



“DARKNESS CANNOT DRIVE OUT DARKNESS, ONLY LIGHT CAN DO THAT.”

~ DR. MARTIN LUTHER KING JR.

May 6, 2025

Finalized Report Date

Final Report

To: Jordanne Bryan, Director Human Resources, Town of Hamden

From: New Light Investigations

Date: 05/06/2025

Assigned Investigator:

Lead Investigator Shafiq Abdussabur, Investigator Jacqueline Manning

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NARRATIVE

Subject of Investigation: Karen Bivens, Director of Arts, Culture, Recreation & Wellness

Complainant: Nicole Johnson, Recreation Supervisor

Co-Complainant: Sallie Lowry, Recreation Supervisor (separate investigation)

Allegations: Johnson's Complaint Against Bivens:

- Hostile work environment and administrative misconduct by supervisor Bivens.
- Retaliation following Johnson's promotion to Recreation Supervisor February 2023.
- Budget mismanagement, specifically tied to the Caribbean Festival planning.
- Public reprimands, including a whiteboard critique displayed in view of others.
- Supervisor interference with Johnson's ability to perform her job duties.
- Unfair and unequal workload expectations compared to peers.
- Multiple HR complaints that were ignored or insufficiently addressed.
- Delayed vacation approval after raising formal concerns.
- Retaliatory disciplinary actions taken in response to escalating her complaints.
- Failure of HR to act on credible concerns, raising broader ethical and accountability issues.

Intake Summary

Date Assigned: January 29, 2025

The purpose of this investigation was to conduct a comprehensive review of grievances and complaints submitted by Nicole Johnson, a Black female Recreation Supervisor within the Town of Hamden's Department of Arts, Culture, Recreation & Wellness. Johnson alleged mistreatment, discriminatory practices, and unfair disciplinary actions under the supervision of Director Karen Bivens.

The investigation focused on examining both Bivens' conduct and the department's organizational practices as they pertain to union employees. Johnson's complaints included claims of unwarranted disciplinary actions, lack of transparency in administrative decisions, disparate treatment compared to other supervisors, a hostile work environment, failure of supervisory oversight and support, interference with her ability to perform duties, and disregard for union protocols.

Parallel investigations were also conducted by this agency of cross complaints that were made by Bivens against Johnson and her colleague Sallie Lowry, alleging harassment, insubordination, excessive complaints in retaliation for attempting to supervise and direct both employees in the course of their duties. Johnson's and Lowry's formal complaints against Bivens are contained in **Appendix C, 130- 309.**

INVESTIGATIVE ACTIONS & OBJECTIVE

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

On February 20, 2025, Lowry provided a typed word document that contained complaints that Johnson documented spanning from **October 17, 2022, to February 2025**. **[Exhibit 1]** She also provided handwritten journal entries that were later memorialized in **Exhibit 1**. **[Exhibit 2]** The majority of complaint entries in the documents have been memorialized within the formal complaints that Lowry and Johnson have filed against Bivens with Human Resources, and in State of Connecticut grievances and CHRO complaints. **[Appendix C, 130-309]**

Additionally, interviews were conducted by this agency with the complainant, Johnson and her colleague Lowry, the accused Bivens, as well as thirteen employees of the Town of Hamden. **[Interview Summaries, Exhibit 3]** Two additional interviews were attempted with witnesses #14 and #15, who were non-cooperative with this investigation. **[Exhibits 4 & 5]**

Furthermore, separate reports are being submitted by this agency related to cross complaints that Bivens has filed against both Lowry and Johnson. However, the objective of both investigations was to identify the overarching patterns of behaviors by all the employees involved, conditions of the working environment in the recreation department related to the totality of the complaints, and any/all employee misconduct.

People Interviewed:

1. Nicole Johnson, Recreation Supervisor 2-25-2025 and 3-20-2025
2. Karen Bivens, Director 2-5-25 & 2-26-25
3. Sallie Lowry, Recreation Supervisor 2-20-2025 and 3-20-2025
4. Town Of Hamden Employees, Witnesses (13)

Exhibits:

1. Hamden_Johnson__Lowry_Typed-Compliants_Oct2022_Feb 2025
2. Hamden_Lowry_Handwitten Complaints
3. NLI Interview Transcripts
4. Witness #14 Correspondence HR
5. Witness #15 Correspondence HR
6. Nichole Johnson_ Job Description
7. White Board Photo
8. Director of Arts, Culture, Recreation & Wellness 3-17-2022
9. Write-up_081624_09052024120206_Nichole_Johnson
10. Hamden_Emails_Re_VacAtion_2024_Nicole Johnson
11. HAMDEN_N. Johnson_Complaint_ 8-1-2024
12. Nicole Johnson Affidavit _CHRO
13. Number 36 Collective Bargaining Agreement
14. Witness #9 notes

15. Write Up_08162024 _Johnson_ reply

Appendix: B & C

SUMMARY OF COMPLAINT ENTRIES

This report provides a detailed breakdown of the total number of complaints recorded in **Exhibit 1**, including the number of times each individual is mentioned in relation to these complaints. This summary includes all complaints by **Lowry** and **Johnson**. A total of **97 complaint entries** were recorded in a typed document authored by Johnson, spanning from **October 2022 to February 2025**. The complaints included workplace grievances, procedural concerns, CHRO, and administrative disputes.

Total Number of Complaint Entries:

- Lowry
 - Individual Complaints Entries - 3
- Johnson
(she authored the compiled typed compliant document)
 - Individual Complaints Entries - 36
- Lowry and Johnson
 - Joint Complaints Entries - 58
- Total Complaints Entries- 97
 - Lowry- 3
 - Johnson -36
 - Joint Complaints 58

Conclusion & Observations

- **Johnson** logged the majority of complaints (**94 out of 97**), indicating a significant role in ongoing workplace disputes and grievances.
- **Lowry** logged fewer complaints (**61 out of 97**) but was still involved in procedural complaints.
- Complaints spanned over a period of **2 years and 4 months**, alleging persistent issues in workplace dynamics.

Complaints Entries by Lowry and Johnson

The following document was presented by Lowry to Investigator Abdussabur during her interview on 2_20_2025. Johnson, during her interview on 2-25-2025, confirmed that she was the author/creator for this document for the complaints. The original document is in the exhibit section of this investigation. **[Exhibit 1]** This version has been slightly edited. The language, abbreviations and misspellings have been left unedited.

RS- Recreation Superviour AA - Administrative Assistant ACA- Arts & Culture

Assistant BVs= Brooksvale Supervisor

October 2022

Complaint of Lowry (1-individual complaint)

AA Informed Bivens that she would be applying for the promotional position
Bivens Asked AA when she is going to retire.

November 2022

Complaint of Lowry (1-individual complaint)

Bivens saw her door open and asked AA if she knew why her office was open. AA stated that she did not know why. Bivens asked if all staff had a master key, AA stated that they did not. Bivens asked AA for her keys and tried AA's keys to see if they would fit her lock.

February 2023

Complaint of "DD"

RS retired from position with a week's notice after 25 years of service. RS expressed frustration in constantly being berated and harassed by Bivens. Bivens yelled and embarrassed RS in a staff meeting (AA, ACA & BV was present).

Complaint of Johnson (1-individual complaint)

New RS transferred to department mid week on February 17th. New RS received 4 days of training. Retiring RS left on February 25th.

March 2023-

Complaint of Lowry (1-individual complaint)

AA was promoted to RS. AA during this period was still performing duties as AA. Position was vacant for AA for 1yr. RS requested for training and stated that it was tedious attempting to fulfill both positions.

