9 Probation Ends

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I. Duties and Responsibilities / Performance Criteria

Curator in Charge of Registration. Responsible for the supervision of the registrars and interns. Responsible for the planning, directing, and management of the Collection Management activities for the permanent collections (Aviation and Education). Responsible for all objects on loan for exhibitions; this includes but is not limited to loan agreement forms, incoming and outgoing receipts, safety and security of objects, proper handling, shipping and packing requirements, condition reports, storage, installation and deinstallation.

Liaison with the City Risk Manager.

Liaison with the Fine Arts Museums of San Francisco Conservation Lab.

Consults with the Director and Chief Curator of development of the new collections database.

As one of the Readers, proofs all label copy for exhibitions and brochures.

Responsible for the deaccessioning of collections objects, per the recommendation of the Collections Review Committee.

Works and collaborates with other SFAM staff, interns, volunteers, airport personnel, private collectors, museums, and outside vendors.

A member of the Airport Museums Senior Staff, the Collections Review Committee, and the Operational Scheduling Committee.

Definition of Ratings

Use the following definitions to identify employee's level of performance when rating factors in Sections II, III and IV.

Competent and Effective	Performs assigned duties in an acceptable level through demonstrated application of skills.
Exceeds Standards	Performs assigned duties in a manner indicating exceptional understanding of essential functions. Results achieved are often better than expected of performance rated "Competent and Effective," but not of such uniqueness as to warrant an "Outstanding" rating.
Outstanding	Performs assigned duties in a manner demonstrating mastery at every level of major responsibility. Results achieved are well beyond the level of performance rated "Exceeds Standards."
Development Needed	Performance in one or more areas does not meet the requirement for a "Competent and Effective" rating. Improvement is required if acceptable results are to be achieved.
Unacceptable	Even under close direction, performance does not demonstrate the ability and/or willingness to produce required results.

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II. Performance Factors (Required for all employees)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Attendance and Punctuality				
Good observance of work hours; only routine absence from work <input type="checkbox"/>	Very punctual and dependable <input type="checkbox"/>	Extremely punctual and dependable <input checked="" type="checkbox"/>	High rate of lateness and/or absence from work <input type="checkbox"/>	Excessive and persistent pattern of lateness and/or absence from work <input type="checkbox"/>
2. Knowledge of Job				
Well-informed on important phase of the job <input type="checkbox"/>	Well-informed on all phases of the job <input checked="" type="checkbox"/>	Exceptional knowledge and understanding of the job <input type="checkbox"/>	Lacks knowledge of some important phases of the job <input type="checkbox"/>	Insufficient knowledge to perform the essential job requirements <input type="checkbox"/>
3. Quantity of Work Performed				
Quantity of work meets essential job requirements <input type="checkbox"/>	Quantity of work often exceeds job requirements <input checked="" type="checkbox"/>	Quantity of work consistently exceeds job requirements <input type="checkbox"/>	Quantity of work does not meet job requirements in some areas <input type="checkbox"/>	Quantity of work fails to meet essential job requirements <input type="checkbox"/>
4. Quality of Work Performed				
Quality of work meets essential job requirements <input type="checkbox"/>	Quality of work often exceeds job requirements <input checked="" type="checkbox"/>	Quality of work consistently exceeds job requirements <input type="checkbox"/>	Quality of work does not meet job requirements in some areas <input type="checkbox"/>	Quality of work fails to meet essential job requirements <input type="checkbox"/>
5. Effectiveness in Working with Others				
Works effectively with others <input checked="" type="checkbox"/>	Works effectively with others under difficult circumstances <input type="checkbox"/>	Actively promotes good relations with others <input type="checkbox"/>	Occasionally has difficulty in working with others <input type="checkbox"/>	Serious inattention to needs of others and/or continued conflict with others <input type="checkbox"/>
6. Adaptation to Work Situations				
Effectively adapts to day-to-day demands of the job <input type="checkbox"/>	Performs well even under pressure in difficult situations <input checked="" type="checkbox"/>	Performs effectively in crisis situations <input type="checkbox"/>	Performance consistently declines in other than routine situations <input type="checkbox"/>	Does not adapt to routine demands of the job <input type="checkbox"/>
7. Use of Materials and Equipment				
Routinely conserves materials and/or maintains equipment <input type="checkbox"/>	Obtains maximum utilization of materials and/or equipment <input type="checkbox"/>	Develops improved techniques for the use of materials and/or equipment <input checked="" type="checkbox"/>	Occasionally wasteful and/or careless <input type="checkbox"/>	Unacceptably wasteful and/or careless <input type="checkbox"/>
8. Safety				
Routinely observes all safety practices <input type="checkbox"/>	Identifies and reports safety hazards <input type="checkbox"/>	Consistently identifies safety hazards and initiates corrective action <input checked="" type="checkbox"/>	Occasionally disregards safety practices <input type="checkbox"/>	Seriously disregards safety practices <input type="checkbox"/>
III. Managerial Factors (Required for all supervisory personnel)				
Competent and Effective	Exceeds Standards	Outstanding	Development Needed	Unacceptable
1. Communicating				
Usually communicates clearly and produces effective level of understanding <input checked="" type="checkbox"/>	Frequently uses language skills to promote optimal level of clarity and understanding <input type="checkbox"/>	Consistently uses language skills to manage interpersonal problems effectively <input type="checkbox"/>	Sometimes fails to communicate clearly resulting in misunderstanding and/or confusion <input type="checkbox"/>	Serious and/or persistent problems using language skills <input type="checkbox"/>
2. Planning				
Develops necessary goals and plans and evaluates results <input type="checkbox"/>	Identifies potential problems and develops contingency plans <input type="checkbox"/>	Plans creatively to optimize use of all resources <input checked="" type="checkbox"/>	Poor attention to planning and/or inefficient use of resources <input type="checkbox"/>	Serious inattention to planning and/or extremely weak in utilizing resources <input type="checkbox"/>
3. Decision Making				
Usually demonstrates sound evaluation or factors in routine matters <input checked="" type="checkbox"/>	Demonstrates exceptional ability to solve difficult problems <input type="checkbox"/>	Consistently demonstrates ability to solve problems of a highly complex nature <input type="checkbox"/>	Sometimes overlooks and/or misjudges basic factors in routine matters <input type="checkbox"/>	Serious inattention to decision making; Decisions produce poor results <input type="checkbox"/>
4. Directing and Motivating Employees				
Effectively directs the work of employees <input type="checkbox"/>	Motivates employees to achieve high performance <input checked="" type="checkbox"/>	Identifies employee potential and provides opportunities for optimal performance <input type="checkbox"/>	Has difficulty in directing and/or motivating employees <input type="checkbox"/>	Serious inattention to directing and/or motivating employees <input type="checkbox"/>
5. Training and Developing Employees				
Makes provisions for employees to acquire necessary job skills and knowledge <input type="checkbox"/>	Encourages employees in career development <input type="checkbox"/>	Actively provides employee training and development opportunities <input checked="" type="checkbox"/>	Sometimes fails to provide needed training or job information to employees <input type="checkbox"/>	Serious inattention to employee training needs <input type="checkbox"/>
IV. Overall Evaluation				
Competent and Effective <input type="checkbox"/>	Exceeds Standards <input checked="" type="checkbox"/>	Outstanding <input type="checkbox"/>	Development Needed <input type="checkbox"/>	Unacceptable <input type="checkbox"/>

BLACK

V. Comments. Must be completed according to instructions.

A. Facts/Specific Performance Documentation: Adequate and accurate documentation is required. (Attach additional pages as necessary.)

Despite our inability to fill vacant positions during the last fiscal year Ms Knudsen and her staff have managed to patch together the registration department and continue the program continuity to bring in objects to keep the exhibition schedule moving ahead.

Ms Knudsen has continued to focus on her work with the facilities maintenance staff to help oversee the various construction projects in the Airport Museums West Field Rd facility. Some of these projects include the re-roofing of the building, the replacement of floor tiles on the mezzanine and the lights for the parking lot. By doing so Ms Knudsen has minimized the impact on the Airport Museums staff and expedited the construction process. Ms Knudsen has also worked on maintaining the Kid's Spot in Terminal 3, by bringing the Exploritorium staff together with the facilities maintenance staff.

B. Employee Strengths:

Ms Knudsen works well independently without my having to micro-manage her time. Sonya is a very hard worker and will always go the extra mile to complete the necessary tasks. She is very motivated.

C. Work Plan for Next Report Period:

Ms Knudsen should work with the staff and our interns to continue to update the permanent collection inventory. This is an ongoing process and needs constant upkeep. We should also continue the process of deaccessioning the objects from the permanent collection as deemed necessary by the collections review committee.

D. Recommendations:

VI. Reporting Manager				
1 Name, Work Address Blake Summers San Francisco Airport Museums		2 Class No and Title 0933 Manager V		3 Conference Report With (Manager's Signature)
		4 Date of Report 8/16/2006		5 Signature <i>[Signature]</i>
VII. Employee's Statement (See Handbook for Statement of Employee Rights)				
1 <input checked="" type="checkbox"/> I agree with this report. <input type="checkbox"/> I do not agree with this report. Section _____ Number _____ <input type="checkbox"/> I request a conference with the Reviewer. <input type="checkbox"/> Rebuttal Attached.		2 Date of Counseling Interview 8/16/06		
		3 Signature certifies that I have read report <i>[Signature]</i>		
VIII. Reviewer's Certification				
1 Name, Work Address Blake Summers San Francisco Airport Museums		2 Class No and Title 0933 Manager V		3 Date of Conference Initials of those Present
		4 Date of Report 8-16-2006		
5 <input checked="" type="checkbox"/> I certify I have reviewed the report <input type="checkbox"/> I have taken the following action:		6 Signature <i>[Signature]</i>		

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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

Performance Plan and Appraisal Report

I. EMPLOYEE IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL Knudsen, Sonya	2. JOB CODE NUMBER AND TITLE 3546 Curator IV	3. STATUS PEX
4. WORK LOCATION & DIVISION COO Museums	5. DEPARTMENT Airport Commission	6. REASON FOR REPORT Annual
	7. REVIEW PERIOD 7/1/2009 to 6/30/2010	8. PROBATION START AND END DATE

BLANK

II. EXPLANATIONS OF SECTIONS

- I. EMPLOYEE IDENTIFICATION INFORMATION** — Basic information about the employee, his/her status, and the review period.
- II. EXPLANATION OF SECTIONS** — Basic information about what should be included in each section of the Performance Plan and Appraisal Report.
- III. PERFORMANCE PLAN: JOB DESCRIPTION** — A list of the duties and responsibilities based on the job description. Comments may include clarification of job description items, address mid-year progress, and appraise the performance of the duties and responsibilities. If appropriate, the job description may be a source of Key Objectives for the review period.
- IV. PERFORMANCE PLAN: KEY OBJECTIVES** — Most important objectives for the review period and comments regarding the appraisal of the performance of the objectives.
- V. APPRAISAL REPORT SUMMARY**

A. Overall Performance Rating — Reporting Supervisor's/Manager's rating of the employee's overall performance over the appraisal review period. The purpose of the continuum line is to give supervisors a way to show employees how the supervisor sees their overall performance across the scale.

