
No. 13-2209

In the
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

BBF ENGINEERING SERVICES, P.C., a Michigan Professional
Service Corporation,

and

BELLANDRA FOSTER, an individual,

Plaintiffs-Appellants,

v.

THE HONORABLE RICK SNYDER, in his capacity as GOVERNOR OF THE
STATE OF MICHIGAN, KIRK T. STEUDLE, in his capacity as DIRECTOR of
the MICHIGAN DEPARTMENT of TRANSPORTATION, VICTOR JUDNIC
and MARK STEUCHER,

Defendants-Appellees.

Appeal from the United States District Court
Eastern District of Michigan, Southern Division
Honorable Nancy G. Edmunds

**PLAINTIFFS/APPELLANTS BBF ENGINEERING SERVICES, P.C. AND
BELLANDRA FOSTER'S MOTION FOR JUDICIAL NOTICE
OF INVESTIGATOR CHERYL HUDSON'S MDCR COMPLAINT
AGAINST MDOT DIRECTOR KIRK T. STEUDLE, ET AL.**

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

BBF ENGINEERING)	Case No. 13-2209
SERVICES, P.C., a Michigan)	
Corporation, and BELLANDRA)	
FOSTER, an individual)	
)	
Appellants,)	On Appeal from E.D. Michigan
)	S.D.
v.)	No. 11-CV-14853
)	
THE HONORABLE RICK)	
SNYDER, in his capacity as)	
GOVERNOR OF THE STATE)	
OF MICHIGAN, KIRK T.)	
STEUDLE, in his capacity as)	
DIRECTOR of the MICHIGAN)	
DEPARTMENT of)	
TRANSPORTATION,)	
VICTOR JUDNIC and MARK)	
STEUCHER)	
)	
Appellees.		

**PLAINTIFFS/APPELLANTS' MOTION FOR JUDICIAL NOTICE
OF INVESTIGATOR CHERYL HUDSON'S MDCR COMPLAINT
AGAINST MDOT DIRECTOR KIRK T. STEUDLE, ET AL.**

Submitted by:
Avery K. Williams, Michigan Bar No. P34731
Teri Whitehead, Michigan Bar No. P61908
Attorneys for Plaintiffs/Appellants
Williams Acosta, PLLC
535 Griswold Street, Suite 1000
Detroit, Michigan 48226
Phone: 313-963-3873
Fax: 313-961-6879
e-mail: awilliams@williamsacosta.com
e-mail: twhitehead@williamsacosta.com

Plaintiffs/Appellants BBF Engineering Services, P.C. and Bellandra Foster (collectively, “Appellants”) move this Honorable Court to take judicial notice of an adjudicative fact, pursuant to *Fed. R. Evid. 201(b)*, namely that Cheryl J. Hudson, Equal Employment Opportunity (“EEO”) Officer and Title VI Program Specialist for the Michigan Department of Transportation’s (“MDOT”) recently filed a Title VII, Elliot-Larsen Civil Rights Act, and age discrimination complaint (“MDCR Complaint”) against MDOT and MDOT Director Kirk T. Steudle, Defendants-Appellees in this matter. (Exhibit A: MDCR Complaint). Ms. Hudson filed her MDCR Complaint with the Michigan Department of Civil Rights (“MDCR”) on or about April 21, 2014, just prior to the oral arguments on this case which occurred on May 1, 2014. Appellants received a copy of the MDCR Complaint on May 29, 2014. Ms. Hudson’s filing with the MDCR also included an affidavit in support of her complaint detailing MDOT’s acts of discrimination and retaliation against her. (Exhibit B: MDCR Affidavit). In support of this request and to enable the Court to take judicial notice of the matter, Appellants offer the MDCR Complaint and Ms. Hudson’s MDCR Affidavit. (Exhibit A: MDCR Complaint and Exhibit B: MDCR Affidavit).

Ms. Hudson, as MDOT’s EEO Officer and Title VI Program Specialist, was one of two persons primarily responsible for the comprehensive investigation of Defendants-Appellees’ discrimination against Appellants with Federal Highway

Administration's Civil Rights Program division. This investigation concluded by preponderance of the evidence that MDOT and its employees discriminated against Appellants. (FHWA Inv. Report, RE 58-2, Page ID #3160-3167).

Ms. Hudson's MDCR Complaint further confirms both MDOT's and Mr. Steudle's pattern of discrimination and validates Appellants' legal and factual appeal and the retaliation that resulted from Ms. Hudson's investigation of Appellants' case. The MDCR Complaint provides, "I believe I am being subjected to disparaging treatment from the respondent's Caucasian male director due to my age, sex, and in retaliation for assisting and participating in internal discrimination complaints against the respondent." (Exhibit A: MDCR Complaint). Specifically, Ms. Hudson's MDCR Affidavit reads in relevant part:

- Director Steudle treats me differently than males who report to him. I am an African American Female...
- The MDOT is also responsible under the director's leadership to ensure that sub-recipients of federal funds comply with state and federal law. **Director Steudle has signed assurances required by the Federal Highway Administration, as required by 23 CFR Part 200, that he will ensure that MDOT abides by the regulations.**
- I learned that Victor Judnic [no longer an MDOT employee] allegedly said that "No black woman should make that kind of money." Her 4 million dollar contract was cut in half. Mark Steucher, project manager (retired) changed Dr. Bellandra

Foster's scores so that she was not the selected consultant.

- **I told Director Steudle about these issues after I interviewed Dr. Foster.** Director Steudle commented that if these allegations were true they were not right. **I thought he would take action, but he did nothing with the information that I am aware of.** Eventually, Mary Finch, Federal Highway Administration Civil Rights Investigator took over and conducted the investigation. I continued to assist her in the investigation...
- It became apparent that Director Steudle was not happy with the outcome of the investigation, but he never called a meeting to discuss the outcome with me. However, Greg Johnson, the Chief Operations Officer, made no bones about the fact that he felt that Mary (and I) had made the wrong decision with respect to the outcome of the investigation. Mary Finch and I met him in his office to discuss the matter. He complained that MDOT had done so much for Dr. Foster over the years that she would have the audacity to file a complaint against MDOT [after all they had done for her]. He was very emotional about it. I could see he was getting agitated and had to ask him to calm down. **Eventually, Mrs. Finch found that MDOT had engaged in illegal discrimination.**
- Most recently he has asked me to "recuse" myself from conducting an investigation filed by an MDOT employee. This most recent action has caused me to file this complaint as it is the culmination of conduct and/or communication and/or lack thereof, that has caused me to realize that Director Steudle will never treat me as a professional as long as I work for MDOT and he is my supervisor. He will continue to act in a manner that prohibits me from exercising the duties of my

position to the fullest extent possible; as the Equal Employment Opportunity Officer or as the Title VI Coordinator.

- **Mrs. Finch was aware that I was not being included and she told me that she felt bad that I was being harmed because of my participation in the BBF investigation.**
- October 30, 2013; 2:41 p.m.
Email response from Director Steudle to Cheryl Hudson–

“Don’t take my questions as not wanting to comply. Just trying to understand the full picture. **As background, it has been my experience in the past 10+ years that we will always be in non-compliance with FHWA/FTA/FRA over something and that by having us fully compliant they wouldn’t need to exist.** So not so surprisingly we will always be short on something somewhere in the program. I don’t get as worked up about it as we have in the past, because the issue keeps coming around like a bad penny only on a different subject... **I would like the regulations to be read as loosely as possible. (What is minimally required to be in compliance.) This is not just for this instance but all federal requirements across the board engineering or administration...**”

- Director Steudle meets with all of his direct reports on a regular basis. I see them coming and going from his office. This is disparate treatment on its face. **He makes time for what is important to him; and apparently does not care about MDOT’s civil rights compliance.** His support has been almost non-existent... I am between a rock and a hard place. Even if I stay, I suspect he may continue to maintain a philosophy of

“minimal compliance.” He may also continue what I feel is retaliation. Moving me will create logistical a nightmare with the other DOTs. Also, the message this sends to employees at MDOT is that civil rights is unimportant. The external and internal program would be separate. That makes no sense.

- There should be an investigation into hiring practices at MDOT. I believe there has been and will continue to be cronyism and nepotism in the selection process sanctioned by Director Steudle. I am excluded from participation in and awareness of who is being hired until I have to respond to a complaint of discrimination.
- Email to Barbara Hicks with cc to Director Steudle dated December 11, 2012:

“Your city’s Title VI Plan was recently approved by MDOT. As a recipient of federal-aid you are obligated to comply with 23 CFR Part 200 and CFR 49. Pursuant to the regulations you must provide public access to all persons in your jurisdiction of their rights under Title VI. MDOT Civil Rights Program staff audited your public website, and have found that your plan is not readily accessible/visible to the public. Please correct this deficiency within 30 days or your city may be found in non-compliance...”

- Retaliation because of my participation in the BBF Investigation and Able Sahloul Investigation (On December 4, 2012, 9:06 a.m., Director Steudle said that he was “irritated” in reference to the BBF Investigation)...
- I am being subjected to illegal discrimination in my terms, conditions, and privileges of employment based in part on my gender and age,

and because of my position as the EEO Officer responsible for ensuring fairness and non-discrimination in employment; most recently, I have been asked to “recuse” myself from investigating a complaint brought forward by an employee on March 20, 2014.

(Exhibit B: MDCR Affidavit). (Emphasis added).

