



“DARKNESS CANNOT DRIVE OUT DARKNESS, ONLY LIGHT CAN DO THAT.”
~ DR. MARTIN LUTHER KING JR.

May 6, 2025

Report Finalized Date


Final Report

To: Jordanne Bryan
From: New Light Investigations
Date: 05/06/2025
Assigned Investigator: Jacqueline Manning

Table of Contents

NARRATIVE 4
Incidents Leading to Investigation: 4
 Complaint 4
 Counter Claims/Complaints..... 5
Background 5
 Karen Bivens..... 5
 Nicole Johnson 5
Historical & Contextual Information 5
 Department Organization..... 5
Investigative Actions & Objective 6
Evidence Presentation 6
Interviews 6
 Karen Bivens 6
 Excessive Complaints 6
 Communication7
 Job Duty Arguments..... 8
 Alienation from Office 9
 Other Employee Issues..... 9
Witness #1 9
 Johnson - Lack of Experience and Training:10
 Communication Issues:10
 Staffing Issues: 11
 Administrative and Personal Dynamics:..... 11

Safety Concerns:	11
Witness #2.....	12
Power Struggle:	12
Negative Attitude:.....	12
Involvement of Staff in Conflicts:.....	12
Miscommunication:.....	13
Blame-Shifting:.....	13
Relationship with Lowry:	13
Witness #3.....	14
WITNESS #4.....	15
Role and Responsibilities:	15
Interactions with Bivens, Lowry, and Johnson:.....	15
Workplace Environment:	16
Personal Philosophy:	16
Witness #5.....	16
Witness #6	17
Witness #7.....	19
Witnesses’ Role.....	19
Bivens’ Management Style/Workplace Tensions.....	19
Hostility Towards Bivens and the “Anti-Bivens Club”	20
Silver Bells Event & MMP Hearing	20
Accusations of Racism Against Bivens	21
History with Sallie Lowry	22
History with Nicole Johnson.....	22
Witness #8	22
Witness #9	25
Strained Relationship with Bivens	25
Confusion in Chain of Command:	26
Witness #10.....	27
Witness Role and Involvement:	28
Details of the Incident:	28
Specific CITs and Aftermath:	28
Professional Interactions with Staff:	28
Confidentiality and Releases:	29
Witness #11	29
Role and Involvement:	29
Working Relationship with Johnson & Lowry:.....	29

Perceptions of Johnson, Lowry, and Director Bivens:	29
Working Relationship with Bivens:.....	30
Work Environment and Teamwork:	30
Witness #12	30
Witness’s Role and Relationship with Bivens:	30
Team Dynamics and Tensions:	31
Office Environment:	31
Lowry’s Former Role:	32
Bivens Frustration and Ambivalence:	32
Bivens’ Professionalism:.....	33
Workplace Culture:.....	33
Witness #13	33
Silver Bells Event Setup and Cleanup	33
Ongoing Tension and Negative Comments.....	34
Nicole johnson.....	35
	
Disparagement	37
Relationship with the Director	38
sallie lowry.....	38
Evidence Analysis:	41
Insubordination & Unwillingness to Perform Job Duties	41
Johnson’s Admissions	41
Pool Responsibilities	42
Back and Forth/Lack of Accountability.....	44
Silverbells	45
Emails	46
Insubordination & Unwillingness To Perform Job Duties Summary	50
Excessive Complaints	50
Complaint Collaboration	50
Whiteboard Incident	50
HR Hostile Workplace Complaint.....	50
Silver Bells Event.....	51
CHRO Complaint.....	51
Excessive Complaints Summary:	52
Hostile Workplace	52
Disparagement & Bullying.....	53
HOSTILE WORKPLACE SUMMARY	55

NARRATIVE

Subjects of Investigation: Nicole Johnson

Complainant: Karen Bivens

Department: Recreation Department

Allegations: Harassment, Hostile Workplace, Insubordination

People Interviewed:

1. Karen Bivens, Director of Cultural Affairs & Human Services
2. Sallie Lowry, Recreation Supervisor
3. Nicole Johnson, Recreation Supervisor
4. Town of Hamden Employees, Witnesses (13)

Exhibits:

1. Bivens Complaint (1/23/25)
2. Typed complaints (Johnson and Lowry)
3. HR/Witness #14 Correspondence (2/2025)
4. HR/NLI Correspondence Witness #15 (3/2025)
5. Silverbells After Action Review
6. Recreation Supervisor Job Description
7. Witness #1/Johnson Text
8. Witness #2/Lowry group text
9. Witness #7 photos Senior Luncheon
10. Witness #9 Notes on Bivens
11. NLI photos, Hamden High School Pool
12. Bivens/Johnson Correspondence CIT Issue (6/14/2025)
13. Bivens/Johnson Correspondence (5/30/2025)
14. Johnson White Board Photo
15. New Hire Policy, Johnson (11/21/21)

INCIDENTS LEADING TO INVESTIGATION:

COMPLAINT

Karen Bivens is the Director of Cultural Affairs & Human Services for the Town of Hamden. Bivens filed a complaint with Town of Hamden Human Resources on January 23, 2025, alleging that Recreation Department Supervisors Nicole Johnson and her colleague Sallie Lowry have been harassing her with complaints and making disparaging and slanderous statements about her to others. **[Exhibit 1]** Bivens stated that Lowry and Johnson have sown seeds of conflict in an effort to thwart their work duties and assassinate her character. Bivens stated these behaviors from Lowry and Johnson are interfering with her ability to do her job completely and fully.

COUNTER CLAIMS/COMPLAINTS

Recreation Department Supervisors Nicole Johnson and Sallie Lowry have filed numerous complaints against Bivens since 2023, alleging harassment, discrimination, micromanagement and failure to provide training. **[Appendix C]**

BACKGROUND

KAREN BIVENS

Bivens was appointed as Director of Cultural Affairs and Human Services by Hamden Mayor Lauren Garrett in 2022. Bivens is responsible for overseeing multiple departments, including:

- Recreation
- Arts & Culture
- Community Services
- Senior Services

Bivens reports directly to the mayor and serves as the appointing authority for hiring and administrative decisions.

NICOLE JOHNSON

Nicole Johnson was hired by the town of Hamden in November 2021.

Employment History

- Hired as an Outreach Counselor at Senior Services in November 2021.
- Promoted to Recreation Supervisor in February 2023.

HISTORICAL & CONTEXTUAL INFORMATION

DEPARTMENT ORGANIZATION

During this investigation, numerous witnesses who have been employed by the Town of Hamden for many years stated that prior to Bivens being hired as the Director of Cultural Affairs and Human Services, the recreation department supervisors had very little supervision. Historically, the recreation supervisors reported to the Director of Parks Department but operated autonomously.

The two previous recreation supervisors, David Demartino and Laura Luzzi were long-term Town of Hamden employees. Lowry was the recreation department's administrative assistant beginning in 2000. Luzzi [REDACTED] died in 2022. Demartino also retired in 2022. This left two open Recreation Supervisor positions to be filled.

Lowry and Johnson both applied for the Recreation Supervisor position. Johnson was chosen over Lowry by Bivens for the first position in February 2023. Lowry applied for the second position and was promoted to Recreation Supervisor by Bivens in March 2023. Lowry continued to handle the administration and received a stipend for a period.

This investigation discovered that Bivens has implemented many changes and new initiatives during her tenure. There have been chain of command changes under the new administration, implementation of computerized processes, and protocols and procedures to improve efficiency and accountability. Some longer-term employees are having difficulty transitioning to Bivens' management style and the changes in the workplace.

INVESTIGATIVE ACTIONS & OBJECTIVE

This investigation reviewed a copious amount of documentation provided by Hamden Human Resources Department, Karen Bivens, Sallie Lowry, Nicole Johnson and witnesses.

Additionally, the complainant, Karen Bivens, the accused Nicole Johnson and her colleague Sallie Lowry were interviewed, as well as thirteen employees of the Town of Hamden. Johnson and Lowry provided a typed document of their individual and collective complaints for this investigation. **[Exhibit 2]** Two additional witness interviews were attempted with witnesses #14 and #15, who were non-cooperative with this investigation. **[Exhibits 3 & 4]**

Furthermore, a separate report will be submitted by this agency relative to cross complaints that Lowry and Johnson have filed against Bivens. However, the objective of both investigations was to identify the overarching patterns of behaviors by all the employees involved and conditions of the working environment in the recreation department related to the totality of the complaints.

EVIDENCE PRESENTATION

INTERVIEWS

KAREN BIVENS

Date: February 5, 2025 & February 26, 2025

Time: 1pm & 3pm

Location: Hamden Town Hall

Interviewer: Jacqueline Manning


Title: Director of Cultural Affairs & Human Services

KEY TOPICS DISCUSSED:

EXCESSIVE COMPLAINTS

Bivens expressed distress over the egregious number of complaints filed against her by Lowry and Johnson. Bivens stated that she cannot direct, instruct, supervise, correct or reprimand without facing some kind of backlash.

- **Retirement Comment Incident:** Bivens mentioned that her comment about Lowry retiring in 2022 was a joke. However, Lowry turned it into a CHRO complaint, and Bivens didn't anticipate such a strong reaction from Lowry.
- **Promotion and Invoice Issue:** After promoting Lowry to Recreation Supervisor in June 2023, Bivens discovered unpaid invoices for porta potties amounting to \$17,000. This issue was time-sensitive due to the fiscal year ending. An argument ensued between Bivens and Lowry, who was also acting as the Administrative Assistant for a stipend. Lowry later filed a harassment complaint against Bivens over this incident.
- **Pool Schedule and Complaint:** Bivens faced many issues with Johnson regarding the pool schedule at Hamden High for open swim sessions. Bivens said she told Johnson to build a relationship with Witness #1, but Johnson claimed Witness #1 does not like her. Bivens said lifeguards are supposed to call Johnson or Lowry if they need a replacement. Bivens asked them to take their work phones home on the weekend to check messages for weekend call outs to ensure coverage for Monday's open swim. They filed an MPP complaint against her for this request requesting on-call pay.

- 
- **Silver Bells Event** – Johnson and Lowry filed a MPP complaint after Bivens instructed them to wipe down tables and change tablecloths on December 13, 2024 for an event being put on by the recreation department on the following day. They alleged that Bivens instructed them to perform custodial duties.

- Bivens said she asked Johnson and Lowry to contribute to an after action review of the Silver Bells event to improve it, and all they wrote was “Tablecloths reused/health risk, Risk of communicable disease by reusing disposable table cloths.” **[Exhibit 5]**

COMMUNICATION

Bivens stated communication with Lowry and Johnson is full of strife and back and forth just for her to obtain details from them. They are elusive and vague with information. She has to continually prompt them to provide additional details that she needs to make decisions and approvals. There are constant miscommunications, misunderstandings and misinterpretations. Bivens said she scrutinizes her emails to make sure she doesn't offend Johnson and Lowry and she is spending a lot of unnecessary time double checking and rereading her emails before sending them.

- Bivens provided one example of many instances in which she had to engage in numerous back and forths with Johnson just to basic information from her:

In the fall, the IT department requested that Bivens collect all employee badge numbers, which include an employee ID on the back. During a team meeting, she asked for these badge numbers. Johnson mentioned she needed a new badge, so she instructed her to get one and then provide her with the new badge number. After a month and a half, she followed up with her. She confirmed she had received the new badge, but the number she provided did not match the required format. Bivens clarified that the number should be the last six digits and asked for her employee number as well. Despite multiple follow-ups and clarifications, it took a considerable amount of back-and-forth communication to get the correct information. [REDACTED]

- **Derogatory Comments and Solicitation:** Bivens was upset to learn that Lowry and Johnson referred to her derogatorily behind her back, calling her a slave master and claiming [REDACTED] She also learned that they solicited camp directors to write statements against her.
- **Disrespect and Performance Issues:** Bivens stated that Lowry and Johnson are extremely disrespectful and not conscientious in their duties. Johnson doodles during meetings, and both resisted new forms and checklists created by Bivens. **[Appendix B]** She finds it challenging to direct them without causing offense.

JOB DUTY ARGUMENTS

Bivens stated that the job description for the Recreation Supervisor needs to be updated. Johnson and Lowry are very literal with it. **[Exhibit 6]** There is a line at the bottom of the job description, which says, “other duties assigned,” but Lowry and Johnson don't see that line. There have been a few times that they have said they don't feel comfortable doing things she has assigned and said they wanted to call the union. Bivens' response was, “no problem, call the union, we can have a meeting, but in the meantime execute the task.”

- **Training and Legacy Programs:** Bivens relied on Lowry's 30 years of experience in the town's recreation department. Lowry had claimed to have covered responsibilities during Luzzi's illness. However, after starting the new position, Lowry frequently requested unspecified training. Bivens was puzzled, as many recreation programs were legacy programs that required minimal new tasks. They are “wash, rinse, repeat” programs and Lowry had many years of experience in the department.
- **Phone line Information Issue:**
 - Bivens said that on December 28, both lifeguards called out of work, and when Bivens asked Johnson to find coverage, Johnson claimed she didn't have her phone to contact anyone. As a result, the pool was closed due to a lack of lifeguards. Johnson later told Bivens that she was heading to the pool because people were swimming without lifeguards because the door had been left open.
 - In January, Bivens set up an information line for people to call about pool hours and closings. She had IT train Lowry and Johnson on how to update the message. However, on January 25, when lifeguards called out again, Bivens asked Johnson to update the information line, but Johnson did not follow the script provided, leaving out important details such as which pool was closed. Bivens expressed frustration, as her efforts to streamline communication were met with complaints.
 - Despite Bivens' instructions, Johnson did not follow the protocol and did not change information on the recreation phone line. Bivens provided step-by-step instructions for Johnson on how to access and change the outgoing voice information and Johnson still had not executed the task properly and timely. Johnson's voice message on February 5, 2025, that the pool was going to be closed on February 6, 2025, for inclement weather did not even acknowledge that the caller had reached the Town of Hamden. Furthermore, as of February 21, 2025, Johnson still had not updated the information line. [REDACTED]
- **Retirement Celebration Incident:** Bivens believed Lowry and Johnson leaked a story about Ranger Vincent Lavorgna's retirement to the press, turning a celebration into a scandal that came to be called “pizzagate” on the Town of Hamden Facebook page. **[Appendix B, 99-112]**
- **Unified Retaliation and Duties:** Bivens described Lowry and Johnson as inseparable. She feels like she only has one recreation supervisor due to their lack of task division and claims of needing to do things together.
- **Summer Camp Incident:** Last year, Lowry's son was involved in an altercation at summer camp. Lowry and Johnson showed up without informing Bivens, who learned about the incident from someone else. This was considered an emergent situation, which both had been instructed to advise her of promptly. This incident was part of a write up that Bivens issued on 8/15/2024, for which Lowry and Johnson filed a grievance. **[Appendix C, 250-253]**

- Bivens is reluctant to rehire Lowry's grandson because of the incident last year. She fears that Lowry will claim retaliation, when in fact, she is concerned that his behavior was volatile.

