

TESTIMONY OF SHANNON REED
BEFORE THE COMMITTEE ON
OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
EXAMINING MISCONDUCT AND RETALIATION
AT THE U.S. FOREST SERVICE

November 15, 2018

Chairman Gowdy, Ranking Member Cummings, and members of the Committee, thank you for inviting me here today to testify regarding harassment, misconduct, and retaliation at the U.S. Forest Service.

My name is Shannon Reed. I live in Albuquerque, New Mexico. I am an Air Quality Specialist. I have a Bachelor's Degree in Meteorology from Texas A&M and a Master's Degree in Environmental Management from UMUC. I've worked for the federal government for 8 years as an Air Quality Specialist. From 2010 to 2015 I worked for the National Park Service, at Grand Canyon National Park. From 2015 through 2018 I worked for US Forest Service, in Region 8 and Region 3. The Grand Canyon National Park is a beautiful place to work but as the Committee is aware it has a dark history of employee abuse, particularly gender discrimination, sexual harassment, sexual assault and rape. I observed this myself. At one point I had to assist a female employee who had been raped by a male coworker. Park management did nothing to hold the perpetrator accountable and he still works there. The reason I left the Grand Canyon

National Park was to get away from supervisors and managers who harassed me, bullied me, and assaulted me, and then retaliated against me when I reported it. Little did I know that transferring from the Park Service to the Forest Service was jumping from the frying pan into the fire.

In October 2018 I was fired from my job at the Forest Service. I believe it was reprisal for reporting harassment, for filing an EEO complaint, and for giving a sworn statement that Chief Tony Tooke sexually harassed and assaulted me.

In February, 2015 I started work as a GS-11 Zone Air Quality Specialist in Region 8, at the National Forests of Alabama Forest Supervisor's Office in Montgomery, Alabama. I worked with forests in Alabama, Mississippi, and Florida. I quickly learned that though my working conditions at the Grand Canyon National Park were dreadful, conditions at the Forest Service would become intolerable.

At the National Forests of Alabama I was unwelcome as a female scientist and seen as a sexual object. Male employees told me because I was a woman I was not qualified for my job; I had no right to have my job; and a man should have my job. When taking the Work Capacity Test, which is the physical test to qualify for fire assignments, I was tripped, pushed down, and kicked. One coworker threatened to bend me over and spank me, another told me in order to go to a fire assignment I had to suck his c**k, another coworker told me that I would have to wear knee pads at a conference because I would be sucking so much “c**k and another co-worker told me that the only reason I was allowed to go to meetings was that I sucked my supervisor's “c**k. I was

called little girl, a f**king bitch, whore, sl*t, and c**t. I observed that this type of behavior was an accepted, every day treatment of women. When I reported it, I was ostracized by both male and female employees.

In October 2016 I traveled to Florida to attend the New Employee Orientation. The Orientation was from October 25th through October 27th. At that time, Tony Tooke was the Region 8, Regional Forester. He gave a presentation at the Orientation. Prior to attending the Orientation, two different women gave me a warning that I should not be alone in a room with Tony Tooke, and that I should not to be alone in an elevator with Mr. Tooke. They did not tell me why. It was presumed that he might do something inappropriate.

On October 25, 2016 I went with a group of about 35 attendees to a restaurant during lunch break. Mr. Tooke was present. We were standing in the foyer of the restaurant waiting to be seated. Mr. Tooke was standing beside and a little behind me. He grabbed my buttocks. He didn't say anything. He had a creepy smile on his face, like he got away with something. I was stunned. I did not say anything. Several employees (men) witnessed this and came over to me, and in a protective way said, "Hey, do you want to join us at our table?" They kind of watched out for me for the rest of the week. I did not report Mr. Tooke because I feared retaliation.

I would like to add that I spoke with two female employees in Florida who advised me they had improper sexual relationships with Tony Tooke. I am not comfortable sharing any more information than that because it is a small community and

I do not want them to be retaliated against, like I was for coming forward.

