



PERSONNEL COMMITTEE PACKET

MEMO TO: PERSONNEL COMMITTEE
FROM: DAVID MILLER, COMMUNITY COORDINATOR
DATE: OCTOBER 18, 2024
SUBJECT: PERSONNEL COMMITTEE MEETING

Please see the details below for the Personnel Committee meeting date, time, and location.

Via Zoom:

Zoom Link: <https://us02web.zoom.us/j/87290763453>

Meeting ID: 872 9076 3453

Phone-in Option: +1 346 248 7799 (Houston)

If you have any questions, please call me at (520) 432-5301 Extension 211. You can also send an e-mail to dmiller@seago.org.



PERSONNEL COMMITTEE AGENDA

10:30 A.M., TUESDAY, OCTOBER 22, 2024
VIA ZOOM (see Cover Letter for Zoom details)

I. CALL TO ORDER

David Miller

II. ACTION ITEMS

1. Election of Chair and appointment Vice-Chair of Personnel Committee David Miller
2. Discussion and possible action to (A.) hear and conduct the Appeal Hearing of Robin Dumas as the Personnel Committee or (B.) direct SEAGO staff to hire an outside Hearing Officer Committee Chair
3. Discussion and possible action to set time, date and location for Appeal Hearing if option (A.) is chosen Committee Chair



ADMINISTRATIVE COUNCIL PACKET

MEMO TO: SEAGO PERSONNEL COMMITTEE
FROM: DAVID MILLER, COMMUNITY COORDINATOR
DATE: OCTOBER 18, 2024
SUBJECT: ROBIN DUMAS APPEAL OF TERMINATION

SEAGO staff has convened the Personnel Committee in response to an appeal of termination. Robin Dumas was terminated from SEAGO employment on September 6, 2024, and notified the Committee of her intent to appeal on September 16. Ms. Dumas' notice of appeal is attached.

Section 8 of SEAGO's Employee Policy Manual provides for a Personnel Committee, described as a standing committee of the Executive Board per Article VIII of the SEAGO Bylaws. Section 8 also provides guidance relative to appeals from termination, and empowers the Committee to either hear appeals or appoint a hearing officer to preside over such hearing.

First, however, the Committee must meet, elect a Chair who will then appoint a Vice Chair, and schedule the appeal hearing.

At the hearing, the Appellant and SEAGO staff may present evidence in support of their position. Though the Committee may go into Executive Session for deliberative purposes, the decision rendered will take place in open session. Per the SEAGO Bylaws (VIII.C), all SEAGO Committee meetings are open to the public.

For reference, on the following pages we include here the relevant sections of SEAGO's HR Policy Manual and Bylaws.

Attachments: SEAGO Personnel Policy Manual Sections 8.5 & 8.6; SEAGO Bylaws Article VIII; and Robin Dumas Letter of Appeal

Action Requested: Information Only Action Requested Below

1. **A motion to set a time, date and place for an Appeal Hearing.**
2. **A motion to appoint or direct staff to hire a Hearing Officer (optional)**

Attachment: Section 8.5 and 8.6 of the SEAGO Employee Policy Manual

8.5 Appeals from Termination, Demotion, and Unpaid Suspension

This policy provides the rights and procedures for employees to appeal decisions of the Executive Director to terminate their employment, demote them to a lower level position, or to suspend them without pay.

A regular, classified employee who has completed his or her probationary period may appeal an action resulting in termination, demotion or unpaid suspension. An employee who fails to complete the initial probationary period has no right of appeal. An at-will employee does not have the right to appeal under this policy, unless they can show that the employment action was due to unlawful discrimination.

Appeals will be made to the Personnel Committee. The Personnel Committee shall consist of the Chair and Vice Chair of the Executive Board and the officers of the Administrative Council. It shall be a standing committee of the Executive Board.

8.6 Appeal Procedure

Under this procedure, appeals must be filed in writing with the Executive Director within 10 days of the notice of discipline. When an appeal is filed, the employee and the employer understand and agree that, at the sole discretion of the Hearing Officer, the losing party may be ordered to bear the costs of the appeal, including, but not limited to the compensation of the Hearing Officer, and the costs of the prevailing party's legal counsel. The appeal shall state in detail the facts upon which it is based, the people and functions involved, and the remedy requested.