B. Comments Regarding Overall Performance — Narrative explanation of the rating of overall performance during the appraisal report review period.

- | | | |
|--|--------------------------------------|--|
| ◆ Demonstration of DHR values | ◆ Attendance And Punctuality | ◆ Effectiveness Of Working With Others |
| ◆ Overall Performance of Job Description | ◆ Quantity Of Work Performed | ◆ Use Of Materials And Equipment |
| ◆ Results of Performance Objectives | ◆ Quality Of Work Performed | ◆ Safety |
| ◆ Knowledge Of Job | ◆ Adaptability To The Work Situation | ◆ Performance Plans |
| ◆ Employee's Strengths | | |
| ◆ Achievements | | |

In addition to the areas above, the following areas may be addressed for supervisors/managers:

- | | | |
|----------------------------------|---------------------------------|-------------------|
| ◆ Communication | ◆ Planning | ◆ Decision Making |
| ◆ Directing and Motivating Staff | ◆ Training and Developing Staff | |

C. Employee Guidelines — Guidelines for employees regarding the Performance Plan and Appraisal Report.

VI. SIGNATURE PAGE

- A. Performance Plan/Key Objectives Sign-Off** — Signatures of the supervisor and the employee, the date they met to finalize the plan, the signature of the reviewer, and the date of the review.
- B. Mid-Period Performance Review Meeting** — Signatures of the supervisor and the employee and the date they met to review progress on the plan.
- C. Reviewer's Certification** — Information regarding the reviewer of the report. This is the person who directly supervises the reporting supervisor/manager.
- D. Reporting Supervisor/Manager** — Information regarding the reviewer of the report. This is the person who directly supervises the employee's performance.
- E. Employee's Statement** — Employee's opportunity to respond to the PPA Report using a checklist, signature and date. Signing the report only certifies that the employee has read it. It does not indicate, unless marked, that the employee agrees with the report.

PERFORMANCE PLAN – JOB DESCRIPTION

REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

FUNCTIONAL/WORKING TITLE	
Curator in Charge of Administration and Special Projects	
1. Handles the routine and daily maintenance of the facility at West field Rd.	COMMENTS:
2. Monitors the climate conditions at all the exhibition and art storage sites through out the Terminals.	COMMENTS:
3. Write and prosecute the Maintenance scheduling requests.	COMMENTS:
4. Develop the User Manual for the Collections Management Database.	COMMENTS:
5. Work on the data scrub for the Collections Management database.	COMMENTS:
6. Assists the Director in the preparation of routine reports and presentations.	COMMENTS:
7. Prepare Emergency Preparedness Handbook. Lead training of staff.	COMMENTS:
8.	COMMENTS:
9.	COMMENTS:

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IV. PERFORMANCE PLAN – KEY OBJECTIVES

Departmental Goal #1: (specify) To provide a broad range of exhibitions and programs for the traveling public, to humanize the Airport, and to create an ambiance in the Airport which reflects the sophistication and cultural diversity of the City and County of San Francisco and the entire Bay Area.	
1. To assist the Director and Chief Curator in the preparation of routine reports and presentations.	REVIEW OF PERFORMANCE:
2. To demonstrate good observance of work hours and attendance, and has shown only routine absence from work.	REVIEW OF PERFORMANCE:
3. To effectively respond to the time sensitive and changing demands of the normal workday.	REVIEW OF PERFORMANCE:

Departmental Goal #2: (specify) To apply new technology to exhibition building and display, as well as record keeping and tracking to remain State-of-the-Art in all aspects of the Museum field.	
1. To review and recommend the implement Bar Code system for inventory purposes.	REVIEW OF PERFORMANCE:
2. To develop the users manual for the collections management database.	REVIEW OF PERFORMANCE:
3. To insure the accuracy of the data as entered in the collections management database.	REVIEW OF PERFORMANCE:

Departmental Goal #3: (specify) To provide the required museum infrastructure for the protection of staff and collections.	
1. To monitor the climate conditions in the exhibition spaces throughout the Airport and at West Field Rd.	REVIEW OF PERFORMANCE:
2. To keep the San Francisco Airport Museums facilities on West Field Rd. in good condition and well maintained.	REVIEW OF PERFORMANCE:
To prepare the emergency handbook specifically for the needs of the Airport Museums. Review the best practices and train the staff for natural disaster.	REVIEW OF PERFORMANCE:

Departmental Goal #4: (specify) To find Creative uses of digital technology to permit SFAM to become a highly accessible educational and arts institution.	
1. To provide exhibition material for information booths, personnel, and kiosks.	REVIEW OF PERFORMANCE:
2.	REVIEW OF PERFORMANCE:

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V. APPRAISAL REPORT SUMMARY

A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Check the box under the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1 ————— 2 ————— 3 ————— 4 ————— 5 ————— 6 ————— 7 ————— 8 ————— 9		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B. COMMENTS REGARDING OVERALL PERFORMANCE

C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. Unless otherwise provided in the collective bargaining agreement that applies to the employee's Job Code, the rebuttal must be presented within 5 working days of the report date. The rebuttal should only address the items presented in the report. The 5 days may be extended at the discretion of the Reviewer for up to 30 days.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

VI. SIGNATURE PAGE

PERFORMANCE PLAN

A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE <i>Bill</i>	2. REVIEW DATE 7-29-09	
3. SUPERVISOR SIGNATURE <i>Bill</i>	4. EMPLOYEE SIGNATURE <i>Sonya Knudsen</i>	5. MEETING DATE 7/29/09

B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE	2. EMPLOYEE SIGNATURE	3. MEETING DATE
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PERFORMANCE APPRAISAL REPORT

C. Reviewer's Certification

1. NAME, WORK ADDRESS	2. JOB CODE NUMBER AND TITLE	
3. <input type="checkbox"/> I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Print/Type)		4. SIGNATURE & DATE

D. Reporting Supervisor/Manager

1. NAME, WORK ADDRESS <i>Blake Summers</i>	2. JOB CODE NUMBER AND TITLE <i>0941</i>	3. DATE OF CONFERENCE WITH EMPLOYEE <i>7 29 10</i>
		4. SIGNATURE & DATE <i>Bill</i>

E. Employee's Statement

1. <input checked="" type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT _____ NO _____ <input type="checkbox"/> I HAVE ATTACHED A REBUTTAL. <input type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER.	2. CONFERENCE DATE
	3. SIGNATURE CERTIFIES I HAVE READ THE REPORT <i>Sonya Knudsen</i> <input type="checkbox"/> DECLINED TO SIGN DATE <i>7/29/10</i>

TO: Blake Summers, SFAM Director and Chief Curator

FROM: Sonya Knudsen, SFAM Curator in Charge of Administration / Special Projects

DATE: 16 August 2009

RE: amendment to be attached to FY09/10 CCSF PPAR

Re our brief meeting on 29 July, with follow-up discussion on 30 July, to review and discuss my FY9/10 performance plan, the job description, goals and objectives outlined can be accomplished but I suggest a broadening of core job responsibilities that would better enrich the SFAM program, and utilize my skills and talents. Please note the attached Knudsen memo submitted on 13 July 2009 for examples.

My intent is two-fold: 1) to contribute, be of value and aid to you and SFAM; 2) to refine and gather more skills and experience for further career promotions and opportunities at SFAM and SFO.

Before you became the SFAM Director and Chief Curator in April 1999 and your most recent May 2009 promotion from Manager V to Manager VI, you were the Assistant Director of Administration and Special Projects. In 1999, you promoted me from Curator in Charge of Registration to Curator in Charge of Administration and Special Projects in name only. At that time, you were hesitant to give me the Assistant Director title and associated monetary adjustment due to budget restraints and your concerns as to the response from the Assistant Director and the Curator in Charge of Aviation, but gave indication that a promotion would occur. The Assistant Director will always be my superior in seniority and salary. The Curator in Charge of Aviation and I are both Curator IV. The difference is that I consistently fulfill my job duties and projects on time.

By means of this memo, I am formally requesting that I be placed on a career pathway for promotion, and suggest that my duties and responsibilities reflect and include administrative and management functions akin to your previous Manager V and Assistant Director capacities. With your recent promotion to Manager VI, key responsibilities can be delegated to me given my administrative functions and placement within the SFAM organizational structure. I am on the CCSF listing, ranked #1 for the Manager VI position, as you are aware. I am qualified and able to do more for the organization, and through your leadership, guidance, and mentorship, such can be capitalized on to great advantage to you, SFAM, and SFO.

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Sonya Knudsen

From: Sonya Knudsen
Sent: Friday, August 21, 2009 1:48 PM
To: Blake Summers
Cc: Jackson Wong
Subject: RE: PAR

Blake,

Re your FY08/09 and FY09/10 PAR update, in our PAR discussion you specifically compared to the difference in my attendance patterns to years prior to FY08/09, and your Comment section referred to my medical condition. After our discussion, the only FY08/09 PAR change made was a one category upgrade in my Attendance rating (still one lower rating than all other years of employment), and the fact remains that my FMLA status, medical condition, and related medical appointment needs was your concern and criteria for the rating. At no time in FY08/09 did you give me indication of attendance concerns.

From our discussion I understood that you were the manager and reviewer of my PAR. Given that you have forwarded my PAR and attached rebuttal to Jackson Wong, does this mean that Mr. Wong is the PAR reviewer and that I will be conferring with him? Please advise. Sonya

From: Kathie Smookler **On Behalf Of** Blake Summers
Sent: Wednesday, August 19, 2009 6:05 PM
To: Sonya Knudsen
Cc: Jackson Wong
Subject: PAR

Sonya,

I am in receipt of your rebuttal to your 08/09 PAR. I am sorry that you misunderstood my comments vis-à-vis Attendance and Punctuality. I did not consider your FMLA Leave in rating this section when I made that rating. Your PAR rebuttal has been forwarded to Mr. Jackson Wong, Chief Operating Officer, for his review and signature.

Additionally, I am in receipt of your amendment to the 09/10 PAR and as discussed during your review, I feel the duties described are adequate; but I am more than willing to reassess the goals and objectives at your mid-year review.

Thank you.