Ms. Hudson’s MDCR Complaint is a proper subject for judicial notice under *Fed. R. Evid. 201(b)* because it presents a category of facts capable of accurate and ready determination, whose accuracy cannot reasonably be questioned. Proper subjects for judicial notice include “matters of public record (e.g. pleadings, orders and other papers on file in another action pending in the court; records or reports of administrative bodies; or the legislative history of laws, rules or ordinances) as long as the facts noticed are not subject to reasonable dispute.” *Pakootas v. Teck Cominco Metals, Ltd.*, 632 F.Supp.2d 1029, 1032 (E.D.Wash. 2009) (citing *Intri-Plex Techs., Inc. v. Crest Group, Inc.*, 499 F.3d 1048, 1052 (9th Cir. 2007)).

The 6th Circuit Court of Appeals case of *Logan v. Denny’s, Inc.*, 259 F.3d 558 (6th Cir. 2001) is dispositive. The plaintiff in *Logan, supra*, an African American female brought a suit alleging that her former employer violated her civil rights under Title VII of the Civil Rights Act of 1964. The district court granted summary judgment in favor of the employer, and the plaintiff appealed. The *Logan* court, in reversing and remanding, took judicial notice of the

defendants' past history of discriminatory conduct, including two class action suits, which the defendants' settled. *Logan, supra* at 577. The *Logan* court stated:

Although we recognize that Defendant's past record of discrimination is not at issue here, the fact remains that **Defendant is no stranger to race discrimination suits, and the district court's failure to see through Defendant's tactics and recognize the many genuine issues of material fact in this case is disturbing.**

Logan, supra at 578. (Emphasis added).

Likewise, while Appellants' are requesting judicial notice of Ms. Hudson's MDCR Complaint, there have been other have been other civil rights complaints filed against Mr. Steudle.

Based upon the foregoing, Appellants respectfully request this Honorable Court take judicial notice of Ms. Hudson's MDCR Complaint and MDCR Affidavit against Appellees MDOT and Mr. Steudle.

Respectfully submitted,

s/ Avery K. Williams
Avery K. Williams (P34731)
Teri Whitehead (P61908)
Williams Acosta, PLLC
535 Griswold Street, Suite 1000
Detroit, Michigan 48226
Telephone: (313) 963-3873
Facsimile: (313) 961-6879
awilliams@williamsacosta.com
twhitehead@williamsacosta.com
Attorneys for Plaintiffs-Appellants

Dated: May 29, 2014

CERTIFICATE OF SERVICE

A true copy of the foregoing Plaintiffs/Appellants Motion for Judicial Notice was served by electronic mail this 29th day of May 2014 to all parties participating in the court's electronic mail system.

Respectfully submitted,

s/ Avery K. Williams _____

Avery K. Williams (P34731)

Teri Whitehead (P61908)

Williams Acosta, PLLC

535 Griswold Street, Suite 1000

Detroit, Michigan 48226

Telephone: (313) 963-3873

Facsimile: (313) 961-6879

awilliams@williamsacosta.com

twhitehead@williamsacosta.com

Attorneys for Plaintiffs-Appellants

EXHIBIT A

CHARGE OF DISCRIMINATION		COMPLAINT/CHARGE NUMBER	
This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse before completing this form.		MDCR # 452608 EEOC # <u>23A-2014-00669C</u>	
MICHIGAN DEPARTMENT OF CIVIL RIGHTS and THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION			
NAME (Indicate Mr., Ms., Mrs.) Ms. Cheryl Hudson		HOME TELEPHONE NO. (Include Area Code) (517) 402-1503	
STREET ADDRESS, CITY, STATE AND ZIP CODE 3380 Hidden Ridge Dr, Dewitt, MI 48820			
Named is the employer, labor organization, employment agency, apprenticeship committee, state or local government agency who discriminated against me.			
NAME Michigan Department of Transportation		# EMPLOYEES 2500	TELEPHONE NO. (Include Area Code) (517) 373-0980
STREET ADDRESS, CITY, STATE AND ZIP CODE 425 West Ottawa Street, Lansing, MI 48909			
CAUSE OF DISCRIMINATION BASED ON Age, Retaliation, Sex		DATE OF MOST RECENT OR CONTINUING DISCRIMINATION March 26, 2014	
<p>I am a 62 year old African American woman and I believe I am being treated differently most recently on March 26, 2014, due to my sex, age, and in retaliation for engaging in multiple protected activities.</p> <p>I began employment with the respondent on January 4, 2004, and currently work as an BEO officer.</p> <p>Other terms & conditions 03/26/2014 Retaliation, Age, Sex</p> <p>I have been treated less favorable by the respondent's Caucasian male director. The respondent's director has undermined the authority of my position and does not communicate with me or treat me with the same respect as my Caucasian male coworkers. I believe the Caucasian male director has had an issue with my age since I began employment, because I was hired as a retiree. Most recently on March 26, 2014, I was asked to recuse myself from a discrimination complaint against the department. I believe I am being subjected to disparaging treatment from the respondent's Caucasian male director due to my age, sex, and in retaliation for assisting and participating in internal discrimination complaints against the respondent.</p> <p>This complaint is based on the following law: Age Discrimination in Employment Act Elliott-Larsen Civil Rights Act No 453, Public Act of 1976, as amended Title VII, US Civil Rights Act of 1964, as amended</p>			
I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. I declare under penalty of perjury that the foregoing is true and correct. I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number, and I will cooperate fully with them in the processing of my charge in accordance with their procedures. <u>Cheryl A. Hudson</u> Date <u>4/21/2014</u> Signature of Charging Party / Claimant		NOTARY (When necessary to meet State and Local Requirements) <u>[Signature]</u> SUBSCRIBED AND SWORN BEFORE ME THIS DATE (Day, month and year) <u>April 21, 2014</u> Commissioned in <u>Ingham</u> County Acting in <u>Ingham</u> County Commission expires <u>September 23, 2018</u>	



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Patrick V McNamara Bldg
477 Michigan Avenue, Room #865
Detroit, MI-48226
Telephone: (313) 226-7636

April 23, 2014

Ms. Cheryl Hudson
3380 Hidden Ridge Dr
Dewitt, MI 48820

Re: EEOC # 23A-2014-00669C
MDCR # 452608
Cheryl Hudson v Michigan Department of Transportation

Dear Ms. Hudson:

You recently filed a complaint of employment discrimination with the Michigan Department of Civil Rights (MDCR). That agency has sent us a copy of your complaint (enclosed), and it has been assigned an EEOC number. Please use that number whenever you contact us. A copy or notice of your charge will be sent to the respondent by the MDCR.

You are encouraged to cooperate with the MDCR. The final findings and orders of the MDCR may be adopted by the Commission.

MDCR will investigate and resolve your charge under its statute. Under Section 1601.76 of our regulations, you are entitled to request us to review the MDCR's final finding. To secure this review, you must request it in writing to this office within 15 days of your receipt of the MDCR's finding in your case. Otherwise, EEOC will generally adopt the MDCR's finding.

Please note: The box(es) checked below are applicable to your charge.

Title VII: Under Title VII of the Civil Rights Act of 1964, as amended, the Commission must issue you a Notice of Right to Sue before you may file private suit under this law.

ONCE 90 DAYS HAVE PASSED FROM YOUR RECEIPT OF A NINETY-DAY NOTICE, YOUR RIGHT TO SUE IS LOST.

EEOC #: 23A-2014-00669C

MDCR #: 452608

Cheryl Hudson v Michigan Department of Transportation

Page 2 of 2

April 23, 2014

ADEA: The Age Discrimination in Employment Act of 1967, as amended (ADEA) requires, before you can sue, that a charge alleging age discrimination be filed with both the EEOC and an appropriate State agency. Your age discrimination charge has been sent to the EEOC by the MDCR in order to preserve your right to sue under the ADEA. You may file a lawsuit at any time 60 days after you filed your charge *until* 90 days after you receive a notice from the EEOC (Ninety-day Notice) that it has completed processing of your charge.

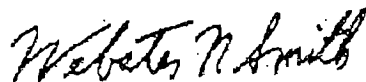
ONCE 90 DAYS HAVE PASSED FROM YOUR RECEIPT OF A NINETY-DAY NOTICE, YOUR RIGHT TO SUE IS LOST.

EPA: You may bring suit under the Equal Pay Act (EPA) of 1963, as amended, without waiting for EEOC or any state or local agency to act. EPA suits must be brought within 2 years (3 years in cases of willful violations) of the alleged EPA underpayment.

ADA: Under the Americans with Disabilities Act of 1990, the Commission must issue a Notice of Right to Sue before you may file private suit under this law.

EEOC regulations require that you notify us of any change in your address or of any prolonged absence from your current address. Your cooperation in this matter is essential.

Sincerely,



Webster N. Smith
District Director

Enclosure

EXHIBIT B

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

Complaint Against Director Kirk Steudle, et.al. (Employment Discrimination) - Continuing Pattern of Discrimination, Hostile Work Environment, Retaliation for Participation in Protected Activities in Violation of State and Federal Civil Rights Laws

The Michigan Department of Transportation's Discriminatory Harassment Policy states that employees are obligated to report to management, in writing, if (1) the employee is subjected to unwanted discriminatory harassment in the workplace by a supervisor, manager, co-worker, or other person, and (2) the employee witnesses a supervisor, manager, co-worker, or non-employee, including vendors, and contractors, engaging in discriminatory harassment. It also states that (3) "A supervisor or manager who witnesses or is informed of a subordinate employee engaging in discriminatory harassment is obligated to take prompt remedial action and report the incident to the EEO Officer as soon as practical. (4) Allegations involving managers or supervisors must be reported to the EEO Officer. (5) Managers and supervisors are required to take reasonable action to prevent and correct workplace conduct that may violate this policy. (6) Managers and supervisors who violate this policy may be disciplined up to and including dismissal.