June 23,2023

1. **Complaint of Johnson (1-individual complaint)**-I was told to reach out to Crystal from marketing for a hiring flier for camp counselors. I was not please with the design and (
2. **Complaint of Johnson and Lowry (1-Joint Complaint)** Bivens came to my office and requested a list for campers. I told Bivens that the list was updated on June 8th and I had been working on fields. Bivens stated that she would ask Sally. I told her not to because I was the last person that had edited the file.
3. **Complaint of Johnson and Lowry (1-Joint Complaint)** Bivens ignored my suggestion and proceeded to ms.Lowry's office. I did not hear their exchange verbatim but I could tell that they were arguing.
4. (keep blank)

5. **Complaint of Johnson and Lowry (1-Joint Complaint)** Staff interviewed by HR regarding an investigation of an incident between Bivens and Lowry
6. Complaint of Johnson and Lowry (1-Joint Complaint) (keep blank)
7. **Complaint of McClain (1-individual complaint):** McClain was explaining to Laura the intern the process of getting vendors for the summer events in the conference room. Bivens saw them in the conference room together and asked what they were talking about, McClain explained what was going on. Bivens became upset and proceeded to shout at Laura and McClain and accuse them of conspiring against her.

July 2023-

Complaint of Johnson (1-individual complaint)

HYBS and We the Village requested to use Rochford park for a back to school event. RS was instructed not to book space for HYSB. RS shared with Bivens that there was a slot available for the event. Bivens stated that she did not care, she is not giving it to them, and as the supervisor she said no.

August 2023-

1. **Complaint of Johnson (1-individual complaint):** Bivens verbally informed RS that the budget for the Caribbean festival was \$5000.
2. **Complaint of Johnson (1-individual complaint):** Bivens took vacation the week of preparation. Informed staff that she would only be present as a spectator.
3. **Complaint of Johnson (1-individual complaint):** Budget for the Caribbean Festival was cut 2 weeks before the event.
4. **Complaint of Johnson (1-individual complaint):** Bivens stated RS was over budget and informed RS that the Pride event had only cost \$2500.00.
5. **Complaint of Johnson (1-individual complaint):** Bivens stated she could not approve flier for promotion without all contracts being signed
6. **Complaint of Johnson (1-individual complaint):** Bivens stated at the event that i was over budget, i questioned her as to what was the budget since I had spent below what she had initial state. She stated that the budget was for her to know.
7. **Complaint of Johnson (1-individual complaint):** would not state what was the budget for the event
8. **Complaint of Johnson (1-individual complaint):** I contacted the JAC and Town Clerk for assistance.
9. **Complaint of Johnson (1-individual complaint):** Both parties contacted Bivens of which she stated that the budget would be returned to \$3000.
10. **Complaint of Johnson (1-individual complaint):** Prior to leaving on her vacation before the event, RS requested for the checks to be prepared for entertainers on the day of the event.
11. **Complaint of Johnson (1-individual complaint):** On August 11th the day before the event, RS went to the finance department to collect the checks for entertainers. RS was informed that they were instructed by Bivens to have the checks mailed. The Chief of Staff visited the recreation department to check on staff and inquire if we needed any assistance. RS informed the Chief that

- we needed a check for a performer for tomorrow's event. Chief of staff stated that he would check with finance and get back to RS. RS was then sent a message from the Chief of staff that Bivens said that no checks should be made, performers would have to wait. (see image attached)
12. **Complaint of Johnson** (*1-individual complaint*): Vendor's check was held because he would not agree to the discount which Bivens requested. Bivens informed McClain to hold check and process last
 13. **Complaint of Johnson** (*1-individual complaint*): Bivens informed me that he will never work for this Town again
 14. **Complaint of Johnson**(*1-individual complaint*): Overtime request submitted to Bivens for hours worked at Caribbean festival. Bivens questioned RS on the actuality of work done and berated RS that over time requests were to be submitted prior to the event. Bivens was aware of the event in January 2023.
 15. **Complaint of Johnson and Lowry** (*1-Joint Complaint*) -Bivens instructed RSs that their hours would be changed to 8:00am-5:00pm.

September 2023

1. **Complaint of Johnson and Lowry** (*1-Joint Complaint*): Bivens requested program ideas for the remainder of the year.
2. **Complaint of Johnson and Lowry** (*1-Joint Complaint*): Instructed that we put program breakdown on whiteboard in depart
3. **Complaint of Johnson and Lowry** (*1-Joint Complaint*): September 8, came into work to see that program break down was marked with red marker
4. **Complaint of Johnson and Lowry** (*1-Joint Complaint*): Before the department meeting, I expressed to Bivens thatRSs found her method of communication offensive. Bivens stated that she can do as she will, she is the director.
5. **Complaint of Johnson** (*1-individual complaint*): I went to HR and saw Kathy and Erica, showed them the picture of the whiteboard. (see image attached).
6. **Complaint of Johnson and Lowry** (*1-Joint Complaint*): After the incident, no new programs were chosen, Bivens stated we did not have the money nor the time to create new programs.
7. **Complaint of Johnson** (*1-individual complaint*): RS vacation request for December submitted in September 2023 by email was not acknowledged. Bivens stated she would have to discuss it with the other Recreation supervisor. Bivens met with both RSs to discuss vacation time in december. Both RSs informed Bivens that there was no conflict in schedule, they had discussed vacation time pnor.

October 2023

- 8.
- 9.

November 2023

December 2023

1. **Complaint of Johnson and Lowry (1-Joint Complaint):** Bivens instructed recreation staff to plan for MLK day in January.
2. **Complaint of Johnson and Lowry (1-Joint Complaint):** Save the date for promotion was submitted for approval.

January 2024

Complaint of Johnson and Lowry (1-Joint Complaint): RS expressed to Bivens frustration regarding the unrealistic expectations in securing lifeguards. Rs expressed that the channels which Bivens instructed her to contact were not successful. Bivens stated that RS needed to be nicer to people and they might be more inclined to assist. Bivens instructed BOE staff, copied her on all communication and provided a weekly update on pool and lifeguards.

Complaint of Johnson (1-individual complaint): Complaint filed with HR. No action taken. Upon request for an update of the complaint RS was informed that Bivens was busy and preparing for budget and could not meet.

11. **Complaint of Johnson (1-individual complaint):** Approval was delayed as Bivens stated that she needed to see a program for the event.

12. **Complaint of Johnson (1-individual complaint):** Program and Save the Date submitted for approval.

13. **Complaint of Johnson (1-individual complaint):** Bivens asked what was the location to host the event. stated that we would need to secure a location with senior services.

14.

15.

16.

February 2024

17. **Complaint of Johnson and Lowry (1-Joint Complaint):** We proposed for the canceled MLK celebration to be rolled into the Black history month celebration.

18. **Complaint of Johnson and Lowry (1-Joint Complaint):** Submitted a date for February 15th and a location a Thornton Wilder Hall

19. **Complaint of Johnson and Lowry (1-Joint Complaint):** During the staff meeting, Bivens stated that February 15 was too close of a time and we would not have enough time to promote.

20. **Complaint of Johnson and Lowry (1-Joint Complaint) :** Bivens suggested we change the date to February 22.

21. **Complaint of Johnson and Lowry (1-Joint Complaint):** After the event date was changed to February 22 at staff meeting Bivens stated that there was another event by a private organization being held and would conflict with the February 22 event and we needed to support this organization.