ALIENATION FROM OFFICE

Bivens said Johnson and Lowry are so combative towards her that she does not use her office at the Recreation Department. She said she is very uncomfortable and feels "dagger eyes" at her. She said she cannot trust the smiles because face to face sometimes things seem fine and then she will be notified by Human Resources that a grievance has been filed. Or she will hear from other people that Lowry and Johnson were talking negatively about her. She stated, *"I'm, but it's just, it's been very uncomfortable. It's been very, very uncomfortable. You know, like to constantly be accused..."*

OTHER EMPLOYEE ISSUES

Bivens said she is having other communications issues and strains in her working relationships with Witness #9 and Witness #14.

- Bivens said that Witness #9, like Lowry and Johnson, is also elusive with information. Bivens stated that Witness #9 is manipulative with the information she provides. Bivens stated that witness #9 has had communication issues with other employees in the town departments, specifically the Town Attorney's office and Purchasing Department. Bivens is extra conscientious to ask for an elaboration of programming details from witness #9 before the information goes to the other town offices seeking approval.
- Bivens said she is especially disheartened by Witness #14's behavior. She said Witness #14 works closely with Lowry and Johnson, and his disposition has changed towards her drastically. Bivens said Witness #14 was caught engaging in misconduct when he backdated a town notice for a public meeting to make it seem like he had posted notice to the public in the required timeframe under Freedom of Information laws. She stated that he had applied for several full-time positions with the Town of Hamden but either did not pass the civil commission test or was not first rated for the position. Due to his disappointments in being turned down for a full-time position and his close working relationship and camaraderie with Lowry and Johnson, his attitude towards Biven has soured.

WITNESS #1

Date: February 14, 2025

Time: 10am

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jaqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

JOHNSON - LACK OF EXPERIENCE AND TRAINING:

- **Supervisor Lack of Training:** Johnson, the pool supervisor, lacks the necessary certifications for managing pool operations, such as Certified Pool Operator (CPO) or Aquatic Facility Operator (AFO) certification. This is a major concern for ensuring safe and efficient pool management.
- **Training Denial:** Johnson has told him that she requested additional training (CPO or AFO certification) and that her request was denied by Bivens.
- The lack of professional development further exposes gaps in leadership and safety management.
- The witness stated that the former recreation supervisor, Laura Luzzi, was an Olympic gold medalist in swimming, and she was very active and involved with the pool, and beloved.
- There is a stark contrast between the involvement of Luzzi as the Recreation Supervisor and Johnson.
- He said, "Luzzi was an Olympic-caliber swimmer. She lived for the pool. Toward the end, she would call me, and I'd hear the paging in the background. I'd say, 'Laura, where are you?' 'Oh, I'm at the hospital.' 'Why are you calling me?' 'I need the guard sheets.' You go from that to somebody who literally is more afraid to be near the water and has zero experience."
- He said, "I can't blame Nicole for not having the experience. She was put into that position."

- He said, “I will say that Nicole, she's very nice, but she doesn't know anything about the pool.”

COMMUNICATION ISSUES:

- The management structure appears to have serious communication breakdowns.
- Witness #1 experiences unanswered phone calls, and delays in communication with Johnson that exacerbate issues with scheduling and staff management, making the operational flow even harder to maintain.
- The witness only sees Johnson once every few months. She really only comes to the pool to collect time sheets and check the money.
- He stated, “She comes in the door, gets the books, and out the door. From where I sit, you should come over and have a conversation with the person who's actually working there.”
- The cash box is kept in a plastic storage locker with a combination lock.
- There is no balance sheet for the cash for fees that are collected by guards.
- The witness has difficulty communicating with Johnson, mostly that she does not communicate in a timely manner or he cannot reach her.
- The witness provided a text that he sent Johnson February 12, 2025, to change the open swim time for February 21, 2025. Johnson did not respond until February 18, 2025, saying she was just seeing the message. **[Exhibit 7]**

STAFFING ISSUES:

- **Shortage of Lifeguards:** Post-pandemic, staffing has been a major issue. The pool has been forced to close at times due to insufficient lifeguard availability and lack of qualified candidates.
- He said, “On December 28th, we had an incident on a Saturday when I was not there. Both guards called out and my regular swimmers got in the pool. Nicole showed up and asked them to get out at some point and a guard that she called showed up at 3:15. It only goes to 5:00 on Saturday.”
- **Union Conflict:** Witness #1 offered to help manage the lifeguards and broached the idea with Bivens, who was in favor. However, Bivens later advised him that she was turned down for the idea because of union conflicts as these responsibilities were already under the recreation supervisor duties.

ADMINISTRATIVE AND PERSONAL DYNAMICS:

- The witness said that Johnson has directly told him that she does not get the support that she needs from Bivens.
- **Tensions Among Staff:** The interpersonal issues among staff, particularly between Johnson, Bivens, and Lowry, could contribute to a toxic work environment.

- These dynamics are likely to affect the pool's ability to operate smoothly and safely, with poor communication and coordination being possible side effects.

SAFETY CONCERNS:

- The witness is mainly concerned with the issues that affect safety and poor management that lead to liability.
- **Inexperienced Lifeguards:** With many lifeguards being inexperienced, coupled with the lack of adequate supervision, the pool's safety becomes a serious issue.
- **Lack of Lifeguards on Duty:** Instances have been reported where people swam when there were no lifeguards on duty, or the pool was closed, but swimmers still attempted to use the facility.
- There is a lack of oversight from the Recreation Department and enforcement of safety protocols.
- **Absence of Written Guidelines:** The lack of clear, written guidelines for lifeguards and pool users only worsens the situation, as it leaves roles and expectations unclear, potentially contributing to unsafe practices.

WITNESS #2

Date: February 18, 2025

Time: 4:00 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

POWER STRUGGLE:

Witness #2 stated the work climate is bad. There is a clear power struggle between Karen Bivens and Lowry. Lowry has a reputation for running the place for years, and Bivens' arrival has caused tension with Lowry. "One of the biggest things was, Ms. Sally used to pretty much even with the other recreational supervisors, she pretty much ran it as far as we know. She was like the boss, the go-to person."

NEGATIVE ATTITUDE:

Witness #2 said Lowry and Johnson have a negative view of Bivens, which they air freely. He said, "You know, pretty much painting a picture of this, if you don't know the person for yourself, it

paints a horrible picture for this evil person who's just here to take over and take jobs away from them.”

He has never witnessed them being directly disrespectful or unprofessional toward Bivens at meetings, but there is body language and clear tension. Witness #2 agreed that Johnson and Lowry are bonded together against Bivens.

INVOLVEMENT OF STAFF IN CONFLICTS:

Witness #2 said Lowry and Johnson make many comments about their issues with Bivens and speculations about her motives. He believes that the Camp employees do not need to know about or be dragged into conflicts and tensions, which have nothing to do with them and are occurring on a management level. He has heard comments from recreational supervisors, Ms. Lowry and Ms. Johnson, indicating that they felt excluded from information and decision-making.

Witness #2 described many of the conflicts as petty and based in the internal power dynamics.

Examples provided:

- Lowry sent the witness a text message in group text with Johnson and witnesses [REDACTED] and [REDACTED]. The issue was the new administrative assistant, witness [REDACTED] introduced herself as administrator to Karen and not the department. Lowry texted that she was asking the union lawyer Thursday morning. Lowry said witness [REDACTED] wasn't corrected by Karen, who was present, therefore she needs an answer. **[Exhibit 8]**
- Lowry also told the witness that there may come a time when she needs him to write a statement. This was said in the context that Lowry was complaining that certain tasks with her job description were being taken away by Bivens.
- Lowry also approached witness [REDACTED] asked him to write a statement but he played it off that he was busy and blew off her request.

MISCOMMUNICATION:

Witness #2 mentioned that since Karen Bivens became the director, there have been a lot of changes and confusion and miscommunications. Witness #2 highlighted the lack of communication and trust between Bivens, Lowry, and Johnson. This has led to confusion and problems in handling situations.

- There has been confusion over the new digital registration system, and how to handle paper applications.
- There has been confusion and miscommunication over first aid paperwork, which is a safety issue.
- Witness #2 mentioned ongoing issues with camp t-shirts. There were complaints about the sizes and quantity of T-shirts ordered for campers and staff.
- Witness #2 recalled an incident involving Lowry's son, who was a camp counselor, handing out tickets for a trip. There were concerns about him performing tasks that should have been handled by supervisors.

- Additionally, there was a verbal altercation with Lowry’s son involving him and some CITs that caused conflict.

These conflicts have affected the work environment and staff morale. Two camp directors are not returning this year due to the drama.

BLAME-SHIFTING:

Witness #2 indicated that due to the miscommunications between Lowry, Johnson, and Bivens and the issues that arise from the conflicts, Lowry and Johnson will at times attempt to shift the blame for these problems onto the camp directors. He said, “You almost feel like you need to record yourself when you talk to anybody because it’s like my words are going to get twisted.”

RELATIONSHIP WITH LOWRY:

Witness #2 has known Lowry for a long time and is fond of her on a personal level. However, the fear of retaliation from Lowry is a recurring theme. Staff members are afraid to speak out against her due to her influence. He felt Lowry has a significant influence.

- [REDACTED] The [REDACTED] had a connection to Lowry, which led to him being disrespectful towards Karen.
- [REDACTED] was reassigned to another camp location by Lowry.
[REDACTED]
- [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]

WITNESS #3

Date: February 25, 2025

Time: 4 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

- **Witness’s Background:** [REDACTED]
[REDACTED]
[REDACTED]
- **Pre-Camp Meetings and Preparations:** The witness described a series of monthly pre-camp meetings starting in February, where camp directors, assistant directors, and

relevant staff discuss logistics, plan activities, and prepare for the camp season. These meetings are typically held in person in a conference room at the recreation area and are aimed at ensuring everything is in place for the camp, including budgeting, counselor training, and safety protocols.

- **Working Relationship with Sallie Lowry and Nicole Johnson:** The witness explained that his working relationship with Sallie Lowry and Nicole Johnson is generally good. They assist with budgeting, track finances, and help with organizing trips. He perceives their interactions as professional, and despite hearing rumors about possible tension between them and Bivens, he has not personally witnessed any significant conflict. He appreciates their assistance, particularly in maintaining the camp's financials and executing activities.
- **Relationship Karen Bivens:** The witness described his relationship with Bivens, as generally functional, but with some disagreements, primarily around budget issues and the desire to do more for the children. He is an advocate for more activities, like additional trips, and at times, this leads to tension with Bivens, as he pushes for extra funds. However, he emphasized that there has been no disrespect or hostile behavior from Bivens towards him.
- **Alleged Tension Between Lowry, Johnson, and Bivens:** The witness mentioned hearing rumors about Lowry and Johnson not getting along with Bivens, but he has never witnessed direct confrontation. He also mentioned instances where Lowry and Johnson made negative comments about Bivens, particularly regarding financial decisions, but never in an overtly disrespectful or public way. The witness clarified that they did not bad-mouth Bivens to him directly but often speculated on Bivens' motives regarding funding decisions related to camp activities and trips.

The witness has never heard either refer to Bivens as a slave master or call her racist. He said they would not say that kind of remark around him.

- **Request to Join a Complaint Against Bivens:** On a few occasions, Lowry and Johnson approached the witness to ask if he would support filing a complaint against Bivens, but the witness did not engage in this. He stressed that he has always prioritized doing the best for the kids and that he has never felt compelled to participate in any negative action against Bivens. Despite his awareness of underlying tensions, he chooses to focus on [REDACTED] effectively for the children.
- **Request to Write a Negative Statement:** Lowry asked the witness to write a statement detailing irregularities related to the camp, particularly regarding the camp's operations and financial management. However, the witness refused to write anything negative. He emphasized, he believes in taking responsibility for mistakes made under his watch and is committed to addressing issues directly rather than blaming others.

WITNESS #4

Date: February 20, 2025

Time: 1:30 pm

Location: Helen Street School Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

ROLE AND RESPONSIBILITIES:

- [REDACTED]
- The camp is situated outside of the Hamden High School gym, and the primary focus is on ensuring the children have fun and safe experiences.
- Witness works closely with Lowry and Johnson [REDACTED] [REDACTED] Bivens, the director, approves [REDACTED]

INTERACTIONS WITH BIVENS, LOWRY, AND JOHNSON:

- Witness has a good working relationship with all three individuals: Bivens, Lowry, and Johnson. She has no complaints about any of them.
- She has no issues with Bivens and views her as always being very professional. There are no complaints about Bivens from either Lowry or Johnson, and Bivens has never spoken poorly of Lowry or Johnson.
- She has not witnessed the interactions between Bivens, Lowry, and Johnson, and is primarily at the camp and not in the office where these interactions may occur.
- The witness does not get involved in any drama or negative interactions and is focused on her responsibilities with the camp.

WORKPLACE ENVIRONMENT:

- Witness described the meetings related to the camp as professional with everyone behaving appropriately and cooperatively.
- Witness has never witnessed unprofessional behavior from Bivens during meetings.
- While Lowry and Johnson assist with [REDACTED], the witness has not seen any tension or issues between them and Bivens.

PERSONAL PHILOSOPHY:

- Witness #4 describes herself as a “people person” who tries to get along with everyone and treats people the way she would like to be treated. The witness believes this approach helps her avoid conflicts in the workplace.

