

# INCIDENT REPORT

[REDACTED]

August [REDACTED]

Human Resources

[REDACTED]  
[REDACTED] NY [REDACTED]

When I first was hired at [REDACTED], I was told I could always come to Human Resources if I had any problems. Later, my supervisor, MIKE [REDACTED], told me that I had to come solely to him with any problems. I was not supposed to go to anyone else.

I am very grateful that you have asked me to come in, to chat about my job. I need help with my supervisor's actions towards me.

While my letter to MIKE [REDACTED], with copies to you and to MR. [REDACTED], concerned only the matter of documents missing from my personnel files, there are more events that I feel a compelling need to address, as quickly as possible.

I would like to begin by telling you that I could not ask for a better job, and the topnotch people I work with. I love being part of this excellent [REDACTED] team, and I love the patients.

However, as my employment anniversary date approaches, the blatant harassment and discrimination I receive regularly from both MIKE [REDACTED] and his buddy, PATRICK [REDACTED], has escalated.

I believe he is trying to retaliate, because he was most angry with my letter, and is furious at me because he claims I got him into trouble with the president of [REDACTED].

What I have described below are situations that have made me feel very uncomfortable and marginalized as an employee. Most have made it difficult to do my job, but I am determined to persevere.

I believe the EEOC would find most of what MIKE [REDACTED] does to me illegal, under Title VII of the Civil Rights Act of 1964, and the Americans with Disabilities Act; I absolutely am certain that [REDACTED] does not tolerate this discriminatory behavior, either.

Incidentally, during my pre-employment interview with MIKE [REDACTED], he asked me a question, the answer to which obligated me to reveal that I have a medical diagnosis of *autism*.

I am a very qualified individual, and have sought no reasonable accommodation (as it is not needed), he probably had to hire me. However, I feel that he limits my activities, and bases his behavior towards me, as a result of his own prejudices.

What follows is a description, from my point of view, of what I have been trying my best to endure, since working for MIKE [REDACTED]. His inappropriate behavior towards me has been

witnessed by other staff, and I have copies of the various messages left for me on my answering machine.

From the recent verbal reports I have received from fellow workers, MIKE [REDACTED] has told everyone in the ER about the letter I wrote to him ([REDACTED]), about the missing forms in my personnel file. I believe this is reprehensible, since my letter concerned a personnel matter, and therefore was confidential.

Right after my letter was received, MIKE [REDACTED] and PATRICK [REDACTED] began to spread the rumor to staff that I was going to be fired from [REDACTED].

I am the only employee of [REDACTED] who does not have an issued OSHA-required coat, for responding to emergencies. I am forced to use my own personal gear. MIKE [REDACTED] continues to ignore my repeated written requests for squad Personal Protective Equipment (PPE).

I have asked MIKE [REDACTED] (since my very first day) to issue me this required equipment. Everyone else has new issued gear, including new hires & per diem employees. MIKE claims he can't get the gear in *my* size, which is X. This is the most common size worn by the rest of the crew. He has suggested that I could stand to, "lose a few pounds", and has provided me with a size medium. MIKE [REDACTED] doesn't have a right to treat me like I am stupid simply because I have autism.

I don't feel it is appropriate to use my own personal gear to protect myself from blood borne pathogens or dangerous conditions at accident scenes. Additionally, because I do not have company issued gear, I am not readily identified as an employee when responding to a call.

Apparently, MIKE [REDACTED]'s best friend, PATRICK [REDACTED], has some sort of a problem with me. I have asked MIKE to help me resolve the problem with PATRICK [REDACTED], but he refuses, saying he doesn't deal with personnel problems.

In the meantime, PATRICK [REDACTED] continues to undermine me with patients in the Emergency Room, while I am doing procedures. He tells the patients in the ambulance that I don't know what I am doing, that I am not trained, how to do things like patient assessment, etc.

PATRICK [REDACTED] treats me with utter contempt (in front of staff and patients), orders me around like he is my manager, and I still haven't discovered why he doesn't like me. PATRICK [REDACTED] refuses to discuss this. Being a good friend of MIKE, he gets preferential treatment.