The Executive Director shall notify the Personnel Committee of the appeal. No answer to the appeal is necessary. However, if the Executive Director chooses to file an answer, the Personnel Committee shall make a copy available to the employee.

The Personnel Committee may hear the appeal or may appoint a Hearing Officer. The Hearing Officer is fully empowered to grant or refuse extensions of time, to set procedures for the hearing, to conduct the hearing, and to take actions relative to the proceedings. The Personnel Committee may choose to withdraw the appeal from the Hearing Officer prior to the hearing. The Committee may then conduct the hearing as a Committee or assign another Hearing Officer.

The Hearing Officer shall conduct the hearing and submit the hearing officer report to the Executive Director. The Executive Director shall distribute copies of the report to each member of the Personnel Committee and the employee. The Executive Director shall schedule the appeal on the agenda, so that the Personnel Committee can take action on it.

The Personnel Committee may adopt the Hearing Officer's report in its entirety, may modify it, or may decide the case on the record with or without taking additional evidence.

- **Continuance of the Hearing.** The hearing may be continued at the request of either the appellant or the respondent. Requests to continue the hearing must be submitted to the Executive Director, in writing, at least 5 days before the hearing date. The Executive Director shall notify all concerned parties of the continuance. Failure of the appellant to comply with these guidelines and failure to appear at the time and place of the hearing may result in dismissal of the appeal.
- **Nature of the Hearing.** The employee may represent himself or herself, or be represented by legal counsel or anyone else of his or her own choosing. The Executive Director may also represent himself or herself, or be represented by legal counsel. The hearing shall be informal, and technical rules of evidence and court procedure shall not apply, except that irrelevant, immaterial, or unduly repetitious material may be excluded. Evidence protected by the rules of privilege recognized by law may also be excluded.
- **Witnesses.** The Personnel Committee or the Hearing Officer may exclude from the room any witness not at the time under examination. The employee, the Executive Director and their representatives may not be excluded.
- **Withdrawal of an Appeal.** The appellant may submit a written request to withdraw an appeal any time prior to the decision of the Personnel Committee. The request shall be submitted to the Executive Director. The Personnel Committee shall make the decision of whether to allow the request to withdraw the appeal.
- **Decision by the Personnel Committee.** If a majority of the Personnel Committee members present determines that the action appealed from was arbitrary or taken without reasonable cause, the order shall be revoked or modified. Otherwise, the disciplinary action shall be affirmed. The Personnel Committee shall have the power to direct appropriate remedial action, and shall do so after considering just and equitable relief to the employee and the best interests of the Organization. The findings and decisions of the Personnel Committee shall be final.

Attachment: Article VIII of the SEAGO Bylaws

ARTICLE VIII – COMMITTEES

A. Standing and Special Committees may be created by the Executive Board and the Administrative Council from among their respective memberships.

1. Chairs of the Executive Board and the Administrative Council shall be empowered to:

a. Define the purpose and responsibilities of committees they create.

b. Appoint the Chair of any committee they create.

2. Committees created by the Executive Board and Administrative Council shall have terms of service corresponding to their appointing authority and shall serve at the pleasure of their appointing authority.

3. Chairs of Standing and Special Committees may choose their own Vice Chairs.

B. Functional Committees shall be created and members appointed to these committees by the Executive Board.

1. Functional Committees shall be concerned with special and particular needs of the community of interests represented in the SEAGO region in such matters as, for example, Housing, Transportation, Aging, Social Services, and Economic Development.

2. Membership of Functional Committees may be drawn from both the public and private sectors, and representation from the various geographic areas within the SEAGO region will be a factor for consideration by the Executive Board when appointing members.

3. Member entity staff designated by their respective communities to serve on SEAGO Functional Committees do not require formal appointment by the Executive Board.

C. Committees have no power or authority to commit SEAGO to any action, nor are they empowered to set policy for the organization, such powers being reserved to the Executive Board. All SEAGO Committee meetings shall be open to the public.

September
16th, 2024

To The Executive Board of SEAGO,

I am writing to formally appeal my termination from Southeastern Arizona Governments Organization, effective September 6th, 2024. I respectfully request a reconsideration of this decision and seek to address several concerns that I believe have influenced the outcome.