Blake

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TO: Blake Summers, SFAM Director and Chief Curator

FROM: Sonya Knudsen, SFAM Curator in Charge of Administration / Special Projects

DATE: 21 July 2009

RE: SFAM goals

As discussed on 13 July, as Curator in Charge of Administration and Special Projects my skills and experience can be used to aid and provide you the means of addressing and realizing core SFAM needs. In addition to current responsibilities, per your request, the following are suggested supplemental areas from which can you designate those you would like me to prioritize for FY09/10 and future years:

Administration

- Assist you with SFAM budget preparation and monitoring, inclusive of contracts, vendor coordination, invoice processing.
- Assist you with SFAM succession and promotional planning, staff career training, educational, peer support, and mentoring opportunities.
- Attend SFO and SFAM Senior Staff and applicable administrative, commission, board, construction, et al. meetings as your assistant and/or representative.

Bay Area Outreach and Collaborations

- Contact, engage, and foster relationships and collaborations with Bay Area museums, historical societies, clubs, private collectors for participation and involvement in SFAM program.
- Assist SFAM staff re exhibition management with lenders, e.g., contracts, research and label copy obligations.
- Assist you re SFAM / SFO website upgrades, brochure and poster projects, in coordination with SFAM staff, SFO Administration, Marketing and Communications, vendors, et al.

SFAM Promotion

- Expand speaking engagements and involvement with Bay Area clubs and schools, e.g., Rotary, Lyons, Burlingame-Hillsborough Newcomers Club, non-profits, high schools, universities, work and school career days, et al.
- Organize and participate in panels and sessions at museum / aviation / facility / management conferences and seminars, e.g., American Association of Museums, California Association of Museums, "Aviation" Mutual Concerns, International Facility Management Association, Municipal Management Association of Northern California, American Management Association, Stanford and UC Berkeley, et al.
- Oversee and manage applicable SFAM receptions, exhibition opening, and outreach events, acting as liaison with participants and providers, e.g., similar to what was done for Russel Wright and Model Train exhibitions, potentially for Pacific Coast League Baseball exhibition, et al.
- Provide assistance and host functions, public tours, school events, et al., showcasing SFAM program, ALM, SFO, et al.
- Host table and participate in SFO Employee Appreciation Day event, and other SFO-organized events.

SFAM Goals

Knudsen pg. 2/2, 7/21/09

Facility Management

- Continue to establish, sustain, and foster local peer collaborations and information exchange similar to those of the SFO Mechanical Maintenance deY HVAC behind-the-scenes tour, FAMSF Conservation and Accounting, et al.
- Provide you assistance re management of ALM facility, events, functions, receptions, et al., especially as Gabe will be marrying in October with a related absence.
- Provide you assistance re Terminal 2 construction and related SFAM exhibition site expansion and upgrade projects, inclusive of Connector galleries, Kids' Spots, Aquarium, et al., in coordination with applicable personnel, e.g., SFAM, SFO, contractors, vendors, CA Academy of Sciences, Exploratorium, et al.
- Assist you and provide recommendations, coordination, and project management re SFAM's WFR and SFO site upgrades and expanded and optimized space utilization, e.g., WFR Host Food Lockers, Garage, Electrical Room, ALM, T3 North Office and Storage.

Risk Management

- Work with you, SFAM staff, and SFO Risk Management on pertinent projects, e.g., permanent collection and SF Art Commission appraisals, SFAM facilities and sites, insurance brokers, underwriters, and consultants, et al.
- Attend SFO Safety and Health meetings, disseminate and provide SFAM staff education, ensure safe working conditions.

Collection Management

- Assist you in preparation and prioritization re SFAM permanent collection inventory and appraisal, Aviation and Non-Aviation.
- Assist you to establish Master deaccession plan for Non-Aviation permanent collection, in conjunction with SFO Legal and Bay Area appraisal and public auction firms.
- Work with you to expand volunteer, high school and college intern program, with volunteer and intern assistance re permanent collection projects, e.g., inventory, photography, deaccessioning.

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SONYA KNUDSEN

PO Box ~~20724 San Francisco, CA 94112~~ 94128
phone: ~~858 543 5110~~

17 August 2009

Dorothy Yee
Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
1 South Van Ness Avenue, 4th floor
San Francisco, CA 94103-1233

Re: 17 August 2009 CCSF discrimination complaint vs. Summers, SFAM, re FMLA

Dear Ms. Yee:

By means of this letter and attached City and County of San Francisco (CCSF) "Department Report of Employment Discrimination Complaint" form, I am filing a complaint against Mr. Blake Summers, Director and Chief Curator, San Francisco Airport Museums (SFAM), San Francisco International Airport (SFO), City and County of San Francisco (CCSF) regarding FMLA violations and adverse impact.

With CCSF-approved and recognized FMLA and ADA status, I am engaged in activity protected therein. My employer is aware of this activity but took adverse action against me. The FY08/09 and FY09/10 CCSF Performance Evaluation Reports (PAR) indicate discrimination and retaliation on my supervisor's part regarding attendance issues, affecting PAR rankings, with inappropriate comments related to my FMLA status. There is a causal link between the protected activity and the adverse action. Please note the enclosed:

- CCSF Employment Discrimination Complaint form (two pages)
- Overview (two pages)
- FY08/09 PAR with Knudsen 16 August 2009 rebuttal (seven pages)
- FY09/10 PAR with Knudsen 16 August 2009 amendment (ten pages)

Sincerely,

Sonya Knudsen

cc: Steve Pitocchi, SEIU Local 1021



Gavin Newsom
Mayor

Micki Callahan
Human Resources

Director

RECEIPT OF LETTER ALLEGING EMPLOYMENT DISCRIMINATION

August 24, 2009

Sonya Knudsen

~~XXXXXXXXXX~~

San Francisco, California 94128

Dear Ms. Knudsen:

The Department of Human Resources has received your letter alleging employment discrimination. The City and County of San Francisco takes seriously all allegations of discrimination. In accordance with the San Francisco Charter, section 10.103, and Civil Service Commission Rules, your correspondence has been reported to the Human Resources Director.

A professional EEO investigator will be assigned as soon as possible to review your letter to determine if the issues and bases of your complaint are within the jurisdiction of the equal employment opportunity laws of the City and County of San Francisco.

The assigned EEO investigator will contact you, either in writing or by telephone, to come in for an intake interview if it is determined that your charges need to be investigated, or if additional information is needed.

If an EEO investigator has not contacted you within ten (10) days of this letter, please call our office at 557-4837 for the name of the investigator assigned to review your letter.

For your information, you may also file your complaint of employment discrimination with the California Department of Fair Employment or the United States Equal Employment Opportunity Commission.

Sincerely,

DEPARTMENT OF HUMAN RESOURCES

Handwritten signature of Linda Simon in cursive.

Linda Simon
Acting Manager, EEO Programs

cc: File

Gavin Newsom
Mayor



Micki Callahan
Human Resources Director

September 17, 2009

Ms. Sonya Knudsen
~~Ms. Sonya Knudsen~~
San Francisco, California 94128

Re: Retaliation Complaint – EEO File No. 1437

Dear Ms. Knudsen:

This letter is to acknowledge that I met with you and your representative, Steven Pitocchi, on today to discuss your allegations that San Francisco Airport management subjected you to retaliation for taking leave under the Family Medical Leave Act (FMLA) and for requesting reasonable accommodation for your disability. As we discussed, City and County of San Francisco policies, and federal and state law, prohibit retaliation in the workplace in connection with any protected activity.

During our meeting, you did not present facts sufficient to establish a complaint of retaliation for engaging in protected activity. You indicated a desire to submit additional information in writing supporting your retaliation claims. In order to ensure timely review and processing of your complaint, I ask that you provide additional information no later than **Monday, September 28, 2009.**

The City and County of San Francisco is committed to ensuring that all employees are provided with a work environment that is free from all forms of discrimination, to include harassment and/or retaliation. Should an employee feel as though they have been discriminated against, a formal complaint of discrimination may be filed with the DHR/EEO Division, the State Department of Fair Employment and Housing (DFEH) or the U. S. Equal Employment Opportunity Commission (EEOC).

You may contact me directly at 415.551.8903, should you require additional time to compile information in support of your retaliation complaint. However, you should note that the failure to provide facts sufficient to establish a *prima facie* showing of retaliation may result in the administrative closure of your complaint.

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Janie White".

Janie White
Assistant Manager, EEO Programs

cc: Steven Pitocchi, SEIU – Local 1021
File

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SONYA KNUDSEN

PO Box ~~282721~~ San Francisco, CA 94128

phone: ~~650-243-3548~~

5 October 2009

Ms. Janie White
Assistant Manager, EEO Division
Department of Human Resources (DHR)
City and County of San Francisco (CCSF)
1 South Van Ness Avenue, 4th floor
San Francisco, CA 94103-1233

re: EEO file #1437

Sent via email and post

Dear Ms. White:

What follows is an addendum regarding our meeting of 17 September 2009 to discuss my discrimination filing against my supervisor, Mr. Blake Summers, Director and Chief Curator of San Francisco Airport Museums (SFAM), San Francisco International Airport (Airport), regarding FMLA violations and disparate treatment, especially notable in City and County of San Francisco (CCSF) Performance Appraisal Reports (PARs) for FY 08 / 09 and FY 09 / 10.

Per Airport directives and policies, Airport Commission employees are called upon to commit themselves to continuously building a team that strives for the highest quality work product and for professionalism and respect in all dealings with co-workers. In addition, it is the Airport's desire to handle employee concerns effectively, fairly, and internally, building a favorable work environment in which employees feel free to bring their concerns to their respective managers or the Airport Commission EEO office.

I filed the above discrimination complaint due to disparate treatment and adverse impact, especially pertaining to Attendance standards and my position status. Such an attendance rating change is a telling example, the first time since my career started at SFO in 1997 that I had been marked anything but "Outstanding," made more notable in that I had been downgraded by two ratings. The only reason provided was due to my health condition, related FMLA absences and medical appointments, none of which was pertinent in the PAR report. Attendance standards being applied to me should be applied to all SFAM staff, which was not the case.

In our meeting, you noted that it was clear from the FY 08 / 09 PAR that I had ably fulfilled my essential job responsibilities. You also said that the FY 08 / 09 PAR version #3 had been amended to upgrade my attendance rating and had dropped any reference to my health condition, superseding FY 08 / 09 PAR versions #1 and #2. It is disappointing that these corrections required extensive effort on my part and the necessity of my filing a complaint to affect a change. Although I am appreciative that it has been resolved, and the FY 08 / 09 PAR has been corrected, a pattern is reoccurring that corrections are done after the fact and it necessitates and places me in a very uncomfortable position of needing to respond, pursue, and request remediation.