WITNESS #5

Date: February 14, 2025

Time: 1:30 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

- **Workplace Tension and Interpersonal Conflicts:** There is noticeable tension between Bivens, Lowry, and Johnson, though it is more subtle than overt conflict. These tensions manifest in the form of misunderstandings and communication issues, especially in meetings. The witness reported that the tensions have not escalated into open disputes in front of him.
- He said, “It’s never gotten crazy, unprofessional, or uncontrolled in a meeting. You can tell there is tension, if you can read a room and you’re paying attention. A little bit of back and forth, misunderstandings with Karen, Sallie, and Nicole not agreeing with a new responsibility or an expectation is something that comes up often, specifically around Nicole and Sallie. More Nicole. I’m not sure if they share this responsibility, but the staffing for the Hamden town pool they have to deal with. Nicole had a gripe about somebody calling out the night prior. I can’t remember exactly what happened, but the fallout from that was that there was no staff on. Nicole said she wasn’t going to bring her work phone home, which made me laugh. I always have my work phone on me, because if something happens, it’s my responsibility to deal with it.”
- **Complaints and Negative Comments:** Lowry and Johnson have both made derogatory comments about Bivens to the witness. They used terms like the “B-word,” which the witness interpreted as “venting.” The witness did not feel pressured to agree with or align with their views but listened without directly engaging in the negativity. The witness did not feel that he was being dragged into any conflict or encouraged to take sides.
- **Lack of Direct Conflict with Bivens:** The witness has had no issues or complaints about working with Bivens. His interactions have been described as professional, and he feels that as long as work is completed and no complaints are received, there is no problem.

There have been no unreasonable or unprofessional behaviors from Bivens that the witness has observed or experienced.

- **Infrequent and Collaborative Interaction with Lowry and Johnson:** The witness does not have frequent interactions with Lowry and Johnson but has worked with them on certain events, such as the summer camp program and the fall festival. Witness #5 generally gets along with both, with Lowry assisting with financial matters and Johnson helping on logistics for events. However, these interactions are not frequent enough to indicate significant collaboration or conflict.
- **Job Flexibility and Perceived Tension:** The witness's role involves some flexibility, such as working on [REDACTED] which has caused some potential tension with Johnson and Lowry. There seems to be some jealousy or misunderstanding regarding the flexibility of witness #5's job, with others possibly perceiving it as a perk without recognizing the responsibility that comes with it. However, the witness did not indicate that this caused any major conflicts.
- **Racial Dynamics and Misunderstandings:** There have been concerns raised by Lowry and Johnson about being treated differently because they are Black women. However, the witness found it difficult to understand how race plays a role in the tension, especially considering that Bivens, their supervisor, is Southeast Asian. He also believes that she is married to a Black man. The witness feels that Lowry's frustrations might stem from experiences outside of the workplace, and he believes it is unfair to attribute the tensions to racial bias.

WITNESS #6

Date: February 14, 2025

Time: 3:45 pm

Location: Telephone Interview

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

- **Unclear Roles and Responsibilities:** There was a lack of clarity and accountability in the department before Bivens came in, with some staff members not doing their jobs or being absent without consequence.
- **Resistance to Change:** When Bivens began taking on a more leadership-oriented role, asking people to follow through on tasks and manage their responsibilities, some employees (Lowry and Johnson) resisted. This has led to friction within the team and a more hostile environment.

- **Lowry and Johnson's Behavior:** There was a pattern of Lowry and Johnson not following through on tasks, such as ordering shirts or contacting the right people about logistics (e.g., soccer teams using the park). Their behavior was seen as disrespectful, and Witness #6 mentioned feeling frustrated by their lack of accountability.
- **Johnson's Doodling and Distractions:** Witness #6 observed that Johnson often doodled or was distracted during meetings, even when asked by Bivens to pay attention. This was seen as unprofessional and disrespectful, though Bivens tried to redirect Johnson's behavior without confrontation. The witness said, "Whether it's a habit or quirk or whatever Nicole doodles and she's always on her phone. When she gives a report to the boss she will actually turn her back on the boss and mumble and doodle and on her phone when she's giving a report. And when somebody else is giving a report she just totally puts her head down and just doodles. So she's not paying attention to what else is going on in the meeting. And a couple instances I do remember Karen saying can you please stop doodling and get off your phone and pay attention to what's going on in the meeting. Nicole would say well this is the way I am and this is what I do and go back and doodle."
- **The T-shirt Incident:** The issue with the T-shirts, when Lowry and Johnson ordered the wrong colors (pink and purple instead of the expected Hamden colors), seems to have been a point of contention. Despite being asked by Bivens to reorder the shirts and provide them for everyone, they did not follow through, creating further tension.
- **Personal Frustrations and Friendship:** Witness #6 expressed personal frustrations with both Lowry and Johnson but also noted that they were once friends, which made the situation more difficult. Despite these personal connections, witness #6 felt that the work environment had become toxic, with Lowry and Johnson contributing to a negative atmosphere.
- **Lowry's Retirement and Sensitive Topics:** The conversation about Lowry's retirement was a sensitive subject, and Bivens' comment [In 2022] about when Lowry was planning to retire may have been the tipping point that escalated the negativity and tension in the department.
- **Frustration with the Work Environment:** Overall, witness #6 described the work environment as one where the staff, particularly Lowry and Johnson, were not doing their jobs despite being competent individuals. He said, "I didn't think Nicole in the very beginning was doing it on purpose...I would come home very frustrated, (and say to my wife) either (they are) incompetent or doing it on purpose... That was my perspective... and I know they weren't incompetent. They are two very strong, very smart women, individuals I should say, they are totally capable of doing their job. And for some reason they weren't."
- **Management and Accountability:** Bivens had difficulty enforcing expectations, as evidenced by Lowry and Johnson repeatedly failing to complete their tasks. Even when Bivens clearly communicated what was expected, there was resistance or negligence in carrying out tasks. This created frustration and contributed to a hostile work environment. Witness #6 described Lowry and Johnson as manipulating situations to avoid

accountability. This lack of cooperation and failure to align with management expectations created tension and negatively impacted the work environment.

- [REDACTED]
- **Overworked Management:** The witness discussed Bivens' overloaded role, where she was asked to take on responsibilities that were meant for other individuals, such as payroll and bill payments. This had led to a situation where tasks were not being completed unless Bivens did them herself, which further strained her. He said Bivens plate is “overloaded.”
- **Work Environment Shift:** The witness described a shift in the workplace atmosphere when Johnson and Lowry became supervisors, feeling that the environment became hostile and unrecognizable compared to the friendly interactions they experienced when they were just colleagues.
- **Frustration and Tension:** The witness pointed out that one of their colleagues, Witness #14, is often caught in the middle of the tension in the office and is on the verge of “exploding.” Witness #14 is a part-time employee who manages logistics for the food trucks used for events at the park but has become increasingly frustrated with the internal dynamics. The witness said that sometimes Witness #14 takes Johnson and Lowry’s side and other times he takes the side he feels is right.

WITNESS #7

Date: February 18, 2025

Time: 11 am

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

WITNESS’S ROLE

- The witness is [REDACTED]
[REDACTED] There is a collaborative approach that is necessary to organizing events, with cross-departmental efforts to ensure proper set-up and execution. The witness attends the [REDACTED].

BIVENS' MANAGEMENT STYLE/WORKPLACE TENSIONS

- Bivens' management style is described as supportive, but some employees resist her efforts to enforce a structured hierarchy and greater accountability in the workplace. This resistance has become a source of tension in meetings and with events with Lowry, Johnson, and witnesses #9 and #14.
- The witness believes that push backs against Bivens' leadership stem from Bivens' attempts to impose order, accountability and discipline, which some employees find challenging or unnecessary.
- Witness #7 described the tensions during [REDACTED] as particularly uncomfortable and hostile.
- Johnson gives "snippy" one-word answers to Bivens during meetings.
- Meetings are not productive because of Lowry's and Johnson's argumentative disposition towards Bivens
- There is a constant back and forth; a tug of war with Lowry, Johnson, and Witness #9.
- Lowry and Johnson have shown reluctance to carry out duties outside of their perceived roles, leading to a lack of cooperation.
- It is very hard to collaborate under these conditions.

HOSTILITY TOWARDS BIVENS AND THE "ANTI-BIVENS CLUB"

- It is 2 against 1, with Lowry and Johnson against Bivens.
- Lowry and Johnson have looped in Witness #14 into the hostility, insinuating that he has not been hired for the full-time position he applied for because of Bivens.
- [REDACTED] Bivens does not work out of the Recreation Office because of the combined hostility towards her.
- The witness called the group a "threesome" of negativity.
- The witness understands why Bivens does not want to be alone with Johnson, Lowry, and Witness #14 because they "make stuff up."
- Witness #9 also actively resists Bivens' leadership and instructions.
- The witness said these employees are forming an "anti-Karen club."
- The resistance towards Bivens seems largely due to her changes in programming and management and that she holds employees accountable.
- These employees are hostile towards Bivens and resist following her instructions.
- There are a litany of ongoing complaints, spiraling, and it is "exhausting."

SILVER BELLS EVENT & MMP HEARING

- [REDACTED] the day prior to the Silver Bells event hosted by the Recreation Department.
- The events are held back-to-back and the departments use the same decoration themes so as to optimize resources.
- The [REDACTED] was held from 11am-3pm and hosted 150 people.
- Following the event, Lowry and Johnson came to the cultural center at approximately 3:30 pm to make sure the Silver Bells Event was ready for the following day.
- The custodians set up the tables and chairs for the [REDACTED] and the set up was the same for the Silver Bells event.
- There were a few tablecloths from the previous event that needed to be replaced.
- The [REDACTED] Bivens brought wipes for a few of the tables.
- Bivens told Johnson and Lowry that they could wipe down a few of the tablecloths that were not too soiled and replace the ones that were.
- This request turned into a grievance with Johnson and Lowry arguing that wiping the tables was the custodian's job.
- [REDACTED].
 - o [REDACTED].
 - o [REDACTED].
- [REDACTED].
- Johnson implied that witness #13 was filing a grievance over the incident.
- [REDACTED].
- [REDACTED] Johnson claimed that there were 30 tablecloths to change. There weren't even 30 tables.
- [REDACTED] Johnson three silver and three gold to replace after the previous event.
- Witness provided pictures of the set up for this investigation. **[Exhibit 9]**
- [REDACTED].

ACCUSATIONS OF RACISM AGAINST BIVENS

- Lowry accused Bivens of racism, but witness #7 strongly disagrees with this accusation, highlighting Bivens' support for diversity and inclusion.
- Witness #7 defended Bivens by citing her support for initiatives like Black History Month, LGBTQ+ programming, and her work with diverse communities.
- [REDACTED].
- Bivens has worked to make [REDACTED] more inclusive, introducing new activities to appeal to a broader range of residents, such as multicultural events and classes.
- The changes were seen as beneficial, helping to diversify the senior center programming and make it more inclusive for people from different backgrounds.
- Witness #7 highlighted Bivens' support for LGBTQ+ programming, mentioning her involvement in the Hamden Pride Committee and her support for LGBTQ+ events at the senior center.

HISTORY WITH SALLIE LOWRY

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

HISTORY WITH NICOLE JOHNSON

- [REDACTED]
- [REDACTED]

WITNESS #8

Date: February 5, 2025

Time: 10am

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jaqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

Long-Standing Grievances from Lowry:

- [REDACTED]
- Lowry, who has worked for the Town of Hamden since 2000, has felt overlooked for many years, [REDACTED]. She became particularly upset when Johnson was chosen for a supervisor position in 2023 instead of her, even though Lowry had been performing many of the supervisor’s duties while the previous supervisor was out due to illness. [REDACTED] She had mainly been handling administrative tasks such as payroll, assigning people to events, and collecting timesheets. Lowry’s frustration escalated when Johnson, who had worked as an administrative assistant and managed elderly outreach programs, took on the supervisor role. Witness #8 observed that Lowry and Johnson formed a close alliance, staying together in adjoining offices at town hall.

Johnson’s Transition and Behavior:

- Johnson, initially hired at Elderly Services with no prior issues, underwent a dramatic behavioral change after transferring to the Recreation department in 2023. Witness #8 noted that Johnson, initially soft-spoken, became increasingly argumentative and insubordinate. This transformation is believed to be influenced by Lowry, with Johnson becoming confrontational and resistant to authority. In contrast to her earlier demeanor, Johnson’s behavior became increasingly difficult for Director Bivens to manage.

Absence and Introduction of a Recreation Director:

- For 15-17 years, the Recreation department lacked a dedicated director, complicating management and supervision. When Director Bivens was appointed by Mayor Lauren Garrett, she was given oversight of multiple departments—Recreation, Elderly Services, Youth Services, and Community Services. This broad responsibility made it challenging for Bivens to effectively manage each department, particularly given the ongoing tensions with Lowry and Johnson. The lack of direct supervision for many years had allowed Lowry and Johnson to act without accountability, exacerbating the issues when Bivens assumed leadership.

Historical Context and Staff Dynamics:

- Witness #8 compared Lowry and Johnson’s behavior to that of their predecessors, Laura Luzzi and Dave Demartino, who were described as committed and cooperative in their roles. In contrast, Lowry became more combative after Johnson’s arrival in the recreation department. This shift in dynamics worsened under Bivens’ leadership, as the lack of direct supervision for many years allowed Lowry and Johnson to resist authority without consequence.

Hostile Work Environment:

- [REDACTED] described the work environment created by Lowry and Johnson as hostile. As a result, Bivens preferred to work from her office at the Keefe Center, away from the constant tensions.

Silver Bells Event Dispute:

- A major dispute between Lowry and Johnson occurred during the 2024 Silver Bells event, when both refused to clean tables and replace tablecloths. They argued that such tasks were custodial work, not part of their job duties. [REDACTED]
[REDACTED] cleaning and replacing tablecloths were standard event responsibilities for the supervisors. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] the state representative from the Labor Department dismissing the case, labeling it as frivolous.

Program Management Failures:

- Both Lowry and Johnson failed to manage several critical tasks. For example, Lowry’s son was tasked with delivering all summer camp tickets to one site, which caused chaos when the tickets weren’t properly separated and distributed for each camp. Additionally, they both refused to oversee major events such as the Fall Festival, despite being offered overtime pay for the weekend event. This refusal placed additional burdens on other employees, who had to step in and take on extra

responsibilities. Furthermore, Johnson has neglected responsibilities in overseeing the pool, and her failure to verify timesheets led to lifeguards not being paid.