Throughout my tenure at SEAGO, I have dedicated myself to fulfilling my responsibilities and contributing to the organization's goals. However, recent events and ongoing issues within the workplace have adversely impacted my performance and professional experience. This appeal is grounded in concerns regarding a pervasive pattern of bullying, harassment, and gross malfeasance negligence by my leadership that I believe significantly influenced and ultimately led to the decision to unjustly terminate my employment.

I would like to request a severance package of six months' salary, with the condition that COBRA payments not be deducted from this amount. This request is made in light of the persistent challenges and lack of support I have encountered, and subjection to racism, sexism, and sexual harassment. Additionally, I urge the Board to review the circumstances leading to my termination by speaking with my colleagues to gain a comprehensive understanding of the workplace dynamics.

I am committed to resolving this matter amicably and believe that a fair review of my situation will reveal that my termination was not warranted. I appreciate your attention to this appeal and look forward to discussing this matter further.

Thank you for your consideration.

Sincerely,
Robin Dumas

September 16th,
2024

To The Members of the SEAGO Executive Board:

I am writing to formally appeal my recent termination from SEAGO and to request a severance package in light of the ongoing toxicity in the workplace environment that has significantly deteriorated since the beginning of the year under the new director's leadership.

My appeal is based on the circumstances surrounding my termination and the broader context of my employment over the past nine months. Specifically, I am requesting a severance package equivalent to six months' salary, with the provision that COBRA payments not be deducted from this amount. This is in addition to the 2 weeks termination and my leave days I was paid. I also request that the Board conduct a thorough review by speaking with my co-workers to gain a full understanding of the office dynamics and the contributing factors leading to this situation.

The issues highlighted in my disciplinary hearing reflect broader concerns about the work environment and management practices that have affected my professional experience and performance. I believe that addressing these matters through a fair review and providing a reasonable severance package will contribute to a more equitable resolution.

Keith's professionalism falls far short of the standard expected of an Executive Director. On the day of my suspension, September 5, 2024, Keith displayed severe unprofessionalism, including slander against me, lying, making threats, and exhibiting racist behavior toward not only a prospective client but also a highly respected and award-winning member of our professional community, as well as the Native Nations. His actions that day included abruptly ending a meeting in which I was being introduced to a new team affiliated with the Department of Energy. The events of that morning, including my suspension, have not only harmed me personally and professionally but also demonstrated malfeasance in his representation of SEAGO to clients, the Executive Board, and the communities we serve.

I arrived at work by 8:10 AM on September 5th. My morning was filled with meetings, as usual, beginning at 9:00 AM. Despite knowing he planned to ask me to leave the office, Keith made no effort to check my schedule to handle or reschedule my meetings. At 9:00 AM, I was on a call with five members of a new organization I had connected with through a Department of Energy grant, which provides free energy assessments to businesses. This initiative aligns with our Brownfield Assessment Grant and USDA REAP energy grant, and offers additional new free resources to the SEAGO region. Just as I logged into the call, Keith knocked on my door and entered my office. I informed him I was in a meeting, but he returned shortly after, brusquely demanding, "End it, get off."

I was initially confused when Keith entered my office and demanded that I read a letter and surrender my keys and phone. After a moment of disorientation, I complied and then had to return to my call. I apologized and fabricated an excuse for the abrupt end of the meeting. This

act of having to lie to clients was one of the most troubling moments of my professional career. Although I acted to protect SEAGO's reputation and manage the impression left with our new clients, I am profoundly disturbed by the manner in which the situation was handled. I felt profound mortification, as this was my first interaction with an important new team, and this incident will likely shape their perception of me (and SEAGO) throughout my career. Following Keith's instructions, I left the office while Chris Vertrees and Dina Curtis were stationed outside to observe my departure.

Not long after leaving the office, I received a call from [REDACTED], President and Executive Officer of [REDACTED], an AI market and economic analytics platform company. [REDACTED] is highly recognized in the field of business and economics, having been named a Top 101 Influencer in Local Government by ELGL, and awarded by organizations such as the AAED, IEDC (International Economic Development Council), and APA for excellence in economic development. He also serves on numerous boards for his community, to include several for Tribal Business Entities.