My supervisor is a department head and a member of Airport Senior Staff. He has had extensive CCSF management and supervisory training, as I have, and also has ready access to applicable counsel and

SONYA KNUDSEN

PO Box 282722 San Francisco, CA 94128

phone: ~~650 645 6540~~

Knudsen EEO file #1437

Pg 2 of 2, 5 October 2009

guidance from DHR and SFO HR and EEO departments. As a professional and in a subordinate position, it is illogical for me to be placed in a situation of having to offer corrections or seek remedy for violations of CCSF policies and procedures as they apply to FMLA, PARs, attendance standards, etc.

I am the Airport Museums' Curator in Charge of Administration and Special Projects, and my position and skillsets are uniquely suited to aid my supervisor in operational and program activities, inclusive of administration, project and facility management, et al. Since my return from FMLA in April 2008, my job responsibilities and staff interaction have been altered by my supervisor, a managerial discretion. That said, the selections and choices he makes with regard to my job duties are key to future promotional opportunities. When my supervisor suggested I provide a set of goals for FY 09 / 10, and chose not to incorporate a single one of them, it is indicative of his priorities and outlook, and suggest a continued pattern and mindset that perpetuates discrimination. Just as I was concerned about a health condition notation and related attendance rating change and how such would negatively impact future career opportunities, I am far more concerned about narrow administrative responsibilities and staff interaction that provide limited indication to SFO and CCSF management and outsiders of my experience, qualifications, and contributions to the worksite, undermining career growth and promotions.

Sincerely,

Sonya Knudsen

cc: Steve Pitocchi, SEIU Local 1021

SONYA KNUDSEN

PO Box ~~26724~~ San Francisco, CA 94128

phone: ~~415 634 6340~~

Overview re FY08/09 and FY09/10 PARs – FMLA discrimination / adverse impact

13 July 2009

Knudsen has brief discussion with Summers re how her skills and experience can be used to aid Summers and provide means of addressing and realizing core San Francisco Airport Museums (SFAM) needs. Knudsen informed by Summers of need to meet re CCSF Performance Evaluation Reports (PAR) for FY08/09 and FY09/10, and Knudsen was requested to provide listing of FY09/10 goals.

21 July 2009

Knudsen provides Summers listing of FY09/10 goals.

29 July 2009

Summers meets with Knudsen to review FY08/09 and FY09/10 PARs. Knudsen's 21 July 2009 listing of FY09/10 goals not incorporated, Summers saying that he had already written PAR before receiving, and that additional goals could be added once existing listing accomplished. Knudsen notes in FY08/09 PAR two-step downgrade of Attendance and Punctuality from "Outstanding" to "Competent and Effective."

Knudsen told by Summers attendance downgrade due to notable FY08/09 FMLA absences and related medical treatment needs due to health condition, with reference made in Comment section as well. Summers also makes reference to Knudsen absences due to attending Rotary lunch meetings. Knudsen reminds Summers that the majority of her medical appointments are scheduled after hours, and that she works in excess of scheduled hours to offset medical appointments that could not be accommodated after hours, as well as the once-a-week Rotary lunch meetings. Summers then agrees to upgrade Attendance and Punctuality from "Competent and Effective" to "Exceeds Standards, indicating the matter was closed for further discussion.

Also in this discussion, Knudsen requested Summers to remove health condition comment from FY08/09 PAR as she said FMLA absences did not affect her job performance, and expressed concern regarding penalty due to her FMLA status and need for ongoing medical treatment. Knudsen requests that listing of FY08/09 and FY09/10 Job Duties and Responsibilities be more inclusive of administrative responsibilities, not just an emphasis on facility management responsibilities. Summers agrees to edit FY08/09 PAR and does not agree to edit or amend FY09/10 PAR, requesting Knudsen signature. Knudsen signs FY09/10 PAR, and requests copies of FY08/09 and FY09/10 PARs; Summers said copies would be provided by Eavis at later time. See 16 August 2009 Knudsen rebuttal memo for further details.

30 July 2009

Summers requests Knudsen to sign revised FY08/09 PAR, with new order of listing re Duties and Responsibilities, and an upgrade to Attendance and Punctuality from "Competent and Effective" to "Exceeds Standards," but no change re "health condition" reference in Comments.

Knudsen expresses desire to have on record career path for promotion and additional responsibilities, making note of her past promotion to Curator in Charge of Administration and Special Projects without associated classification and pay raise, referring to past Summers commitment to provide such in a future budget cycle. Knudsen refers to FY09/10 administrative

SONYA KNUDSEN

PO Box ~~247412~~ San Francisco, CA 94128

phone: ~~650 673 6670~~

report with promotion track for Manager I and Curator IV positions to Manager II and Manager I positions, respectively, saying that it takes time to incorporate promotions within CCSF system, and that her position upgrade needs to be included in FY09/10.

Knudsen discusses FY08/09 PAR with Summers, saying that she does not agree with report and will not sign until a rebuttal has been provided. Summers informs Knudsen she has five days to do so, Knudsen responds with understanding that she had ten days. Summers says he will make inquiry, and later informs Knudsen she has 30 days to respond.

16 August 2009

Knudsen provides Summers FY08/09 rebuttal and FY09/10 amendment.



Gavin Newsom
Mayor

Micki Callahan
Human Resources Director

November 10, 2009

Ms. Sonya Knudsen

~~XXXXXXXXXXXX~~

San Francisco, California 94128

SUBJECT: Discrimination Complaint, EEO File # 1437

Dear Ms. Knudsen:

The San Francisco Charter, Section 10.103 and Civil Service Commission Rule 103 provide that the Human Resources Director shall review and resolve all complaints of employment discrimination. The purpose of this letter is to inform you of my determination in your complaint, EEO File # 1437, against the City and County of San Francisco, Airport Commission, San Francisco International Airport and Blake Summers, Director and Chief Curator of San Francisco Airport Museums.

Summary

On August 19, 2009, the Department of Human Resources, Equal Employment Opportunity Division (DHR/EEO) received your complaint letter alleging that you were subjected to adverse employment actions in retaliation for taking leave under the federal Family Medical Leave Act (FMLA) and for requesting reasonable accommodation under the Americans with Disabilities Act (ADA). Specifically, you allege that your fiscal year 2008/2009 Performance Plan and Appraisal Report (PPAR) contained an inappropriate reference to your medical condition that was also reflected in your Attendance rating. You further alleged that your fiscal year 2009/2010 PPAR contains additional indications of discrimination. Currently you are a 3546 Curator IV assigned to the Airport Commission, Museums Division.

Your complaint was assigned to EEO Investigator, Janie White, for review and follow up as necessary. Ms. White met with you and your Union Representative on September 17, 2009, to obtain additional information in support of your retaliation and discrimination claims. During the meeting, you failed to present facts showing that your 2008/2009 and/or 2009/2010 PPARs are adverse employment actions. In a letter dated October 5, 2009, you presented additional information supporting your belief that the PPARs constitute adverse employment actions requiring remedial action.

Retaliation Standard

- (1) the complainant engaged in a protected activity;
- (2) the complainant suffered an adverse employment action; and
- (3) there was a causal link between the protected activity and the adverse employment action.

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Disparate Treatment Standard

- (1) the complainant is a member of a protected category;
- (2) the complainant has suffered an adverse employment action; and
- (3) the complainant suffered an adverse employment action because of his or her membership in a protected category.

Analysis

Ms. White conducted an intake interview with you and your Union Representative to explain the investigative process, standards, and to clarify your charges. You provided information showing that you took leave under the FMLA between 2007 and the present. Taking leave under the FMLA is protected activity under federal regulations. You also identified documents supporting your belief that you have a qualifying disability. Your actual or perceived disability is a protected category under federal, state and local laws prohibiting discrimination in the workplace. However, Ms. White advised you that the information you presented failed to show that you had suffered an adverse employment action in connection with any protected activity or based on your membership in a protected category.

You acknowledged that prior to your scheduled intake interview, the department amended your 2008/2009 PPAR by removing a reference to your medical condition and upgrading your attendance rating from "Competent and Effective" to "Exceeds Standards." You shared with Ms. White that Mr. Summers tends to evaluate subordinates based on recent performance. You also allege that Mr. Summers appears very busy and does not meet with employees throughout the performance rating period. You disagreed with Mr. Summers' review of your achievements during the review period. In a rebuttal to the PPAR, you cited several achievements during the review period that you considered noteworthy, which Mr. Summers omitted. This process is consistent with Performance Plan and Appraisal guidelines in the City's Employee Handbook.

At the end of the review period you and your supervisor meet and, after a review of the draft appraisal report, sign-off on the overall performance ratings and comments. If you feel that the appraisal does not correctly evaluate your performance, you may write and attach a rebuttal.

City and County of San Francisco, Employee Handbook, p. 15.

The 2008/2009 PPAR documents show that Mr. Summers rated you Competent and Effective, or above, in all rating areas. As Ms. White explained, while you believe that Mr. Summers should have rated you "Outstanding" in several areas, satisfactory performance ratings are not adverse employment actions. The standard is based on an objective assessment rather than personal expectations.

You also alleged that goals set in your 2009/2010 PPAR fail to reflect your full range of duties and deny you opportunities to use your skills and talents. Ms. White explained to you and your representative that management has authority to plan and direct the work of subordinates, including setting goals and expectations. You believe that Mr. Summers' incomplete statement

of your job duties is an adverse employment action; however, you could not explain how the alleged action harmed you.

In a letter dated September 17, 2009, Ms. White offered you additional time to provide information in support of your retaliation and discrimination complaint. In order to ensure timely review of your complaint, Ms. White requested that you provide additional information not later than September 28, 2009. You requested an extension of time and were granted until October 6, 2009, to provide additional information showing that Mr. Summers' subjected you to an adverse employment action.

In a letter dated October 5, 2009, you again confirmed that the Airport Commission had resolved key issues raised in your August 17, 2009 complaint letter prior to your meeting with Ms. White. Nevertheless, you believe that the department subjected you to "disparate treatment and adverse impact" that is part of a pattern of conduct requiring you to "respond, pursue and request remediation." The information you shared suggests that in each instance where corrective action was required, the Department took appropriate action to protect your rights under the FMLA and under policies prohibiting discrimination and retaliation in the workplace.

You further expressed concern that Mr. Summers has used his management discretion to define your job duties in a manner that undermines your career growth and denies you promotional opportunities. The SEIU- Local 21, Collective Bargaining Agreement recognizes management's right to direct its workforce to achieve critical objectives. Supervisors may support subordinate employees' personal development; however, this support should not restrict management's ability to achieve operational goals in the workplace. The *July 1, 2006 - June 30, 2011 Collective Bargaining Agreement Between the City and County of San Francisco and SEIU Local 1021*, Article I.C., states "... nothing herein shall be construed to restrict any legal city rights concerning direction of its work force" You shared with Ms. White that Mr. Summers offered to consider your personal goals after you had achieved those currently set in your 2009/2010 PPAR. Thus, the information you provided failed to show that you were subjected to an adverse employment action in the PPAR process because of a protected category or for engaging in protected activity.