Resistance to Directives:

- Lowry and Johnson consistently resisted Director Bivens’ directives, which created ongoing tension. One of the key disputes involved Bivens asking them to take their work phones home to be available for emergency staffing issues, particularly due to a shortage of lifeguards. However, Johnson did not have her phone, which meant she could not find a replacement when needed. Both employees insisted on receiving standby pay if they were required to bring their phones home, leading to another MPP complaint.

Frequent Complaints and Union Involvement:

- Lowry and Johnson filed numerous complaints about minor issues, such as Bivens using a red marker on a whiteboard, which Johnson claimed was embarrassing. These constant complaints detracted from their actual job duties. Despite their grievances, Bivens continued to make efforts to manage the department, but Lowry and Johnson’s actions often undermined her leadership.

Interpersonal Tensions:

- The tension between Lowry, Johnson, and others was not just professional but also personal. [REDACTED]

Discrimination Complaints

- Witness #8 also addressed the complaints Lowry and Johnson had about feeling discriminated against due to their race, especially Lowry. He suggested that Lowry had [REDACTED] for Johnson, causing her to follow suit in making discrimination complaints. Witness #8 shared that Lowry had filed numerous complaints over the years, but in the past, they had been able to work through issues.

Leadership and Role Clarity Challenges:

- Director Bivens faced significant challenges due to the broad scope of her responsibilities and the unclear roles of Lowry and Johnson. They resisted attending field visits and refused to oversee important programs and camps, which further complicated management. Witness #8 noted that Bivens tried to clarify the expectations for Lowry and Johnson, but they continued to defy her authority and reject the direction she provided. Their reluctance to cooperate added to the confusion regarding their roles and responsibilities.

Attempted Mediation:

- [REDACTED] Johnson refused to participate in mediation without union her representative. The witness told her that there was no disciplinary action involved; mediation is an effort to talk through issues.

Lack of Job Appreciation:

- Witness #8 remarked that being a recreation supervisor was a great job with significant pay and benefits, potentially one of the second-highest paying roles in the Recreation Department. However, Lowry and Johnson continued to focus on complaints rather than appreciating the opportunities they had. Witness #8 commented that the time spent on writing complaints could have been better spent performing their actual job duties.

Sympathy for Bivens:

- Witness #8 expressed sympathy for Bivens, recognizing the difficulty of managing a department where Lowry and Johnson’s insubordination and frequent complaints continuously undermined her efforts.

WITNESS #9

Date: February 25, 2025

Time: 12 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jaqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

STRAINED RELATIONSHIP WITH BIVENS

- The witness has a strained relationship with Bivens
- She said, “I have been keeping notes since Karen Bivens started [REDACTED] [REDACTED] When I saw that there was a pattern of micromanaging and disrespecting and lying and a number of other issues, I started to keep track of everything.” **[Exhibit 10]**
- The witness said none of the incidents rose to a level of grievance. She called Bivens’ remarks and behaviors “death by a thousand cuts.”

- She said many of the incidents are flying just under the radar of being grievable but add up to a toxic work environment.
- She said if you look at each incident alone, they don't seem so bad, but when you put them all together there is a pattern.
- The witness filed a complaint with Human Resources against Bivens which resulted in mediation with Union representative Liz Ditman.
- Following the mediation, Bivens said she was beginning progressive discipline against the witness for sending too many emails.
- The witness believed there is an element of ageism to Bivens' conduct.

CONFUSION IN CHAIN OF COMMAND:

- There has been confusion for the witness in the chain of command since Bivens started
- [REDACTED]
- The administration is a little more controlling
- The new Mayor, Lauren, has several appointees, Bivens is one of them who have been inserted into the chain of command.
- **Supervisory Confusion:** With the introduction of new leadership, confusion about the chain of command has compounded the existing problems. When there is a lack of clarity about roles and responsibilities, it can create inefficiencies and misalignment within teams.
- **Micromanagement & Communication Delays:** The lack of timely responses to basic work requests, such as vacation or funding inquiries, by Bivens has led to frustration.
 - Micromanagement and delays in communication can significantly undermine employee morale, productivity, and trust in leadership.
- **Management and Funding Challenges:** [REDACTED]
[REDACTED]
[REDACTED] This inconsistency can breed distrust in management and create confusion about priorities.
- **Overtime and Event Restrictions:** Despite having proper budget allocations, the witness is prevented from attending events or claiming overtime, limiting their ability to perform their job and engage with the community. This restriction can cause frustration, particularly if it undermines responsibilities that were originally part of the role.
 - The witness made a list of events and overtime opportunities that have been taken away from her by Bivens
- **Criticism Without Guidance:** Bivens' criticism without offering constructive feedback makes it difficult for employees to understand how to improve. This creates a frustrating work environment where employees feel unsupported and unclear about expectations.

- **Budget Control and Confusion:** [REDACTED] but Bivens' involvement in making changes causes confusion and inefficiency.
- **Inconsistent Approval for Time Off:** The delays in approving vacation or overtime requests, and the need for constant reminders, suggest a lack of respect for employees' time and responsibilities. This adds unnecessary stress and leads to burnout.
- **Program and Event Mismanagement:** The denial of a [REDACTED], despite being very close to meeting the required number of participants, indicates poor decision-making by Bivens. These kinds of decisions not only disrupt the team's work but also damage morale and community engagement efforts.
- **Unclear Supervision and Oversight:** The fact that other staff (like college fellows) report to Bivens rather than to the witness creates role confusion. Clear oversight is crucial to ensure accountability and prevent misunderstandings about job responsibilities.
- **Dismissive Attitudes Toward Staff:** Bivens' dismissive tone experienced by employees like Lowry, indicates an overall lack of respect for long-serving staff. Experienced workers feel undervalued, leading to resentments and loss of institutional knowledge.
 - Bivens has a divide and conquer mentality
 - Instead of bringing people together she is driving a wedge between them
 - Lowry and Johnson wanted to join the UPSEU Supervisors Union, [REDACTED] Bivens actively opposed this.
 - When the witness showed up to the MPP hearing regarding Johnson and Lowry's request to join the supervisor's union, the town attorney said she could not be there, but Bivens was there and was allowed to stay.
- **Racial Sensitivity Incident:** The witness alleged that Bivens mishandled a potentially racist comment that was reported to her. She said that a Chinese work study student with her division overheard two other employees talking and one said that he hoped that they did not hire the Indian. The witness reported and followed up on this complaint with Bivens, but Bivens minimized it.
 - She said she can create a toxic work environment where employees feel unsafe or unsupported.
- **Lack of Collaboration:** The witness claimed she is excluded from key meetings and decisions, particularly about [REDACTED] which reflects poor collaboration and decision-making. Not involving all relevant stakeholders can lead to ill-informed decisions and missed opportunities.
- **General Atmosphere of Division:** The witness said Bivens has a "divide and conquer" mentality that causes poor morale and a lack of unity within the team. When staff feel divided and unsupported, it significantly impacts overall performance and enthusiasm.

- [REDACTED]

WITNESS #11

Date: February 26, 2025

Time: 10:30 am

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jaqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

WORKING RELATIONSHIP WITH JOHNSON & LOWRY:

- [REDACTED] primarily attending meetings and helping with fundraising, but did not work the event itself.
- The witness mentioned minimal interaction with Johnson and Lowry, mostly involving helping with event setup, [REDACTED]

PERCEPTIONS OF JOHNSON, LOWRY, AND DIRECTOR BIVENS:

- The witness spoke about collaboration with Johnson and Lowry on the [REDACTED]. She said, "They made it seem like they were given a very minuscule budget. The way they talked about it made it seem like they were set up for failure. As time went on, I attended other meetings. I was getting additional feedback. I realized that wasn't it."
- After responsibilities were dolled out, and the witness had shared ideas with Bivens, who said there was funding for those ideas, she realized that there was more funding than they led her to believe.
- Witness #11 felt that Johnson and Lowry were not forthcoming about the funds and that their narrative about the director was misleading.
- Witness #11 also indicated that while Johnson and Lowry spoke negatively about Bivens, they did not accuse her of being racist or ageist, but rather criticized her for not being truthful, suggesting that she would "smile in your face and then stab you in the back."
- The witness disagreed with these characterizations, noting that Bivens was supportive and communicative and encouraged ideas from staff.

WORKING RELATIONSHIP WITH BIVENS:

- Witness #11 emphasized a healthy, open relationship with Bivens, describing her as supportive and engaged [REDACTED]
- Bivens was described as open to new ideas, asking for feedback after training, and encouraging staff to find things to do if they have downtime.
- The witness expressed that Bivens is approachable and receptive, contrasting with the negative perceptions held by Johnson and Lowry.
- The witness viewed Johnson and Lowry as cordial, but did not share their perspective on Bivens. The witness made it clear that she maintains a separate relationship with the director and does not engage in negative conversations about her.
- Witness #11 expressed the ability to separate her own relationships from those of their colleagues, asserting that it is okay to like someone that others may not like.

WORK ENVIRONMENT AND TEAMWORK:

- Witness #11 described a positive work environment where she and coworkers pitch in to help with events, even if those events are outside their usual responsibilities or even their department.
- Witness #11 noted she and her colleagues will help with recreation events, just to pitch in, but Johnson and Lowry do not return the same assistance. She said, “I don't think they see the concept of teamwork.”

WITNESS #12

Date: March 12, 2025

Time: 1:45 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jaqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

WITNESS’S ROLE AND RELATIONSHIP WITH BIVENS:

- The witness has been in her role for [REDACTED].
- She works well with Bivens, following instructions and collaborating effectively
- The witness feels comfortable approaching Bivens, making suggestions to improve efficiency

TEAM DYNAMICS AND TENSIONS:

- The witness noticed the tension in the department from day one of her employment.
- The witness noted significant tension in team meetings, where Bivens' instructions are always questioned. The witness said everything is questioned even when it does not need to be, mostly by Lowry and Johnson.
- The witness observed that Lowry and Johnson frequently do not do what Bivens asks them to do, do not complete tasks as Bivens instructs, or reluctantly perform tasks.
- The witness gave an example that Bivens asked Johnson and Lowry [REDACTED]
[REDACTED]
[REDACTED]
- Lowry and Johnson have an extremely negative attitude towards Bivens.
- Lowry and Johnson are very critical of Bivens
- There is constant back and forth regarding requests and directives.
- Lowry and Johnson are frequently uncooperative with Bivens. It is not constant but is prevalent.
- An incident recently occurred where Johnson was laughing during a meeting. Bivens questioned whether she had said something funny. Johnson said no and continued to laugh, which led to Bivens reprimanding her for disrespect, causing an awkward atmosphere.
- Bivens' authority seems undermined subtly in team interactions, with employees occasionally disregarding her instructions, contributing to friction in the office.
- Bivens' leadership style is perceived by Lowry and Johnson as controlling, leading to resistance and reluctance to follow her directives.

OFFICE ENVIRONMENT:

- Lowry and Johnson are not openly hostile to Bivens but are very critical in private conversations and remarks.
- Lowry and Johnson seem genuinely grateful that the witness is there and helping.
- The witness will believe that everything is good and understood, and the next thing she knows the union is at the office meeting with Lowry and Johnson
- [REDACTED] The back and forth with Lowry, Johnson, the Director, and the union is very surprising. She stated, "Every little thing is a complaint. Everything is escalated."
- Their strained relationship with Bivens is difficult for the witness to understand. Lowry and Johnson do not attempt to have simple conversations to clear up issues.
- Lowry and Johnson have not overtly called the director names in front of the witness.

- Lowry did refer to Bivens as "crazy" following an incident where Bivens was upset by the team not following instructions on providing specific information.
- Lowry will say things like, [REDACTED].”
- The witness suggested [REDACTED] Lowry remarked, “Good luck with that one.”
- Lowry’s general attitude when it comes to the witness [REDACTED]
- Lowry has said that they are all family, and they have to look out for each other.

LOWRY’S FORMER ROLE:

- [REDACTED]
- While the witness is grateful that Lowry has long-term departmental knowledge [REDACTED] Lowry is resistant to changes and new initiatives and methods.
- Many of the ways that Lowry is used to performing the administrative tasks are not necessarily efficient and/or secure. An example is distribution of paychecks for the Camp directors. Lowry is used to keeping the checks on her door but that is not secure.
- [REDACTED] and is keeping the checks in a locked drawer.
- Lowry shows resistance to relinquishing control over certain tasks, [REDACTED]
- This resistance appears to stem from a sense of territoriality as Lowry clings to practices and tasks from her previous role.
- The witness shared an incident when she first started and introduced herself as “Karen’s Administrative Assistant.” Lowry jumped in and said, “What is your role?” This caused the witness to feel uncomfortable.
- Lowry’s long tenure with the department may be contributing to her resistance to change, especially with the introduction of new leadership and younger colleagues taking on new responsibilities.
- The witness suggested that Lowry might be struggling with these changes, which could be affecting her willingness to adapt to new processes or leadership styles.

BIVENS FRUSTRATION AND AMBIVALENCE:

- Bivens is seen as frustrated when team members, particularly Johnson, engage in behavior that challenges her authority or is seen as disrespectful (e.g., laughing without explanation during meetings).

- The witness observed that Bivens is "walking on eggshells," uncertain about the reception she will receive from the team on a daily basis. She said that Bivens is clearly on edge every time she walks through the door of the recreation department. The witness can see the apprehension on Bivens' face. She said, "It's hard to watch."

BIVENS' PROFESSIONALISM:

- Despite the tension, Bivens is generally respectful and approachable in her professional demeanor, maintaining a level of professionalism that contrasts with Lowry and Johnson's more negative attitudes.

WORKPLACE CULTURE:

- The overall workplace culture is seen as negative and defensive, with poor communication and reluctance to address issues directly or in a healthy way with Bivens.
- The witness suggested that a more open and cooperative approach to communication by Lowry and Johnson could improve the work environment.
- [REDACTED] the witness tries to remain neutral but has attempted to suggest solutions, such as a backup plan for electronic registration, only to be dismissed or met with sarcasm.