Kirk T. Steudle is the Director of the Michigan Department of Transportation. He has been my direct supervisor since he became Director after Gloria Jeff left in 2006. Director Steudle attempted to move me to the Office of Human Resources (which was still within MDOT's organizational structure at that time) in 2007 but was prevented from doing so by the Federal Highway Administration, Michigan Division Administrator James Steele (now retired) and retired Michigan Division Civil Right's Program Manager, Mary Finch.

Director Steudle has a full plate as the Director of Michigan's transportation program. He is responsible to the people of the State of Michigan, including the public, stakeholders, local businesses, and the motoring public "to provide the highest quality integrated transportation services for economic benefit and improved quality of life." Simply stated, this is MDOT's mission which is designed to ensure that Michigan's infrastructure is structurally sound and safe; so that people and goods move fast and efficiently on the state's highways and trunk lines.

Director Steudle must ensure that MDOT is in compliance with state and federal laws governing transportation. Closely related to this mission is a requirement to ensure non-discrimination in all of MDOT's programs, services and activities related to transportation. Federal regulations include enforcement and adherence to Title

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
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March 28, 2014

VI of the Civil Rights Act of 1964, Executive Order 13166 – Limited English Proficiency, Executive Order 12898, Environmental Justice, Americans with Disability Act, Section 504 of the Rehabilitation Act, Title VII of the Civil Rights Act of 1964 (Employment Discrimination), Michigan’s Elliott-Larsen Civil Rights Act and a host of other laws that promote public welfare and fair employment practices.

The MDOT is also responsible under the director’s leadership to ensure that sub-recipients of federal funds comply with state and federal law. Director Steudle has signed assurances required by the Federal Highway Administration, as required by 23 CFR Part 200, that he will ensure that MDOT abides by the regulations.

Director Kirk Steudle proposes to reassign me (Cheryl Hudson) to the Michigan Department of Civil Service, Office of Human Resources, purportedly because he doesn’t have time for me. Besides myself, Director Steudle currently has three other direct reports, Jeff Cranson, Office of Communications, Michael Kapp , Office of Economic Development, and Kelly Bartlett, Government Liaison. All are white males. Director Steudle treats me differently than males who report to him. I am an African American Female [race is not the issue here however]. He refuses to meet with me to discuss any matters related to the Internal/External Civil Rights Programs I manage. Most recently he has asked me to “recuse” myself from conducting an investigation filed by an MDOT employee. This most recent action has caused me to file this complaint as it is the culmination of conduct and/or communication and/or lack thereof, that has caused me to realize that Director Steudle will never treat me as a professional as long as I work for MDOT and he is my supervisor. He will continue to act in a manner that prohibits me from exercising the duties of my position to the fullest extent possible; as the Equal Employment Opportunity Officer or as the Title VI Coordinator.

Background:

In November 2003, I (Cheryl Hudson, formerly Strayhorn) retired from the Michigan Department of State Police; an enlisted officer with 25 years of service. On January 4, 2004, I was hired by former Director Gloria Jeff to act as the Internal EEO Officer for the Michigan Department of Transportation. Federal regulations require that the individual selected for this position possess the requisite knowledge, skill, ability, and experience to manage this federally mandated program. Specifically, my duties at that time were to ensure non-discrimination in employment, conduct discriminatory harassment investigations, training, and act as a consultant to management and employees (see position description) in matters related to Equal Employment Opportunity (See 23 CFR Part 200/Internal Program). Bobbi Tisdale

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

was the Human Resources Director at the time. She provided a letter designating me as the EEO Officer and noting that I was independent of OHR.

Director Steudle, my current supervisor was an assistant to Director Jeff at that time. During Director Jeff's tenure, I had no contact with Assistant Director Steudle. Around 2006, ex-Governor Jennifer Granholm replaced Director Jeff and Director Steudle became my boss. In as much as Director Steudle was my new supervisor, I made a point to keep him abreast of my activities with respect to EEO (see Director Updates). However, unless I set up meetings Director Steudle, I had no contact. He did not appear to be very interested in what I had to say. My first performance appraisal was excellent. In fact, Director Steudle has always rated my work as high performing - even when I protested that some categories should only be rated as "meets expectations" for that rating period. Director Steudle said that he rated me as high performing because he had "heard" excellent reviews of my performance. I could not argue that point because I pride myself on excellence. But I still felt that his compliments were hollow in that he never discussed my work in any meaningful way.

In 2007 Bobbi Tisdale was replaced with Tamara (Tammy) Kirschenbauer. I had originally put my name in the mix to interview but learned from a former MDOT HR manager (Joetta Parker) that Director Steudle intended to select Mrs. Kirschenbauer because they are good friends. I felt it would be futile to interview and withdrew my name. I mentioned this information to Vanessa Blaxton, Director Steudle's Executive Assistant [at that time] but I do not know for sure if she relayed this to him. Joetta Parker had more HR experience and EEO experience, and a college degree, but Tammy, who has no degree got the job.

Later in approximately July 2007 Director Steudle came into my office in a flurry with brief case in hand; he still had his coat on. He surprised me because he never came to my office about any matters. He told me that he had talked to James (Jim) Farrell, State Personnel Director and that Jim said that my position should be in the Office of Human Resources. OHR was part of MDOT at the time. I was shocked and dismayed. Director Steudle proceeded to ask me where I wanted to go. Still reeling from this news I said, "I don't want to go anywhere. I am required by federal regulations to report to the MDOT Director." I believe he asked me where that was written. I continued to protest and he asked me to show him where that was stated in the regulation. I found it and went to his office to show him. He was still not convinced.

Afterward, I contacted Mary Finch, FHWA, Michigan Division Civil Rights program manager; my counterpart at the federal level. Mrs. Finch was also shocked at

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

Director Steudle's intention to remove me to OHR because the establishment of my position was negotiated with the former Director as a requirement for compliance. MDOT received federal funding and is therefore obligated to comply. Mr. James Steele was the Division Administrator at that time. He and Mrs. Finch wrote a letter to Director Steudle, dated August 9, 2007, outlining the reasons why I was to report directly to him and not OHR, essentially citing conflict of interest. I am responsible to review and/or investigate issues arising out of HR hiring practices and decisions. The letter stated, in part, that the EEO Officer *"not be located in the Human Resources Division, due to ethical and potential program conflicts. The reason for the separation from Human Resources Division is that the EEO Officer needs to be independent of the HR process because many of the complaints tend to involve HR and the programs that they administer and the EEO Officer serves in an oversight role."*

For the time being the decision to move me was held in abeyance. However, from that time forward I began to feel uneasy with Director Steudle. I do not recall the day, but soon after Mr. Steel's letter, I passed Tammy Kirschenbauer in the hall on the first floor. She mentioned in passing that my position was being frozen. I was again shocked as the job of an internal EEO officer is mandated by federal regulations (23 CFR Part 200) and EEO is the law in Michigan. This abrupt revelation signaled the beginning of my feeling that I was being "shoved to the side" by Director Steudle with preference given to Mrs. Kirschenbauer.

As previously stated, I provided updates to Director Steudle. On one occasion he asked me, out of the blue, "How long do you plan to be at MDOT?" I was very uncomfortable with the question. I don't recall how I responded specifically. At one of our last meetings in 2007 or 2008, Director Steudle said that he did not see the need to meet with me. He said that if there was a problem he would let me know but if not then everything was alright - or something close to that. I felt that I had to go along with it. Part of me wanted to believe it was because he trusted me and the work that I do - that he was appreciative of it and comfortable with my decisions; but part of me felt that he did not want to be bothered. To this day Director Steudle has never approached me about my work; how things are going, is there anything I need, etc. Ironically, he has always rated me high performing; by having me rate myself and then he signs off on it (refusing to meet with me to discuss or engage in any meaningful conversation about what I do for Michigan and the department). He has no interest.

In 2009, I was asked by our Chief Financial Officer (Leon Hank) to assist the Department of Natural Resources by conducting an investigation for the DNR involving some high level officials. Several of them lost their jobs. I feel that

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
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(517) 402-1503 (Personal Cell)

March 28, 2014

Director Steudle, in the aftermath, did not like the fact that I assisted DNR, nor the outcome. He sent me an article from a newspaper that lambasted my investigation. However, he never directly approached me about it.

I continued to perform my duties without any input, direction, feedback, praise or criticism from Director Steudle. However, when I asked to go on trips for training he did allow it. I sensed that Director Steudle was not happy with me going to FHWA about his decision to move me.

Shortly after Tammy Kirschenbauer became HR Director she hired Anna Lee a close friend and colleague from Civil Service. Anna was eventually promoted to become the Labor Relations Manager. I complained to Director Steudle that I was not being kept in the loop on HR matters and I needed this contact and a working relationship to be effective. Eventually we had meetings but I never felt that HR was completely open with me. The meetings we had were very superficial. I expressed to Tammy that I believed that Director Steudle was upset with me, but she said that he always spoke well of me. I do not believe this was true.

In 2010, Verna Miller, Title VI Coordinator took another job outside of MDOT. Eventually I was given the responsibility to run her program as Title VI Coordinator. These duties were simply tacked on without any mention of a change in classification, i.e., manager of the program. I remained a specialist. I mentioned this to Tammy but it never went anywhere.

The Title VI coordinator was originally in the Office of Business Development. During 2010, I was feeling the lack of support and I had a lot of complaint work going at that time. Tammy recognized the stress and suggested that I get some help. I felt she was genuine but she did not perceive that my stress was due to the lack of support by her and the Director. I asked for a department tech position at Tammy's suggestion and the position was established and granted. I really was surprised that she offered this relief.

In 2011, Mary Finch was assigned an investigation into a complaint by Dr. Belandra Foster, an African American, female consultant, alleging race and gender discrimination in contracting. I assisted Mrs. Finch with this investigation. When I first learned about the complaint (early summer 2010) I was not the Title VI Coordinator. I was golfing after work with Patricia Collins. She told me that some "bad things" were happening relative to Dr. Foster. Dr. Collins did not provide the details but suggested that it had to do with contracting opportunities.