Conclusion

I agree with Ms. White's recommendation that your retaliation and discrimination complaint should be administratively closed because you have not presented sufficient facts to make a *prima facie* showing of retaliation or disparate treatment. The decision of the Human Resources Director is final, unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102, within thirty (30) calendar days from the postmarked mailing date of this letter.

For your information, you may also file a complaint of discrimination with the U.S. Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing. Contact these agencies for filing requirements and deadlines.

Sonya Knudsen
November 10, 2009
EEO File # 1437, Page 4 of 4

Ms. White has also noted that in the past Mr. Summers has served as both the "Reporting Manager" and the "Reviewer" when evaluating your performance. Currently, Jackson Wong, Chief Operating Officer, is the designated Reviewer for PPARs prepared by Mr. Summers. Reviewers in the performance appraisal process can assist with ensuring that evaluations meet City guidelines and comply with federal, state and local laws. DHR and the Airport Commission Human Resources Division encourage the use of Reviewers in the PPAR process before and after discussing performance related matters with employees. By copy of this correspondence, the Airport Commission Human Resources Division is asked to share its recommendations on the use of Reviewers in the PPAR process with Mr. Summers.

We appreciate you bringing these issues to our attention. You may contact Linda Simon, Acting EEO Manager, at 557-4837 if you have any questions.

Sincerely,



Micki Callahan
Human Resources Director

Copy: John L. Martin, Director
Gloria Louie, EEO Programs Director
Steven Pitocchi, SEIU - Local 1021
EEO File # 1437

BLANK



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

2010 Performance Plan and Appraisal Report

I. EMPLOYEE IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL KNUDSEN,SONYA	2. JOB CODE NUMBER AND TITLE 3546 Curator IV	3. STATUS <input checked="" type="checkbox"/> Permanent (PCS) <input type="checkbox"/> Provisional (TPV) <input type="checkbox"/> Permanent Exempt (PEX) <input type="checkbox"/> Temporary Exempt (TEX) <input type="checkbox"/> Temporary Civil Service (TCS) <input type="checkbox"/> Limited Tenure (Restricted Use) (TLT) <input type="checkbox"/> Non Civil Service (Restricted Use) (NCS)
4. WORK LOCATION & DIVISION Chief Operating Officer-COO- Museums	5. DEPARTMENT 27-airport commission	6. REASON FOR REPORT <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Dept. Review Period <input type="checkbox"/> Probationary <input type="checkbox"/> Unscheduled
	7. REVIEW PERIOD 7/1/2010 to 6/30/2011	8. PROBATION START AND END DATE

II. PERFORMANCE PLAN – JOB DESCRIPTION

REVIEW OF DUTIES & RESPONSIBILITIES BASED ON JOB DESCRIPTION

FUNCTIONAL/WORKING TITLE	
Curator in charge of Administration and Special Projects	
1. Handles the routine and daily maintenance of the facility at West Field Road.	COMMENTS:
2. Monitors the climate conditions at all the exhibitions and art storage sites through out the Terminals.	COMMENTS:
3. Write and prosecute the Maintenance scheduling requests.	COMMENTS:
4. Develop the User Manuel for the Collections Management Database.	COMMENTS: 1/10/11 On Going
5. Work on the data scrub for the Collections Management database.	COMMENTS: 1/10/11 This duty is on going and requires constant attention and maintenance.
6. Assists the Director in the preparation of the routine reports and presentations.	COMMENTS: 1/10/11
7. Prepare Emergency Preparedness Handbook specifically for the Airport Museums. Lead training to staff	COMMENTS: 1/10/11 On going
8.	COMMENTS:
9.	COMMENTS:
10.	COMMENTS:

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1.	COMMENTS:
<p>12. Statement of Incompatible Activities: Fully comply with the department's Statement of Incompatible Activities as approved by the Ethics Commission. Compliance includes, but is not limited to: Restrictions on Incompatible Activities; Restrictions on Use of City Resources, City Work-Product and Prestige; and Prohibition on Gifts for Assistance with City Services.</p>	COMMENTS:
<p>13. Use of City and County Property for Business Purposes Only: All City equipment, devices, and materials (i.e., photocopier, telephones, computers, vehicles, stationery, fax machines, etc.) must be used only for conducting City business.</p>	<p>COMMENTS: 1/10/11 In October of 2010 it came to my attention that Ms. Knudsen had been using her office computer for over a year on work of a personal nature. When it came to my attention I wrote a reprimand to Ms. Knudsen and spoke with her about the situation. Ms. Knudsen was made aware of the gravity of this misconduct and stated it would never happen again.</p>
<p>14. DSW Preparedness: Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Workers; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required.</p>	COMMENTS:
<p>15. DSW Training: Complete DSW and Personal Preparedness training. Complete NIMS training as assigned.</p>	COMMENTS:

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III. PERFORMANCE PLAN – KEY OBJECTIVES

Departmental Goal #1: (specify)	
1. To assist the Director and Chief Curator in the preparation of routine reports and presentations.	REVIEW OF PERFORMANCE: 1/10/11
2. To demonstrate good observance of work hours and attendance and show only routine absence from work.	Ms. Knudsen is observant of her work hours.
3. To effectively respond to the time sensitive and changing demands of the normal workday.	REVIEW OF PERFORMANCE:

Departmental Goal #2: (specify)	
1. To develop the users manual for the collections management database.	REVIEW OF PERFORMANCE:
2. To insure the accuracy of the data as entered in the collections management database.	REVIEW OF PERFORMANCE: 1/10/11 The basic scrubbing of the people table and organizational table is complete. Further work on going.

Departmental Goal #3: (specify)	
1. To monitor the climate conditions in the exhibition spaces throughout the Airport and West Field Road.	REVIEW OF PERFORMANCE:
2. To keep the San Francisco Airport museums facilities on West Field Road in good condition and well maintained.	
3. To prepare the emergency handbook specifically for the needs of the Airport museums. Review the best practices and train the staff for natural disaster.	1/10/11 On Going
4. To prepare for the downtime in the chilled water delivery in the International Terminal.	2/7/11 ON Hold

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<p>5. DSW PREPAREDNESS: Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Workers; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency;; participate in any drills or emergency exercises as notified; and carry out disaster-related work assignments as required.</p>	
<p>6. DSW TRAINING: Complete DSW and Personal Preparedness training. Complete NIMS training as assigned.</p>	<p>REVIEW OF PERFORMANCE:</p>

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IV. APPRAISAL REPORT SUMMARY

A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Job Description, Departmental policies and procedures, and the Performance Plan's Key Objectives for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	2	3

B. COMMENTS REGARDING OVERALL PERFORMANCE

C. EMPLOYEE GUIDELINES -- PERFORMANCE PLAN AND APPRAISAL REPORT

1. Employee should review his/her employee organization's Memorandum of Understanding with the City and County of San Francisco for information that may add to or modify the following list of guidelines.
2. Employee has the right to read the Performance Plan and Appraisal Report.
3. Employee has the right to receive a copy of the Performance Plan and Appraisal Report.
4. Employee has the right to discuss the report with the Reporting Supervisor or Manager.
5. Employee has the right to attach a rebuttal to the Performance Appraisal Plan and Report. Unless otherwise provided in the collective bargaining agreement that applies to the employee's Job Code, the rebuttal must be presented within 5 working days of the report date. The rebuttal should only address the items presented in the report. The 5 days may be extended at the discretion of the Reviewer for up to 30 days.
6. Employee may request a conference, if requested, with the Reviewer (Reporter's supervisor or manager).

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V. SIGNATURE PAGE

PERFORMANCE PLAN

A. Performance Plan/Key Objectives Sign-Off

1. REVIEWER SIGNATURE <i>bls</i>	2. REVIEW DATE 8/17/10	
3. SUPERVISOR SIGNATURE <i>J. A. Garfield</i>	4. EMPLOYEE SIGNATURE <i>Sonya K. ...</i>	5. MEETING DATE 8/17/2010

B. Mid-Period Performance Review Meeting

1. SUPERVISOR SIGNATURE	2. EMPLOYEE SIGNATURE <i>Sonya K. ...</i>	3. MEETING DATE 2/7/11
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PERFORMANCE APPRAISAL REPORT

C. Reviewer's Certification

1. NAME, WORK LOCATION Blake Summers	2. JOB CODE NUMBER AND TITLE 0941 Director and Chief Curator
3. I CERTIFY THAT I HAVE REVIEWED THIS REPORT. (Signature)	
	5. DATE

D. Reporting Supervisor/Manager

2. NAME, WORK ADDRESS James Garfield	2. JOB CODE NUMBER AND TITLE 0923 Assistant Director	
3. DATE OF CONFERENCE WITH EMPLOYEE	4. SIGNATURE	5. DATE

E. Employee's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. _____ NO. _____ <input checked="" type="checkbox"/> I HAVE ATTACHED A REBUTTAL. <input checked="" type="checkbox"/> I HAVE ATTACHED A REBUTTAL AND REQUEST A CONFERENCE WITH THE REVIEWER. <i>rebuttal forthcoming within 30 days of 2/7/11.</i>	2. CONFERENCE DATE 2/7/11 3. SIGNATURE CERTIFIES I HAVE READ THE REPORT <i>Sonya K. ...</i> <input type="checkbox"/> DECLINED TO SIGN. DATE:
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BLANK

TO: Abe Garfield, SFO Museum Assistant Director

FROM: Sonya Knudsen, SFO Museum Curator in Charge of Administration / Special Projects 

DATE: 13 March 2011

RE: rebuttal to be attached to FY10/11 CCSF PPAR

The following is a rebuttal re the evaluation provided in the 7 February 2011 FY10/11 Performance Plan and Appraisal Report (PPAR):

Section II, Performance Plan – Job Description and Section III, Performance Plan – Key Objectives