[REDACTED] and I met at an AAED Conference, where we discussed the CEDS storyboards and SEAGO's opportunity for growth compared to our current data analytics services. Following our discussion, Keith and I spoke with Jeff Hays, who indicated that EDA funding was available if the proposals were reasonable. I was instructed to find three proposals, submit them to Sharon Metivas of the EDA for approval, and explain why funds were needed. This process, which took several months, was overseen by Keith who said he understood Jeff's directives, so he was fully aware of my efforts and how they came about.

I sent [REDACTED]'s proposal to Keith and discussed it multiple times, emphasizing how it would enhance SEAGO's capabilities, boost SEAGO's national presence and streamline our CEDS process, unburdening some of the process from relatively new (and already understaffed) colleagues. Keith was fully aware of my activities although he never fully engaged with the proposal/solicitation process. At no point did he have me stop this process due to the fact we misunderstood how the funding would work, or to aid me in finding a funding solution.

After a phone call with Keith yesterday, [REDACTED] reached out to me, concerned about my well-being. During this call, Keith informed [REDACTED] he was unfamiliar with who he is and the proposal had not been discussed with him.

Keith also informed [REDACTED] that we did not have the funding and dismissed [REDACTED]'s proposal by saying, "but the CEDS Storyboard thing is cool." This dismissive remark overlooked the significance of the CEDS storyboard, which is a pioneering approach that I discovered when selected to participate in the NADO Co-Learning Group—a program designed to assist new economic developers with their CEDS responsibilities. The CEDS storyboard is a unique tool that has been implemented fewer than ten times nationwide and has not yet been used in Arizona. Additionally, the entire point of the proposals is to ensure reasonable funding as noted by Jeff Hays, and funding for the CEDS storyboard had been approved in principle. Keith was aware of this.

Keith also suggested to [REDACTED] that "my position might be open soon," which is not only disrespectful to me but also damages SEAGO's reputation in front of a potential client. This statement is deeply troubling, as it creates discomfort for both myself and [REDACTED]. Furthermore, Keith's comment implies a prejudgment about my upcoming disciplinary hearing scheduled for September 6, suggesting that the decision may already be biased and predetermined. This undermines the fairness of the process and disregards any input I might provide. Despite the context, [REDACTED] assured Keith during their call that he remained open to discussing the proposal, emphasizing that his decision to engage with SEAGO was influenced by the professionalism and opportunities he perceived through my representation. Keith assured [REDACTED] that he would be happy to work with him in the future.

[REDACTED], during this call to me after theirs, mentioned sending a text to my company cell phone. What transpired between Keith, as an Executive Director, to [REDACTED] can only be described as belittling, threatening, and racist.

[REDACTED] s text to my SEAGO cell read:

"I just got an interesting call."

Keith, using my phone, responded (as me) with:

"Do Tell!!!"

When there was no response from [REDACTED] as [REDACTED] realized I was not in possession of that phone, Keith continued by sending to [REDACTED]:

"Probably better to not. This is a SEAGO phone and the guy holding it is the one you spoke to earlier. Might wanna lose this number chief."

During my conversation with [REDACTED], I could only apologize for the lies, bullying, and overt racism he encountered in his interactions with Keith. [REDACTED] expressed concerns about conducting business in the Southeastern Arizona region due to fears of bias and racism against Native Americans after this incident.. He requested that this conversation, along with details from my disciplinary hearing, be shared with the Executive Board, as he believes it is crucial they be aware of his experiences with Keith Dennis and SEAGO.

At the end of my Disciplinary Hearing, when I stood up for the treatment of [REDACTED] and acknowledged I would be appealing and letting the Board know of this incident, Keith then said, "Go ahead, I went through your messages." I replied, "Okay." [REDACTED], at the last forum we were both at, had sent a text message that talked about the post-forum plans and used the term "Date Night". There were absolutely no other texts to imply that we had anything other than a professional relationship and that [REDACTED] was using a simple turn of phrase. Keith then in a mocking tone said, "I saw your little datey-date night messages. Is this what you're doing while on company time? Going out, drinking, and having dates?" My immediate response to this blatant sexism, was to again, first and foremost stand up for a potential client, colleague, and friend by announcing that [REDACTED] is a married man, and that level of disrespect for him and myself needs to stop. It is well known that forums are networking opportunities, well into the

evening - often there are nighttime dinners and celebrations dedicated just to that. Networking is a part of my job and I was bullied and harassed due to a text message that I didn't even send, I received. To take my professionalism and turn it into my sex life is absolutely uncalled for and disgusting. Keith showed no remorse for the text message he sent to [REDACTED] or his treatment of him.

