

### **Witness Statement of Katy Taylor**

I, Katy Taylor, WSDOT, 310 Maple Park Avenue SE, Olympia, WA 98504-7323, 360-705-7773, taylorlk@wsdot.wa.gov, have been the Assistant Secretary for Strategic, Enterprise and Employee Services of the Washington State Department of Transportation (WSDOT) since 2013. Prior to that, I was the Director of Human Resources (HR) and Safety from 2011- 2013, and the Director of Public Transportation from 2007 – 2011.

On October 13 and 17, 2014, I received phone calls from Urban Planning Office (UPO) Manager Stacy Trussler, but did not speak with her. We spoke by phone for approximately 30 minutes on October 23, 2014.

Ms. Trussler said that what she was going to tell me was not easy to talk about, and assured me that she was not doing an end run on her chain of command or on HR. She said she was concerned that I would hear from others that she is crazy. She said that she has been sick but doesn't want her illness to impact her employees. She told me that she wanted to be clear that this call was not about her, but about her role as an Appointing Authority. She said she has three business lines, and that what is happening affects all of them.

Ms. Trussler told me she doesn't know whom to trust. She said that in the past she could have trusted Dave Dye, Don Nelson and John Conrad. She said she thought about me because she thinks she can trust me from previous experiences.

Ms. Trussler said she has researched the whistleblower statute, and knows that personnel grievances are exempted from it. She shared other things about herself and then stated that she preferred not to file a whistleblower complaint. She also mentioned disciplinary consequences.

She shared that the problems started last Spring with Amy Scarton and Kerri Woehler.

Then she shared that she had talked with Northwest Regional Administrator Lorena Eng, who said I could be trusted. Ms. Trussler said she wants to talk to someone who will take her seriously. She said she needs approval to talk to an Assistant Attorney General. She commented that she has never had to discuss personnel with them, but mentioned that Kara's background aligns with hers. I do not know the connection, if any.

I listened as Ms. Trussler told me her concerns. She said that starting last Spring, she has had issues with Assistant Secretary Amy Scarton and her own supervisor, Multi-Modal Planning Director Kerri Woehler. She said she has three issues, concerning two of her employees:

- Ms. Scarton asked her to fire Charles Prestrud based on a lie that she had heard about him from an executive at King County. Ms. Trussler said that when she investigated the situation, she learned that the allegation could not be substantiated.
- There are serious retention issues concerning one of her staff members, and these have been disregarded. These could have been addressed with an increase in leave accrual, but were not. She did not say specifically who this was regarding, but said it affected all employees.
- There has been discrimination on the basis of disability (in application of FMLA and the failure to grant a Reasonable Accommodation) against one of her employees, Leah Bolotin. HR staff members Alvina Mao and Jennifer Shaffer were both involved with this and it did not get researched by HR.

Ms. Trussler also told me about several other concerns:

- On October 22, 2014, she received a Letter of Concern.
  - She mentioned the Statewide Model.
  - She said she believes the State is at legal risk of being sued, and that she is also at risk for that because of her role as an Appointing Authority.
  - She said she was yelled at so loudly by Amy Scarton that staff members asked if she was alright.
  - She said that there is a perception that she is answer-shopping concerning teleworking.
- She did not go into detail on any of these matters, but just was listing them off quickly.

Ms. Schneider asked me whether Ms. Trussler mentioned an allegation of medical fraud. She did mention the word fraud when she was sharing her concern about the HRC's not researching Ms. Bolotin's request, but gave me no details. Ms. Schneider also asked if I asked Ms. Trussler how she was doing. I don't recall having asked her that specifically.

I told Ms. Trussler that I will follow-up with HR about her concerns and she said ok. I asked her about timing, and she told me she is leaving soon on an extended trip. I told her I would follow-up when she returned. I didn't offer much other than that I would follow-up with HR and told her to take care. She thanked me for listening.

I did not hear this as a whistleblower complaint, and do not know whether I'm listed anywhere as a person to receive whistleblower complaints. I didn't ask Ms. Trussler any additional questions because I'm not trained as an investigator, and she was bringing up HR issues that required follow up investigation and technical expertise. I listened and took her seriously as she requested.

After my conversation with Ms. Trussler, I contacted Jeff Pelton in HR and told him the details of the call. He said he would talk with the appropriate Human Resources Consultant (HRC).

I did later meet with HRC Heidi Mabbott. We walked through my notes from the conversation with Ms. Trussler. She said she would follow-up and would look into the additional items that she was not aware of previously. In that conversation, I became aware that there had been a delay on the follow-up concerning the FMLA request when Ms. Mao had been on leave. I later got back to Ms. Mabbott for an update on the situation. She told me that Ms. Trussler had recorded a conversation with her. Until that time, she said she thought she had built good rapport with her and they were making progress, but was now disappointed as their conversations had hit an impasse.

FMLA request--not accommodation request

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I also spoke with Ms. Scarton and told her I had a conversation with Ms. Trussler. I told her that Ms. Trussler had contacted me, that she had some concerns, and that I referred her to HR. I shared that Ms. Trussler had alleged that she (Ms. Scarton) had yelled at her, and asked her to fire someone based on a lie. I recall that Ms. Scarton said she doesn't yell, and that she wouldn't and didn't direct Ms. Trussler to fire anyone.

I inquired about Ms. Trussler with HR, but I don't recall that I connected with her again. I had intended to, but she was always gone. Sometime after this I heard from Mr. Pelton that she was on administrative leave.

I didn't have the sense that she had asked me to do anything specifically but listen and follow up with HR which I did. She was aware of the contact I had made with Heidi who was looking into her concerns. My perception was that when we spoke, she wanted me to be aware of the situation and make sure that appropriate follow-up was taken. She clearly had a lot on her mind, and wanted someone to hear her.

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This statement, including any edits made by me, is true to my best knowledge and belief.

Katy Taylor 5/19/15

Signature Date

Katy Taylor

Name – please print