WITNESS #13

Date: March 12, 2025

Time: 3:45 pm

Location: Hamden Town Hall 1st Floor Conference Room

Interviewer: Jacqueline Manning

Witness Role: [REDACTED]

KEY TOPICS DISCUSSED:

SILVER BELLS EVENT SETUP AND CLEANUP

- o **Job Duties:** [REDACTED]
- o **Interaction with Lowry and Johnson:** During the Silver Bells event, Lowry and Johnson offered to help with the cleanup. However, they both expressed that wiping down the tables was not part of their job, despite it being a relatively minor task. The witness observed them "carrying on" about the task. He said, "they just made it seem that it was like Karen asked them to build the Taj Mahal." Lowry and

Johnson exaggerated their frustration, making the task seem unreasonable. The witness heard them making negative comments about Bivens, although he tried to stay out of the drama.

- o **Further Observations:** [REDACTED]

ONGOING TENSION AND NEGATIVE COMMENTS

- o **Changes in Johnson’s Attitude:** The witness observed a change in Johnson's attitude after she moved to the recreation department. Initially cooperative and friendly, Johnson became disgruntled and developed a more negative outlook toward Bivens. The witness attributed this change to Lowry’s influence, suggesting that Lowry played a role in escalating minor issues and encouraging Johnson to adopt a more hostile stance toward Bivens.
- o **Tension Between Lowry and Bivens:** The witness pointed out that there was existing tension between Lowry and Bivens even before Johnson arrived at the department. This tension stemmed from Bivens trying to implement improvements in the department, which Lowry may have perceived as a threat, leading to resentment.
- o **Bivens’ Leadership:** The witness expressed a positive view of Bivens’ leadership, noting improvements in the department under her guidance. Specifically, he mentioned better program participation and more community engagement.
- o [REDACTED]

- o **Derogatory Language:** The witness reported frequent negative comments from Lowry and Johnson about Bivens. [REDACTED] the witness has overheard Lowry and Johnson calling Bivens derogatory names like “asshole”, “bitch”, “fat bitch”, and “whore.” The conversations between Johnson and Lowry sometimes escalated into discussions about them “doing something about it”.

The witness mentioned hearing Lowry and Johnson refer to Bivens as “The Master” or simply “Master.” The witness expressed discomfort with these remarks, making it clear that he did not agree with such negative opinions about Bivens.

NICOLE JOHNSON

Date: March 20, 2025

Time: 11:30 am

Location: Hamden Town Hall, First Floor Conference Room

Interviewer: Jaqueline Manning

Present: Dan Bonfiglio, UPSEU Union Representative, Shafiq Abdussabar NLI

Witness Title: Recreation Supervisor

KEY TOPICS DISCUSSED:

The assigned investigator first walked through her joint grievance with Lowry that was filed related to an August 16, 2024, write-up by Bivens. Johnson and Lowry both declined to settle the write up through mediation and was noted to be pending. **[Appendix C 250-251]**

Key Issues -August 16, 2024 Write-up

1. A Camp Altercation Incident

- An altercation at a camp involved Lowry's son, Lamont, who is a counselor. Johnson stated that she learned of the altercation from Lowry. Johnson said she was still at the office when she received the call from Lowry. Johnson said that she is Lamont's supervisor because Lowry cannot supervise a relative and she drove to the camp. When questioned why she did not notify Bivens, she stated that Bivens arrived at the camp at the same time she did, and she saw her pulling into the camp entrance.

2. Ticket Distribution Problems

- Johnson was questioned about the distribution for tickets to Lake Compounce for campers and Bivens' allegation that the tickets were not properly separated for the camps for distribution. Johnson said she picked up the tickets from CRPA and delegated their delivery to camp counselors who were at the recreation department. She said it was a camp counselor named Aiden and another counselor. She said, "I know his face. I can't remember his name." Johnson stated that this is the way they have always distributed tickets, in one envelope, to the head counselor.

3. T-Shirt Ordering Issues

- Johnson was asked about the ordering of the camp t-shirts, which she was also written up for.
- Johnson said the new online system for ordering camp t-shirts resulted in incorrect sizes for campers. Johnson relied on numbers from administrative assistant Abdul, but discrepancies arose. Johnson claimed that Bivens and Lowry were in the office with her and approved the ordering of camp Polos for the Recreation Supervisors. Johnson said the colors for the camps are yellow and green, for the campers and

the camp director. Johnson said in the past Lowry would order different colors for breast cancer awareness (pink) and Alzheimer's awareness (purple) for events, and they ordered pink and purple polos for themselves.

4. **Cash Box Management Disputes**

- Johnson was accused of leaving \$600 in cash uncollected at the pool in 2024 and was asked about this.
- Johnson told a series of stories that were extremely difficult to follow, involving many other people, vague details and situations. This part of the interview was very strained and it was difficult to obtain an understanding of why Johnson did not collect the money from the pool.
- Johnson mentioned past practice, feeling uncomfortable with a situation that occurred when a lifeguard took the cash box home over the weekend, another situation when the mayor's office was waiting for the money, and that other people had the combination to the locker where the cash was kept. **[Exhibit 11]**
- Ultimately, Johnson stated that pool money had not been collected for almost a year. She also stated that she "thinks" someone else was picking up the money and that she was not comfortable picking up the cash box because if it was not accurate she did not want to be blamed or suspected.
- When asked if she told the Director that she felt uncomfortable, Johnson said the Director asked her to talk about it at a meeting, but she did not feel comfortable, so she waited until mediation.
- Johnson stated that Bivens has directed her to pick up the timesheets for the lifeguards and to collect and turn in the money once it reaches \$200. Johnson stated that she goes with security to check the cash box. When asked if she sends the director an update on the cash amounts, Johnson said she did not in the past but the Director has asked her to submit a monthly accounting report so she does give a report currently.

5. **Silver Bells Event and Custodial Duties**

- Johnson was asked about the Silver Bells event and the tasks of cleaning and changing the tablecloths.
- Johnson again was very wordy and indirect when communicating about this incident. She described how she was sick for a few weeks, visiting the senior center, that she was told to close the office early on Friday to make sure the event was all set, that she was sitting on the step, leaning on the step, who was there, what others were reportedly doing, etc.
- Johnson said that Lowry was instructed to clean soiled tablecloths with Lysol and replace the soiled table clothes from the previous event. Johnson began to describe that she started taking off soiled tablecloths and throwing them away. When Bivens

came back, she asked why she was throwing them away when they could be wiped, and she told Bivens it was unsanitary.

- Johnson said she got the union involved because it is the custodians' job to wipe tables and replace tablecloths, and this was outside of the scope of her duties.
- Johnson admitted that she might have performed these tasks when she was working at the Senior Center, just to help out and pitch in.
- Johnson also admitted that as a supervisor it is her responsibility to pitch in when needed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DISPARAGEMENT

7. Name Calling

- Johnson admitted to calling Bivens a “bitch”, a “fat bitch”, and an “asshole” during her interview. When asked who she has called Bivens these names to she said, “More than likely Miss Sally.”
- When asked if she referred to Bivens as “master” or “slave master”, Johnson said, “No, I prefer to call her overlord.” Johnson stated that she likens Bivens to the evil wizard who wants to take over in the *Lord of the Rings*.
- During the interview, Johnson made these admissions with a sense of pride and smiled and snickered when discussing her nickname of “overlord” for Bivens.
- Johnson denied calling Bivens a racist and whore.
- Johnson admitted, “I've said to other employees that she has issues with women.”
- Johnson said she mostly airs her complaints about Bivens and the way she feels about her to the union, Lowry, Witness #14, and [REDACTED]

8. Laughing at Director

- Johnson was asked if she laughed at Bivens during an interdepartmental staff meeting.

- She admitted that she did and was chuckling as retold the story.
- Johnson also told backstories about this incident in a roundabout manner.
- Johnson described that this discussion was related to camp activities and she had created a spreadsheet and was planning trips and activities, which were not yet finished.
- Johnson said that the Director asked her to separate the camp activities by individual camps, make calendars and hang them up in the office. Johnson said she laughed, and the Director asked, “Why are you laughing?” She said, “And I'm like, because you're asking me for blank calendars. And she said, put them on the wall.”

RELATIONSHIP WITH THE DIRECTOR

9. Toxic Work Environment

- Johnson perceives the department as toxic, citing Bivens’ micromanagement, last-minute changes, and control over tasks traditionally handled by supervisors. She noted staff fear Bivens due to her mayoral and HR connections.

10. Communication Breakdowns

- Examples include Bivens changing Johnson plans (e.g., camp trips, orientation) after Johnson’s preparations, not sharing revised documents, and inconsistent directives, leading to inefficiency and frustration. Johnson said she spends more time on corrections than working.

11. Request for Conflict Resolution

- Johnson sought departmental training or mediation to address the toxic dynamic, acknowledging her withdrawal contributes to it but attributing primary instigation to Bivens.

12. Staff Fear and Exclusion

- Johnson claims colleagues ([REDACTED]) fear reprisals from Bivens, and she and Lowry are ostracized (e.g., excluded from a Christmas party), linking this to Bivens’ influence.

13. Johnson’s Treatment of Director

- When asked what her perception is of how she treats the Director, Johnson said, “Oh, I... I ignore her. In some situations, it's not the best, but I usually don't acknowledge her.”
- Johnson said she limits her conversations with Bivens and mostly writes emails.
- Johnson said, “Because when I do speak with her, it's, it's, she, I don't know, I get tense, she gets tense. It's, it's combative. Or I'll just like, just stare at her, because I'm not sure where we're going.”
- Johnson said she perceives that Bivens is petty and vindictive.
- When asked if she felt that there is any possibility that she could work cooperatively with the director, she stated, “honestly, no.”

SALLIE LOWRY

Date: March 20, 2025

Time: 1pm

Location: Hamden Town Hall, 1st Floor Conference Room

Interviewer: Jaqueline Manning

Present: Dan Bonfiglio, UPSEU Union Representative, Shafiq Abdussabar NLI

Title: Recreation Supervisor

KEY TOPICS DISCUSSED:

1. Emotional and Mental Toll

- Lowry is aggravated and tired, [REDACTED] due to prolonged workplace stress caused by her conflicts with Bivens.
- Lowry is upset about the way that Bivens speaks to her. “The way she talks to you, she talks to you like you're a kid. Very disrespectful.”

2. August 2024 Write-Up Incidents

- Investigator reviewed the August 16, 2024 write up Lowry received from Bivens. **[Appendix C, 252-253]**
- **Camp Altercation:** Lowry learned of her grandson Lamont’s verbal altercation during a basketball game at the camp from Assistant Camp Director Cameron Tyson. Lowry believes it was the camp director’s duty to report the incident to Bivens. Lowry stated that she did not even know there was a basketball game going on.
- **Ticket Delivery:** Lowry and Johnson tasked Lowry’s grandson Lamont and another camp counselor Aiden Goff with delivering the Lake Compounce tickets to the Camp Director, Witness #2. Lamont and Aiden were at the recreation department picking up t-shirts. Witness #2 was contacted and advised that Lamont and Aiden were delivering the tickets.
- **Timesheet Dispute:** Lowry signed a timesheet under duress after Karen demanded a format change for her 40-hour week (including 5 flex hours), causing confusion over her 8-to-5 schedule with lunch. Lowry said the changes in her working hours and protocols for submitting time were confusing to her.

3. Silver Bells Event Conflict

- Bivens asked Lowry and Johnson to clean tables at the Silver Bells event, which Lowry saw as custodial work, not supervisory duty. She cleaned/changed many tablecloths (around 20) due to hygiene concerns, questioning the absent custodian’s role. She stated that she was “not a maid.”
-

4. Bivens' Disrespectful Management Style

- Lowry perceives Bivens as condescending, talking down to her like a child, correcting her publicly (e.g., during a staff meeting over a chart), and blocking doorways
- Lowry referenced an incident that Johnson reported to her on March 18, 2025. Johnson was leaving early and Bivens was arguing with her about when she could take her lunch break. Johnson went to personnel (HR) and Bivens reportedly followed her. Lowry said that it is intimidation and she would have called the police on Bivens.

5. Lack of Training

- Lowry feels untrained for new tasks (e.g., MyRrec software). She is frustrated by Bivens' ineffective, unprofessional training approach. Lowry is a visual learner and wants someone qualified to train her on new software.

6. Perception of Bivens

- Lowry likes Bivens personally (e.g., her hair, fun nature, diverse programming) but dislikes her behavior. Lowry calls Bivens "Slave Master" for treating her as unintelligent. Lowry said Bivens' treatment is rooted in racial and age-based prejudice.

7. Proposed Solutions

- Lowry believes removing recreation from Bivens' oversight (one of six departments) is the only fix, as Bivens is overburdened, and her stressed state hinders success.
- HR talks (since October 2022) have failed.

8. Workplace Dynamics

- Lowry believes she treats Bivens respectfully (e.g., polite greetings) but admits to one heated phone exchange. She sees Johnson as respectful until provoked, noting cultural differences influencing their reactions (e.g., Nicole's laughter and doodling as a coping mechanism).

9. Documentation Efforts

- Lowry and Johnson documented their grievances off-site using personal laptops, combining Lowry's shorthand journal with typed records, and they shared their account with the union

10. Allegations and Responses

- Lowry admits to calling Bivens "Slave Master" but denies terms like "bitch" or "whore." She believes Bivens is racist, particularly toward educated Black women, but has not widely shared this view beyond church/home.

11. Isolation and Fear

- Lowry notes camp directors (e.g., Charlie Neal) and others avoid her, possibly fearing association, and feels HR has neglected her and Johnson, empowering Bivens' abuse of authority further.
- Lowry has begun recording her conversations with Bivens, without Bivens' knowledge. She said, "And I know it's wrong, but I don't care. I'm tired of her. And it seems as if nobody's giving me any relief. So I have to protect myself."

12. Self-Reflection

- Lowry ignores Karen's "crazy talk" to cope but isn't sure if her or Johnson's actions inflame tensions. She believes Biven's behavior is the root issue.

13. Long Tenure and Contributions

- With nearly 35 years at Hamden, Lowry has a history of stepping up (e.g., covering for Laura Luzzi) and supports kids via her son's foundation, contrasting with her current mistreatment.