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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When I became aware that Dr. Foster had a complaint, I began an investigation. I became aware that two white male MDOT employees allegedly made comments or acted in a discriminatory manner. I learned that Victor Judnic [no longer an MDOT employee] allegedly said that "No black woman should make that kind of money." Her 4 million dollar contract was cut in half. Mark Steucher, project manager (retired) changed Dr. Belandra Foster's scores so that she was not the selected consultant. I told Director Steudle about these issues after I interviewed Dr. Foster. Director Steudle commented that if these allegations were true they were not right. I thought he would take action, but he did nothing with the information that I am aware of. Eventually, Mary Finch, Federal Highway Administration Civil Rights Investigator took over and conducted the investigation. I continued to assist her in the investigation [protected activity].

It became apparent that Director Steudle was not happy with the outcome of the investigation, but he never called a meeting to discuss the outcome with me. However, Greg Johnson, the Chief Operations Officer, made no bones about the fact that he felt that Mary (and I) had made the wrong decision with respect to the outcome of the investigation. Mary Finch and I met him in his office to discuss the matter. He complained that MDOT had done so much for Dr. Foster over the years that she would have the audacity to file a complaint against MDOT [after all they had done for her]. He was very emotional about it. I could see he was getting agitated and had to ask him to calm down. Eventually, Mrs. Finch found that MDOT had engaged in illegal discrimination. The case was litigated but BBF lost. It is under appeal presently, I believe.

I sensed that Director Steudle also was not happy and I tried to engage him to find out exactly why; however, Director Steudle only said that he was "irritated."

Director Steudle's public behavior toward me is a charade. He drops my name when it suits him; I suspect so that it appears that things are fine. He dropped my name unexpectedly at the OAS meeting in January 2014. Right afterwards, at least two managers came to me with concerns they wished addressed. This public recognition is a rarity but underscores the fact that MDOT managers react to those people that Director Steudle supports. I believe he dropped my name because he is in process of attempting to move me [again] to OHR and he wants it to appear that his actions are operational and strategic, but in my opinion they are retaliatory. His name dropping was a strategic move to cover his ulterior motive to move me to OHR. I have been informed by Mike Ivey at FHWA on at least three occasions that Director Steudle has met with his boss Russ Jorgenson to get his blessing. FHWA has not given it; they have asked Director Steudle to "put in writing how it would

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Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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work, in as much as OHR is located in another department – Department of Civil service. I am under constant stress – waiting for the other shoe to drop. So far, Director Steudle has provided no legitimate business reason for moving me. He has never discussed any “operational need/concern” about my job duties or the location of my position. I am a couple doors from his office. He avoids my office by going down the back hall. He rarely speaks to me.

Equal Employment Opportunity/Fairness in Employment

Director Steudle allows high level managers to ignore their responsibility to prevent and correct harassment. There have been a number of incidents that underscore the fact that Director Steudle does not take his civil rights responsibilities seriously, as follows:

March 11, 2013 3:13 p.m. – Email from Cheryl Hudson to Randy VanPortfliet (Superior Region Engineer-Reports to the Chief Operations Officer)

Norm Simon (St. Ignace garage employee) called again today to inquire about the status of his complaint against Bill Amacher filed last May 22, 2012. If you recall we spoke about it a couple of weeks ago (before the Region Engineer’s meeting) and you indicated you would meet with the crew at the St. Ignace Garage. I also explained that tensions are running high at St. Ignace because they perceive that management is doing nothing about their complaints, which in their eyes are on-going. I also sent you an email last Friday asking how the meeting went. Mr. Simon subsequently informed me (today) that you cancelled the meeting with the crew. Mr. Simon is getting more and more frustrated that his complaint is being “swept under the rug,” in his words, and he is being ignored (The investigation concluded in July 2012). At the end of my investigation I have asked OHR several times what action had been taken and Anna Lee finally responded on January 28, 2013 (see email below).

I do not know where the gap is, because (for some unknown reason) I am also not given timely information about my investigations. OHR has responded that they were waiting for you to respond. The corrective action that I would have recommended was simply a “formal counseling” or a “written reprimand.”

My question at this point is whether you still intend to meet with the crew and is training the only action that you recommend at this point?

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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January 28, 2013 12:00 p.m./From Anna Lee [Civil Service Labor Relations Manager] to Cheryl Hudson:

Hi Cheryl,

I received your voicemail the other day and we didn't do anything with Bill Amacher. I followed up w/Jen Adamani and it was Randy's (VanPortfliet) call not to do anything.

On another note, can you send me a sample letter that you issue to those who file complaints? We're starting a new process to close out all internal complaints and I'd like to see the type of language you have in your letter.

Reggie is going to the Blue Water Bridge on Wednesday to address the numerous complaints we received on Tracy Portis. The complaints were initially addressed to you, but faxed to us. Since none of them are claiming any protected factors, Reggie will conduct the investigations. Let me know if you have questions. Thanks

[This decision flies in the face of the Discriminatory Harassment Policy; and ultimately I had to address this issue in face to face discussion with the affected employees because – once again- HR did nothing; or were not effective in dealing with the issues. Also, it is my belief that Director Steudle has instructed OHR and managers to have all complaints come to OHR. In a Leadership Team meeting, Tony Kratofil (Metro Region Engineer made a comment to Tammy Kirschenbauer when she mentioned that they can't complete investigations in two weeks, that "It's because of all those complaints we are sending your way." I had been getting complaints every year, but they suddenly dried up and I did not conduct any or very few investigations in 2012/2013. OHR developed a "new process" which I challenged in an e-mail exchange].

February 28, 2013 – Spoke to Greg Johnson (Chief Operations Officer) about my concerns of feeling retaliated against for my participation in the BBF Investigation and the Able Sahlool Complaint. He encouraged me to talk to my boss. He didn't know that Director Steudle tried to get rid of me in 2007. He thinks I am respected but acknowledged that I was not on the same page "philosophically" as others in management. I don't see the big picture according to Greg.

April 3, 2013 – I initiated a meeting with Director Steudle to talk about my perception that I was working in a hostile environment and retaliation and did not have his support (see document dated April 3, 2013/Meeting with Director Steudle below).

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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Meeting with Director Steudle
Wednesday, April 3, 2013

Issues:

- (1) Do I have the authority that is designated in 23 CFR 200 to act autonomously as MDOT's EEO Officer/Title VI Coordinator?**
- (2) Has the Civil Service Commission, Office of Human Resources been delegated authority to implement the regulations in 23 CFR 200/49 CFR Part 26?**

Concerns: Being undermined. Erosion of job responsibilities. Retaliation for my decisions and participation in two investigations (Abel Sahlool and BBF).

Resolutions:

- 1. Clarification of your expectations of my duties and responsibilities.**
- 2. Clarification of the scope of HR's role and involvement in Civil Rights/EEO issues from your perspective.**
- 3. Direction to Leadership team to ensure that employees and managers not be told that they are not to contact my office.**
- 4. Public support of my program in the form [of verbal acknowledgement].**
- 5. Feedback and interaction on a regular basis, especially, if someone is talking about me and/or my program, investigation determinations, etc.**

Examples of actions that lead me to believe I am being undermined and retaliated against for my participation in the Abel Sahlool and BBF investigations.

- 1. Employees are being told "Don't call Lansing."**
- 2. OHR has a "new" complaint process that was not disclosed to me which includes "harassment" complaints.**
- 3. Consultations with OHR on my investigations while excluding me from having any input.**

Submitted by:

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Michigan Department of Transportation
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(517) 373-0980 (Work)
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4. Non-responsiveness to my requests for disposition on complaints.
5. Lack of follow-up and follow-through on investigations by HR (Norm Simon/Abel Sahlool).
6. Undermining my office (Comment by Anna Lee to an MDOT manager (Jeff Wood, Bill Bair), i.e., "Bringing Cheryl down is premature.)
7. Comment by Anna regarding Abel Sahlool ("Do you plan to stay in contact with him?")
8. Failure to bring all witnesses forward on Bill Stonebrook and Dana Seel cases.
9. Pushback by Tony Kratofil on Devon Buskin case and Abel Sahlool case.
10. Lack of support for the work that I do. No public acknowledgement.
11. No feedback on my e-mails to management including you and other managers.
12. Response to my requests for review of documents often goes without a response.
13. Complaints with my name on them were not given to me; sat in OHR for five days before I was told they existed. I didn't know they were addressed to me until I requested them.
14. Retaliation in the form of avoidance behavior. I can feel the isolation. Cold shoulder.
15. People talking behind my back about me but not bringing the issues to me to discuss.
16. Didn't even get a performance review this year.
17. Felt pressure from Tony and OHR to change my determination on Abel Sahlool case.
18. Comment that you are irritated by the BBF matter.
19. I feel threatened with job loss for the decisions I have made that management opposes.
20. FHWA requires me to comply with regulations but I have no real authority to do my job. I feel caught between a rock and a hard place.
21. OHR does not call all witnesses to testify in arbitration cases.
22. OHR may be "investigating" my investigations and not telling me. They may be undermining me.
23. An employee was accused of wrong doing and given a formal counseling. The employee was never told who made the complaint against them.
24. FHWA had a good reason for not allowing me to be placed in OHR. OHR does things that I would disagree with and it would cause conflict. It's causing conflict now.

