

DOÑA ANA COUNTY
HUMAN RESOURCES

JAN 04 2018



HD: Ashley E. Bransford
RECEIVED
JAN 05 2018
BY: RC0932



COPY

RECEIVED Doña Ana County
INTERNAL EEO COMPLAINT FORM

If you have a complaint of unlawful discrimination, please provide all of the information requested on this form. This information will be used to conduct a fair and impartial investigation of your complaint. Please type or print the information requested and submit to the Human Resources Department or Assistant County Manager's Office.

Complainant's Name: Ashley Bransford
OBO Cindy Padilla

Department: Clerk's

Address:

City, State, Zip: Las Cruces, NM 88007

Phone (Home): (575)525-6135

Phone (Cell):

Party Charged: Scott Krahling and Rose Ann Vasquez

Witnesses: Clerk's department employees

I allege discrimination based on the following protected category(s) (please check all that apply):

☐ Age

☐ Gender Identity

☒ Sex

☐ Ancestry

☐ National Origin

☐ Sexual Orientation

☐ Color

☐ Race

☐ Spousal Affiliation

☐ Disability

☐ Religion

☐ Veteran Status

☐ EEO-Based Retaliation *

☐ Serious Medical
Condition/Physical or Mental
Disability

☐ Perceived to be in a
protected class or affiliated
with someone in a protected
class

* Attributed to filing a complaint of discrimination, participating in an investigation, opposing discriminatory practices or exercising any rights under discrimination laws.

[If needed, you may attach additional sheets of paper to complete the following sections]

Specific Complaint (describe incident completely and accurately including: 1) date(s) the discriminatory action occurred; 2) name of individual(s) who discriminated; 3) what happened; 4) witnesses (if any); and 5) why you believe the discrimination was because of your religion, age, race, sex or whatever basis you indicated above:

See Attached

Revised 05.10.11

C:\Users\Ashleys\AppData\Local\Microsoft\Windows\InetCache\IE\440A2YK9\Ecointernalcomplaintform.Doc

Statement of harm: Hostile work environment

Remedy or relief requested: Employee wants behavior in the workplace to be professional and hostile work environment to cease.

VERIFICATION

The Undersigned has read the above complaint, and attests that the contents are true and correct to the best of my knowledge. I understand that this complaint does not affect any other rights I may have under state or federal law.

Complainant's Signature

obo Cindy Padilla

Date

1/4/17

For Office Use Only: Internal Case Number: _____

Received by: _____ Date: _____

RECEIVED
JAN 12 2018
@10:08am
BY: [signature]
within the Clerk's [signature]

On December 14, 2017 I followed up with Cindy Padilla regarding her concerns within the Clerk's department and she stated the following:

- Scott has announced he is going to designate Rose Ann as Chief Deputy Clerk in January but their relationship does not seem strictly professional; it makes the Clerk's department staff uncomfortable.
 - Those that are not receiving any benefits from their relationship, some just look the other way.
- Rose Ann worked on Scott's campaign, he knew her before she took the Document Technician position. Since she began employment with DAC Scott has advocated a lot for her to include her high salary as a Doc Tech and the Coordinator position.
- Rose Ann makes her own schedule, comes and goes when she wants to and claims to be "working offsite" or "having a working lunch".
 - Rose Ann is hourly, clocks in at all hours but others in the department are disciplined for doing what she does.
- Rose Ann works late with Scott; no one else is in the office.
- Scott and Rose Ann have had unprofessional fights in the office:
 - She slammed the door on him when he was attempting to go into her office.
 - He brought her coffee one morning and she threw it back at him. *2/25/18 ROZA*
- Rose Ann runs the department; she has recruited friends of hers to work in the department, for example Ashley Beyer, Natalie Zawada (resigned) and Abraham Sanchez. There is pre-selection and positions promised to those she chooses.
 - Ashley Beyer was promised the Coordinator position once Rose Ann vacates it in January.
- Scott and Rose Ann spend a lot of time together, including trips out of town and to non-work related functions.
- When Scott goes on vacation with his family (wife and kids), Rose Ann takes time off as well (either calls in or schedules it).
- Scott asked Cindy whether she thought there was anything inappropriate going on between him and Rose Ann.
 - Rose Ann and Scott have made comments regarding Cindy spending too much time in the BOCC meetings and not wanting her there the whole time. Both are unaware of the importance and the requirement of what she does for the meetings.
 - Scott told Cindy he was removing her BOCC duties from her position and placing those responsibilities in the new position he is creating. Brandi Delgado then approached Cindy and said she was to sit with her and learn those duties. It seems as though the position is going to her.
 - Scott gave Cindy a copy of her new job description, it was not signed by Scott or HR, he wanted to show her what duties were being removed from her position to be placed into a position he was creating. She feels this is his way of pushing her out of the department by removing a large portion of her job.
- Rose Ann and Scott were in his office; her chair was facing him and she was sitting very close to him with a short dress on.