- Handles maintenance of 670 West Field Road facility, writes and prosecutes SFO Maintenance scheduling requests
Works with SFO Custodial, SFO Maintenance, and SFO Museum staff to ensure museum standards re facility and exhibition sites are being sustained. Per request of Administration, has implemented new process re Maintenance scheduling requests as follows: brings matter to their attention or is asked by them to generate work request for given need, provides written request to supervisor for review, supervisor provides request to director for signature, work request then returned to Ms. Knudsen for processing, providing request form to receptionist for faxing, copying, filing, and logging.
- Monitors the climate conditions at all the exhibitions and art storage sites throughout the terminals
Works with SFO Museum Registration and Conservation staff, SFO Mechanical Maintenance, et al. to ensure museum standards, utilizing Central Plant computer access, recommended purchase and use of dataloggers, etc. Worked with Mechanical Maintenance and construction personnel to correct and remedy lack of HVAC in Terminal 2 boomerang exhibition case, effecting HVAC installation that would ensure RH and temperature control settings per museum standards.
- Develop user manual and work on datascrub for collections management database
Supervisor was apprised that the user manual was an active, not static, document with ongoing need for updates, amendments, and improvements. Recent datascrub accomplishments include completion of clean-up of 'people' and 'organization' tables, with further work being addressed as deemed appropriate by FilemakerPro manager. Employee works with SFO Museum Registration and Library staff to provide user manual as an active, ongoing resource, and is in need of increased input and commentary from end users to ensure manual and datascrub activity is effective, streamlined, and progressing.
- Assists the SFO Museum Director in preparation of reports and presentations
Supervisor had in the initial CCSF PPAR indicated that this responsibility was no longer necessary. The correction noted was due to supervisor being apprised by employee that these reports, e.g., monthly Administrative activity reports, monthly exhibition listings, were ongoing. Supervisor subsequently confirmed with Director, and has corrected the PFAR to reflect this is an ongoing job responsibility.
- Prepares Emergency Preparedness handbook specifically for SFO Museum and leads training to staff
Employee has provided supervisor ongoing updates re work coordination with SFO Emergency Operations Group, Fire and Police, plan to train SFO Museum personnel re security access, emergency procedures, and then conduct "surprise" emergency drill with Fire department providing staff assessment and follow-up training. Employee is participating in California Connecting to Collections two-part workshop re "Protecting Cultural Collections: Disaster Prevention, Preparedness, Response & Recovery," with information to be incorporated within organizational emergency handbook.

Knudsen PPAR rebuttal, page two of two
13 March 2011

- Use of City and County property for business purposes only

Supervisor had provided employee memo in October 2010 re computer use, which surprised employee then and now as employee's job performance of essential job responsibilities was exemplary and accomplished, and matter was taken out of context. To have this matter noted on employee's PPAR is unnecessary and unwarranted.

Section IV, Appraisal Report Summary

Supervisor did not provide or note indication of employee's work progress, accomplishments, and professional growth plan. Employee provides and keeps supervisor apprised of work projects and status reports. The CCSF PPAR seems to be a document for the supervisor to provide cursory feedback and description of employee's work performance, project accomplishments, lacks comments of substance, if any re work progress, plan for professional development, advancement, etc., underutilizing employee's skills and experience that would benefit SFO Museum and SFO.

24 March 2011

Gloria Louie
Airport EEO and Diversity Programs Director
San Francisco International Airport
PO Box 8097
San Francisco, CA 94128

Re: CCSF Discrimination Complaint filing

Dear Ms. Louie,

By means of this letter, I am filing a City and County of San Francisco (CCSF) Discrimination Complaint against my supervisor, SFO Museum Assistant Director Abe Garfield; SFO Museum Director Blake Summers; SFO Museum; San Francisco International Airport, et al., due to discrimination, retaliation, disparate treatment, and gender bias.

The above has been a continuing and ongoing issue at SFO Museum due to previous discrimination complaints filed with CCSF in 2008 and 2009; the claims remain outstanding. An example of a recent discriminatory action was in a CCSF Performance Evaluation Report and related meeting with Abe Garfield in February 2011, which necessitated filing a rebuttal submitted this month – please note attached.

Discrimination complaint issues related to my position as Curator IV, CCSF classification 3546, Curator in Charge of Administration and Special Projects at SFO Museum include, but are not limited to:

- FY10/11 re-assignment to Abe Garfield as new supervisor, with little if any interaction with Blake Summers, prior supervisor;
- Job duties and responsibilities have been reduced and restricted, impacting and diminishing potential for career advancement both inside and outside CCSF;
- Ongoing and increased scrutiny and accountability, with related disparate treatment compared to SFO Museum staff;
- Job promotions of SFO Museum staff without appropriate qualifications to management positions, all of whom are male, e.g., John Hill, Timothy O'Brien., Kelvin Godshall, Roman Korolev.

In prior discrimination / retaliation complaints filed, I have been trying to resolve issues internally within SFO, without involving EEOC, DFEH, et al, but to no avail, and has led to further discrimination and retaliation in a hostile work environment. Your attention and resolution re this complaint and those previously filed is requested. Thank you.

Yours sincerely,

Sonya Knudsen

attachment: FY11/12 CCSF PAR and rebuttal

cc: Steve Pitocchi, SEIU



San Francisco International Airport

July 19, 2011

**VIA CERTIFIED MAIL,
E-MAIL & U.S. MAIL**

Sonya Knudsen

~~XXXXXXXXXX~~
San Francisco, CA 94128

Re: EEO Complaint of Discrimination

Dear Ms. Knudsen:

As you know, I have been assigned to investigate your most recent Complaint of Discrimination. I have thoroughly reviewed your complaint letter dated March 31, 2011 (with attachments), as well as my notes from our June 27, 2011 intake meeting, which was also attended by Steve Pitocchi, Field Representative from SEIU Local 1021. Based on the reviewed information, the Department understands your allegations to be as follows:

Basis of Discrimination: Sex, Retaliation, Disparate Treatment
Issues Complained of: Denial of Promotion, Harassment

1) City and County of San Francisco (CCSF) Performance Plan and Appraisal Report (PPAR) (midyear, FY 2010-2011) and February 7, 2011 meeting with Abe Garfield.

Specific Allegations:

- Your current supervisor, Abe Garfield, failed to fully complete sections in your midyear PPAR. Comment sections lacked substantive feedback regarding your work progress, accomplishments to date, and plan for professional development, advancement, etc.
- You received a final copy of your midyear PPAR without the reviewer's signature (i.e., signature of Blake Summers, San Francisco Airport Museum (SFAM) Director). In years prior, the reviewer's signature (then Jackson Wong, Airport COO), had been included in the report copy you received.
- Original version of your midyear PPAR included misstatements by your supervisor. Specifically, you informed Mr. Garfield that reports and presentations (i.e., monthly administrative activity reports and monthly exhibition listings) are both necessary and are an ongoing job responsibility.
- You were issued a memo by your supervisor in October 2010 regarding inappropriate use of City and County property. You state your midyear report should not have made reference to this memo.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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- You received no response from your supervisor regarding your submitted midyear report rebuttal statement, dated March 13, 2011.

2) Assignment under Abe Garfield beginning August 2010.

Specific Allegations:

- Mr. Garfield is incapable of fully evaluating your work as your new supervisor. You state he lacks computer knowledge, whereas Mr. Summers has a greater understanding of the File Maker Pro software you currently use to perform your assignments.
- Your assignment under Mr. Garfield leaves you limited contact with Mr. Summers.

3) Constricted job duties and responsibilities after reassignment under Abe Garfield in August 2010.

Specific Allegations:

- Diminished job duties impact your potential for career development and advancement both inside and outside CCSF.
- **Complainant to provide EEO with a list of removed job duties since being reassigned under Abe Garfield in August 2010.** During our meeting on June 27, you stated you would provide me with a complete list of job duties taken away from you since your reassignment under Abe Garfield. Please provide the EEO Office with this information as soon as possible, including the time span during which you performed each duty.

4) Pattern of discriminatory hiring practices (i.e., gender bias) within SFAM.

Specific Allegation:

- Recent SFAM staff promotions to management positions have gone only to men (examples you provided: Abe Garfield, Kelvin Godshall, John Hill, Roman Korolev, and Timothy O'Brien).

If there are changes to the allegations described above, please let me know by **Tuesday, July 26, 2011**. If I do not receive a response from you by this date, I will assume the information above is accurate and will proceed with the investigation.

Sincerely,



Susan Kim
Assistant Manager
EEO Programs

cc: Gloria Louie, EEO Director

BLANK

Rule 103

Equal Employment Opportunity

Applicability: Rule 103 shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes.

Sec. 103.1 Policies for Equal Employment Opportunities

103.1.1 Equal Employment Opportunity

It is the policy of the Civil Service Commission of the City and County of San Francisco that all persons shall have equal opportunity in employment; that selection of employees to positions in the City and County be made on the basis of merit; and that continuing programs be maintained to afford equal employment opportunities at all levels. Vigorous enforcement of the laws against discrimination shall be carried out at every level of each department. All persons shall have equal access to employment within the City and County, limited only by their ability to do the job.

103.1.2 No person shall be appointed, reduced, removed, or in any way favored or discriminated against in employment or opportunity for employment because of race, color, sex, sexual orientation, gender identity, political affiliation, age, religion, creed, national origin, disability, ancestry, marital status, parental status, domestic partner status, medical condition (cancer-related), ethnicity or the conditions Acquired Immune Deficiency Syndrome (AIDS), HIV, and AIDS-related conditions or other non-merit factors or any other category provided by ordinance

103.1.6 Prohibition of Unlawful Workplace Harassment

It is the policy of the City and County of San Francisco that each official, employee, and agent acting in official capacity, will treat all persons equally and respectfully, and will refrain from unlawful workplace harassment in accordance with applicable Federal, State and local laws, rules and official policies.

103.1.7 Employment of Persons with Disabilities

In accordance with the Federal, State and local laws, it is the policy of the Civil Service Commission to provide equal access for individuals with disabilities in all areas of employment. No disabled person shall be denied employment or any other term, condition, or privilege of employment based upon disability or the need for a reasonable accommodation, so long as the accommodation does not result in undue hardship on the operations of the department or the City and County of San Francisco.

103.1.8 Prohibition of Retaliation

It shall be a violation of this Rule to discriminate against, retaliate against, or harass any employee or applicant because such employee or applicant has complained of or opposed any discriminatory practice prohibited under this Rule or has made a complaint, testified, supplied evidence, assisted,

or participated in any manner in any investigation, proceeding, or hearing under this Rule.

103.3.1 Purpose

Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department, or commission of the City and County of San Francisco on the basis of any protected category identified in Section 103.1.2 of this Rule. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of this Rule and any such complaint shall be filed and processed in the same manner as other discrimination complaints under this Rule.

103.3.2 Responsibility

- 1) The Human Resources Director shall be responsible for the review and resolution of employment discrimination complaints. The decision of the Human Resources Director shall forthwith be enforced by every employee and officer, unless the decision is appealed to the Commission and reversed.
- 2) The Civil Service Commission shall review and resolve complaints of employment discrimination appealed to it pursuant to procedures established by the Executive Officer in accordance with Rule 104, Section 104.4.5. The determination reached under Commission procedures shall be final and shall be enforced by every employee and officer.