22. **Complaint of Johnson and Lowry (1-Joint Complaint):** We requested for the event date to be returned to February 15. Bivens declined and said that we didn't have enough time for promotion. (in 2023 BHM was promoted 3 days before the event).

23. **Complaint of Johnson and Lowry (1-Joint Complaint):** ACA work hours were reduced after an interview with HR for June 2023. ACA invitation to staff meetings was reduced and involvement in event planning. ACA stated that he was given little to no information regarding events and town activities.
24. **Complaint of Johnson and Lowry (1-Joint Complaint):** ACA was applied for the fair rent and Recreation AA position. Position was initially changed to include ACA. ACA was interviewed twice and was told that he was at the top of the list. ACA was never offered either of the positions. ACA was later told by Bivens that she heard he was talking about her and ACA was late in submitting a notice in September 2023.

March 2024-

Complaint of Johnson (1-individual complaint)

Vacation request submitted in January 2024 by email not acknowledged.

Leave of absence submitted not acknowledged.

Complaint filed with HR by RS regarding Bivens attempting to change the work schedule of RS.

RS requested training for department in conflict resolution and communication, and supervisor training for Bivens. Request not implemented nor acknowledged. RS was informed that Bivens was business preparing the 2024 budget and was unable to meet with HR.

KB informed the Economic Development Director to not speak with RSs without her knowledge and to not include RSs in the planning of the community center.

April 2024

Complaint of Johnson (1-individual complaint): Mediation occurred between RS and Bivens. HR had requested for RS and Bivens to meet without union representation. RS declined and was sent an email from HR that he was disappointed in her decision.

Complaint of Johnson (1-individual complaint): Bivens stated that RS was rude to a lifeguard and had gone over budget with the program. RS countered that the lifeguard had sent a text message stating that RS had instructed her to take money from the cash box at the pool.

Complaint of Johnson and Lowry (1-Joint Complaint): AA informed not to include RSs in group text when he will be absent.

May 2024-

Complaint of Johnson and Lowry (1-Joint Complaint):

Online registration for camp implemented. All staff involved expressed to Bivens that we were not ready and not properly trained to facilitate the immediate change. Online site was created in three(3) days. Staff was not appropriately trained. Site has ongoing issues, which has impeded the duties of the Administrative assistant.

AA spends a majority of his time correcting issues with the site. Issues have been expressed to Bivens and Brian Murphy. RS and Camp Directors did not receive a true number of applicants on the day of camp. Issues ongoing

Ongoing update of space used by HSA. Bivens stated that she saw the vice president and he was rude to her. After their interaction, Bivens became adamant that HSA would need to relocate from Brooksvale and find a different location.

Notice was sent to HSA in April 2024, that they would be able to use Brooksvale park, while Carusone is being maintained for fall play.

Due to complaints filed, job compensation was reduced.

All senior staff in administration given 12% increase plus stipend

June 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens instructed that there should be no paper applications available for vendors for events.

Link to sign up for events only available by emailing Bivens.

Vendors who visited the office to apply and pay for applications were turned away.

Vendors are personally selected by Bivens. Link was not made available to staff.

Complaint of Johnson and Lowry (1-Joint Complaint): Legislative council members governing the recreation department Katie Keilly and Laura Sweet were contacted for a meeting. RSs requested the council to provide assistance for the abuse of power and interference of duties by the Recreation Director. Council women stated that they

July 2024

Complaint of Johnson (1-individual complaint): July 1 vacation and sick time request submitted. Email unanswered. KB stated in a meeting on July 2 that she will approve my sick time request but will need to review my vacation time.

Complaint of Johnson and Lowry (1-Joint Complaint): Shepherd Glen had a pipe break and the building would be closed. Bivens was aware of notice and did not notify RS. She instead berated RS for not informing her immediately that RS was made aware. RS received notice at 5:06pm on the town phone.

Complaint of Johnson and Lowry (1-Joint Complaint): Sessions for camp closes without notice to the public nor RS staff and camp directors. Camp sessions have never been closed.

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens instructed that there should be no paper applications available for Residents to apply for camp. All paper applications were removed from the front desk.

Complainant Unknown-BVS requested vendors for the fall festival to use paper applications for the event in september; the request was approved by Bivens. RS requested twice for vendors to use paper applications for the event in August;

request declined. Bivens stated that she would provide links to RS vendors. Link received July 15th with no access to approve nor deny vendors.

Complaint of Johnson (1-individual complaint): Vacation request submitted for August 2024 by email not acknowledged. Bivens spoke with RSs after staff stated that she would not be permitting vacations before camp during the month of May and she was not sure if she can approve the request for August, because it would be days before an event.

Abdul was granted vacation time during the registration period of camp without issue.

Complaint of Johnson and Lowry (1-Joint Complaint): Vacation request was approved after the Recreation Supervisor contacted the HR department to intervene. Request approved August 2.

Complaint of Johnson and Lowry (1-Joint Complaint): July 18 Recreation Supervisor filed a complaint with the HR department stating harassment, bullying and intimidation by Director Biven. Complaint physically submitted to HR Director and sent by email. No response or reply issued.

Complaint of Johnson and Lowry (1-Joint Complaint): July 19 HR Director sent townwide recommended CCM training to all departments for Workplace relationships. No contact was made to the Recreation Supervisors regarding the complaint. No response issued.

Complaint of Johnson and Lowry (1-Joint Complaint): July 29 Training update sent. No contact was made to the Recreation Supervisors regarding the complaint. No response issued.

would discuss with the Mayor and HR to find a resolution to the issues within the department. **July 3**, email was sent for an update of progress. No reply.

Complaint of Johnson and Lowry (1-Joint Complaint): Economic Development requested the use of the recreation conference room for a meeting with New Haven. When Bivens saw the group in the conference room she was annoyed. Bivens instructed RSs that moving forward RSs were not to reserve the conference room to the economic development dept because they had their own conference room. RS informed Bivens that the room was booked because their space was not large enough for the group attending the meeting. Bivens stated that she is territorial about the recreation department space and she must be informed as to all persons or groups using the conference upon request of reservation.

Complaint of Johnson and Lowry (1-Joint Complaint): Economic Development requested on (date) use of Rec. conference room, request was denied. Bivens stated that the conference room had technical issues and would not be available. RS contacted the IT department to have the monitor and computer in the conference room checked for issues. No issues in the conference room were found. Bivens was informed, the request not approved. RSs were later informed that the Mayor would be using the recreation room at the time requested by Economic Development. Both meeting locations were switched.

Complaint of Johnson (1-individual complaint): Parents submitted a complaint regarding a youth league. RS informed Bivens of the issue via email and in a staff meeting. Bivens stated that she would prefer we not get involved and have the parents and league figure it out. Parents not contacted nor emails regarding complaints acknowledged.

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens requested a staff hiring list for Camp on Wednesday. RSs informed Bivens that they would be making a final review with directors and the final list would be available after.

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens sent an email requesting a list at noon on Friday. RSs

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens issued an updated staff list to only camp directors. RS requested a copy for recreation staff. Bivens stated she would email the updated list to RSs. RSs are still without a list.

Complaint of Johnson and Lowry (1-Joint Complaint): [REDACTED] applied for a position as CIT and was placed at Shepherd Glen which would be an age appropriate location due to him being below CIT age requirement. [REDACTED] was relocated to the HHS with his friends.

Complaint of Johnson (1-individual complaint): Complaint filed with Human Resources by RS. Update request and RS was informed that they are currently conducting an investigation.