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 COPY

On 1/4/18 Cindy disclosed the following information:

- Rose Ann and Scott went to Santa Fe together for work. A Road department employee was staying in the same hotel they were and saw Rose Ann leaving Scott's room early in the morning. This employee mentioned it to a relative in the Clerk's department and Nely Quintero (Resigned) was overheard discussing it with another Clerk's employee. Angelica Valenzuela and another Clerk's department lead or supervisor confronted Nely and told her she was not to discuss that anymore, Nely was in tears over the confrontation and told Cindy she felt ganged up on. After that incident she felt Scott and Rose Ann were trying to get rid of her, she decided to seek employment elsewhere and resigned.
 - Bryan Carver is a friend of Scott's, once he found out about the incident in Santa Fe he notified Scott that people were talking about it.
- Cindy Padilla has a copy of the magazine Tu Revista, in it there is a picture of Scott and Rose Ann embracing one another unprofessionally. They are not the focus of the picture, just happened to be caught in the background.

On 1/4/18 Cindy disclosed the following information:

- Rose Ann and Scott went to Santa Fe together for work. A Road department employee was staying in the same hotel they were and saw Rose Ann and Scott coming out of the same room early in the morning. This employee is a cousin of Abel Guzman in the Clerk's department and he mentioned it to Abel, Abel told Nely Quintero (Resigned) and Nely told Cindy Padilla about it.
 - Following that, Angelica Valenzuela and Cindy Chavez spoke to Nely about her helping Laiza at the front, they wanted her to stop assisting her but she didn't understand why she would be getting into trouble for helping a coworker.
 - Cindy felt they were trying to get rid of Nely; it seemed as though she was being blamed for gossiping about Scott and Rose Ann.
 - Bryan Carver is a friend of Scott's, once Abel told him what his cousin in the Roads department saw in Santa Fe he notified Scott that people were talking about it.
- Cindy Padilla has a copy of the magazine Tu Revista, in it there is a picture of Scott and Rose Ann embracing one another unprofessionally.
- Rose Ann did not disclose on her application that she was Scott's campaign manager.

1/12/18
Cindy Padilla

Note to File regarding information about County Clerk (Scott Krahling) and inappropriate activity at a workplace retreat with employee Rose Ann Vasquez:

I was made aware by an employee that the County Clerk Scott Krahling held an all-day, offsite work retreat at an employee's home (Brandi Delgado). Allegedly during that retreat, Mr. Krahling and an employee, Rose Ann Vasquez, were caught in an inappropriate situation by Ms. Delgado.

On November 8, 2017, Ashley Bransford (HR Administrator for the Clerk's Office) and I attended a meeting with Mr. Krahling, Ms. Vasquez, and Lynn Ellins regarding a reorganization of the Clerk's Office being proposed by Mr. Krahling. Mr. Krahling officially informed HR during that meeting that he was promoting Ms. Vasquez to Deputy County Clerk upon Mr. Ellins departure in January, 2018. Also during the meeting, Ms. Vasquez informed us that she was rewriting job descriptions and that her current job would be revised and several other positions would be created.

This is a concern as Ms. Bransford has now been informed that positions are being promised to employees and therefore, pre-selected based on their relationship with Ms. Vasquez and their willingness to overlook the personal relationship between Vasquez and Krahling.



Cindy Capanna
Sr. HR Administrator
Doña Ana County

1-5-18
Date



Additional! to Cindy Padilla's EEO
Complaint.

RECEIVED
JAN 17 2018

BY: RC @ b4b

HD: Ashling / HR