

From: Matthew Peterson
To: [Kevin Hegarty](#)
Subject: Employee Issues (Private)
Date: Friday, June 08, 2012 2:46:00 AM

Kevin,

So that there is no confusion, I'm listing the things I talked to you about today. I've been advised to report Kim Fisher to HR, but I'd rather give this information to you so you can be aware of the situation.

Regarding Kim Fisher, I have wanted to talk to you a couple times now about her inappropriate behavior but have been scared that I would "awaken the beast" and she would hinder the IT reorganization even further. Today (6/7/2012), Kim approached me and told me that she was going to fight against Kathy Murphy and possibly Robert Dent from getting the positions they applied for. It is my strong belief that she is being unnecessarily vindictive, jealous, and unprofessional. My team has asked me multiple times to talk to you about her. Since the "beast is now awake" I see no further reason for delay. Here are a few things I've been dealing with in the past few months.

A. Technology User Agreement

Without asking, Kim changed the language of the User Agreement and Internet Safety Policy. After I discovered this, I went over the changes with her and made some adjustments. I think her changes were in the most part superfluous, but I didn't want to cross her. Instead of using the Internet Safety Policy that our E-Rate consultant gave us, she insisted on adding that material to an existing document regarding the use of technology. This, unfortunately, means we do not have an actual "Internet Safety Policy" but a document about the use of technology that contains information about Internet safety. Regardless, I picked my battles and decided to let it go.

However, when it came time to print and translate the User Agreement and Internet Safety Policy, Kim would not send the final documents to Bill Heatherly because she was upset with HR for not interviewing her for a position she wanted. She stated that she was finished helping HR and that we needed to go to them if we wanted the documents. In her defense, she did say that she would help me if HR couldn't. HR was unable to help, so after several requests/pleas (and many days), Kim finally sent the documents. This whole situation was very unprofessional, especially when she mentioned she was keeping her eyes open to see if HR messed up anything so she could report them to the state.

B. Keys

On more than one occasion, Kim has been dismissive about getting keys to the IT department. Only after repeated requests and long delays (up to two weeks) have we been able to get keys. This has seriously hindered the work of at least two employees. Kim's response to Russell has been that she has more important things to do. Because of the urgency to get keys to our employees for our summer projects, Russell assumed all responsibility for the keys so that he wouldn't have to play

the passive aggressive "key game" with Kim. We have an entire page of detailed documentation on this.

C. Unprofessional Conduct with Kathy Murphy

1. For many months now, Kathy has had a difficult time working with Kim, which has affected her ability to do her job. It has gotten to the point that we have had to send other people because Kim will be rude or ignore Kathy. Our temp secretaries can attest to this, as Kim wouldn't even reply when Kathy has said hello or tried to introduce the temp secretaries to her. Kim has made derogatory comments to me such as "Kathy is a failed teacher" and "Kathy doesn't have the skills" and "when Kathy comes around asking for things, I'm not going to take her flack because my department is over hers" and "Kathy is a manipulative and rude person." The problem really worsened when we hired a temp secretary so Kathy could get our E-Rate documents in order. Rumors starting spreading around that we had made Kathy into an Admin Assistant, and Kim became even more difficult to work with. My team told me today that she has become so unpleasant to work with that they avoid her at all costs. This isn't healthy. Even our latest temp secretary (yes, we're on our third one now) observed that Kim hasn't been very friendly to my team.

Our conversation on 6/7/2012 in the hallways:

2. Kim accused me of creating a job position for Kathy Murphy. Her tone of voice was not pleasant and I could see that she was visibly disturbed as she accused me of this.

3. Kim said that "people" in the district have said that Kathy has finally found a dope she can manipulate, referring to me, her boss, as a weak and stupid person. *[This was in regards to Kathy applying for other positions in the district and the other directors supposedly being too smart to fall prey to her cunning ways]*

4. After I said that we had included HR in our interview panels, Kim said that "Nobody trusts HR. You should have used someone else like support services."

5. Kim said I was naive and that I've been taken advantage of by Russell and Kathy and that they had plotted this 8 months ago. *[I told her that I looked at the things that were failing in IT and the things that we weren't doing and created a position that would handle all of this and more. I created the position for the department, not for the person and was ready to hire the most qualified person, even if that wasn't Kathy. I admitted that I'd rather have Kathy as my Admin Assistant, since I'll miss her as my secretary but that the district will be in a better place with her in this position. I also said that I plan on being here for 30 years and am looking at the big picture. Kathy won't be here in 30 years]*

6. Kim said that because I have selected Kathy Murphy for the Operations Specialist position I have damaged the entire district and that nobody trusts us anymore and that I'll need to spend the next year rebuilding our reputation. *[This is not true. I have received numerous emails and phone calls from directors and principals saying that they've already seen an improvement with our department. Two directors gave Kathy letters of recommendation for the position, and she was the*

only person to ace the test and the interview!]

7. Kim said that she was going to fight to keep Kathy from getting this position and that I could not change her opinion. She said other people were angry as well but didn't mention names. She also said that E-Rate was a minimal task, thus downplaying the whole position. *[I advised Kim that she should be able to change her opinions when presented with additional information. Our district is one the largest in the state for E-Rate but that E-Rate is just one aspect of the Operations Specialist position. Kathy aced the test and interview and got excellent recommendations from highly influential people. She's held managerial positions and is not just a lowly secretary. The district will save thousands of dollars because of this position.]*

8. Kim said that someone must have been coaching Kathy and Robert Dent. I told her that I had locked everyone out from the test and interview questions until it was time for the actual interview. Russell, Kevin, and I had specific discussions about not coaching anyone for the job positions, other than to point them as a group to resume and technical websites they could use to prepare. *[Today, I verified with both Russell and Kevin that they did not coach Kathy or Robert]*

I know there is a lot of info here, but let me know if you'd like any more info. I think Kim Fisher has a lot of good qualities, and there have been times when it has been a pleasure to work with her, but to be blunt she has issues with envy, pride, manipulation, and the desire for power. Because of this, my department (and I know others) have had difficult times working with her. It's driving people away from her and hurting her chances for advancement. I'm about to hire the former Executive Admin Assistant to the Dean of ASU and I can only imagine how Kim and her are going to butt heads...