Complaint of Johnson and Lowry (1-Joint Complaint): RSs were informed that [REDACTED] have been reporting to her about the staff at the camp. [REDACTED] also informed a counselor that "[REDACTED] would not appreciate the length of her shorts." (see counselor note)

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens shares with the assistant director that the RSs "do not know what they are doing, and this is why she has to do everything herself." (see counselor note)

August 15, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Notice issued to both Recreation Supervisors stating a meeting with the Director and HR citing disciplinary actions.

August 16,

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens filed disciplinary actions against both Recreation supervisors for quality of work, safety and insubordination.

Complaint of Johnson and Lowry (1-Joint Complaint): September 3 both supervisors consecutively met with HR, union and Bivens. Director stated that she issued a written

Complaint of Johnson and Lowry (1-Joint Complaint): September 10 Bivens sent notice stating that she will not withdraw her write-up against recreation supervisors.

Complaint of Johnson and Lowry (1-Joint Complaint): Settlement agreement sent to both Recreation Supervisors see attached document.

Complaint of Johnson and Lowry (1-Joint Complaint): Language of the settlement agreement for Recreation supervisor mirrors new language in contract presented to union.

Complaint of Johnson and Lowry (1-Joint Complaint): Recreation Supervisors job duties were the only classification changed in contract. Recreation supervisors received a on May 17, 2024

July 18, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): The Recreation Supervisors filed a complaint with the HR department stating harassment, bullying and intimidation by Director Biven. Complaint physically submitted to HR Director and sent by email. No response or reply issued.

July 19, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): The HR Director sent townwide recommended CCM training to all departments for Workplace relationships. No contact was made to the Recreation Supervisors regarding the complaint. No response issued.

July 29, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Training update sent. No contact was made to the Recreation Supervisors regarding the complaint. No response issued.

August 1, 2024

Complaint of Johnson (1-individual complaint): Complaint filed by Recreation Supervisor regarding Director withhold approval for vacation request submitted on July 1, 2024. Complaint was closed after HR contacted the Director to grant approval.

August 15, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Notice issued to both Recreation Supervisors stating a meeting with the Director and HR citing disciplinary actions.

August 16, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens filed disciplinary actions against both Recreation supervisors for quality of work, safety and insubordination.

September 3,2024

Complaint of Johnson and Lowry(1-Joint Complaint): Recreation supervisors and Union Representatives consecitively met with HR Directors, Bivens. Director stated that she issued a write up to both Supervisors and not a verbal warning due to the seriousness of the infraction.

September 10, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens sent notice stating that she will not withdraw her write-up against recreation supervisors.

Complaint of Johnson and Lowry (1-Joint Complaint): Settlement agreement sent to both Recreation Supervisors (Recreation Supervisors declined agreement).

October 2, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): Recreation Supervisors met with Bivens and HR for a write-up. Both Recreation Supervisors responded to write-up and provided supporting evidence. After the meeting HR was asked about bullying, harassment and intimidation complaints. HR director Jorydayne Bryant stated that there would be an investigation by an external body.

October 15, 2024

(Step 2 of Disciplinary write-up for Johnson and Lowry:)

Complaint of Johnson and Lowry (1-Joint Complaint): During a meeting with Town Representatives, the Town's Attorney addressed both Recreation Supervisors as "these folks." Attorney stated " these folks are probably looking for money." Recreation Supervisors were the only black women in the room. After the meeting, the Recreation Supervisor along with union vice president Thomas Brown, spoke with Kasey Catalioto regarding the microaggression directed at both Rec. Supervisor during the meeting.

Kasey stated that the issue would be addressed with all Town employees. Microaggression within the work place was never addressed by HR.

November 21, 2024

Complaint of Johnson (1-individual complaint): NJ requested an immediate vacation request due to a family emergency. KB stated that she had concerns with the office being closed on monday due to a scheduled conference which both supervisors were slated to attend. NJ informed KB that the closure of the office was an issue. NJ would not attend the conference. KB proceeded to inquire as to the nature of the emergency before granting approval.

December 13, 2024

Complaint of Johnson and Lowry (1-Joint Complaint): On 12-12-25 Bivens instructed Rec. Staff to be at the Thornton Wilder hall on 12-13-25 at 2:30pm to prepare for the weekend event (breakfast with Santa). On 12-13 Bivens called rec. And visited rec. Office as a reminder to come to the hall at 2:30pm. On arrival at the location rec staff were instructed to clean the tables and gave a tube of lysol wipes. SL questioned KB the location of the custodian, of which KB replied he was tending to other duties. Please note an event was held earlier and soiled tables were left for Recreation staff. SM the other staff in attendance was called by KB to another location and SL & NJ were left to the task of cleaning and changing table covers.

January 3, 2025

Complaint of Johnson and Lowry (1-Joint Complaint): Director Biven instructed Recreation Supervisor NJ that she is to take home her office phone. NJ is to be on-call and record closing of pool and program due to inclement weather, staff call, or program cancellation. January 7, 2025 during department meeting, Director verbally instructed both Recreation Supervisors to take home phone. The third supervisor was not instructed to do so.

January 17,2025

Complaint of Johnson and Lowry (1-Joint Complaint): Union request update regarding bullying, harassment and intimidation investigation. No response from HR.

January 21,2025

Complaint of Johnson and Lowry (1-Joint Complaint): Bivens instructed staff that they would be limited to 1-2 days of vacation time during the months of May-August.

February 4, 2025

Complaint of Johnson and Lowry (1-Joint Complaint): MPP meeting held to address, both Recreation Supervisors being tasked to close office and clean tables. During the meeting, Town Attorney Nick Grello, stated that he would like to address the issues between "Miss Bivens and the other two he will refer to as Johnson and Lowry." two HR representatives were present, neither addressed the microaggression targeted to both Supervisors. During an exchange between this writer and Attorney Nick Grello. The Attorney stated to NJ, "do not speak to me, speak to the state, I am not speaking to you, do not speak to me." Both HR and Union representatives were present, along with Town witness Kim Craft, Senior Services Coordinator.

February 4, 2025

Complaint of Johnson and Lowry (1-Joint Complaint): HR responded to the complaint filed on July 18, 2024 by Recreation Supervisors.

SUMMARY OF DISCOVERY COMPLIANTS

Subject: Nicole Brown Johnson

Supervisor: Karen Bivens

Position: Recreation Supervisor

Department: Arts, Culture, Recreation & Wellness

Agency: Town of Hamden

Time Frame: January 2024 – February 2025 [**Appendix C 130-309**]

This analysis reviews the pattern of complaints and grievances filed by Recreation Supervisor Johnson regarding the conduct, communication, and management practices of her direct supervisor, Bivens. It includes formal discipline, grievance responses, union filings, and settlement actions to assess the outcomes and implications.