EVIDENCE ANALYSIS:

INSUBORDINATION & UNWILLINGNESS TO PERFORM JOB DUTIES

The evidence supports that Johnson has a general and pervasive insubordinate attitude towards Bivens and that she is unwilling to perform her job duties. The evidence also supports that Johnson lacks accountability for her professional deficits, actions, mistakes, and shortcomings.

Johnson's main job role as articulated in the job description for Recreation Supervisor is that she is: responsible for administrative work, assisting the Recreation Director, and coordinating and supervising various phases of the recreational programs as directed. **[Exhibit 6]**

Additionally, with regard to supervision, Johnson is designated to receive policy direction and administrative supervision from the Recreation Director. The required skills of her position include that she must be able to establish and maintain effective working relationships with other employees, the public, and outside recreational organizations.

JOHNSON'S ADMISSIONS

First and foremost, during Johnson's interview with our agency she directly stated that she does not like Bivens, and she does not want to report to her. Johnson openly and unapologetically told the assigned investigator that she ignores Bivens and does not acknowledge her.

Witness #6 observed that Johnson often doodled or was distracted during meetings, even when asked by Bivens to pay attention. This was seen as unprofessional and disrespectful, though Bivens tried to redirect Johnson's behavior without confrontation.

“Whether it’s a habit or quirk or whatever Nicole doodles and she’s always on her phone. When she gives a report to the boss she will actually turn her back on the boss and mumble and doodle and on her phone when she’s giving a report. And when somebody else is giving a report she just totally puts her head down and just doodles. So she’s not paying attention to what else is going on in the meeting. And a couple instances I do remember Karen saying can you please stop doodling and get off your phone and pay attention to what’s going on in the meeting. Nicole would say well this is the way I am and this is what I do and go back and doodle.”

During the investigation, **witness #12** recounted a recent incident when Johnson began laughing while Bivens was talking during a meeting. Bivens questioned whether she had said something funny. Johnson said no and continued to laugh, which led to Bivens reprimanding her for disrespect. During our agency’s interview with Johnson, she began smiling and chuckling when asked about this incident. She recalled that Bivens had asked her to print out and hang calendars of camp activities, which Johnson thought was ridiculous. She admitted to laughing at the Director in a meeting and smiled and laughed while admitting it.

POOL RESPONSIBILITIES

Bivens has reported various issues related to Johnson’s supervision of the Hamden High School pool and Johnson’s responsibilities related to lifeguards and the collection of cash fees.

Witness #1 stated:

- He experiences unanswered phone calls, and delays in communication with Johnson that exacerbate issues with scheduling and staff management, making the operational flow even harder to maintain.
- The witness only sees Johnson once every few months. “She really only comes to the pool to collect time sheets and check the money.”
- “She comes in the door, gets the books, and out the door. From where I sit, you should come over and have a conversation with the person who's actually working there.”
- The cash box is kept in a plastic storage locker with a combination lock.
- There is no balance sheet for the cash for fees that are collected by guards.
- The witness has difficulty communicating with Johnson, mostly that she does not communicate in a timely manner or he cannot reach her.
- As an example the witness provided a text that he sent Johnson on February 12, 2025 to change the open swim time for February 21, 2025. Johnson did not respond until February 18, 2025 saying she was just seeing the message. **[Exhibit 7]**

While **witness #1** has the perspective that Johnson may not have the support that she needs from Bivens to be successful, he bases this perspective on what Johnson has told him. The assigned

investigator's perspective that Johnson has neglected her pool duties comes from a larger body of evidence.

During the interview with Johnson, she was questioned about the write up she received on August 16, 2024, and Director's assignment for her to pick up the cash box for the pool fees and accusation that she left \$600 in the cash box uncollected. She was also written up for failing to leave blank time sheets for the lifeguards. Johnson went into a long series of stories about how the lifeguards would bring the cashbox to the department, and how there was an incident with a lifeguard bringing the cash box home for the weekend, and how the mayor's office was waiting for Johnson to bring the cash box to the office. At the end of Johnson's long narratives, she never really got to the point. The investigator had to discern that the point of her stories was that she had a concern that several people have the combination to the locker where the cash box is stored and she is concerned that if the balance does not add up, she could be blamed. While Johnson's concern seemed legitimate, she went around and around verbally, never offering a possible solution or security improvements, such as a balance sheet with signature lines and dates, or a different cash box with limited access. Essentially, she attempted to explain away with numerous stories as to why she ignored addressing her concerns directly with Bivens and avoided the task altogether. When asked if she told the Director she was concerned about the security of the cash and balance accountability, she said the Director asked her what the issues were during a meeting, and she told her that she did not want to discuss it. Johnson said she preferred to wait until mediation.

Correspondence related to the cash box being taken home by a lifeguard was reviewed. [REDACTED] Johnson wrote to the lifeguard, "In October of 2023, I requested that you go to the pool and bring the cashbox to the recreation department on the day in which you would submit your timesheet. It has been the past practice of this office for a lifeguard to deliver the cashbox to the recreation department and rarely did the recreation supervisor go to do pick-up."

This claim, like many of the past practice claims by Johnson, which she made to a part-time lifeguard, does not align with Witness #1's statements that the previous recreation supervisor Laura Luzzi went above and beyond the call of duty, going so far as to call from the hospital while being ill looking for lifeguards' time sheets. It is also difficult to understand how Johnson could claim "past practice" in October of 2023, when she had only been in the position for 7 months, and the Director was instructing her to pick up the timesheets and cash box herself. It is evident that past practice claims Johnson is making are coming from Lowry to Johnson.

Johnson's neglect of her pool responsibilities can be seen in Witness #1's statements that Johnson does not respond to him in a timely manner, and that he rarely sees her, and she does not speak to him. Her job duties include building relationships with other employees. Witness #1 is the pool custodian, and Johnson has not built any kind of relationship with him. Johnson claimed to Bivens that Witness #1 did not like her when Bivens instructed her to build a relationship with him.

[REDACTED]

In November 2024, Bivens instructed Johnson to retrieve the lifeguard timesheets on Monday and submit them on Tuesday. [REDACTED] Johnson responded argumentatively, stating that she will not be in on Tuesday for the next several weeks, therefore she will submit the timesheets on Wednesday. She told the Director that if that is not good for her, she requests that the lifeguards be responsible for submitting their own time sheets. The Director instructed her to obtain the timesheets on Monday at 4pm and return to the office to send them before she leaves for the day. This email reflects Johnson's insubordination to the Director and the deflection of her pool responsibilities onto the lifeguards.

Another incident with the pool involves Johnson asking a lifeguard who had not worked in many months to fill in, and he did not receive the updated protocols for time allotment for set up and breakdown duties. [REDACTED] Johnson went back and forth in an email with Bivens demonstrating sarcasm, "Is there an issue with using a lifeguard that is already on payroll and who is available for work?" She lacks accountability for not advising the lifeguard of the updated protocols. Johnson shows no initiative to have an active list of guards or fill-ins for call outs or protocols to implement updates. Instead, she opted to be sarcastic and not address the Director's concerns.

Another issue related to the pool is that Johnson did not follow the script provided by Bivens for outgoing messages and did not change voicemail after the pool was reopened following an inclement weather closing in February 2025. Johnson's outgoing voicemail February 5, 2025, did not advise the caller that they had reached the Town of Hamden. She just said that the pool would be closed on February 6, 2025, due to inclement weather. [REDACTED] As of February 21, 2025, Johnson still had not updated the outgoing message. When Johnson was asked about this during her interview, Johnson claimed she did know what happened. She claimed that the phone recording stated that her message had been changed. Johnson counter claimed that Bivens asked her about this at a meeting and when she told her that she had changed the voicemail, Bivens played the message in front of the staff. Notably, in a follow-up phone call with Bivens, she stated that all the town office lines are the same and the line prompts the person to listen to their message after it has been changed. Johnson's response was not found to be credible.

Most recently, witness #5 stated that during an interdepartmental meeting when the subject of the pool came up, "I'm not sure if they share this responsibility, but the staffing for the Hamden town pool they have to deal with. Nicole had a gripe about somebody calling out the night prior. I can't remember exactly what happened, but the fallout from that was that there was no staff on. Nicole said she wasn't going to bring her work phone home, which made me laugh. I always have my work phone on me, because if something happens, it's my responsibility to deal with it."

Johnson has filed an MPP over Bivens' directive for her to bring her work phone home on the weekends, to check to see if lifeguards have called and to change the voicemail if the open swim at the pool is not going to be staffed on Monday morning. **[Appendix C]** She is requesting on-call overtime pay to bring her cell phone home and perform this task.

Notably, Johnson's job description includes under Working Conditions and Schedule, she is required to be available for programming needs on evening, weekend and holidays. **[Exhibit 6]** Johnson is demanding on call pay to check voicemails for lifeguard call outs on the weekends.

- *Must be available for work during **evenings, weekends, and holidays**, as required by program needs.*

The evidence supports that Johnson wants nothing to do with the pool. Johnson presents as adverse, neglectful, and argumentative regarding all of her pool-related duties and blames Bivens, others, and even the phone line itself for all the issues. She claimed that she has a lack of training, but the issue is presenting as a lack of willingness to visit the pool, execute duties, suggest solutions to basic issues, and build effective and cooperative working relationships with the Director, the pool custodian, and the lifeguards.

BACK AND FORTH/LACK OF ACCOUNTABILITY

Bivens described that getting information from Johnson is like pulling teeth and there is constant back and forth just to obtain basic information. Additionally, there is push back on her directives. Numerous witnesses support Bivens' claims that there is a constant back and forth between Johnson, her colleague Sallie Lowry, and the Director that is negative, causing tension and departmental dysfunction. Witnesses describe Johnson's attitude towards Bivens as generally uncooperative and disrespectful, and there is an ongoing back and forth related to instructions and directives.

Witness #2 stated that there seem to be many miscommunications between Lowry, Johnson and Bivens and when the issues that arise from the conflicts, Lowry and Johnson will attempt to shift the blame for these problems onto the camp directors. "You almost feel like you need to record yourself when you talk to anybody because it's like my words are going to get twisted."

Witness #5 said, "You can tell there is tension, if you can read a room and you're paying attention. A little bit of back and forth, misunderstandings with Karen, Sallie, and Nicole not agreeing with a new responsibility or an expectation is something that comes up often, specifically around Nicole and Sallie. More Nicole."

Witness #6 described the work environment as one where the staff, particularly Lowry and Johnson, were not doing their jobs despite being competent individuals. "I didn't think Nicole in the very beginning was doing it on purpose...I would come home very frustrated, (and say to my wife) either (they are) incompetent or doing it on purpose... That was my perspective... and I know they weren't incompetent. They are two very strong very smart women, individuals I should say, they are totally capable of doing their job. And for some reason they weren't."

Witness #6 said Bivens had difficulty enforcing expectations, as evidenced by Lowry and Johnson repeatedly failing to complete their tasks. Even when Bivens clearly communicated what was expected, there was resistance or negligence in carrying out tasks. Witness #6 described Lowry and Johnson as manipulating situations to avoid accountability. This lack of cooperation and failure to align with management expectations creates tension and negatively impacts the work environment.

Witness #7 said there is a constant back and forth; a tug of war. Johnson gives "snippy" one-word answers to Bivens during meetings. Lowry and Johnson have shown reluctance to carry out duties outside of their perceived roles, leading to a lack of cooperation.

Witness #8 described Lowry and Johnson as insubordinate and highly confrontational. He said Johnson presents as soft-spoken, but she is extremely argumentative.

[REDACTED]
[REDACTED] She noted significant tension in team meetings, where Bivens' instructions are always questioned. The witness said everything is questioned even when it does not need to be, mostly by Lowry and Johnson. Witness #12 observed that Lowry and Johnson frequently do not do what Biven asks them to do, do not complete tasks as Bivens instructs, or reluctantly perform tasks. The witness gave an example that Bivens asked Johnson and Lowry [REDACTED]

[REDACTED]
[REDACTED] There is constant back and forth regarding requests and directives. Lowry and Johnson are frequently uncooperative with Bivens.

This back and forth and argumentative, combative disposition by Johnson described by Bivens and witnesses can be seen in other incidents and emails exchanges between Johnson and Director Bivens.

SILVER BELLS

Witness #7 witnessed the incident between Bivens, Lowry, and Johnson. Bivens asked Johnson and Lowry to wipe the tablecloths that were not too soiled and replace the ones that were. This led to Johnson and Lowry filing an MPP complaint against Bivens claiming they had been instructed to perform custodial duties.

- [REDACTED]
 - [REDACTED]
 - [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Witness # 13 said during the Silver Bells event, Lowry and Johnson both claimed that wiping down the tables wasn't part of their job, despite it being a relatively minor task. The witness observed them “carrying on” about the task. He said, “they just made it seem that it was like Karen asked them to build the Taj Mahal.” He said Lowry and Johnson were exaggerating, making the task seem unreasonable.

EMAILS

In addition to the insubordinate emails related to the pool [REDACTED] the following emails highlight Johnson's argumentative and insubordinate attitude towards Bivens and her lack of accountability.

June 13/14, 2024 [Exhibit 12]

The email exchange began on May 31, 2024, with Johnson forwarding a link to a zoom meeting scheduled for June 13, 2024, from 6:00pm to 7:00pm for Camp CIT (Counselors in Training) Parent Orientation.

On June 13, 2024 at 6:12pm, a citizen named [REDACTED] emailed Johnson on the thread with the link, copying Lowry, Bivens, Abdul Bunyaminu, advising that she was logged onto the zoom meeting for Camp CIT Parent Orientation, and she was receiving a message saying waiting for the host to start the meeting. She asked if there was a new link and [REDACTED]

Bivens responded to [REDACTED] at 6:32pm apologizing that she did not receive the update that the meeting had been rescheduled to Monday evening [June 17, 2024] due to a conflict with graduation.

[REDACTED] responded at 6:36PM stating that she checked her email and did not receive an update. At 6:37pm [REDACTED] asked if the link for Monday would be the same link she was previously sent.

Director Bivens attempted to address this issue and the resident's questions with Johnson:

On June 14, 2024

At 7:13am Bivens emailed Johnson on the thread and asked if [REDACTED] was contacted regarding the date change for the CIT orientation.

At 9:26am Johnson responded: "Parents of CIT's were notified by phone call, email and letter."

This is a relatively straight forward question by Bivens, which Johnson responded to with a general description of all of her efforts.