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25. OHR has made it clear that their job is to protect management, which sets up an immediate bias. An example of this is a PowerPoint for training managers on the hiring process. The slide read, "Discrimination laws are for protecting the employer." This is totally false and off-base.
26. I don't feel that I have your support and backing because you have placed your trust and delegated your authority to Tammy Kirschenbauer. Tammy accused me of having loyalty to FHWA.
27. Tammy told me that she opposes MDOT using money to fund a "Christian" organization. This is discriminatory and an illegal consideration. If she understood EEO she would have never made that statement. She told me about it and so did Mary Finch.
28. I called Cheryl Schmittziel to ask about "disclosure." In short, I'm right about employees taking responsibility for making complaints.
29. Tammy said that "people" think I am retaliating against them? What people? About what?

May 21, 2013 7:34 a.m. - I (Cheryl Hudson) received an email from Mary Finch (retired) Michigan Division Civil Rights Program Manager, FHWA; subject - "I hadn't seen this article from January of this year." <http://michigancitizen.com/feds-uncover-race-sex-bias-at-mdot/>. I responded at 8:18 a.m. "I had no idea. Perhaps this is why I have and am still getting the cold shoulder... from my boss and the entire executive team. They rarely speak to me or acknowledge my e-mails. My environment is very stressful. And I believe they are systematically undermining me to and through others. And maybe that is why my boss did not sit down with me for my performance review this year. Greg Johnson looked right at me yesterday and did not speak to me. When another employee walked by him he immediately spoke to her.

Mrs. Finch responded at 8:28 a.m. "I had the same thoughts when I saw this article. HQ's is working on the letter on the other cases and that is why they asked for the update."

Mrs. Finch was aware that I was not being included and she told me that she felt bad that I was being harmed because of my participation in the BBF investigation. MDOT was ordered to pay Belandra Foster \$12 million dollars. The case, to my knowledge, is being appealed. (See article attached)

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EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
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November 4, 2013 [Meeting with Director Steudle] – I went to Director Steudle to talk about increasing my staff by adding another position. I had a meeting with the Grand Ledge City Council and Mr. Mike Ivey, acting Civil Right Program Manager, FHWA attended the meeting to assist myself and Linda LaNoue with a presentation to council about Title VI. They were in the final stages of plan development and wanted to know more about their federal responsibilities as sub-recipients of federal funds from MDOT. Linda LaNoue, my student assistant at the time did an excellent job presenting, and I casually mentioned that I would love to advertise and add a staff member, Mike said that he would support having another staff member and I decided to make this request known to Director Steudle. Director Steudle was even more abrupt in this meeting; he reiterated that he would give FHWA their penny back. Things keep coming around “like a bad penny.” He was not in favor of increasing our unit’s staffing. I wanted to consider additional staff. Director met with me in his “conference room”. He continues to make it painfully clear that I am not allowed to be in his office, his presence, or in the game. I felt demoralized by his attitude toward me and my program.

November 20, 2013 10:51 a.m. – Laura Mester spoke to me today. She, Greg, and Director have begun to speak to me since I met with him on November 4, 2013 about staffing. Director wants minimal compliance. He is also (still) trying to send me to another department. Civil Service. Tammy is retiring. (Note from my cell phone.) *The fact that they spoke to me made me anxious and nervous because I know from that people may be nice to you just before they intend to harm you.*

October 30, 2013; 2:41 p.m. Email response from Director Steudle to Cheryl Hudson– “Don’t take my questions as not wanting to comply. Just trying to understand the full picture. As background, it has been my experience in the past 10+ years that we will always be in non-compliance with FHWA/FTA/FRA over something and that by having us fully compliant they wouldn’t need to exist. So not so surprisingly we will always be short on something somewhere in the program. I don’t get as worked up about it as we have in the past, because the issue keeps coming around like a bad penny only on a different subject.

I would like the regulations to be read as loosely as possible. (What is minimally required to be in compliance.) This is not just for this instance but all federal requirements across the board engineering or administration. We need to comply but we don’t have to go beyond what’s required. Hope that helps. As far as the sub-recipient issue, I would like Sharon and Laura to weigh in first.

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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Neither Sharon Edgar, Administrator of Passenger Transportation or Laura Mester, Chief Financial Officer contacted me to discuss this issue, offer recommendation, or otherwise talk about it. It is my opinion that Director Steudle was just "shutting me up" and had no intention of involving me.

Laura Mester involved me in a situation regarding Rick Hammond, but after that, she has not. My belief is that Director Steudle has poisoned her against talking to me. Laura rarely talks to me unless we are in direct contact in the restroom. Sometimes I think she makes a point to walk past my office and loudly say "hello" or "good morning" to staff but not me.

Email November 6, 2013 to Mike Ivey, FHWA acting Civil Rights Program Manager

Mike,

I prepared the attached document outlining my concerns and resolutions for discussion when I scheduled a meeting with Director Steudle on April 3, 2013. I also brought the regulations with me. I didn't get very far in that meeting because it was obvious that Director Steudle wasn't willing to listen objectively. Again, he told me that he would give FHWA their "penny" back. I have been under constant stress since he became Director, but more so after the BBF complaint investigation.

Director Steudle meets with all of his direct reports on a regular basis. I see them coming and going from his office. This is disparate treatment on its face. He makes time for what is important to him; and apparently does not care about MDOT's civil rights compliance. His support has been almost non-existent.

I am between a rock and a hard place. Even if I stay, I suspect he may continue to maintain a philosophy of "minimal compliance." He may also continue what I feel is retaliation. Moving me will create logistical a nightmare with the other DOTs. Also, the message this sends to employees at MDOT is that civil rights is unimportant. The external and internal program would be separate. That makes no sense.

You may share this document with whomever you feel is appropriate.

Thank you for your consideration of my concerns.

Cheryl

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

Friday, February 14, 2014:

I learned that my department Tech, Teshia Johnson is taking a new job with the Department of Education. I emailed Director Steudle to request permission to backfill her position. Director Steudle responded that this is an opportunity to combine EEO and OHR. I immediately reported this to David Brickey, the Attorney General for MDOT and explained that I view this as an act of retaliation. I provided Mr. Brickey with much of the information I stated above. I asked Mr. Brickey to intercede on my behalf to stop Director Steudle from engaging in what I will perceive as further retaliation.

Director Steudle has been shunning me and bullying me by silence for several years. I am very upset and frustrated with not being supported and/or allowed to fully execute the duties of my position. Director Steudle is clearly not interested in ensuring compliance with Title VI, Title VI, ADA, or other civil rights laws, even though he has (blindly) signed federal Assurances that he will abide by state and federal laws. Director Steudle continues to marginalize me. His email stating that he wants minimal compliance with federal regulations is evidence of that.

23 CFR Part 200 requires that the EEO Officer have direct access the head of the State Transportation Agency. If I am transferred against my will, because Civil Service Regulations say that a transfer between departments must have the consent of the employee being transferred, I will consider it another act of retaliation; the execution of Director Steudle's bully tactics to "silence" me and to continue practices that, with the help of his selection of the current OHR Director will allow him to run "roughshod" over the civil rights of employees. One has but to look at the 2013 Employee Engagement Survey to see that MDOT employees perceive that management is untrustworthy. In fact, as I have listened during Leadership Team Meetings; the banter about the survey was cavalier. Mark VanPortfleet, Engineer of Design commented that his assistant, Vanessa Blaxton took out some of the more profane, nasty comments. Upon hearing this Tony Kratofil made a comment that at least 36 employees believe the survey is anonymous. This comment got chuckles from some of upper management. There is no real desire on the part of Director Steudle to address the low morale that exists at MDOT. The Employee Engagement Survey clearly shows that employees, on the relationship side, have little trust in management – across the board.

Someone would still have to apprise the Director of EEO matters (even though he currently does not receive any information about EEO from me). And, if he is getting his EEO information from OHR, OHR is not acting on any of my complaints or Title

Submitted by:

Cheryl J. Hudson (Charging Party)
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Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
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VI information. Director has made no comments, suggestions, recommendation, or had any conversation with me regarding my work since 2008. Why is it necessary to move me to OHR? It is simply his desire to show me whose boss. That he can do whatever he wants and he can ignore the federal regulations.

Todd White and I had a meeting when he became OHR director. Todd said that he will do anything that Director Steudle asks him to do. Todd has no EEO background or experience. He made a decision to give a formal counseling to an employee who recently filed an EEOC complaint (Dan Sheber). I had to talk Todd out of doing that because Todd was merely reacting to what management up north told him about this employee. Todd did not do an investigation to determine the merits of the allegations against the employee. I asked Todd if he had gotten written statements and Todd said that he didn't need them. He took the word of management. I told Todd that as the appointing authority he would be the one to testify as to how and why he issued a formal counseling or took an action without knowing the facts [just cause]. I also told him that Civil Service Regulation 1.03 requires written statements. Later in the day (Last Thursday, February 13) Todd sent an e-mail stating that he would not have managers issue the formal counseling; that he was also concerned about the appearance of retaliation. I am afraid that Todd will continue to improperly advise MDOT management. He was hand selected by Tammy Kirschenbauer to succeed her.

February 4, 2014

Director Steudle came to Julie Thomas' desk just outside my office. He made a point to chat with her within earshot of me. I believe this is his way of showing me that I am excluded from his attention and he will give it to whom he wills. I sent a document to all of Leadership today. No one responded.

I got a call from Randy VanPortfliet regarding the Sheber and Logan complaints. I was surprised. He usually ignores me. (I asked him to call me Monday at the FHWA Stewardship meeting and actually followed through.)

In 2011 I was carried out of the building on a stretcher. Director Steudle never checked to see how I was. Never acknowledged that I was ill. March 2014 he made many comments about Kelly Bartlett who had a snowmobile accident this winter.

March 14, 2014 - Laura Mester actually said "good morning" to me.