In January 2018 the Daily Caller published an article exposing Tony Tooke's sexual misconduct of having an affair with a subordinate employee. At the time Mr. Tooke had been promoted to Chief of the Forest Service. In February 2018, Lesa Donnelly, Vice President of the USDA Coalition of Minority Employees spoke with three women who had been sexually harassed by Chief Tooke. One woman gave Ms. Donnelly the name of the investigator who was investigating Chief Tooke's sexual misconduct. Her name is Joanne Doddy Fort. Ms. Donnelly connected us in February 2018. The Office of General Counsel was aware of my agreement to give Ms. Doddy Fort a sworn statement because on or around February 22, 2018, Ms. Doddy Fort told me that OGC advised her that Ms. Donnelly could not be present during my interview, even though she was my representative. The OGC attorneys were Tami Trost, Arlean Leland, and Maria Schmit.

On March 1, 2018 I gave a sworn affidavit that Chief Tooke grabbed my buttocks. On March 2, 2018 PBS aired an expose of Chief Tooke's sexual misconduct. On March 7, 2018 Chief Tooke announced his early retirement based on the allegations against him. I believe the USDA and Forest Service retaliated against me for giving the sworn statement on Chief Tooke.

In January 2017 I transferred to the Region 3, Regional Office in Albuquerque, New Mexico. I arrived in February 2017. My supervisor was Jack Triepke. The first week I arrived Mr. Triepke asked me out for drinks at a bar. I

declined. He also asked me if I wanted to go to Truth or Consequences with him. At the time I thought it was a bar. I declined. I later discovered that he goes to Truth or Consequences because there are hot springs there. I found this out from a woman who told me he asked her to go with him too. In April 2017 Mr. Triepke called me at night. It was not for business purposes. He sounded intoxicated. I did not report Mr. Triepke because I was a new employee and did not want to start a new position in conflict with my supervisor. I also feared retaliation.

From May 2017 throughout my time working for Mr. Triepke he yelled at me, threatened me, spit in my face, inappropriately touched my shoulder, and grabbed my phone from my hand. He yelled at me on multiple occasions to the point I would hyperventilate and start crying. Management witnessed some of these incidents and did nothing to stop it. On August 1, 2017 I finally reported Mr. Triepke to my second line supervisor Bob Davis and staff employee Jennifer Ruyle. Ms. Ruyle filed a complaint on my behalf with the Harassment Reporting Center. Mr. Triepke thought I filed it and his harassment escalated. I filed an EEO complaint against Mr. Triepke in October 2017. The harassment escalated more. In November 2017 Mr. Triepke gave me a fully successful performance rating. However, at the meeting he yelled at me for various reasons and threatened to give me a bad performance and fire me. In November 2017 an EEO counselor filed another complaint with the Harassment Reporting Center on my behalf against Mr. Triepke. This was the second time an agency official filed a complaint against Mr. Triepke on my behalf. He retaliated against me. The complaints

resulted in HART inquiries. HART is the Harassment Assessment Review Team that performs inquiries for harassment claims. Both inquiries resulted in “unsubstantiated” findings even though there were witnesses to Mr. Triepke yelling at me. I filed a second EEO complaint against Mr. Triepke, Mr. Davis, and Ms. Ruyle. Mr. Davis and Ms. Ruyle had witnessed Mr. Triepke harassing and yelling at me on several occasions and did nothing about it.

Subsequent to my EEO complaints against Mr. Triepke, Mr. Davis, and Ms. Ruyle; my participation in the HART inquiries; and my affidavit on Chief Tooke; I received a 7 day suspension, a Letter of Instruction, and a Letter of Expectation for performance. I received a marginal performance rating at mid year.

Over the course of 2017 and 2018 Ms. Donnelly sent dozens of emails to Secretary Perdue, Chief Tooke, Chief Christiansen and their staffs advising them of each incident and requesting assistance. We never received a response. In May 2018 management decided to separate Mr. Triepke and I and initiate a Personnel Misconduct Investigation based on Ms. Donnelly's many requests to remove Mr. Triepke as my supervisor and have an investigation. He remained my supervisor but we were not allowed phone or face-to-face contact. He continued to harass me by email. I was directed to use only a certain route in the building and otherwise stay in my cubicle. Mr. Triepke was allowed free rein in the building and one time followed me to the restroom.