At 9:41am, Bivens responded by asking Johnson to forward the email she sent to [REDACTED] with her email address.

At 10:01am, Johnson responded to Bivens, “We have no CIT applicant associated with [REDACTED] We have no application for [REDACTED] [REDACTED]”

Again, this is a straightforward request by Bivens to Johnson’s vague response to her first direct question. Johnson responds by advising Bivens that the resident’s children are not enrolled as CITs. This provides no clarity for Bivens to directly address the issue, forcing Bivens to provide a directive.

At 10:06 am, Bivens responded to Johnson, “Please reach out to her for more info and ask who her “CIT” is (and how she got the link). Also, please send me the list I asked for yesterday.”

At 10:55 am, Johnson responded:

Good Morning,

The initial invitation for Camp and CIT orientation was sent on May 31. You were informed on Tuesday, June 4th that the contact information used for both invitations was taken from the list accumulated from the email listing from camp registration.

On Thursday, June 6th letters were mailed to CITs, parents/guardians were contacted, via telephone stating the date and the time of the CIT orientation is scheduled for Monday, June 17th. On June 10th parents/guardians of CITs were sent an email with the zoom link, with date and time. On June 11th this was confirmed in the department meeting, and you stated that you had also received notification for CIT orientation.

It appears [REDACTED], had received the initial email on the 31st for parent orientation and parent of CIT orientation and chose to acknowledge the link for

CIT parent orientation and not the link that directly applies to her. We have found that [REDACTED] and not as CIT in training. I hope this clarifies any confusion.

Regarding the staff list, please be reminded your email came in after work hours at 6:34pm on June 13. Prior to this email, yesterday June 13 and you did not state a specific time that you wanted staff list. Hence, we will be submitting the list as requested at 12 noon, today June 14th.

Thank you,

Johnson begins her email by claiming that Bivens knew she was going to initially send invites for both camp orientation and CIT training to all the parents from a master list of all camp registrants on May 31, 2024. Johnson is basically claiming that Bivens approved for her to send invites for CIT training (initially scheduled for June 14, 2024) and Camp Orientation to all the parents, regardless of whether or not their children were CIT registrants.

Johnson then goes on to state that on June 6, 2024, parents/guardians of the CITs were contacted by phone and letter of orientation date of June 17, 2024, which was changed after it was realized that June 14, 2024, conflicted with graduation. Additionally, the changed date and zoom link were emailed to all of the parents of CITs on June 10, 2024. Thus, Johnson now is claiming that a week after the CIT training invite was sent to all parents of all registrants for both CIT and camp orientation blanketly, then on June 6, 2024 and June 10, 2024, only the parents of CIT registrants received the updated changed date for the training.

Furthermore, Johnson then tells Bivens that she approved and had acknowledged receiving the new link on June 11, 2024. She then goes on to blame the resident, who she confirms received both the link for the CIT and the camp orientation, for not acknowledging the link that was appropriate to her children.

Lastly, regarding Director Bivens reminder request for Johnson to send her the staff list, was met with insolence by Johnson. Johnson reminds Bivens that her email came in after hours. Johnson claims that during work hours the previous day, Bivens did not request a specific day or time she wanted the staff list sent; therefore, Johnson will dictate to Bivens when she will get the list, which Johnson decided would be at noon.

At 12:10pm, Bivens Responded to Johnson:

Nicole,

Your email response is superfluous considering the nature of the direction of my previous email. I simply asked for two things: 1) to reach out to [REDACTED] and 2) to send the list.

For clarity, yesterday afternoon when I was in the office, you both confirmed you had finished the camp staff spreadsheets with CITs. I asked both of you to email me the list before you left for the day, as I have reiterated several times that I would not be in the office today. I had hoped to review last night. I emailed last evening as a reminder that you would see this morning. Was the list not complete? This morning's urgency was due to the misunderstanding with [REDACTED]

This issue with [REDACTED] is that she should have never received the CIT email. In fact, the CIT email should have not gone out on the 31st. My May 30th email asked for you all to send parents communications about the parent orientations not the CIT orientation. I'm sorry if you were confused. Of course, I asked which emails you sent it to, especially if you didn't have CIT emails to begin with. Additionally, when we set the dates, they should have been checked against the school calendar dates so that we could have avoided sending out a correction email. It is my expectation that the department can be more thorough in the future. Please be reminded that I have repeatedly asked for this due diligence.

Please reach out to [REDACTED] to clear up any confusion about the communication and answer any questions she may have. We are in the business of serving the public.

Kindly,

Bivens response is wholly appropriate. Johnson's email responses were not only unnecessary, but also insubordinate, evasive, and lacking any accountability on Johnson's part. Johnson blamed both Bivens and the residents for the confusion, which she herself created by sending the link to a meeting to a resident who did not have a child enrolled in CIT.

Bivens refuted that she asked both Johnson and Lowry for the staff list to be sent before they left the office the previous day and that both Johnson and Lowry both represented to her the previous day that the staff list was completed.

Bivens pointed out that she did not ask Johnson to send CIT invitations on May 30th, only camp orientation, and she even apologized to Johnson if she was confused. She then addressed that CIT invites still should not have been sent out if Johnson had not confirmed the email addresses of the staff CITs. She also noted that a correction email to change the date would not have needed to be sent if Johnson had checked the school calendar initially to confirm that there were no events scheduled, such as graduation. Bivens asked for due diligence.

What is notable about this exchange is that Bivens takes responsibility for her directions perhaps not being clear and even apologizes to Johnson for that part of the potential misunderstanding. Her instructions on May 31st were, "Please send out the invitation to parent orientations for over the next two weeks to all the families who have registered thus far." **[Exhibit 13]**

However, it is equally notable that Johnson’s decision was to send CIT invitations to all the camp registrants, without first determining which parents had had children registered as CIT. She blames Bivens for this claiming, “You were informed on Tuesday, June 4th that the contact information used for both invitations was taken from the list accumulated from the email listing from camp registration.” It is highly unlikely that Bivens understood that Johnson was intending to blanketly send both invitations to all camp registrants regardless of relevancy and Bivens approved such action. Instead, Johnson attempts to represent that all of this confusion is Bivens’ fault and the fault of the parent for clicking the wrong link.

This email epitomizes the argumentative disposition, “back and forth”, hostile and insubordinate behavior described by Bivens and the witnesses. It illustrates and supports Bivens’ claims that getting information out of Johnson is like “pulling teeth” and getting her to follow instructions is a constant battle. Additionally, this exchange captures the fact that Johnson lacks the capacity to be accountable for her actions.

November 7, 2024 [REDACTED]

In an email to Bivens on November 4, 2024, Johnson advises Bivens that she has jury duty on November 6, 2024. Bivens acknowledges receipt and advises Johnson that she should provide her with notice as soon as she receives it. Johnson goes back and forth with Bivens, after Bivens advises her that she needs to give a week’s notice and fill out a time off form a week prior to the pay period. Bivens points out that the letter is dated October 23, 2024, and Johnson claims that just because it dated October 23, 2024, does not mean that she received it October 23, 2024. Then Bivens points out that it was a reminder notice, indicating it was not the first notice, and Johnson writes that she is not going to debate when she gets her mail and argues about the protocols being discussed at the 10-10-24 interdepartmental meeting. Johnson’s responses lack accountability and are combative.

INSUBORDINATION & UNWILLINGNESS TO PERFORM JOB DUTIES SUMMARY

There is a substantial amount of evidence and witness statements supporting that Johnson has failed to perform her job duties, does not follow and challenges Bivens’ directives, is openly hostile and insubordinate to Bivens, and lacks accountability. Johnson’s failure to perform her duties, lack of accountability for the same, insubordinate and hostile attitude towards Bivens and lack of ability to effectively and professionally communicate with Bivens, has led to her filing an egregious number of frivolous complaints against Bivens.

EXCESSIVE COMPLAINTS

Director Bivens has alleged that Johnson is harassing her by filing excessive complaints and grievances in response to her efforts to supervise her. **[Appendix C]**

Several of Johnson’s MPP filings, her August 16, 2024, grievance and CHRO are still pending. The underlying facts in these complaints are being addressed by this agency in a separate investigation report. For the purpose of addressing Director Bivens’ complaints against Johnson, we will be addressing some of Johnson’s complaints as they relate to her power struggle with Bivens.

COMPLAINT COLLABORATION

During Johnson's interview, she admitted to typing an 11-page document that comprises a combination of her complaints and Lowry's complaints against Bivens. **[Exhibit 2]** Additionally, during her first interview, she entered the conference room with a three-ring binder that was organized and tabbed containing evidence of Bivens' alleged harassment and micromanagement. Thus, Johnson has spent a considerable amount of time creating a narrative that her supervisor is abusing her. However, the investigation has found that Johnson is abusing the Director and the legitimate complaint processes for employees as a weapon against Bivens.

WHITEBOARD INCIDENT

During the interview, Johnson cited an incident when Bivens asked her to put all the programs on the whiteboard and then Bivens proceeded to make corrections with a red marker. When asked where the whiteboard was located she stated the recreation office. Johnson provided a picture. Notably, Bivens' markings were questions, with question marks, in which she was asking for more details. **[Exhibit 14]** Thus, Johnson is aggrieved that her director asked for more details about programming, using a red marker on white board that is in the recreation office, and she characterizes that as "public correction."

HR HOSTILE WORKPLACE COMPLAINT

Another complaint Johnson made on 8-1-24 related to Bivens asking her to provide updates on tasks before approving her vacation time. The correspondence was reviewed, and it did not contain any unreasonable demands, just questions, which Johnson promptly replied to. **[Appendix C, 207-236]**

What is notable about this complainant is that after Johnson responded to Bivens' email and answered her questions, Bivens responded at 2:21pm thanking Johnson for her reply, advising that her vacation approval was forthcoming, asking her to address two matters, and to have a great vacation. Still, Johnson wrote a 3-page hostile workplace complaint and submitted it to Human Resources at 3:27pm. **[Appendix C, 207, 235, 236]**

Additionally, Johnson printed out numerous emails for the complaint to show that she had previously communicated about some of the questions the director asked about in the email. What is notable about the prior communications is that the Director was copied on some of the emails, some she was not copied on, and the emails were piecemeal exchanges over the course of the previous months. **[Appendix C, 213-234]**

Essentially, Johnson filed a "Hostile Workplace" complaint against Bivens because she was asked to organize the information for an event she had planned in a full accounting in one email before she left for vacation and after the Director thanked her for providing the information, which is her job, and told her to have a good vacation. Moreover, a note from Human Resources written by HR Director Jordanne Bryan indicated that Johnson would only withdraw the complaint when she received approval for her vacation. **[Appendix C, 205]** Bryan reported that she spoke with

Johnson when she made the complaint. Bryan asked her if she had completed the task and if it was unreasonable for her (Bryan) to ask her administrative assistant Samantha, for example, if she had completed tasks before going off on vacation. Ultimately, Johnson went on her vacation.

It is notable that Johnson was working when she filled out the complaint form, printed the emails, went to Human Resources, took up Bryan's time to "complain" that her boss asked for an accounting of the event status before she left for vacation, and she demanded receipt of the approval before she would withdraw it. This constitutes grieving while working and misusing the Human Resources complaint process.

SILVER BELLS EVENT

Another incident of grieving while working was the Silver Bells event. Johnson and Lowry filed an MPP, over Bivens' directive to wipe and change tablecloths for an event that the Recreation Department had planned and was hosting. **[Appendix C, 288-291]** This took up work hours from Human Resources, Bivens, Witness #7, Johnson and Lowry, and the state ultimately determined the filing was frivolous.

Witnesses #7 and Witness #13 also stated that Johnson and Lowry were complaining about the task while working. Witness #13 said Johnson and Lowry were "carrying on" and "acting like Bivens had asked them to build the Taj Mahal."

Not only did Johnson file a frivolous MPP to antagonize Bivens, but she also made it known to other town employees that she was aggrieved and grieved openly while executing the task she was given.

CHRO COMPLAINT

In the CHRO complaint Johnson filed on August 15, 2024 **[Appendix C, 237-246]**, Johnson recapitulates numerous workplace conflicts she has with Bivens over events and projects, one of which was the Caribbean Festival.

During our investigation, [REDACTED] "They made it seem like they were given a very minuscule budget. The way they talked about it made it seem like they were set up for failure. As time went on, I attended other meetings. I was getting additional feedback. I realized that wasn't it." Witness #11 said that after responsibilities were doled out, and the witness had shared ideas with Bivens, who said there was funding for those ideas, she realized that there was more funding than Johnson and Lowry led her to believe. Witness #11 felt that Johnson and Lowry were not forthcoming about the funds and that their narrative about the director was misleading.

All of the issues that Johnson refers to in the CHRO relate to interpersonal conflicts, subjective perceptions and communication and logistical problems. However, at the very end of the CHRO, Johnson writes that she believes Johnson is discriminating against her because she is young, female and because of her race. **[Appendix C, Affidavit 241- 246]**

Johnson provided no evidence that she is being discriminated against in the CHRO complaint nor during this investigation. Notably, during Johnson's interview she did not bring up age or race as an issue with Bivens. She stated that she never called Bivens a racist. She believes Bivens discrimination is gender related, and that Bivens has issues with female subordinates. However, the CHRO filed notes that she believes she is being discriminated against because of her age, gender, and race.

Witness #7 said there are a litany of ongoing complaints, spiraling and it is "exhausting."

Witness #8 said Lowry and Johnson filed numerous complaints about minor issues, such as Bivens using a red marker on a whiteboard, which they claim was embarrassing. These constant complaints detracted from their actual job duties.

Witness #9 was not a favorable witness to Bivens in this investigation. The witness's complaints were similar in nature to Johnson's complaints. However, what is notable is that the witness is [REDACTED], and she admitted that Bivens' alleged conduct did not rise to the level of grievances.

EXCESSIVE COMPLAINTS SUMMARY:

While it is the right of union employees to file grievances and complaints in order to resolve conflicts and disputes, the evidence supports that Johnson lacks professional behavior and appropriate communication skills and that she is using the complaint processes to antagonize Bivens.

Johnson's "complaints" lack a foundation of supporting evidence and her complaints are based almost entirely on her perceptions of Director Bivens' motives and actions. Johnson's chief complaint was that Bivens is rude, disrespectful, micromanages, and corrects her publicly.