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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Amy Dickenson filed a complaint against John (Jack) Cotter. She named Director Steudle in the complaint as “refusing” to talk to her about her concerns. Director Steudle and Todd White are in agreement to “strip” Amy of her duties as a Personnel Liaison. Mr. Cotter has allegedly acted as a bully and engaged in inappropriate conduct with his employees. I suspect that Tony Reynolds will file a constructive discharge complaint against MDOT because of Mr. Cotter’s treatment of him. I am powerless to help employees or managers for that matter because of Director Steudle’s destructive leadership and Todd White’s acquiescence to and desire to “give management anything they want.” Todd has knowledge of Amy’s concerns but he was not interested in an “investigation” to determine if her complaints were valid. Amy filed a complaint just this week on March 20, 2014.

Other Examples of Non-support/Exclusion/Willful Ignorance/Isolation

MDOT Title VI Website

Email to Barbara Hicks with cc to Director Steudle dated December 11, 2012:

Hi Barbara,

Part of my unit’s responsibility is to ensure compliance by our sub-recipients in all federal regulations pertaining to Title VI. We have approved a number of Title VI Plans this year and our next step is to ensure that they are implementing the plan. Many of the cities in our database, with an approved plan, have not made their plan accessible to the public. I want to send them the message below, but I cannot do that in good conscience; because MDOT’s Title Vi plan is buried in the “Quick Links” (not readily visible), and has to be searched for. Under the old site you made it visible. We have admonished city managers, and mayors that their plan must be visible. I don’t know how the public would be able to determine where our plan is. Is there a way that you can fix this problem for us? Thanks

“Your city’s Title VI Plan was recently approved by MDOT. As a recipient of federal-aid you are obligated to comply with 23 CFR Part 200 and CFR 49. Pursuant to the regulations you must provide public access to all persons in your jurisdiction of their rights under Title VI. MDOT Civil Rights Program staff audited your public website, and have found that your plan is not readily accessible/visible to the public. Please correct this deficiency within 30 days or your city may be found in non-compliance.”

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
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I have made this request on at least two occasions. Director Steudle nor anyone from the Office of Communications responded to my request. This is yet another example of Director Steudle ignoring me and causing others under his authority to ignore my reasonable work related request. There has been no discussion or acknowledgement by either party. It feels like Barbara Hicks and the OCD Jeff Cranson are either afraid to respond or have been told to ignore me.

COMPLAINT INVESTIGATION (ABLE SAHLOOL)

I conducted an investigation into a complaint filed by one of our employees, Able Sahlool. I determined that a manager, Larry Young, discriminated against his subordinate by denying him a religious accommodation based on the merits of that case. On March 20, 2012, I received an email from Gregory Johnson, Chief Operations Officer complimenting me on the investigation. He wrote: "Cheryl. Excellent write-up and conclusion. One typo, "oversees" should be "overseas" in the Larry Young interview portion. Also, on April 11, 2012, I received an email from Deborah Wedley, Mr. Johnson's Administrative Assistant, stating: "Greg asked me to let you know that he found the investigation and findings reasonable."

Later Mr. Johnson's opinion changed, presumably after talking with the Metro region Engineer, Tony Kratofil. Mr. Kratofil was not happy with the investigation and conclusions and, in my opinion, influenced Mr. Johnson to change his opinion. [Never once has Director Steudle consulted with me about my findings, but I believe that he was participating behind the scenes through the OHR Director at that time, Tammy Kirschenbauer]. I had a meeting with Anna Lee to "review" my findings (date to be recalled) and to take certain information out of my report, in my opinion to protect Mr. Young.

I sent an email to Kurt Coduti, Assistant Metro Region Engineer (retired), Tony Kratofil, Tammy Kirschenbauer, Anna Lee, Tom Lewandowski, and Gregory Johnson on Monday, April 9, 2012 3:18 p.m., stating:

Good Afternoon, I have revised the Executive Summary again and I apologize for having you re-read it, but I would ask that you do so carefully. I added the comments from METRO REGION staff at the end, and I have taken out my comments regarding Mr. Young's behavior after interview. Also, I spoke to Chris Roe today and he did not provide any information that would alter my determination in this case. Chris confirmed that it is very important for the Wage Compliance Officer to go out to the sites to inspect records. His biggest concern with Mr. Sahlool is that he was

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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not timely to meetings, is a know it all, does not answer questions of the field properly, and that, in his opinion he is not doing his job. He said that the Wage Compliance inspection deficiencies date back to the inception of the program in 2008. Again, this information does not alter the EEO determination.

I felt that OHR (Tammy Kirschenbauer in particular) with influence from Tony Kratofil were endeavoring to have me change my determination. They invited David Brickey, the attorney general, who remained neutral throughout this meeting. I felt ganged up on and attacked. I became emotional and I told them that I only had the ability to determine this case as I had interviewed everyone, including the people that Mr. Kratofil recommended.

On April 12, 2012, I received an email from Anna Lee, stating: Hi Cheryl. I just wanted to follow up and make sure you're ok. I still felt some uneasiness from you after our last meeting. Know that you can call me any time."

On April 19, 2012 11:27 a.m. I sent an email to David Brickey and Mike Dittenbur cancelling a meeting that I scheduled with them to talk about my fear that I am/was being harassed because of the findings in my investigation. I never expressed this to either of them at that time. The email stated: Mike and David, "I have met with OHR and resolved my concerns with them. There is no need for us to discuss my complaint investigation at this time (Able Sahlool)."

On Friday September 21, 2012, the concerns that management expressed about my investigation had not been resolved. A meeting was scheduled to discuss a subsequent retaliation claim by Mr. Sahlool to discuss settlement. In that meeting I recommended that MDOT settle. The case ultimately went to mediation and MDOT was to pay Mr. Sahlool \$12,500 and put a Religious Accommodation Policy in place. [To date, that policy has not been implemented, primarily because the former HR Director has not followed through. Currently, the newly appointed HR Director has still not approved it. I drafted this document, but I have not been included in any discussions with Director Steudle about it. I am very aware that anytime the HR Director came to my office to "pick my brain" about issues I was dealing with it was with the intent to share that with the Director and made decisions without my input.

BLUE WATER BRIDGE COMPLAINTS

Email dated March 5, 2013 2:38 p.m. to Tammy Kirschenbauer, cc Kirk Steudle, Gregory Johnson, Laura Mester: Re: Internal Complaint Reporting

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

Tammy, I have reviewed the complaints that you provided from the list that Anna (Lee) showed me and they are not all from the Blue Water Bridge nor are they all the same issue. In addition, many of the complaints had my name on the fax transmittal and I never knew they had been directed to me. These employees obviously don't know that I as never aware that the complaints had been directed to me (except for Tara Wicking's who I very recently spoke to after Reginald (Jenkins) told me about her). Consequently, the employees would be waiting for me to respond and it would appear that I am non-responsive. The following complaints from Blue Water Bridge employees were directed to me by fax transmittal n the following dates (sent to OHR's fax number):

- Bruce Henderson on January 21, 2013
- Tara Wicking's on October 3, 2011 (2011 is not a typo; I typed what she had on the form, however she may have meant 2012)
- Robert Stein on January 18, 2013
- Russell Corbat on January 19, 2013
- Ronnie Lacroix on January 23, 2012
- Vickie Bishop on January 20, 2013

I was not informed that complaints had been directed to me, hence, my concern that I am not being kept in the loop as I should be.

Again, all of the complaints on the list presented to me by Anna Lee were labeled "harassment" and not given any specific designation. Based on the information in the Statement of Facts, the following complaints should be labeled more appropriately as follows, for reporting purposes to FHWA:

- Cheryl Stoick – Workplace Safety (not harassment)
- John Sharrick – Inappropriate conduct (Using profanity one time does not constitute a hostile work environment)
- Brian Peets – Workplace Safety
- Cynthia Hayes – (TBD based on investigation; information sketchy)

This is not me bellyaching or trying to make you look bad. I am simply trying to do my job the best I know how. I am not as effective if I am not completely in the loop on EEO and/or Workplace Safety issues. We are supposed to be a team. Since we are using the internal complaint form for both disciplines, it is important to make sure I am aware when complaints come to me with my name on them. I recommend that I be copied on all complaints so that we are all on the same page, whether my

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Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
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(517) 373-0980 (Work)
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name is on them or not. Often employees call both offices and we need to be aware of what is going on.

The Office of Human Resources has expressed to me on several occasions that they serve at the pleasure of management. It is my belief that they are doing what Director Steudle has enabled, authorized, and sanctioned them to do. He allows them to avoid, ignore me; substantially interfering with my ability to get work done at the expense of employee complaints going unresolved. I have complained to both Tammy and to Director Steudle. They have each other's back.

I emailed Tammy and copied Director Steudle on Tuesday, March 5, 2013 10:25 a.m. re: Internal Complaint Reporting, stating:

"On Thursday, February 28, 2012 (should be 2013) I learned that the Civil Service Commission, Office of Human Resources, Labor Relations has developed a new system of capturing and investigating "Internal complaints." At that meeting, Anna Lee showed me a list of at least ten internal complaints designated as "harassment" complaints with dispositions of "formal counseling." AS the EEO Officer, I would like to have copies of all of the internal complaint forms submitted to the OHR by MDOT employees indicating harassment/discrimination since this new system has been implemented; so that I can see the basis of the complaint and review the nature of the complaint as detailed on the form. Additionally, in my annual report to the FHWA, I must list all complaints by category, i.e., race, color, religion, sex, national origin, etc. I must also be prepared to provide FHWA with the disposition of those complaints and the thought that went into the decision. Therefore, I will also need to see a copy of each of the complaint investigation (report) for the ten internal complaints that have been investigated by your staff (designated as "harassment" or "discrimination"), and the disposition for each, for the following reasons:

- The code of federal regulations, 23 CFR Part II require me to "handle and process" formal complaints of discrimination (harassment is a form of discrimination).
- MDOT policy states "The EEO Officer may determine whether the issues raised potentially violate EEO law or policy." The is no way I am going to know if the issues raised potentially violates EEO law or policy if I do not even know that employees are making complaints and that information is not shared with me.