1. January 10, 2024 – Complaint #1 [Appendix C 187-191]

Allegations made by Johnson:

- Poor communication regarding pool closure
- Pattern of microaggressions and passive-aggressive behavior by Bivens
- Dismissal of concerns related to toxic work culture

Outcome:

- No immediate disciplinary response issued
- Used as supporting documentation in later CHRO and union filings

2. March 7, 2024 – Complaint #2 [Appendix C 192-196]

Allegations made by Johnson:

- Retaliation after submitting overtime forms
- Conflict during schedule discussion
- Feelings of being targeted and flooded with retaliatory tasks

Outcome:

- No formal investigation launched
- Incorporated into later CHRO complaint and grievance documentation

3. June 25, 2024 – Complaint #3 [Appendix C 197-202]

Allegations made by Johnson:

- Public embarrassment and criticism during staff meeting
- Forced to deprioritize personal tasks despite illness
- Accusation of unprofessional conduct by doodling

Witnesses: Abdul Bunyaminu, **Witness #6**

Outcome:

- Complaint acknowledged informally
- Added to internal HR documentation and CHRO support file

4. August 1, 2024 – Vacation Delay Complaint [Exhibit 11]

Allegations made by Johnson:

- Vacation approval used as leverage to complete tasks
- Viewed as abuse of supervisory authority

Outcome:

- Johnson was asked to provide an update on outstanding tasks prior to taking leave. Vacation time was not withheld.
- Complaint formally withdrawn by Johnson

5. August 15, 2024 – CHRO Filing [Appendix C 237-249]

Allegations made by Johnson:

- Micromanagement, delays, excessive workload, lack of approvals
- Discrimination based on sex, race, and age

Outcome:

- Mediation conducted; Bivens admitted to some missteps
- Johnson's requests for corrective training and support were not implemented
- CHRO complaint remains active with no final ruling documented as of report date

6. August 16, 2024 – Written Warning Issued to Johnson [Exhibit 9]

Cited Incidents:

- Failure to report water outage and staff altercations
- Field trip and visitor protocol violations
- T-shirt and ticket errors
- Neglect of Pool Duties

Outcome:

- Written warning formally issued
- Led to Step 1 grievance by Johnson and Lowry

7. August 16, 2024 – Grievance (Step 1) Filed by Johnson [Appendix C 254-264]

Response:

- Johnson disputed all allegations with documented evidence and explanation

Outcome:

- Town upheld the discipline but initiated mediation discussions
- Matter escalated to Step 2 Grievance Process

8. October 25, 2024 – Step 2 Grievance Response [Appendix C 265-278]

Town's Position:

- Found that discipline was warranted based on performance in July
- Offered a resolution:
 - Discipline removed after 1 year if no repeat incidents
 - Corrective coaching session required

Outcome:

- Town offered conditional settlement
- Union agreed, but Johnson declined the settlement

9. December 13, 2024 – MPP 35527 Filed [288-292]

Allegation made by Johnson:

- Johnson and Lowry directed to complete custodial tasks (tables) outside job scope

Outcome:

- Formal MERA hearing scheduled for February 4, 2025
- No final ruling issued at the time of this report, State Representative asked Union to withdraw, indicated imminent dismissal

10. December 31, 2024 – MPP Filed (Pending Assignment) [Appendix C, 301-303]

Allegations made by Johnson:

- Johnson and Lowry instructed to be on-call and monitor work phones after hours
- Unilateral change in working conditions

Outcome:

- Union requested compensation and injunctive relief
- MERA hearing pending (no final resolution documented)

11. February 21, 2025 – Arbitration Hearing Scheduled

Context:

- Step 3 Arbitration scheduled by the Board
- Related to earlier grievances and disciplinary actions

Outcome:

- Hearing scheduled; no documented resolution

Key Findings

- **Progressive Pattern of Conflict:** Multiple complaints reveal a growing pattern of strained communication, workplace tension, and perception of unequal treatment between Johnson and Bivens.
- **Formal Discipline Applied:** A written warning was issued to Johnson citing procedural failures; Johnson formally disputed the allegations.
- **Union Involvement Escalated:** Two separate MPPs filed related to retaliation and unilateral working condition changes. Both were scheduled for formal hearings.
- **Discrimination Allegations:** Johnson's CHRO complaint cites age, race, and sex discrimination. Mediation occurred, but Johnson's core complaints remained unresolved.

- **Settlement Offered but Declined:** The Town proposed removing the warning after one year with coaching, but Johnson declined, resulting in continued arbitration and hearing processes.

Conclusions

- The relationship between Johnson and Bivens is significantly deteriorated, marked by mutual mistrust and allegations of abuse of authority and retaliation.
- There is credible evidence of workplace dysfunction, miscommunication, and conflict that has spread beyond interpersonal disputes to affect broader departmental operations.
- While the Town made efforts to mediate and resolve, the rejection of settlement offer by Johnson along with the continued arbitration reflects an unresolved systemic issue within the department.

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JOHNSON JOB DESCRIPTION (COMPLAINANT)

Town of Hamden – Recreation Supervisor Job Description [**Exhibit 6**]

Position Title: Recreation Supervisor

Department: Recreation

Work Location: Hamden Town Hall and various recreation facilities

Employee: Nicole Johnson (Complainant)

The Recreation Supervisor is responsible for overseeing, coordinating, and administering a variety of recreational programs and special events for the Town of Hamden. The role requires planning, implementing, and evaluating programs that serve diverse community populations. The supervisor plays a vital leadership role in managing program operations, supervising staff, engaging the public, and ensuring the quality and safety of town-sponsored recreational activities.

Examples of Essential Duties:

The Recreation Supervisor must be able to perform the following key duties, which are vital to the role:

- **Program Development and Coordination:** Design, schedule, and implement a variety of recreational and community programs, including athletic leagues, youth and senior activities, seasonal events, and educational workshops.
- **Staff Supervision:** Recruit, train, schedule, and supervise part-time staff, program leaders, coaches, volunteers, and seasonal employees.
- **Budget Preparation and Oversight:** Assist in preparing and managing the recreation department budget, including program cost estimates, tracking expenditures, and maintaining financial records.
- **Public Engagement:** Serve as a liaison between the Recreation Department and the general public, schools, community organizations, and outside vendors to ensure collaborative programming.
- **Facility Management:** Schedule and oversee the use of recreation centers, gymnasiums, fields, and parks; inspect facilities for safety and maintenance needs.
- **Marketing and Communication:** Promote programs through flyers, newsletters, social media, and community outreach to maximize participation and awareness.
- **Reporting and Documentation:** Maintain records of program participation, incident reports, staffing, and other administrative data; prepare periodic reports for department heads or town officials.
- **Policy Enforcement and Safety:** Ensure that all programs adhere to safety regulations and department policies, including responding to accidents or issues during events.

Knowledge, Skills, and Abilities Required:

This position requires a strong combination of technical knowledge, interpersonal skills, and leadership abilities:

Knowledge:

- **Community Recreation Principles:** Understanding of how to design and evaluate effective recreation programs that reflect community demographics and needs.
- **Municipal Budgeting and Financial Procedures:** Ability to work within the town's financial systems to develop and manage cost-effective programs.
- **Public Relations and Customer Service:** Knowledge of conflict resolution, public communication, and building positive community relationships.
- **Safety and Liability Practices:** Familiarity with OSHA standards, injury prevention, risk management, and safety planning for recreational settings.
- **Administrative Systems:** Proficiency in record-keeping, scheduling systems, and basic office technology (Microsoft Office, Google Workspace, etc.).

Skills:

- **Organizational Skills:** Ability to plan, prioritize, and execute multiple programs simultaneously with attention to deadlines and quality.
- **Communication Skills:** Strong written and oral communication skills for interacting with the public, writing reports, and leading meetings.
- **Leadership and Team Management:** Skills in motivating and supervising diverse staff and volunteers.
- **Problem-Solving and Decision-Making:** Ability to assess program needs, resolve scheduling or staffing issues, and make decisions under pressure.
- **Marketing and Promotion:** Skills in developing creative outreach and promotional strategies using traditional and digital media.