In May 2018 I was placed on a Performance Improvement Plan (PIP). HR, Employee Relations and Ms. Ruyle advised me I failed the PIP before the time frame

was up. It was a predetermined decision. I met the conditions of the PIP but Mr. Triepke failed me anyway in August 2018. On August 30, 2018, I was given a proposed removal letter. I was placed on Administrative Leave. This occurred an hour and a half after Dateline aired a preview of me stating, "It's not a fear of retaliation it's a reality." I responded with a 30 page document explaining in depth the 2 years of harassment and retaliation, and evidence I had not failed the PIP.

On October 10, 2018, HR emailed me a notice of removal. They did not even extend me the courtesy and respect to provide it to me in person. Ms. Donnelly received the email before I saw it. She called me to see how I was doing. I did not know I had been fired until Ms. Donnelly told me. This was a clear example of their animosity toward me. I was fired as reprisal for refusing to have a personal relationship with Mr. Triepke, for reporting 2 years of harassment and abuse, for filing EEO complaints, and for testifying against Chief Tooke's sexual misconduct.

I would like to make clear that these actions took place at the time Chief Christiansen rolled out her March 2018 Action Plan to address harassment in the workplace. Ms. Donnelly would email Chief Christiansen, Lenise Lago, Leslie Weldon, and Robert Velasco describing the incidents and pointing out that her Plan was not addressing actual harassment and retaliation incidents against me and other women. They ignored Ms. Donnelly. Ms. Donnelly also provided this information to the OIG Auditor, Robert Brown. He told her that he would include the information in their final report.

Chief Christiansen's Action Plan is merely a check-the-box process to make the agency appear as if it is addressing sexual harassment, gender harassment, bullying, and retaliation. It has no real application to preventing and eliminating harassment and retaliation against employees. Managers and supervisors are not being held accountable. Mr. Triepke was never held accountable despite the hundreds of pages of documentation we provided the agency and the named witnesses.

The HART process is a failure. Internal employee relations personnel are still performing the inquiries. The inquiry officials do not provide accurate statements. They do not interview witnesses. I had 3 separate inquiries performed on Mr. Triepke. They did not look at the pattern of harassment. They use the simplified HART process in lieu of Personnel Management Investigations to minimize serious, ongoing complaints of abuse and sexual misconduct. HR makes the final decision. HR works for management and most decisions are, "harassment unsubstantiated."

The Stand Up process is smoke and mirrors. The agency is telling us to stand up and report harassment, but when we do we are retaliated against. Chief Christiansen has not made it a safe environment for us to report harassment. I've been told by other women they will never report harassment now that they saw what happened to me. Two women I spoke with are being forced to have sex with their supervisors under threat of being trumped up on false charges and fired. They will not report it because they are so afraid of losing their jobs.

The Listening Sessions are a joke. Employees are required to attend while

they are undergoing harassment. The harassers are sitting in the sessions and management pretends as if it is not happening while they talk about their commitment to stopping harassment! Some of the harassers, including sexual harassers are presenting the Listening Sessions and Stand Up sessions. How can a person speak up at a session when the person harassing her is sitting right next to her? In one of our meetings, Regional Forester Cal Joyner stated that women were a liability.

The EEO process is time consuming and does not work. I had to get permission from Mr. Triepke to participate in the EEO process and he knew the complaints were about him. The agency does not try to resolve the complaints and employees are forced into investigations. I had to get permission from Mr. Triepke to speak to the EEO investigator. He denied it until Ms. Donnelly became involved.

It is very hard to prove retaliation because management is always supported by HR and OGC. If a supervisor says he took a legitimate personnel action against the employee the manager is not questioned and the employee is immediately discredited, even when there is a pattern of harassment and the supervisor is a repeat offender with other women. This is happening to many, many women all over the Forest Service. I refer you to the November 9, 2018 letter to Vickie Christiansen signed by 50 women and about 50 anonymous women.

Ms. Christiansen's Action Plan falls very short of addressing the problems I identified here. As the women's November 9, 2018 letter states, we have ideas and solutions that we want to share with Ms. Christiansen. Accountability is a key issue.

Changing the culture of reprisal is another key issue. We want to collaborate on a resolution that will prevent and eliminate harassment, sexual misconduct, and retaliation. We ask that congress support our request. We want to be part of making the USDA, Forest Service a place of respect, dignity, and equal opportunity for all employees. Thank you for your time here today. I would be happy to answer any questions.

/s/Shannon Reed