For context, MIKE [REDACTED] is having an affair with an ER clinical assistant, who believes she has the authority to order me around as if she were my immediate supervisor, MIKE [REDACTED]. She gets away with it, due to her relationship with him. This is not even remotely a secret to anyone.

On multiple occasions following disagreements or interpersonal conflicts, MIKE [REDACTED] reassigned me to staffing duties associated with clinical assisting rather than the EMS-PARAMEDIC role for which I had been contractually hired. I believed these assignments were punitive and raised significant concerns regarding scope of practice, department liability, and role appropriateness. When I refused to perform a role that was far removed from my licensed scope of practice, I was told I was going to be reprimanded.

MIKE [REDACTED] has been quite rude to my fiancée, ANGIE CONKLIN, when calling on the telephone. He has demanded, in a very brusque manner, that she identify herself to him, by asking who she was. He then has wanted to know where I was, claiming I had failed to report to work. Amazingly, I happened to be standing at the ER desk, right behind him, when he was making this call. When my fiancée ANGIE CONKLIN informed MIKE [REDACTED] I was at work, he happened to look around and saw me. He immediately hung up the phone on my fiancée, ANGIE CONKLIN.

I am not being assigned the number of hours per pay period that the department and I mutually agreed I would work, when I was hired last October. In fact, the number of hours has been cut drastically. Additionally, MIKE [REDACTED] takes away hours or days that he did assign (that I was counting on), which makes it very difficult for me to plan. There is never any explanation or apology. His management style towards me is extremely spiteful.

MIKE [REDACTED] generally does this when I do something he doesn't like, like clocking out two or three minutes past the end of my shift. He thinks he is teaching me a lesson. This is a severe overreach of authority, especially considering that my employment is in emergency services.

MIKE [REDACTED] assigns more hours to people who were hired after me, or to favorite friends. I have been told he has hired someone for full-time work, who is a newly certified EMT-BASIC. I don't know if this is true or not. I've told him I need full-time work as soon as it is my turn, per seniority. If there is truth to this rumor, then I would like to know why I wasn't given an opportunity for full-time work based on seniority. Also, he repeatedly changes the EMT schedule on an unpredictable basis without telling anyone.

The schedule book isn't always available for review during some of my shifts, and MIKE [REDACTED] doesn't schedule at least 45 days ahead, as I believe to be the agreed contracted standard. Sometimes, I wonder why we even have a schedule, as it is so amorphous. It is quite difficult for me to plan my life, since I have no idea when I am scheduled to be working.

On the rare occasion, when MIKE [REDACTED] does call me in for an extra day (and would have to pay me overtime), he takes away one of my previously scheduled days. Then he will not pay overtime, even if I work a shift different than one I'm slotted for.

On [REDACTED], I was at my parents' home, when my father, HARVEY SLATIN was rushed to a hospital in critical condition. I called to alert someone that I would not be in on the following day, due to this family emergency. When I returned to work, I found out that MIKE [REDACTED] had recorded the day I clocked in to work as, "unscheduled leave time" — meaning I would not get paid. I don't understand how I could have legitimate scheduled work hours turned into an absence, following an event like my 89-year-old father being in critical condition with congestive heart failure, internal bleeding, and double pneumonia.

MIKE [REDACTED] changes my schedule without telling me, so occasionally someone will call me panicked from the station at 0700 on my day off, to ask why I am not there.

When I explain I was not scheduled for that time, and not notified, the person gets very angry (understandably), since they are now short staffed. I've actually been marked absent for not showing up on a day I was not scheduled to work. This situation happened again last weekend, when MIKE [REDACTED] changed/eliminated my previously scheduled weekend shift. I was forced to sign up for an overtime shift on Saturday, to compensate for the lack of weekend hours.

MIKE [REDACTED] has told me that I cannot work any overtime without his prior approval. He is supposed to notify me to confirm the overtime. When I left work last week, I did not see the schedule anywhere, so I could not visually check to see if MIKE [REDACTED] had approved that shift. Additionally, MIKE [REDACTED] never phoned me to tell me the shift was OK, even though I have both a home telephone and a cell phone. Hearing nothing, and not being able to check visually, I assumed he did not grant me that overtime.