Abilities:

- **Work Independently and Collaboratively:** Capable of functioning with minimal supervision while working within a team-oriented department.
- **Adapt to Changing Needs:** Flexible and responsive to programmatic shifts, emergencies, or community feedback.
- **Engage Diverse Populations:** Sensitivity to cultural and social diversity, ensuring inclusive program design and delivery.
- **Handle Physical Demands:** Must be able to lift, carry, and set up program equipment and work indoors and outdoors in varied conditions.

Working Conditions and Schedule:

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

- This role involves both **indoor office work** and **on-site field work** at parks, recreation centers, and event venues.
- Occasional lifting of up to 25 lbs. and regular movement during events is expected.

Minimum Qualifications:

- Bachelor's Degree in Recreation, Physical Education, Public Administration, or a related field.
- Two or more years of experience in recreation programming or a supervisory role.
- A valid **driver's license** and reliable transportation.

JOHNSON INTERVIEW #1

Date: February 25, 2025

Location: Hamden Town Hall, Conference Room FL-1

Investigator: Jacqueline Manning, Shafiq Abdussabur

Present: Nicole Johnson, Union Representative Dan Bonfiglio,

Section 1: Employment History & Role Responsibilities

Johnson's Career at Hamden Town Hall

- Hired: November 2021 as an Outreach Counselor (Senior Services).
- Union Membership: Initially in the Town Hall Union.
- Supervisor: Directly reported to Susan Burbage (Senior Coordinator, Senior Services), who reported to the Mayor until April 2020.
- Workload & Responsibilities:
 - Assisted elderly community members.
 - Conducted outreach programs.
 - Collaborated with two other outreach counselors.
 - Worked 35-hour weeks under Senior Services.

Promotion to Recreation Supervisor

- Promoted: February 2023 as Recreation Supervisor.
- Union Change: Transferred to UPSEU (United Public Service Employees Union).
- Expanded Duties:
 - Supervised seasonal employees:
 - 35 - 40 total, including camp counselors, pool staff, and park monitors.
 - Managed event planning, recreation programming, and budget handling.
 - Reported directly to Bivens (Recreation Director).
 - Lacked a clearly defined updated job description post-promotion.

Section 2: Key Incidents Leading to Complaints

Incident #1: Caribbean Festival Budget Controversy (August 2023)

Background:

- Johnson proposed an annual Caribbean Festival, which Bivens approved.
- Initially granted a \$5,000 budget, which was later reduced to \$3,000 unexpectedly.
- Johnson had already booked vendors and scheduled entertainment.

Events Leading to Conflict:

1. Budget Reduction:
 - One to two weeks before the event, Bivens unexpectedly slashed the budget.
 - Vendors and entertainers had to be canceled or rearranged last minute.
 - Additional support sought from local sponsor Karine Hollis' organization.
2. Public Misrepresentation:
 - Despite spending only \$2,900, Bivens accused Johnson of overspending.
 - Bivens falsely claimed Johnson exceeded the budget by \$10,000.
 - Union Rep and HR later confirmed this was incorrect.
3. Retaliation Post-Event:
 - Bivens began refusing to give Johnson clear budgets for future events.
 - Whenever Johnson asked about her budget allocation, Bivens replied:
 - "I don't know—how much do you want to spend?"
 - "I'll let you know when you're over budget."
4. April 2024 Mediation Outcome:
 - During mediation, Bivens admitted she made an error in budget reporting.
 - However, no corrective action was taken against Bivens.

Incident #2: The Whiteboard Incident (September 2023)

Background:

- Bivens requested Johnson and other supervisors to list program plans for the year on a whiteboard. **[Exhibit 7]**
- The whiteboard was in a shared hallway visible to staff and volunteers.

Conflicting Actions:

1. Public Critique:
 - Bivens used a red marker to make corrections and critical comments on the whiteboard.
 - This was seen as public embarrassment rather than constructive feedback.
2. Verbal Response:
 - Johnson politely expressed concerns about public corrections instead of private communication.
 - Bivens dismissed Johnson's concerns, stating:
 - "I'm a supervisor—I can do whatever I want."
3. HR Involvement:
 - Johnson reported this issue to HR, showing photographic evidence of the publicly visible critiques.
 - HR advised using email instead, but no formal action was taken against Bivens.

Incident #3: Harassment Complaint (January 2024)

Background:

- Bivens entered Johnson's office while she was actively working and started speaking to her.
- Johnson continued working while listening attentively.

Bivens' Accusations:

- Bivens suddenly accused Johnson of being disrespectful for "not making eye contact" while she was speaking.
- Bivens raised her voice and began berating Johnson in her office.
- HR complaint filed:
 - HR acknowledged receipt of the complaint but failed to take action.

Incident #4: Forced After-Hours Work at Pools (March 2024)

Background:

- Bivens ordered Johnson to conduct pool inspections outside normal work hours.
- Johnson requested overtime pay before agreeing.
- Initially approved, then suddenly revoked by Bivens.

Union Involvement:

- The Union stepped in, arguing labor law violations regarding forced off-the-clock work.
- HR delayed addressing the issue, citing budget season constraints.
- April 2024 Mediation Outcome:
 - Johnson's concerns were validated.
 - Bivens received no formal discipline.

Incident #5: Delayed Vacation Approval & Retaliation (July-August 2024)

Background:

- Johnson submitted her vacation request in July for August.
- Bivens ignored emails for weeks, then added extra tasks as a condition for approval.

Escalation:

- Johnson proved all tasks were completed.
- Bivens still refused to formally approve vacation.
- Johnson escalated the issue to HR, who overruled Bivens and granted vacation.

Retaliation Post-Vacation:

- Two weeks later, Johnson was written up with colleague Lowry.
- Seven disciplinary charges were issued, including:
 - Safety violations
 - Work quality issues
 - Insubordination
- Union classified this as a retaliation case.
- Filed an Unfair Labor Practice claim (MPP - Municipal Prohibited Practice).

Incident #6: CHRO Filing – Escalation to State Level (August 2024)

Filing Details:

- Johnson submitted a complaint to the Connecticut Commission on Human Rights & Opportunities (CHRO).
- CHRO assigned Johnson a state-appointed attorney.
- Mediation scheduled for March 2025.

Requested Outcomes:

1. Official acknowledgment of workplace misconduct.
2. An apology from Bivens & HR for negligence.
3. Mandatory conflict resolution training for Bivens & staff.
4. Stronger HR intervention in future complaints.

Section 3: Patterns Of Behavior & Workplace Environment

Bivens' Leadership Issues

- Public reprimands (Whiteboard incident, budget accusations).
- Inconsistent rule enforcement (arbitrary budget approvals).
- Retaliation against complaints (delayed responses, written warnings).
- Dismissive attitude toward grievances (ignored HR reports).

HR's Inadequate Response

- Acknowledged issues but took no action.
- Failed to enforce corrective training.
- Offered a generic "customer service webinar" instead of conflict resolution training.

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JOHNSON INTERVIEW #2

Date: March 20, 2025

Location: Hamden Town Hall, Conference Room FL-1

Investigators: Jacqueline Manning, Shafiq Abdussabur

Present: Nicole Johnson, Union Representative Dan Bonfiglio

Johnson was interviewed in response to the complaints that Bivens filed against her, incidents related to the write she received from Bivens on August 16, 2024 [REDACTED].

