

Regarding the 21 June Evaluation and Comment Sheet:

It appears this was done either by someone in haste, or by someone with no experience with writing employee evaluations:

1. **NOTE: This comment has been answered by reviewing the FOIA copy of the DOL case file.**
2. **NOTE: This comment has been answered by reviewing the FOIA copy of the DOL case file.**
3. The previous evaluations are handwritten, but this one is typed -- was that a way to conceal just who was responsible for it?
4. "Evaluating Officer" at the top of the page is listed as Eric Clark, "Reviewing Supervisor" is listed as Greg DeGraeve. However, Eric Clark signs the bottom of the form as the "Reviewing Supervisor."
5. "Check One" box (Probation, Semi-Annual, Annual, Other) should be checked as "Probation" -- not checked.
6. No one but Eric Clark signs the evaluation. Though the comments (additional sheet) all appear to be comments made by Greg DeGraeve his signature (or even initials) are not anywhere on the forms.
7. If, in fact, Eric Clark is the one that prepared the additional comment sheet, the paragraph "Quality Of Work/Dependability" is an outright lie: Eric Clark DID NOT show up at any time at the intersection.
8. While the comment sheet for the 26 March evaluation mentions me as "Ken", this evaluation and it's comment sheet always refer to me as "Mr. Snyder" -- the way Mr. Clark always referred to me.
9. The crux of this entire evaluation is an incident that took place on 28 May. If this incident was of such consequence why did the parties involved wait until 21 June to write such a damning evaluation, and then wait until 8 July to act upon it?
10. While the other two evaluations are dated 26 March and 27 April, this evaluation is dated 21 June -- exactly five months from the date of hire, and nearly a week earlier than the other two evaluations in regard to time of the month.
11. At no time was a copy provided to me before it showed up as part of the BPU employee file -- the other two evaluations (27 April and 26 March) were shown to me as they were submitted. Compare my copies with the ones from the Employee File.
12. The other two evaluations show date stamps by Human Resources as to when they are received (for submission to the employee file?) but there is no date stamp on this one.
13. The other two evaluations show Eric Clark signed them both on the same day (3 May 2010) -- the same day they are received by Human Resources (date stamp). This date is four working days after the April evaluation meeting (which Mr. Clark attended). However, this evaluation was signed immediately, the same day as it is dated -- again, no actual evaluation meeting took place, as I was on ANG duty at the time.
14. This evaluation appears to never been incorporated into the file as of the day it was packaged to be sent to Mr. Kelvington and me: although this had supposedly been filed on 21 June and I was terminated on 8 July these two papers (evaluation and comment sheet) are not punched as are all the other papers in the file as of September 23 (date on cover letter from Mr. DeLeon). You can tell from their file that the comment sheet from the 26 March evaluation was stapled to the actual evaluation form, but the 21 June comment sheet was not stapled to it's actual evaluation form.
15. While this evaluation (at face value only, with no contradictory evidence presented) would indicate sub-par performance, no mention of action (reprimand, additional training, termination) is listed.
16. Regarding the 28 May Incident: From the 4 September "Additional Notes" sheet:
<<13. On one occasion Mr. Dunn and I had an issue with a signal controller at Metropolitan Avenue and Woodland Boulevard. The unit was not responding to programming and we planned to replace it. Since this was an older installation, it had a controller that we were not as familiar with. Mr. Dunn and I went to program another controller of the same type and kept missing steps in the programming that kept it from operating. After lunch I went back out and attempted to work on it again. Mr. DeGraeve came to the intersection and we were able to find the steps that had been missed, once this was rectified the intersection worked properly.>>

Here is more detailed information:

All new traffic signal control cabinets come with controlling computers (“controllers”) made by the Eagle Division of Siemens Corporation. With having assembled five new control cabinets in the time I worked at BPU, I was fairly familiar with the Eagle units. However, at this intersection, the controller was a unit made by Multisonics Corporation. These units do not program alike, and I had not personally had the opportunity to program a Multisonics unit. After initially programming another Multisonics controller in the shop, I headed out alone to the intersection with the replacement controller. As I was working to install the replacement controller, Mr. DeGraeve arrived at the intersection. Once I had the controller installed and operating, we noticed a problem with the way the signals were operating. As Mr. DeGraeve pointed out the steps I missed, my cell phone rang. At the most, I flinched when it rang unexpectedly. Mr. DeGraeve said “Don’t answer that”, which was what I had planned to do (let it ring), given that Mr. DeGraeve didn’t come out to intersections often, I regarded him as the most authoritative person in the shop (he started when the shop was working mechanical signal controllers versus the computerized controllers today) and wanted to learn all I could from his expertise.

After his comment at the intersection (“don’t answer that”), nothing more was said regarding this incident. I do not know if anything was said to Mr. Dunn regarding his inability to get the original controller to operate or not returning to the intersection after lunch.