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EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
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- MDOT policy also states, "The EEO officer may confer with the line supervisor of the employee, the Office of Human Resources Labor Relations Section, or other appropriate personnel to resolve workplace situations that do not arise to the level of discriminatory harassment." This policy necessitates sharing of information/complaints when they are brought to the employer's attention. In the past, if after my review I determined that the complaint was not EEO related, I provided it to the OHR for processing and handling, i.e., employee conflicts, threats or intimidation in violation of the Workplace Safety Policy, etc.

So my question is "How is this new policy in compliance with the code of federal regulations and MDOT policy? I appreciate your consideration of my concerns and would ask that you please respond after you have considered this matter.

Director Steudle NEVER responded. These events led up to the April 3, 2013 meeting with Director Steudle to try and get clarification for my concerns. Director Steudle mocked me. I felt attacked by him at the outset of the meeting – even felt fear and intimidation. I fought back tears, but eventually I did cry. He was nasty, telling me that Tammy was his go to person. My impression is that he could care less about the federal regulations. [He still feels that I should be in OHR so that he does not have to be bothered with me or the Internal Civil Rights Program, even though the External Program is housed within MDOT per the Regulations.]

PERFORMANCE MANAGEMENT OBJECTIVES 2014

Todd White left me a voicemail in February stating that the objective that I offered to help with the Employee Engagement Survey was not acceptable to him. I believe that he ran this by Director Steudle and the Director nixed it. Todd offered no reasonable explanation. This objective is one of my performance competencies "Building Strategic Relationships." I will not be able to accomplish it because Director Steudle, no doubt, has told Todd that he doesn't want me engaged in any personnel related actions or have a voice in any decision making.

Director Steudle did not meet with me to discuss my performance objectives (for the third year in a row) yet he approved them and now has made it impossible for me to accomplish at least one of them, i.e., Work with OHR Director to establish an EEO Objective. Note: A meeting to discuss employee engagement was held at Aeronautics on the same day as my training for Discriminatory Harassment, March

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24, 2014. Director Steudle and Laura Mester refuse to allow me to be on the Workforce Development Committee and the Strategic Planning Committee. I was not aware of or invited to this meeting.

An audit of my emails and Director Steudle's email (and other leaders within the organization will show that there has been few if any issues brought to me by leadership. An audit will show that I have been diligent in keeping management in the loop, but excluded by them. They (Director Steudle, Laura Mester, Gregory Johnson rarely, if ever respond to my emails. I believe that others on the Leadership Team have been influenced by Director Steudle to ignore and exclude me. They are afraid of his power because they are "limited term" employees and Director Steudle is powerful and appointed by the Governor.

My belief is that Tammy Kirschenbauer and now Todd White have provided poor advice regarding employment decisions that have a negative, adverse effect on employees, and create liability for MDOT. I have cautioned Todd White just recently about taking an adverse employment actions against an employee where there was no investigation to determine the merits. I have cautioned the Leadership Team to refrain from the idea that they must hire "younger" employees. I was then cautioned by Todd White that I should be careful about how I speak to the Leadership Team. He said that he talks to them differently than he would mid-level management. Over the years, I have had to caution top management about gender/sexist comments, jokes (at conferences). Employees have complained about how they are being treated; I am rendered powerless to address their complaints due to the bias that OHR has toward management and their willful ignorance of civil rights. Note: Not all management, mainly the Executive Team and a few of the top leaders, which I believe is driven and fueled by Director Steudle. Director Steudle has never brought any issues to my attention that he is/was concerned about my performance. So if he has any, it would be a complete surprise to me. We don't sit down and discuss my performance or his expectations. He chooses instead to ignore me.

MDOT employees, managers, and supervisors deserve a leader who takes all of his responsibilities seriously; one who does not use his power to compromise fair, objective, and consistent employment practices.

There should be an investigation into hiring practices at MDOT. I believe there has been and will continue to be cronyism and nepotism in the selection process sanctioned by Director Steudle. I am excluded from participation in and awareness of who is being hired until I have to respond to a complaint of discrimination.

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Director Steudle has made it next to impossible to know whether this is in fact the case; by excluding me and letting OHR exclude me.

Employees are being threatened, bullied, and intimidated with threats to their jobs by upper management; transferred or reassigned without getting to the bottom of their complaint. Employees bear the consequences of complaining about management; they may also be isolated and ostracized, transferred or reassigned (St. Ignace employees, myself, and others, including Amy Dickenson). Director Steudle has not taken a stand against discrimination in my tenure with MDOT. The only time I ever heard him speak about it was when he was AASHTO President and made a video for the DBE Conference. Otherwise, he is silent on the issue. Director Steudle should be held accountable for his inaction, ignorance, and retaliatory conduct.

I have complained over the years about OHR but Director Steudle obviously was not sincere in his intentions to help us accomplish our objectives as a team. Rather he has subversively thwarted me; because "he never wanted Gloria Jeff to establish the position" in the first place and that desire and perception has led him to "hunker down" and treat me with disrespect and disdain. I am a none-person/professional in his eyes; unworthy of even having a conversation about his expectation and/or direction with respect to civil rights and my job responsibilities. He rarely attends Leadership Team Meeting and when he does, I can count on the fact that he will not verbally/vocally support any of my efforts or provide direction to his team with regard to management responsibility. All I get is pushback. "Relationships Matter." But Director Steudle has intentionally and willfully denied me having a professional relationship with me. He has limited me and subversively segregated me from engaging with other leaders in the performance of my job duties (Todd White declined to develop an EEO Objective in February, even though it relates directly to Employee Engagement and trying to eliminate the tensions in the department.).

I am compelled to file this complaint in as much as I cannot continue to endure the stress, psychologically and physically, that I have and continue to endure, for the next four years. I am aware that Director Steudle has approached FHWA to get their "blessing" in moving me to OHR. That puts more psychological and physical stress on me. Director Steudle was asked to provide a written plan to show how the move would work. His campaign to do this began soon after Mary Finch's departure. Fortunately, FHWA has not just gone along with the program. Mr. Steudle is presenting on its face an "operational need" as the basis for this move, but on its face this move is arbitrary and capricious due to the fact that I have been operating in my position for the past ten years. Their isn't any benefit to moving me to OHR, Civil

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Service Commission without further adverse impact to me/and employees, who without the “healthy tension” between EEO and OHR don’t stand a ghost of a chance to have their concerns met. Right now the tension is “unhealthy.” As is the position of the EEOC, I am not an advocate for employees nor and adversary to management. I have always tried to maintain neutrality – to get at the truth of any issue. Whereas, OHR has made it plain, and Gregory Johnson has reiterated that we have a “philosophical” difference of opinion when it comes to employment matters, more specifically the role of OHR to protect management (not objective neutrality as the case should be).

There are numerous other examples of why I feel that I am excluded, avoided, and otherwise being discriminated against that are not included in this document. I have notes that includes dates and times of the behaviors/comments leading to my perception and back up what I have written herein. This complaint is not merely about being afforded social amenities and courtesy of saying “good morning” which is beginning to happen of late... but it goes to my ability to perform the essential functions of my job duties. Director Steudle has yet to define what “marginal compliance” or “interpreting the regulations loosely” actually means.

Charges

1. Retaliation because of my participation in the BBF Investigation and Able Sahlool Investigation (On December 4, 2012, 9:06 a.m., Director Steudle said that he was “irritated” in reference to the BBF Investigation)
2. Hostile Work Environment (Shunning, silent treatment, marginalization, altering my work, diminishing my functions, intentional avoidance, exclusion from any meaningful assignments related to workforce, committees; limiting or impeding my ability to do my job)
3. Able Sahlool and Cedric Dargin are also being retaliated against for their participation in the BBF Complaint; Employees in St. Ignace signed a petition to complain about management. At least two employees were retaliated against, one by being sent to another garage another by being taken off a crew.
4. Executive management allowed to bully and intimidate employees when the employee’s complain about harassment by being threatened with job transfer or significantly changing their duties.
5. Substantially interfering with my ability to get my work done because of retaliation and creating an intimidating, threatening, and hostile work environment – Director Steudle refuses to have contact with me
- 6.

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7. Executive management taking adverse actions against employees for exercising their rights to complain (Retaliation)
8. The Office of Human Resources Director past and present have openly stated that they will do whatever Director Steudle wants them to do. Todd White is currently working with the Director of the Office of Commission Audit to strip an employee (Amy Dickenson) of her personnel liaison duties because she assisted employees in protected activities.
9. Director Steudle asked me to recuse myself from conducting an investigation into the aforementioned employees complaint.

Harm:

1. Campaign by Director Steudle to end my career as an MDOT employee by bring an end to my continuous service hours without demonstrating a rational business justification. His motives are self-serving. His motive does not benefit MDOT or the people of Michigan. I am walking on eggshells and this is affecting me physically and psychologically.
2. Further marginalization by placing me under the Department of Civil Service.
3. Further reducing visibility by putting me under the HR Director..
4. Threatening to place me under the HR Director (Todd White) He does not have time for me but will allow time for the male HR Director to report EEO to him.
5. Director Steudle has made his expectation that all programs with federal requirements receive minimal compliance and that regulations are interpreted loosely.
6. Retaliation for my participation as an investigator and/or assisting in an investigation in the BBF (Title VI) Complaint.
7. Retaliation for my determination of the Able Sahlool complaint. I felt there was an attempt to intimidate me because of my findings.
8. Intentional exclusion by Director Steudle, Laura Mester, OHR, and other management personnel.
9. Employee Engagement: Director Steudle has ignored me and excluded me from the very beginning of my employment with MDOT. This behavior escalated into subtle retaliation after the ABEL Sahlool and BBF Complaint.
10. Exclusion from meaningful involvement and engagement in any workforce activities including Workforce Curriculum Development, Strategic Planning Coordination Team, Region Bureau Engineer Team Meeting (RBMT).
11. Michigan citizens and MDOT employees are not getting the full benefit of their tax dollars by having a robust Internal and External Civil Rights Program. (LEP is not being considered in public outreach and involvement, or in EJ); employees are being discouraged from reporting complaints.