Sec. 103.3 Discrimination Complaints (cont.)

103.3.3 Procedures for Complaints of Discrimination

Pursuant to the provisions of the Charter and this Rule, the Human Resources Director shall promulgate procedures for the review and resolution of employment discrimination complaints.

103.3.4 Appeal of the Human Resources Director decision may be filed in writing with the Executive Officer to the Civil Service Commission in accordance with Section 103.3.2 of this Rule.

Sec. 103.4 Authority to Override Civil Service Rules to Effectuate a Discrimination Remedy

103.4.1 Commission Authority

In its discretion, the Commission may depart from any provision of these Rules in order to effectuate an appropriate remedy for discrimination in an appeal heard by the Commission.

109.1.2 The Human Resources Director shall have the responsibility and authority to allocate new positions to a class based on the level and type of assigned duties as applicable under this Rule. Groups of positions form a class when it is determined by the

Human Resources Director that the duties are at the same level of responsibility and authority.

109.1.3 The Human Resources Director, when notified of a significant change in duties, shall analyze positions. If it is determined by the Human Resources Director, through a job analysis, that the level and/or function of the assigned responsibilities have changed significantly and are no longer consistent with the existing class, the position will be reclassified.

109.1.4 When appropriate to the Classification Plan, the Human Resources Director has the authority to change the title and/or number of a class without affecting the classification of the position or the status of incumbents.

109.1.6 The Human Resources Director has the authority to make changes to the Classification Plan including creating new classes, abolishing, consolidating or amending classes consistent with the Classification Plan.

109.1.7 The decision of the Human Resources Director regarding classification matters including the authority to determine the status of an employee, shall be final unless appealed to the Civil Service Commission.

109.3.9 Allocation

Designating new positions to an appropriate class.

109.3.10 Reallocation/Reclassification

Designating existing positions to a different class.

109.3.11 Consolidation

The combining of the duties of two or more classes into one class.

109.3.12 Division

The separation of a class into two or more classes.

109.3.13 Amendment

The formal revision of the class specifications for an existing class.

109.3.14 Retitling

Changing the name (title) of an existing class.

109.10.3 Upward Reclassification

When a position occupied by an employee with permanent civil service status is upwardly reclassified, the employee is given status in the new, existing or amended class subject to the limitations provided in this Rule.

111.14.1 Procedures and Practices

3) No rater shall rate a candidate who is related to that person or rate a candidate if any strong personal association exists between that candidate and the rater so that it would be difficult to make an impartial rating. If possible, the excused rater shall be replaced by an alternate with similar qualifications.

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SAN FRANCISCO

0922 Manager I, Assistant Director of Aviation
 Recruitment #PBT-0922-056145

Department: Airport - San Francisco International
Analyst: Vicky Lei
Date Opened: 1/14/2010 8:00:00 AM
Filing Deadline: 1/25/2010 5:00:00 PM
Salary: \$85,332.00 - \$108,888.00/year
Job Type: Permanent PBT
Employment Type: Full-Time

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INTRODUCTION

FINAL FILING DATE: FILE IMMEDIATELY

Receipt of applications may close at anytime, but not before January 25, 2010 at 5:00 PM.

This is a Position-Based Test administered in accordance with Civil Service Rule 111A.

The current position is located at San Francisco International Airport. The eligible list resulting from this examination may be utilized for future positions in this class in other City departments.

POSITION DESCRIPTION:

San Francisco Airport Museums (SFAM) is the cultural program within the Airport, and it is the only museum at an airport that is accredited by the American Association of Museums. Its mission is to provide a broad range of quality museum exhibitions and new museum programs for the traveling public, to humanize the Airport, and to create an ambiance in the Airport that reflects the sophistication, education, learning creativity and cultural diversity of the City and County of San Francisco and the entire Bay Area.

Under administrative direction from the Director and Chief Curator, the Assistant Director of Aviation provides general management functions for the San Francisco Airport Commission Aviation Library and Louis A. Turpen Aviation Museum (ALM). This position assumes direct responsibility of overseeing, directing, making decisions which impact the daily operation and management of the ALM; evaluating and implementing its established aviation library and museum procedures and policies. This position directs the research, development, organization and production of approximately 10 high quality exhibitions annually on airport and aviation history in both the Aviation Museum and in the Terminal galleries; establishes partnerships with airlines and relationships with the aeronautical collecting community as well as aviation related institutions, in developing and managing aviation collections. With the accelerated planning of the Airport's Domestic Terminals Master Plan and the progressing renovation of Terminal Two, this position provides critical expertise in directing the research, preparation, development, organization and production of high quality aviation exhibits for the new Terminal galleries to the Director and Chief Curator, and Assistant Director. In addition, this position serves as the Museums Director and assumes responsibility of all functions and activities of SF Airport Museums in absence of both the Director and Chief Curator, and Assistant Director.

The Assistant Director of Aviation of the San Francisco Airport Museums (SFAM):

- * Directs, supervises, trains, monitors and evaluates the activities and performance of all staff in the Aviation Library and Museum (ALM); works closely and collaboratively with Managers and staff of other divisions and sections to insure a consistent American Association of Museums (AAM) standard, an efficient work flow and the safety of objects .
- * Coordinates activities with other Airport divisions for the business and operation needs of the ALM.
- * Develops, organizes, and produces high quality aviation related exhibitions in both Aviation Museum and Terminals.
- * Establishes relationships with airlines, San Francisco Aeronautical Society, nonprofit support groups and aviation related support groups, such as the Pan Am Historical Foundation, United Airlines Archives, and TWA's (Trans World Airlines) Clipped Wings in developing and creating aviation related collections and producing educational publications.
- * Develops and manages the aviation collection such as manuscripts and preeminent aerophilatelic

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collection, and makes recommendations to the Collections Review Committee regarding donated objects. Contacts potential donors, evaluates collection items, and negotiates donations.

- * Directs and manages the development, launch, and maintenance of online library collection catalogue.
- * Assesses the appropriateness of all aspects of the permanent collection in relation to the collection focus.
- * Researches and identifies resources of collection objects. Makes recommendations for collection object acquisitions.
- * Develops and directs the production of educational programs and publications in conjunction with exhibitions.
- * Develops and directs special projects such as the Museums' audience survey and community feedback program, and the museum public access database.
- * Manages and organizes the Oral History Program which includes the contracting of professional interviewers and the contacting and final selection of the participants in the Program; monitors and evaluates the works of the Oral History Program participants.
- * Promotes public awareness of the ALM through outreach and public speaking; gives educational lectures and conducts onsite tours and media interviews to the public.
- * Is a member of the Airport Museums Senior Staff, the Collections Review Committee and the Operational Scheduling Committee.
- * Performs other duties as assigned.

NOTES: The normal annual salary range is \$85,332 - \$108,888 annually. Appointment above the maximum of the normal range \$85,332 - \$108,888 annually may be considered based on documented and substantiated recruitment and retention issues or exceptional skills. A special approval process is necessary for appointment above the normal salary range. In addition to competitive salaries, the City offers flexible benefit plans with pre-tax elections which include: medical and dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-term Disability Plan; Life Insurance; paid Management Training program; 11 paid holidays per year; 10 floating holidays; 10 to 20 vacations days per year, depending on years of service; and may earn up to 100 hours paid administrative leave per year.

MINIMUM QUALIFICATIONS:

1. Education: Possession of a Bachelor's Degree from accredited College or University; AND
2. Experience: 8 years of Museum and/or Public Art experience, including minimum 5 years supervisory experience.

DESIRABLE QUALIFICATIONS:

1. Knowledge of aviation history, and AAM (American Association of Museums) standards.

HOW TO APPLY:

File immediately. Applications will be available beginning Thursday, January 14, 2010. This recruitment process will be open at least through January 25, 2010 at 5:00 P.M.. Applications for City and County of San Francisco jobs are being accepted through an online process. Visit www.jobaps.com/sf to register an account (if you have not already done so) and begin the application process.

- * Select 0922 Manager I – Assistant Director of Aviation (PBT-0922-056145 announcement)
- * Select "Apply" and read and acknowledge the information
- * Select either "I am a New User" if you have not previously registered, or "I have Registered Previously"
- * Follow instructions on the screen

Computer kiosks are available for the public (from 8:00 a.m. to 5:00 p.m. Monday through Friday) to file online applications in the lobby of Dept. of Human Resources at 1 South Van Ness Avenue, 4th Floor, San Francisco, CA or S.F. Airport Commission Human Resources at 710 N. McDonnell Road, 3rd Floor, San Francisco, CA 94128. The hours of operation are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

If you have any questions regarding this recruitment or application process, please contact the exam analyst, Vicky Lei at 650-821-2022 or via e-mail at Vicky.Lei@tlysfo.com.

VERIFICATION:

All applicants may be required to submit verification of qualifying education and experience at any point in the application, examination and/or departmental selection process. A copy of a diploma, transcripts and/or license/certification, when requested, must be submitted to verify the education/license/certification requirement. Verification of qualifying experience, when requested, must be documented on the employer's business letterhead and must include the name of the applicant, job title(s), dates of employment, description of job duties performed, and signature of the employer or the employer's authorized representative. Experience claimed in self-employment will only be accepted if supported by documents verifying income, earnings, business license and experience comparable to minimum qualifications above. Copies of income tax papers or other documents listing occupation and total earnings must be submitted. Employees of the City and County of San Francisco may submit performance evaluations showing duties performed to verify qualifying City experience. City employees will receive credit for the duties of the class to which appointed. Credit for experience obtained outside of the employee's class will be allowed only if recorded in accordance with the provisions of Civil Service

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Commission Rules. Verification may be waived if impossible to obtain. The applicant must submit a signed statement explaining why verification cannot be obtained. Waiver requests will be considered on a case-by-case basis. Failure to provide the required verification, or request for waiver when requested may result in rejection of application.

SELECTION PROCEDURES:

Screening Committee: (Weight: Qualifying)

In the event of a large number of qualified applicants, a committee of experts may evaluate the qualifications as described on the application materials of each candidate who has met the minimum qualifications for the position. Additional information may be requested at the time to assist in the screening process. Only the candidates who are most qualified and whose backgrounds best match the position will continue in the selection process. Applicants meeting the minimum qualifications are not guaranteed advancement in the selection process, and the decisions of the screening committee are final.

Training and Experience Evaluation: (Weight: 100%)

Candidates will be evaluated and scored based on the information provided in their application and supplemental tasks checklist to determine their possession of the knowledge, skills, and abilities required for position 0922 Manager I – Assistant Director of Aviation. Candidates will be placed on the eligible list in rank order according to their final score.

Candidate scores on this examination may also be applied to other announcements involving other job titles, when directed by the Human Resources Director.