*Matthew Peterson
Director of Information Technology
Glendale Elementary School District #40
Phone: 623-237-7116
mpeterson@gesd40.org*

Exhibit 9

Dear Laura Sanchez,

8/15/2012

Earlier this month I talked with you about the issues my department has been having with Kimberly Fisher. Today I would like to give supporting documents and add some more information that has arisen.

The crux of the issue is that Kimberly Fisher has caused a hostile work environment for my team, which has hindered their ability to work and has hurt mine and some of my teammates' reputations because of false rumors she has perpetuated. It has gotten so bad that I have had to isolate Kathern Murphy (my previous secretary), three temporary secretaries, and a number of technicians from Kimberly because of her rude and condescending behavior. Kimberly has admitted to talking to board members and other employees about her unsavory opinions of the IT reorganization and staff. She has boasted and taken credit for convincing the board members to lower the pay for a position that Kathern intended to apply for. The spreading of her negative comments, which I would define as rumor and slander, have hurt my department, the district, and me as a director. Some of the false allegations, which I had to spend many hours of my time defending against, can be attributed to comments Kimberly made to people.

I am including an email I gave to Kevin Hegarty on June 08, 2012 2:46 AM which lists some issues I've had with Kimberly. I also spoke with Kevin in person on June 7th about these issues. He has talked to Kimberly several times about her behavior, but the problems have escalated.

More recently, on August 6th, 2012 4:47 PM, Kimberly Fisher sent me an email that included the following phrase: **"False information may be documented and used for an IT reorganization but please use the facts when referring to me."** This was an accusation that I had committed fraud and had lied about the reorganization. She wrote this in response to a comment I made to Kevin Hegarty that some of my employees were still waiting for keys. Kimberly got offended and stated in her email that only 3 people did not have all of their keys. I checked and found 5 people without all of the requested keys. For the past few weeks she has repeatedly told us that we'll get the keys when she gets them. On 8/13/2012 I met with Kevin Hegarty and Kimberly Fisher to discuss this and other issues. She finally admitted that she had not even placed an order for the keys yet. It has been well over a month since the written request had been made, and we have followed up with numerous calls, emails, and personal visits.

To compound things, Kimberly Fisher talked to Diane Litwiller (one of my team members) and told her about the above derogative email that she sent to me. Diane felt uncomfortable and told me about their conversation. I told Kevin Hegarty about this incident and informed him that I was going to talk with HR because I didn't appreciate Kimberly spreading false rumors and attempting to cause dissension within my own department. Kevin talked to Kimberly again about her actions, but afterwards she called Diane and got upset with her for telling me about what she had done.

On Friday, August 10, 2012 9:43 AM, Kimberly Fisher sent an email to Kevin Hegarty and me stating: **"I am not property to be lent and I do not appreciate this email in any way at all. Please either have Kathern remove me from this type of email or have her consider her words. I will not be degraded by your over paid secretary because of her offensive nature and lack of appropriate knowledge."** This was in regards to Kathern's email which stated: **"Thank you Kevin, Eric, Jill for lending staff to our project. We could not have done this without their help."**

Kimberly's attitude towards me and my team has been unprofessional. I have witnessed firsthand her anger and disdain towards me, individuals of my team, and others in the district. On August 13th she initialized a meeting between Kevin Hegarty and me, under the guise of working out our differences. That might have been the original intention, but what happened was that she spent nearly three hours telling us about her ill feelings towards me, my team, and other departments, including HR and accounting. To sum it up, she said that we aren't qualified to do our jobs and should never have been chosen as directors. This is not the first time I have heard her badmouth other departments. I have heard her in the past criticize the superintendent's office and HR. Last Thursday (8/16/2012) she even mentioned to all of the business services directors that HR is unqualified to do their jobs. Spreading rumors like this is unhealthy for the district and is, in some cases, illegal. If she has been telling other people the same things she told me then she is committing slander, according to the Arizona defamation laws.

To demonstrate how deeply this situation has affected us, my final interview with my new assistant, Nellie Andrade, had one main question: "How do you work with someone in another department who hates you for no apparent reason?" My assistant told me a few weeks ago that she now knows why I asked that question.

Because of Kimberly's unpredictable and irrational behavior, I fear for my team's safety, emotional well-being, and ability to effectively work with her. Kimberly warned me during the reorganization (see the 6/7/2012 email) that she was going to fight against Kathern Murphy and Robert Dent. Those happened to be the two positions most targeted by the board members. She warned me again on August 13th that she will continue to fight the IT reorganization, especially the position that Kathern Murphy got.

In our meeting on August 13th, Kimberly said that nothing was going to change. The only solid resolution that came from the meeting was that we need to make sure Kathern never crosses paths with Kimberly and that we never say hi or thank Kimberly for anything. I would like more of a resolution than that, as that very same week, Kathern had materials to give to Kevin but Nellie was not here to mediate. Kathern should not have to work in an environment of fear and should not have to worry that someone is hellbent on destroying her career. Kevin Hegarty has tried many times to resolve the problem, but Kimberly has been unreasonable and disrespectful towards him. The time has finally come to involve HR.

Matthew Peterson 8/21/2012