Throughout the entire hearing, I was subjected to bullying not only by Keith Dennis but also by Dina Curtiss. I was told statements such as, "Everyone in the office dislikes you; you're the problem," which I find to be inappropriate and unfounded. In reality, several employees frequently come to my office for assistance with their job duties or seek clarification following meetings with Keith. Additionally, my office has become a space where employees express their frustrations about current management and the challenges it presents to our daily activities.

I repeatedly pointed out that my rebuttals addressed the concerns raised, yet it seemed my input was disregarded. It appeared that my comments were not genuinely considered, and there was little interest in hearing my perspective. Keith accused me of attempting to take over the AAA Department and suggested that I always wanted his job. In reality, I have consistently expressed that my focus was solely on contributing to the Economic Department and exploring growth opportunities over the next few years. Keith's apparent fears regarding my success and his failure to support and guide me have, through neglect, effectively set me up to fail. It seems that my perceived threat, whether real or imagined, influenced his actions.

At the end of my hearing on Friday, I was presented with a choice between termination and separation. However, there were no documents provided for review, and I was uncertain about the differences between the two options. When I asked Keith and HR Representative Dina Curtiss for clarification, neither could provide a clear explanation. I requested additional time to make an informed decision, but Keith insisted I had only 15 minutes to decide. I did not sign any documents during that meeting, and I have yet to receive any documentation confirming my termination. Additionally, Keith was supposed to prepare minutes from the meeting for my file, but I have not seen these either.

These actions reflect the toxic workplace environment I have endured, characterized by unfocused leadership, micromanagement without a clear understanding of the programs, volatile behavior, and personal grudges.

I have consistently raised concerns in this appeal and in my recent evaluation rebuttal about Keith's treatment of myself and others in his supervisory role. The ongoing pattern of grievances has reached a level where I must formally address it as harassment and bullying. Despite my continuous efforts to meet my responsibilities and take on additional duties, I have received minimal support while facing constant oversight, micromanagement, and Keith's erratic behavior, particularly troubling given his infrequent presence in the office. Moreover, Keith's public commendation of my work to the board, juxtaposed with private reprimands and persistently poor evaluations, creates a manipulative and harmful dynamic. I believe this constitutes harassment and bullying, which is detrimental to both the workplace environment

and the success of SEAGO. No employee, including myself, should have to endure such an environment.

The current work environment at SEAGO has led to significant burnout for me. Since before the new year, I have been managing both the CDBG program and Economic Development while also training two new staff members and taking on substantial additional responsibilities. Although Keith frequently expresses concern about my risk of burnout, he has not taken any meaningful actions to prevent it.

Despite my efforts to discuss departmental growth in alignment with our strategic plan, Keith constantly dismisses these ideas, claiming they are not feasible. When I present grant opportunities that could fund a position for 1 to 3 years, he ignores them, contradicting our Strategic Plan. This lack of direction has left me unclear about the objectives of my role. Despite my considerable efforts, I am often hindered by Keith's disinterest or lack of understanding. Furthermore, I was never offered an interim title or pay adjustment to reflect the fact that I had been managing two roles for over 6+ months, to include training 2 people in the Community Development Department.

The SEAGO work environment is now characterized by low morale, chronic stress, and disengaged colleagues. Mistakes are not tolerated, except when made by Keith, who is afforded leniency that others are not. His unpredictable outbursts, lack of accountability, and disregard for others' leadership needs have significantly contributed to the toxic atmosphere. This behavior has also negatively impacted SEAGO's reputation among clients, partners, and the communities we serve.

Thank you for your attention to this matter. I look forward to your prompt response and a constructive resolution.

Regards,

Robin Dumas

Text Message from my phone to [REDACTED]'s phone:

2:42

9:41

29%



Robin >

Do tell!

Today 2:01PM

Probably better to not.
This is a SEAGO phone
and the guy holding it is
the one you spoke to
earlier. Might wanna lose
this number chief



Text Message