Certification Rule:

The certification rule for the eligible list resulting from this examination will be Rule of List. The hiring department may conduct additional selection processes to make final hiring decisions.

Transportation Security Administration (TSA) Security Clearance:

Candidates for employment with the San Francisco Airport Commission are required to undergo a criminal history check, including FBI fingerprints, and Security Threat Assessment in order to determine eligibility for security clearance and may be required to undergo drug/alcohol screening. Per Civil Service Commission Rule Section 110.9.1, every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Failure to obtain and maintain security clearance may be basis for termination from employment with the Airport Commission.

Eligible List:

The eligible list resulting from this examination is subject to change after adoption (e.g., as a result of appeals), as directed by the Human Resources Director or the Civil Service Commission.

The duration of the eligible list resulting from this examination process will be six (6) months, and may be extended with the approval of the Human Resources Director.

Per Civil Service Rule 111A.26.5, the Human Resources Director may approve use of the eligible list resulting from this examination for permanent Civil Service appointments to other position(s) in the same or similar classes in any department.

Reasonable Accommodation Request:

Information on requesting reasonable accommodation for persons with disabilities can be found at: http://www.sfgov.org/site/sfdhr_page.asp?id=46205#applicants_with_disabilities

Veterans Preference:

Information regarding requests for veterans preference can be found at: http://www.sfgov.org/site/sfdhr_page.asp?id=46208

Seniority Credit in Promotional Exams:

Information regarding seniority credit can be found at : http://www.sfgov.org/site/sfdhr_page.asp?id=56273

General Information concerning City and County of San Francisco Employment Policies and Procedures:

Important Employment Information for the City and County of San Francisco can be obtained at: http://www.sfgov.org/site/sfdhr_page.asp?id=46208, or hard copy at 1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103.

Terms of the Announcement:

Applicants must be guided solely by the provisions of this announcement, including requirements, time periods and other particulars, except when superseded by federal, state or local laws, rules or regulations. Clerical errors may be corrected by the posting of the correction on the Department of Human Resources website at: www.jobaps.com/sf.

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Position Based Tests are administered in accordance with Civil Service Rule 111A. General information concerning City and County of San Francisco employment policies and procedures may be found in the pamphlet entitled "Important Employment Information for Position Based Testing". This information is part of the terms of this announcement. The pamphlet is available at the Department of Human Resources Information Center, 1 South Van Ness Avenue, 4th Floor, San Francisco, CA 94103 or online at: http://www.sfgov.org/site/sfdhr_page.asp?id=56273

The job description and minimum qualifications specified in this announcement are appealable to the Civil Service Commission. Appeals of these provisions must be submitted directly to the Executive Officer of the Civil Service Commission within five business days of the announcement issuance date. Refer to Civil Service Commission Rule 111A, Article VIII. All other provisions of this announcement except for the Certification Rule are appealable to the Human Resources Director. Appeals of these provisions must be filed with the examination analyst listed on this announcement within five business days of the announcement issuance date.

Copies of Application Documents:

Applicants are advised to keep copies of all documents submitted. Submitted documents become a permanent part of the exam record and will not be returned. The hiring department may require applicants to submit the same documents and/or additional documents at a later date.

Right to Work:

All persons entering the City and County of San Francisco workforce are required to provide verification of authorization to work in the United States.

Exam Type: Combined Promotive and Entrance

Issued: January 14, 2010

Micki Callahan, Human Resources Director

Department of Human Resources

Recruitment ID Number: 056145

MCCP File # 27-143

Airport/VLei (650)821-2022

One South Van Ness, 4th Floor * San Francisco * CA * 94103-1233 * (415) 557-4800 *

DISASTER SERVICE WORKERS

All City and County of San Francisco employees are designated Disaster Service Workers through state and local law (California Government Code Section 3100-3109). Employment with the City requires the affirmation of a loyalty oath to this effect. Employees are required to complete all Disaster Service Worker-related training as assigned, and to return to work as ordered in the event of an emergency.

BENEFITS

All employees hired on or after January 10, 2009 will be required (pursuant to San Francisco Charter Section A8.432) to contribute 2% of pre-tax compensation to fund retiree healthcare. In addition, most employees are required to make a member contribution towards retirement, typically a 7.5% of compensation. For more information on these provisions, please contact the personnel office of the hiring agency.

Click on a link below to apply for this position:

Fill out the Supplemental Questionnaire and Application NOW using the Internet.

Apply Online



We encourage you to submit your application on-line as this is the preferred application method. If you experience difficulties, please contact the exam analyst at the phone number listed on the above announcement.

Contact us via conventional means.

You may contact us by phone at (415) 557-4800, or apply for a job in person at the Department of Human Resources.

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SUPPLEMENTAL QUESTIONNAIRE

*

The purpose of this supplemental application is to obtain specific information regarding your experience in relation to the position for which you are applying. It is to determine your job-related experience, knowledge, skills and abilities in areas that have been linked to essential functions of this position. For each of the tasks listed, please check one of the boxes that best indicates how often you have performed that task. The information you provide should be consistent with the information on your application and is subject to verification. The supplemental application will be used to evaluate your score and rank on the eligible list.

There are nine (9) questions contained in this supplemental application. Your responses must be printed in the spaces provided. This supplemental application must be submitted with the application at the time of filing. Failure to do so may result in rejection of application.

CERTIFICATION

I hereby certify that I am the author of this application and that all information is true and based on my background, skills and experiences. I understand that any false, incomplete or incorrect statement may result in my disqualification or dismissal from employment with the City and County of San Francisco. I understand and agree that any information provided is subject to verification.

Yes No

Level	Definition
Regularly:	Task is a regular function of my working experience.
Occasionally:	Task is an occasional, but important function of my working experience.
Rarely:	I rarely perform the task.
Not Performed:	No experience performing this task but I am willing to learn this task.

* 1. Directs and manages the daily operation and management of an aviation library and museum. (Select only one answer)

- Regularly
- Occasionally
- Rarely
- Not performed but I am willing to learn this task

* 2. Directs the research, development and implementation of high quality aviation related exhibitions. (Select only one answer)

- Regularly
- Occasionally
- Rarely
- Not performed but I am willing to learn this task

* 3. Establishes relationships with and serves as liaison with support groups in developing and creating aviation related

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collections and producing educational publications. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

* 4. Manages and organizes an Oral History Program which includes the contracting of professional interviewers and the contacting and final selection of participants in the program. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

* 5. Directs development of outreach and educational programs to promote public awareness of an institution. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

* 6. Manages the growth of an Aviation Collection through purchase and donation. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

* 7. Develops and directs the production of educational programs and publications in conjunction with exhibitions. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn

* 8. Supervises, trains and evaluates the activities and performance of museum staff. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

* 9. Assists in the development, administration, and monitoring of museum budget. (Select only one answer)

- Regularly
 Occasionally
 Rarely
 Not performed but I am willing to learn this task

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Sonya Knudsen

From: ~~Charlene Cun <Charlene.Cun@flysfo.com>~~
Sent: Thursday, June 24, 2010 8:30 AM
To: Sonya Knudsen
Subject: Fw: Invitation to 0922 Manager I Interview
Attachments: Directions to Human Resources.doc; 0922 Assistant Director of Aviation - WorkSamples_6.24.10.doc

Sent via BlackBerry by AT&T

From: Charlene Cun <~~Charlene.Cun@flysfo.com~~>
Date: Mon, 14 Jun 2010 14:04:30 -0700
To: ~~Charlene.Cun@flysfo.com~~ <~~Charlene.Cun@flysfo.com~~>
Cc: Vicky Lei <Vicky.Lei@flysfo.com>
Subject: Invitation to 0922 Manager I Interview

June 14, 2010

**SUBJECT: Interview for 0922 Manager I, Assistant Director of Aviation
Chief Operating Officer Division - Museums**

Dear Ms. Knudsen:

Congratulations! You are invited to the oral interview for the position of 0922 Manager I, Assistant Director of Aviation, in the Chief Operating Officer Division – Museums of the San Francisco Airport Commission.

Your appointment has been scheduled as follows:

DATE: Thursday, June 24, 2010
TIME: 3:20 PM Oral Panel Interview
LOCATION: San Francisco International Airport
Singapore Airline Cargo Building
Human Resources Office
710 N. McDonnell Road, 3rd Floor
San Francisco, CA 94128
(650) 821-2000

Please bring picture identification with you and sign-in at our front counter when you arrive. Also, attached are directions on how to get to our office.

*Please bring work samples to be presented at the time of interview. Attached is a detailed description of the work samples requested.

I look forward to seeing you.

Very truly yours,

Vicky Lei

Senior Personnel Analyst
Airport Human Resources
Phone: (650) 821-2000

Charlene Cun
Airport Human Resources
Phone: 650-821-2027
Fax: 650-821-2061

Confidentiality Notice: This email message, including any attachments, is for the sole use of the intended recipients(s) and may contain confidential and/or privileged information. Any review, use, disclosure or distribution by persons or entities other than the intended recipient(s) is prohibited. If you are not the intended recipient, please notify the sender by reply and destroy all copies (electronic or otherwise) on the original message. Thank you.

City and County of San Francisco
Airport Commission Human Resources



San Francisco Airport Museums

0922 Manager I – Assistant Director of Aviation

Supplemental Work Sample

The purpose of the Supplemental Work Sample is to obtain specific information regarding your knowledge and experience in relation to the position of 0922 Assistant Director of Aviation. It is essential that you provide a **writing sample of your recent exhibition.**

Your supplemental work sample should be brought to your interview and will be reviewed as part of the interview process. You may be requested to leave your writing sample but, upon request, these can and will be returned within 7 business days via the US Mail

CERTIFICATION

I hereby certify that I am the author of the writing sample and that all information presented is true and based on my background, skills and experiences. I understand that any false, incomplete, or incorrect statement may result in my disqualification or dismissal from employment with the City and County of San Francisco. I also understand that any information provided is subject to verification.

Date: _____ Name: _____
Please print legibly

Signature: _____

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City and County of San Francisco Department of Human Resources
Eligible List

List ID: 056145 Permanent PBT **List Type:**
Class: 0922 Manager I **Scope:**
Working Title: Assistant Director of Aviation
Post: 2/23/2010 **Cert Rule:** Rule of List **Duration:** 6 months
Inspection Start: 2/10/2010 **Inspection End:** 2/17/2010 **Adoption:** 2/23/2010

Rank	Score	Last Name	First Name	Middle
1	1060	HILL	JOHN	H
2	1000	SADIQ	NAZAL	
3	877	LERMA	LIZ (MARY)	E
4	827	LIU	MANNI	
5	811	KNUDSEN	SONYA	
6	810	BLAINE	TINA	

2/23/2010 4:10:36 PM

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