At this stage of the investigation, our agency has already found that Johnson is openly insubordinate, disrespectful, argumentative, unwilling to receive supervision and instruction from the Director, and lacks accountability. Johnson's relationship with her director is one that is based fundamentally on her contempt for Bivens. Johnson's lack of professionalism and interpersonal skills has resulted in her abusing legitimate complaint processes established by the Town of Hamden and State of Connecticut to redress employee grievances and workplace disputes. The evidence supports that Johnson is weaponizing complaints and that the complaints are based on Johnson's hostility towards Bivens.

HOSTILE WORKPLACE

Director Bivens alleged that Johnson and Lowry are hostile towards her, have alienated her from the office, and are disparaging her to other employees.

Bullying and Harassment of Town employees is not acceptable or tolerated and all employees will be treated in a fair and respected manner. Bullying and harassment includes any inappropriate conduct or comment by a person towards an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated.

This section of the investigation will address evidence that was found related to Johnson's disparagement of Bivens. Additionally, this section will address Bivens' alienation from the office and the combined actions of Johnson and Lowry that fuel a negative narrative about the Director.

All the behaviors listed in previous sections are contributing factors to the hostile work environment Johnson has created for Bivens. The additional evidence found during this investigation relates to violations of the town's bullying and harassment policy by Johnson, as well as by Johnson and Lowry as a team in concert with one another. Numerous town employees testified that the hostility by Johnson and Lowry has permeated the workplace.

Johnson acknowledged receiving the Town of Hamden Harassment and Bullying policy when she was hired. **[Exhibit 15]**

DISPARAGEMENT & BULLYING

In addition to admitting to open disrespect and insubordination, Johnson admitted to calling Bivens a "bitch", "a fat bitch", "an asshole", and an "overlord" during this investigation.

Johnson stated that she likens Bivens to the evil wizard in the *Lord of the Rings*. During the interview, Johnson made these admissions with a sense of pride and smiled when discussing her nickname of "overlord" for Bivens. Johnson was unapologetic for the admitted name calling. In fact, Johnson presented that she finds her own conduct in demonizing and cursing her Director as humorous.

While Johnson claims she called Bivens these names to Lowry, the investigation found that other employees have overheard this name calling and disparagement of Bivens' character.

Witness #2 said Lowry and Johnson have a negative view about Bivens, which they air freely. "You know, pretty much painting a picture of this, if you don't know the person for yourself, it paints a horrible picture for this evil person who's just here to take over and take jobs away from them." Witness #2 said Lowry and Johnson make many comments about their issues with Bivens and speculations about her motives. Witness #2 also said, "You got one that's trying or doing and two (Johnson and Lowry) like banding together against Karen."

Finally, Witness ■ received a group text from Lowry, which Johnson was on, indicating that she was talking to the union about the fact that ■ introduced herself as Biven's administrative assistant and not the recreation department administrative assistant and that she was only including honest people in the text. **[Exhibit 8]** Witness # ■ said he believes that the Camp Directors do not need to know about or be dragged into conflicts and tensions, which have nothing to do with them and are occurring on a management level. He also said that Lowry told him that she may need him to write a statement against Bivens in the future, which he does not feel there is need for.

Witness #3 said Lowry and Johnson did not bad-mouth Bivens to him directly, but they often speculated on Bivens' motives regarding funding decisions related to camp activities and trips. Witness #3 also stated that Lowry asked him to write a statement against Bivens, but he blew off Lowry's request.

Witness #5 said that Lowry and Johnson have both made derogatory comments about Bivens to the witness. They used terms like the "B-word," which the witness interpreted as "venting." "...the B word. That sort of attitude. Sometimes it's normal, just commiserating." He also said "The ways in which Sallie and Nicole air their complaints, there's sometimes a racial element to it." The witness said that he does not see any behaviors or attitudes from Bivens that would indicate any racial animus.

Witness #6 said that when Bivens began taking on a more leadership-oriented role, asking people to follow through on tasks and manage their responsibilities, some employees (Lowry and Johnson) resisted. This has led to friction within the team and a more hostile environment. Witness #6 felt that the work environment had become toxic, with Lowry and Johnson fueling a negative atmosphere. [REDACTED] she began to show more spiteful behaviors, particularly in the way she treated Bivens and others.

Witness #7 stated, "I don't know if it's just two against one, but they're incredibly hostile to Karen, to the point where I've said, 'Can we stop having these meetings? They're not productive. It's uncomfortable.'" Witness #7 said Lowry and Johnson have looped Witness #14 into hostility by insinuating that he has not been hired for the full-time position he applied for because of Bivens. She stated that Witness #14 works in the same office as Lowry and Johnson and Bivens does not work out of the Recreation Office because of the combined hostility towards her. The witness called the group a "threesome" of negativity. The witness understands why Bivens does not want to be alone with Johnson, Lowry, and Witness #14 because they "make stuff up." The witness said that witness #9 also actively resists Bivens' leadership and instructions. The witness said these employees are forming an "anti-Karen club." The witness said these employees are incredibly hostile towards Bivens and resist following her instructions.

[REDACTED]

Witness #8 - Witness #8 observed that Lowry and Johnson formed a close alliance, staying together in adjoining offices at Town Hall. Witness #8 believes that Lowry has poisoned Johnson against Bivens. [REDACTED]

[REDACTED] He described the work environment created by Lowry and Johnson as hostile. As a result, Bivens works from her office at the Keefe Center, away from the constant tensions.

Witness #9- who was identified by Witness #7 as being a member of the "Anti-Karen club" also spoke ill of Bivens during the investigation. Witness #9 speculated about Bivens' motives related to budgets and approval. The witness accused Bivens of being drunk at a town meeting, and also claimed she believed Bivens' conduct may be based on ageism.

Witness #11 said that Lowry and Johnson have "not nice" opinions about Bivens, mainly that she will smile to your face but cannot be trusted.

Witness #12 described hostility and questioning as a pattern that creates tension and undermines Bivens' leadership as the Director. She said Lowry and Johnson have an extremely negative attitude towards Bivens and are very critical of Bivens. Witness #12 said despite the tension,

Bivens is generally respectful and approachable in her professional demeanor, maintaining a level of professionalism that contrasts with Lowry and Johnson's more negative attitudes.

Witness #12 observed that Bivens is "walking on eggshells," uncertain about the reception she will receive from the team on a daily basis. She said that Bivens is clearly on edge every time she walks through the door of the recreation department. The witness can see the apprehension on Bivens' face. She said, "It's hard to watch."

The witness stated that Lowry called Bivens "crazy" when she redirected Johnson to send her dates for the CPRA meeting after Johnson just sent her a link to the website when she had asked for dates. Witness #12 said Lowry's general attitude when it comes to the witness and Bivens is like, [REDACTED] she will find out [what Bivens is really like]." The witness said that Lowry had said that they are all family, and they have to look out for each other.

[REDACTED]

Witness #13 said "Miss Sally and Nicole have some type of grudge or whatever it may be against Karen."

Witness #13 used to have more interactions with Johnson in her previous role and described her as happy, cooperative and friendly. He noticed that Johnson became disgruntled and developed a more negative outlook toward Bivens since she went to the Recreation Department. The witness attributed this change to Lowry's influence, suggesting that Lowry played a role in escalating minor issues and encouraging Johnson to adopt a more hostile stance toward Bivens.

[REDACTED]

The witness claimed that he has heard Johnson and Lowry call Bivens many names, including "bitch", "fat bitch", "asshole", "whore" and "Master." He said the conversations between Johnson and Lowry sometimes escalated into discussions about them "doing something about it."

HOSTILE WORKPLACE SUMMARY

The evidence supports that Johnson is using hostile language about Bivens in front of other employees and that she is demonizing Bivens openly. Johnson admitted to this conduct, and she finds her behavior humorous. The evidence also supports that Lowry is using racially charged, hostile language referring to Bivens as "slave master." Lowry made this admission during her interview.

The evidence supports that Johnson and Lowry are engaging in bullying and harassment of Bivens individually and jointly, creating a negative and hostile narrative about Bivens in the workplace and attempting to recruit other employees to join the groupthink.

The witnesses collectively stated that Johnson and Lowry are hostile towards Bivens, have called her derogatory names, portray her in negative light, have speculative narratives about her implying that she is not honest, cannot be trusted, and has motives with events and program budgets. Witness #2 and witness #3 stated that Lowry has asked them to make statements against Bivens, which both felt was inappropriate. Witness #2 said that Lowry and Johnson are attempting to drag others into their issues with Bivens. [REDACTED]

Witness #14 who works in the recreation office with Lowry and Johnson, who refused to participate in this investigation unless the town appointed a lawyer to represent him, has reportedly joined Johnson and Lowry in hostile behaviors towards Bivens. Witness #7 said these employees “make up stuff”, and Bivens is uncomfortable working in the same space with them at the recreation department. Witness #7 said Johnson and Lowry are forming an “Anti-Karen” club.

All of these statements support that Johnson and Lowry have attempted to create a faction and gain support for their initiative to remove Bivens as their supervisor. This combined with hostility towards Bivens from Lowry and Johnson has alienated Bivens from her office in the recreation department.

Most of the witnesses describe feeling very uncomfortable with Lowry’s and Johnson’s conduct towards Bivens. Their hostility is spilling over onto their colleagues. [REDACTED]

[REDACTED]. Witness #12 observed that Bivens is “walking on eggshells,” uncertain about the reception she will receive from the team on a daily basis. She said that Bivens is clearly on edge every time she walks through the door of the recreation department. The witness can see the apprehension on Bivens’ face. She said, “It’s hard to watch.” Bivens herself stated that she is afraid of Lowry and she spends a significant amount of time crafting emails to try not to offend Johnson and Lowry so as to not be faced with another complaint or hostility.

Both Johnson’s and Lowry’s individual actions are enough to create a hostile workplace for Bivens. However, most of the witnesses attributed the hostility, back and forth, and name calling to both Lowry and Johnson. Their combined efforts, Johnson being openly insubordinate and weaponizing the complaint process and Lowry being hostile and working in the background to turn employees against Bivens have created an environment of bullying. Lowry is also ostracizing and alienating witnesses who do not align with the narrative that Bivens is the problem.

The evidence supports the claim that Johnson and Lowry are engaging in a power struggle with Director Bivens and have launched an all-out character war on Bivens in an effort to get her removed as their supervisor. Both Lowry and Johnson admitted during their interviews that ultimately, they want Bivens removed as their supervisor.

INVESTIGATION SUMMARY & CONCLUSION

This investigation probed allegations by Karen Bivens that Recreation Supervisors Nicole Johnson and Sallie Lowry were creating a hostile workplace for her and being insubordinate. This report focused on Johnson's workplace misconduct.

There does appear to be some genuine confusion with all of the managerial changes and new procedures that are being implemented under Bivens' leadership. However, Johnson's conduct is evasive and aggressive. This investigation noted significant deficits in Johnson's ability to communicate, and address issues, tasks and conflicts in a productive or professional manner.

Additionally, Johnson was found to lack credibility during this investigation. She was found to be evasive and talked in circles and indirectly about her complaints and the allegations related to her duties. She rambled incoherently, at times, hesitated when answering questions, her voice was shaky, and she had difficulty looking the investigators in the eyes when talking.

- When discussing her conduct during the meeting when she laughed at the director, Johnson attempted to claim that when the director asked why she was laughing that she said, "because you are asking for blank calendars." It is clear from the statements of credible witnesses that Johnson did not say why she was laughing. Lowry said she kicked Johnson under the table to stop her from laughing.
- When discussing the incident involving the camp tickets in June 2024, Johnson did not disclose that Lowry's grandson Lamont was another counselor who delivered the Lake Compounce tickets to the camp director. Instead, Johnson tried to hide this information from the investigator, saying she could not remember the counselor's name, but she knew his face.
- When discussing the voicemail for the pool that had not been changed for weeks in February of this year, Johnson tried to claim she changed it, just as she did when the director told her it had not been changed. After Johnson was asked by the investigator whether or not she checked to see if the message had been changed, she spontaneously claimed that the recording advised her that her message had been changed. According to the Director all the town voicemails prompt the person to listen to their message after a recording. This is standard for most voicemails, which prompts one to listen to the message, save or rerecord.
- While Johnson denied referring to Bivens as "whore", Witness #13 has no reason to lie and is credible. It seems very likely that Johnson, rather than Lowry, also called Bivens a whore and she would not admit to calling her that name.

Bivens, conversely, presented as very straightforward, sincere, detail-oriented, organized and credible during this investigation. Most of the witnesses described Bivens as professional, detail oriented and easy to work with. Many witnesses believe that Bivens' changes have been beneficial and that she has brought diversity and new life to the programming post pandemic.

This investigation has found substantial evidence to support Karen Bivens' allegations that Nicole Johnson is combative, insubordinate, excessively filing complaints to avoid accountability, and creating a hostile work environment for the Director and her colleagues.

There is substantial evidence to support the conclusion that Johnson is unwilling to report to, assist, and receive directions and instructions from her Director. Her relationship with the Director is thoroughly hostile. Therefore, the investigation finds that Johnson is unwilling to perform her job duties.

Johnson presented for this investigation as detached from professionalism and showed no regard for her own place within the chain of command. She made incoherent defenses for her insubordination and provided self-amusing justifications for her hostile misconduct.

This investigation also found that Johnson lacks the capacity to be accountable for her conduct or take responsibility for her actions or her duties. During this investigation, the only conduct Johnson was accountable for was calling the Director names, ignoring her, and laughing at the Director during a meeting. Johnson found her misconduct towards the Director entertaining; the assigned investigator found Johnson's self-amused disposition during questioning about serious misconduct troubling.

FINDINGS:

NICOLE JOHNSON – RECREATION SUPERVISOR

- ***INSUBORDINATION – SUBSTANTIATED***
- ***UNWILLINGNESS TO PERFORM JOB DUTIES - SUBSTANTIATED***
- ***HOSTILE WORK ENVIRONMENT – SUBSTANTIATED***
- ***VIOLATION OF THE TOWN OF HAMDEN'S BULLYING AND HARASSMENT POLICY - SUBSTANTIATED***

END REPORT