I went home to visit my dad, who is recovering from a major health crisis. Imagine my shock and disbelief when I received a message on my cell phone, asking why I was not working the shift I had signed up for.

When I arrived home, I had two messages on my answering machine—one from the lead, who was understaffed, and one from administration. I have copies of the messages available and can play them upon request.

I believe that MIKE [REDACTED] is setting me up to be fired, by causing situations where I do not show up for work because I've never been informed that I've been scheduled. He is using this technique to get others to agree that I am not dependable. It would appear that MIKE [REDACTED] is unable find any legitimate reason to fire me, so he is now creating situations which would put my job in jeopardy. He has noticed I am not willing to resign, as I like my work too much.

I've never had a schedule that I was allowed to take home, nor have I had a schedule that was more than a week in advance. I have to copy the schedule from the wall, and pray that it will be posted when I need to see it. Many times, the schedule disappears or changes are made to it without my knowledge.

People are scheduled to work by having their names highlighted with a yellow marker, making it difficult or impossible to see who really was supposed to be working, when a photocopy is made. Lately MIKE [REDACTED] has instituted a self-scheduling policy in which employees write in their own hours on a first-come first-serve basis. MIKE [REDACTED] never explained this policy to me, nor was I provided with a written policy or instructions on how it was now expected that I properly self-schedule myself.

A coworker told me that another EMT STEVE [REDACTED] was looking to take some of my hours because he was training for his EMT-PARAMEDIC and needed more hours. I seem to be the only employee who is not authorized by MIKE [REDACTED] to come into work, when called for a staffing emergency, because I am unable to clear the overtime with MIKE [REDACTED] first, and MIKE [REDACTED] does not take my phone calls. This effectively makes it impossible to reach MIKE [REDACTED], even when he is physically in the ER, because he becomes completely unavailable to me specifically. If MIKE [REDACTED] has such a policy, then in all fairness, it should be applied equally to every employee, and the policy should be written, so everyone affected can have reasonable access to a copy.

I am afraid to go in without his prior approval, because the loud public reprimands in front of the entire staff and crew from MIKE [REDACTED] are not worth the effort. I got into trouble once for attempting to make a photo copy of the schedule using the office copy machine. MIKE [REDACTED] had thrown a temper tantrum in front of the shift over the fact that I dared to do this, against his rules.

I am the only employee who is not allowed to drive company vehicles, despite the fact that I have asked my supervisor MIKE [REDACTED] to give me a driving test. I have successfully passed two (2) NY State Emergency Vehicle Operators Course (EVOC) courses, and the

certificates are available upon request. I have extensive career experience driving emergency vehicles throughout New York State.

MIKE [REDACTED] is very clever, though, since he tries to get me to move the ambulance, even though in the past he has informed me that I am not yet approved to do so. I told him I would like to, and suggested he give me the driving test right then, so I could do so and be covered by departmental insurance. MIKE [REDACTED] refused this very basic request and became very angry with me.

MIKE [REDACTED] then gave me an order that I had to find someone else to move the ambulance. I suggested it was his job to do that, as the lead supervisor.

While I am on the topic, if OSHA, NYSDOH, or DOT were to walk into the station to inspect the ambulances, they would have find numerous violations. The brakes completely failed on one of the ambulances. I have been told that other emergency vehicles are in the various states of disrepair. Within the past two weeks, I have been on two ambulance calls, one with a patient aboard, when the chauffeur could not stop the rig. One of the brake failures caused private property damage, when the ambulance sailed through a fence while backing up on scene.

Additionally, there is another serious OSHA and NFPA violation, as that ambulances are parked too closely to the wall in the garage to allow someone to pass through. OSHA regulations require that the ambulances be spaced far enough apart, so that a person can safely walk between them. Currently there is less than 8 inches of clearance.

I would tell you that I don't feel I have a future in this department, as long as MIKE [REDACTED] is in charge. I have good reason to believe he would make it difficult, if not impossible, for me to progress in my role, even if I were to pay for the necessary training myself.

Can you help me, please, resolve this difficult situation? I do not want to lose a job I love, particularly under such false and contrived circumstances.

EMILY PRATT SLATIN  
FIREFIGHTER PARAMEDIC SPECIALIST