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12. Management Responsibility: Director Steudle does not publicly support EEO.
13. The OHR has never in my entire tenure publicly supported my activities. They have acted territorially and constrained me because they have the support of the Director in keeping complaints from me.
14. Information/complaints have been withheld from me by OHR with the support of Director Steudle.
15. Non-support by Director Steudle in any initiative that I have proposed related to the execution of my job duties, e.g. Title VI website, "Relationships Matter", recommending books for leadership to read, "Integrity", "Coming Jobs War". "Employee Development Tool." "Demographic Study-Underutilization Report."
16. Director Steudle is negligent in his duty to "controlling the MDOT work environment" and willfully ignorant of his responsibility to enforce civil rights laws.
17. MDOT Managers openly talk about hiring "younger employees" in violation of the ADEA. When I cautioned the Leadership Team, Todd White, later cautioned me on how I talk to them.
18. March 26, 2014, Director Steudle "respectfully requested" that I "recuse" myself from investigating an employee's complaint. Director Steudle, in my opinion, wants to cover up the actions of his managers and his inaction in addressing the complaint. The complainant, Amy Dickenson, feels that the OHR Labor Relations Manager, Anna Lee, told her to just look for another job rather than resolve her concerns. Ultimately Ms. Dickenson filed a formal complaint.

This complaint is not all inclusive of the conduct that I have been subjected to by Director Steudle. There are many instances of pettiness in which Director Steudle, Laura Mester, and Greg Johnson have not spoken to me. They make a point of excluding me.

I went to Laura Mester's office (Chief Financial Officer) to inquire about a manager (Mike Trout) who was reportedly creating a hostile work environment by yelling and throwing things at his employee. He also allegedly made inappropriate comments to a female pilot. I went to Mrs. Mester's office to talk about it and was received with defensiveness. I am not aware of what/how she handled this situation. Upper management will not allow me to get fully involved in personnel issues. They tell me enough to make it appear like they are inclusive of me - but the truth is, I am being isolated and shunned.

MDOT employees are very wary of management/leadership as indicated in the Employee Engagement Survey. Management has joked that at least 36 people think

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it was anonymous. This statement was made by Tony Kratofil on the heels of a comment that Mark VanPortfleet, Engineer of Design made about removing the profane comments from the results. I am not privy to what MDOT is doing to address the survey.

I met with Todd White in January 2014 when he became Director. I hoped that it would be different with him because we always got along in the past. As time has gone on, it is clear to me that Director Steudle is causing him to withdraw from me, just like Tammy did and Todd is going along with whatever Director Steudle wants. It is my belief that Todd is advising the Director and the Director will make Todd his scapegoat when his house of cards falls. I feel that I was in a basket basketball game but nobody would pass me the ball, now I feel I am just on the sidelines for the most part. I am tired of the retaliation and fear of reprisal, and I would like Director Steudle and his leaders to take responsibility for that they are doing to me and to other members of the department.

The department couches many of its actions in "operational need" but the real motivation, thought and intent of their actions are discriminatory. Management doesn't hold its managers accountable for managing, especially upper/Executive management. OHR will not work cooperatively with me because Director Steudle doesn't want them to. He wants to send me to OHR so that he can be rid of me - they are a different department - even though Civil Service Rules say that he cannot move me to another department without my consent. Even if I stay at MDOT, I can still be in isolation if he is allowed to continue this bullying tactic of isolating me from himself and others; and preventing me from fully executing the duties of my position.

I am being subjected to illegal discrimination in my terms, conditions, and privileges of employment based in part on my gender and age, and because of my position as the EEO Officer responsible for ensuring fairness and non-discrimination in employment; most recently, I have been asked to "recuse" myself from investigating a complaint brought forward by an employee on March 20, 2014.

Email from Kirk Steudle to Cheryl Hudson -
Wednesday, March 26, 2014 4:46 p.m.

Thank you, for your comments.

Who would you suggest conduct the investigation from an outside agency? This is your world and you know best who can perform this appropriately. I appreciate your suggestions.

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

March 28, 2014

Thanks,
Kirk

Sent from my iPhone

On Mar 26, 2014, at 4:06 PM, "Hudson, Cheryl (MDOT)" <HudsonC1@michigan.gov> wrote:

Director,

It is standard practice for me to talk with an employee who expresses concerns and later files a formal complaint. This is protected activity under state and federal civil rights law. That is the typical process. It's my job. Meeting with an employee prior to the official investigation being filed has not nor will it ever have a bearing on my ability to be objective. It is the process. The facts will be what they will be.

Based on my read of her complaint, it appears that many people were involved in these issues before I ever became involved. It seems to me that she was attempting to get her concerns resolved outside of the official process. Having said that, I will recuse myself at your insistence. I would also encourage Ms. Dickenson to file her complaint with the Michigan Department of Civil Rights if the person selected does not conduct a thorough investigation; and I would reserve the right, as MDOT's EEO Officer, to review the findings of the formal investigation.

Cheryl J. Hudson
Michigan Department of Transportation
Civil Rights Internal Program Manager
EEO/Title VI Statewide Coordinator
425 W. Ottawa
Lansing, Michigan 48909
(517) 373-0980
(517) 373-8841 (FAX)
Hudsonc1@michigan.gov

From: Steudle, Kirk (MDOT)
Sent: Tuesday, March 25, 2014 4:57 PM
To: Hudson, Cheryl (MDOT)
Cc: White, Todd (MCSC); Jerry Jung
Subject: Re: Complaint Investigation

Cheryl,

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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I respectfully request that since you were very involved in discussions with Amy last fall, that you recuse yourself from this investigation and that we bring in someone from another department to conduct this investigation. It has nothing to do with the quality of your reviews and everything to do with a outside objective opinion.

Thank you for your consideration,
Kirk

On Mar 25, 2014, at 4:33 PM, "Hudson, Cheryl (MDOT)" <HudsonC1@michigan.gov> wrote:

Good Afternoon Mr. Jung,

I am MDOT's Equal Employment Opportunity Officer charged with investigating complaints of harassment and discrimination. I received a formal complaint dated March 20, 2014, against Mr. John Cotter, Director of Commission Audit, filed by Ms. Amy Dickenson. Ms. Dickenson's complaint alleges retaliation and hostile work environment in violation of state and federal civil rights law as provided in the MDOT Discriminatory Harassment Policy; and prohibited conduct under the MDOT Workplace Violence Policy. The investigation will consider the following questions and may be modified as the investigation progresses:

1. Did Mr. Jack Cotter engage in conduct and/or communication directed at Ms. Amy Dickenson that violates MDOT's Discriminatory Harassment Policy/Workplace Violence Policy; thereby creating an intimidating, threatening, or hostile work environment?
2. Did Mr. Cotter retaliate against Ms. Dickenson after she complained of conduct prohibited by MDOT's Discriminatory Harassment Policy/Workplace Violence Policy by threatening an adverse job action?
3. Was the conduct severe or pervasive as to constitute a hostile work environment?
4. Did Mr. Cotter's conduct negatively impact Ms. Dickenson's terms, conditions, and privileges of employment; or alter them in such a way that it substantially interferes with her ability to get her work done; or significantly alter her job duties with the intent to retaliate against her for complaining under state and/or federal civil rights law?

Submitted by:

Cheryl J. Hudson (Charging Party)
EEO Officer/Statewide Title VI Coordinator
Michigan Department of Transportation
425 W. Ottawa, Lansing, Michigan 48909
(517) 373-0980 (Work)
(517) 402-1503 (Personal Cell)

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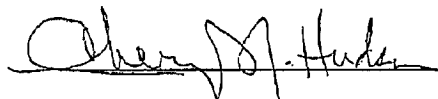
5. Did Mr. Cotter threaten an adverse job action against Ms. Dickenson because she assisted other employees in exercising their civil right to complain about alleged retaliatory treatment or other violation of their civil rights?
6. Were there witnesses to the alleged misconduct?
7. Did management act appropriately to address Ms. Dickenson's complaint(s) on its original merits?
8. Did management take action to address the issue of retaliation and to ensure that Mr. Cotter does not retaliate against Ms. Dickenson? [State and federal law and MDOT policy prohibit retaliation against employees for making a complaint, acting as a witness, and/or assisting or participating in an investigation.]
9. Did Mr. Cotter make inappropriate sexual comments to Ms. Dickenson or other employees under his command?

Ms. Dickenson is exercising her right to complain through MDOT's internal complaint process. I understand that you are aware of some of the issues described in Ms. Dickenson's complaint and I would like to meet with you at your earliest convenience to discuss this matter.

Thank you for your cooperation in advance.

Cheryl J. Hudson
Michigan Department of Transportation
Civil Rights Internal Program Manager
EEO/Title VI Statewide Coordinator
425 W. Ottawa
Lansing, Michigan 48909
(517) 373-0980
(517) 373-8841 (FAX)
Hudsonc1@michigan.gov

This last action by Director Steudle underscores my need to file a complaint at this time.

 Date: 3/28/2014