[REDACTED] **Appendix C, 250-251]**

Section 1: Key Incident Summaries

Incident #1: Camp Altercation Involving Supervisor's Child

- An altercation involving a camp counselor (Lowry's son) was reported indirectly.
- Johnson was informed by Lowry and approached Bivens informally at the scene.
- Reporting chains were unclear; the matter was never formally escalated through expected protocols.

Incident #2: Ticket Delivery & Procedural Consistency

- Johnson confirmed she picked up tickets to Lake Compounce from CRPA in Newington for the summer camps.
- She directed counselors, Aiden and another counselor, to deliver them to Camp Director, mirroring past procedure.
- No established protocol was violated, yet the action became part of disciplinary write-up.

Incident #3: Camp T-Shirt Ordering Confusion

- Orders were made using data from a new online system implemented by admin Abdul.
- Colors were coordinated by camp groups: yellow for campers, green variants for staff.
- Later criticism focused on not including the entire department in the polo order.
- Johnson said past practice by Lowry was to order different color polos related awareness campaigns for Alzheimer's and Autism (Pink and Purple)

Incident #4: Cash Box Controversy

- Inherited from previous leadership, the responsibility for collecting the pool's cash box became disputed.
- Lifeguards, traditionally responsible, but were unreliable or absent.
- Johnson faced contradictory instructions and was later accused of telling someone to remove money—an allegation she denies and found deeply distressing.
- Bivens issued a formal directive that Johnson now follows under duress.

Incident #5: Silver Bells Event: Cleaning Tables

- Johnson and Lowry were told to close the department and clean and change disposable tablecloths.
- Johnson objected, noting health concerns and custodial boundaries.
- She documented concerns as “unsanitary” in a post-event feedback request from Bivens.

Incident #6: Voicemail Incident & Public Humiliation

- After being instructed to update the department voicemail, Johnson did so—but was publicly accused of not completing it.
- Bivens played the voicemail during a meeting to undermine her, despite Johnson having followed protocol.
- Johnson believes the voicemail system may not have saved her change—but Bivens’ method was punitive.

Incident #7: Public Calendar Instruction & Emotional Reaction

- Bivens demanded the creation of blank calendars despite Johnson’s concern that there was no content yet.
- Johnson laughed out of disbelief and frustration—Bivens labeled her behavior as disrespectful.
- Johnson explained it was an involuntary response to avoid an emotional escalation.

Section 2: Toxic Workplace & Cultural Observations

Emotional Intelligence & Management Style

- Johnson defines emotional intelligence as self-awareness, empathy, and constructive communication.
- She believes Bivens lacks these qualities—exemplified by combative tone, public correction, and inability to accept alternative views.
- Multiple staff have reported feeling intimidated by Bivens, including long-standing employees.

Micromanagement & Diminished Autonomy

- Johnson cited repeated interference: events she planned were changed post-approval.
- Schedules were altered arbitrarily.
- Department responsibilities that previously belonged to her were taken over without notice.
- Tasks were often reassigned without communication or documentation.

Disrespectful Conduct & HR Inaction

- Bivens was described as vindictive and petty—retaliating after vacations, belittling staff, and playing favorites.
- Bivens’ proximity to the Mayor was cited by HR (specifically Witness #8) as a reason for inaction.
- This has discouraged employees from speaking out.

Staff Fear & Social Isolation

- Staff members like Witness #14, Crystal, Xavier, and Witness #9 were named as fearful of Bivens.
- Bivens allegedly isolates and undermines those on her “bad side,” which includes Johnson and Lowry.
- They were excluded from the holiday party due to Bivens’ non-response to invites.

Communication Breakdown

- Johnson limits face-to-face contact with Bivens due to [REDACTED] past verbal attacks.
- Requests for intervention and conflict resolution training have gone unheeded.
- She reports feeling unsafe and unsupported.

Section 3: Self-Reflection & Admissions

- Johnson admitted to calling Bivens “Overlord,” “bitch,” “asshole,” and “fat bitch”—but only in private with Lowry.
- She denies ever calling her a “slave master” or “racist” or “whore.”
- She admitted to ignoring Bivens and not acknowledging her.
- She acknowledges this behavior contributes to a tense climate—but frames it as reactive, not instigative.
- She actively requested conflict resolution support but believes she cannot work cooperatively with Bivens.

BIVENS JOB DESCRIPTION (SUBJECT)

Town of Hamden – Director of Culture, Recreation & Wellness [**Exhibit 8**]

Position Title: Director

Department: Arts, Culture, Recreation & Wellness

Work Location: Hamden Town Hall and various recreation facilities

Employee: Karen Bivens

This executive-level position oversees the delivery and management of **community, recreation, wellness, and public service programming** in the Town of Hamden. Stationed at the **Keefe Community Center**, the Director is responsible for integrating services that promote **health, equity, youth engagement, senior support**, and overall community well-being. The position focuses on **maximizing the use of parks and recreation facilities** while delivering impactful, inclusive programming.

Position Classification:

- **Appointment Type:** Confidential Mayoral Appointment (Non-Bargaining Unit, Unclassified/Non-Competitive)
- **Department:** Recreation / Community / Youth / Elderly Services
- **Reports To:** Mayor or designee
- **Supervises:** Recreation, Youth Services, Community Services, Elderly Services, and Community Development Block Grant employees
- **Salary:** Dependent on qualifications (DOQ)

Examples of Essential Job Duties (Expanded):

Leadership and Strategic Development

- Provide high-level oversight for Recreation, Youth, Elderly, and Community Service operations.
- Develop and implement short- and long-term strategic goals aligned with town leadership and legislative priorities.
- Direct and manage municipal programs and facilities to meet evolving public health, wellness, and recreation needs.

Community Engagement and Advocacy:

- Serve as the Town's advocate for **older adult services**, particularly for vulnerable and underserved populations (e.g., LGBTQ+ 60+).
- Attend Council, Board, committee, and staff meetings to offer insights, guidance, and implementation strategies for community programming.
- Strengthen relationships with local organizations and promote collaboration across departments and service sectors.

Operational Oversight:

- Manage the operation and maintenance of recreation facilities, parks, and community wellness programming.
- Establish and enforce operational procedures, performance standards, safety protocols, and legal compliance practices.
- Track performance and oversee data-driven improvements in service delivery.

Communication and Relationship Building:

- Foster strong partnerships with community stakeholders, employees, and external partners.
- Ensure that services are inclusive, accessible, and representative of Hamden's diverse populations.
- Promote transparency, responsiveness, and high standards of customer service throughout departmental activities.

Fundraising and Financial Management:

- Secure grants and external funding to expand or support wellness and recreation programming.

- Support fundraising events and identify public-private partnerships that align with town goals.
- Monitor financial performance, budget adherence, and resource allocation.

Crisis Management and Resilience:

- Lead departments through public health challenges and crisis scenarios with professionalism and clarity.
- Enforce public health guidelines (e.g., CDC recommendations) across programming and facilities.

Knowledge, Skills, and Abilities Required:

- **Public Service Leadership:** Proven ability to direct multi-department operations in community, health, and recreation.
- **Policy and Compliance Management:** Knowledge of municipal government structure, regulatory frameworks, and administrative accountability.
- **Program Development:** Skilled in designing community-driven programs that promote health, wellness, and social engagement.
- **People Management:** Effective in leading diverse teams and building morale and performance in public service environments.
- **Crisis Response and Communication:** Able to respond calmly and strategically in high-pressure or emergency settings.
- **Fiscal Oversight:** Competent in budget management, grant applications, and use of public funds.
- **Interpersonal Engagement:** Strong communication, mediation, and consensus-building skills.

Working Conditions and Schedule:

- Primarily office-based with regular meetings, community events, and field visits.
- Exposure to standard office noise and interruptions.
- May involve lifting light to medium-weight items (files, manuals, supplies).
- Interactions with emotionally distressed individuals are possible, requiring calm and professionalism.
- Occasional night meetings and off-site obligations.

Minimum Qualifications:

- **Education:** Master’s degree in Public Health, Health Science, Park and Recreation Administration, or equivalent experience.
- **License:** Valid Connecticut Driver’s License required.

Additional Notes

This is a **mayoral appointment** that requires **Legislative Council approval** and serves at the discretion of the Mayor. Job functions listed are illustrative and not exhaustive. Reasonable accommodations may be made for individuals with disabilities.

BIVENS INTERVIEW SUMMARIES

Date: February 5, 2025 & February 26, 2025

Location: Hamden Town Hall, Conference Room FL-1

Investigator: Jacqueline Manning

Present: Karen Bivens, Director of Human Services

This investigative interview with Bivens offers an extensive account of her supervisory role, personnel concerns, and department-wide leadership challenges. Bivens oversees multiple divisions under Hamden's umbrella of Cultural Affairs and Human Services, including Recreation, Youth Services, and Arts & Culture. The discussion focused on organizational structure, interpersonal conflicts, and performance-related issues involving key personnel, including Recreation Supervisors Johnson and Lowry, and part-time employee Witness #14. Bivens reported persistent problems with communication, compliance, accountability, and resistance to supervision. Her statements claim a pattern of employee disengagement, policy circumvention, and challenges in executing directives, leading to a workplace environment described as emotionally strained and professionally compromised.

Organizational Structure

- Bivens oversees six divisions under Human Services: Recreation, Community Youth Services, Senior Services, Arts & Culture, Brooksville (Animal & Park Services), and Fair Rent.
- She serves as the appointing authority for hires and disciplinary action across divisions.
- Direct reports include recreation supervisors (Johnson, Lowry), administrative staff, Brooksville Ranger, and part-time Arts Assistant.

Personnel Management Issues

1. Recreation Supervisors: Johnson & Lowry

- Bivens described both supervisors as lacking organizational consistency and accountability.
- She stated they resist directives, frequently fail to communicate critical program details, and demonstrate inflexibility with scheduling and responsibilities.
- Claims include:
 - Incomplete documentation of program hours.
 - Ongoing disputes over work hours vs. compensation.
 - Resistance to participating in events or supporting department-wide programs.

2. Breakdown in Communication

- Bivens reported repeated efforts to improve clarity, including:
 - Creating program outlines and calendars.
 - Requesting email CCs on essential communication.

- Offering flexibility in scheduling with minimal response.
- She said her staff often ignore requests or delay responses, contributing to inefficiencies and project delays.

3. Disrespect & Resistance

- Bivens reported an emotional toll due to constant complaints, resistance, and undermining behavior.
- She moved her office from Town Hall to the library due to perceived hostility and tension.
- She described instances of being blindsided by grievances and departmental mistrust.
- Bivens has heard that Johnson and Lowry are disparaging her to other employees.

Specific Incidents & Examples

1. Caribbean Festival Budget Conflict

- Johnson proposed a Caribbean Festival and initially overspent the \$10,000 planning budget without prior approval.
- Bivens corrected course and limited expenditures; however, Johnson later filed for 12 hours of overtime without proper preapproval.
- Bivens stated the budget was not exceeded due to her intervention, but Johnson's management was disorganized and non-compliant.

2. Overtime Logs & Scheduling Conflicts

- Staff were paid for 5 hours of "flex time" weekly but failed to complete required logs to justify this.
- Bivens adjusted schedules to 8–5 to create accountability, which resulted in pushback.
- Supervisors refused to adapt and continued requesting overtime without willingness to provide documentation.

3. Training Directives Ignored

- Recreation staff were instructed to complete two mandatory software trainings (5 hours total by Friday, February 28, 2025).
- Despite multiple emails and accommodation, only one employee (Witness #12) responded with initiative.
- Bivens believes this pattern reflects broader disregard for accountability.

[REDACTED]

- [REDACTED]

Systemic & Structural Concerns

- Bivens cited:
 - Historical lack of leadership before her arrival.
 - Vague job descriptions leading to selective interpretation of duties.
 - Resistance to direct supervision.
- Describes the department as lacking “programming muscle,” with few initiatives beyond summer camps.
- She reported that “some employees think they should be peers, not subordinates,” and resist administrative authority.

HR Interference & Political Influence

- Bivens believes employees bypass her and file grievances prematurely.
- She referenced Witness #9, Lowry, and Johnson as aligning against her.
- She alleged that HR and union processes are used to undermine leadership instead of resolving disputes.

Summary

Bivens presents a candid and emotionally vulnerable picture of a department in conflict. She acknowledges her own organizational challenges but attributes a large share of dysfunction to employee resistance, selective communication, and deeply rooted historical behaviors from a time without centralized leadership. Her perspective highlights a need for updated job descriptions, clear expectations, managerial authority reinforcement, and comprehensive staff development—especially in communication and accountability. The current climate appears adversarial, and immediate structural reforms are recommended to prevent further deterioration.

LOWRY INTERVIEW SUMMARIES

Date: February 20, 2025 & March 20, 2025

Location: Hamden Town Hall, Conference Room FL-1

Investigators: Jacqueline Manning, Shafiq Abdussabur

Present: Sallie Lowry, Union Representative Dan Bonfiglio

This full investigative report into Recreation Supervisor Lowry’s workplace experience at the Hamden Town Hall offers a comprehensive analysis of her March 20, 2025 interview. Lowry made allegations including racial discrimination, public humiliation, verbal intimidation, and failure of departmental leadership and HR. Themes of micromanagement, retaliatory behavior, and systemic failure to implement conflict resolution protocols were evident throughout the interview. This report integrates summarized outlines of transcript data, aligning with legal and administrative documentation standards for arbitration, mediation, and potential CHRO review.

Employment History & Context

- **Position:** Recreation Supervisor

- **Tenure:** 30+ years with Hamden; promoted within Recreation Department
- **Duties:** Camp operations, youth programming, direct supervision, and administrative event support
- **Key Supervisor:** Bivens (Director of Recreation and other departments)

Emotional and Mental Toll

- Lowry is aggravated and tired, [REDACTED] due to prolonged workplace stress caused by her conflicts with Bivens.
- Lowry is very 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.”

Incident Summaries:

1. Verbal Altercation Involving Her Son

- Lowry’s adopted grandson was involved in a camp dispute.
- She learned of the incident through staff—not official reporting channels.
- She criticized the camp director, [REDACTED], for failing to report it up the chain.
- She contacted Johnson directly due to the personal nature of the incident.

2. Ticket Delivery Confusion

- Her son and colleague [REDACTED] delivered Lake Compounce Tickets to Witness #2.
- Witness #2 was called in advance and advised that [REDACTED] and Lamont were delivering the tickets.
- The action was pre-approved informally; later used against her in disciplinary write-ups.

3. Work Hours & Time Sheet Discrepancy

- Lowry worked 40+ hours weekly, especially in summer.
- Bivens challenged her time sheet entries and forced her to re-sign “under duress.”
- Miscommunication about overtime and 40-hour expectations added stress and confusion.

4. Silver Bells Event

- Lowry was ordered to clean tables due to a missing custodian.
- Despite being willing to help, she felt demeaned by how the task was assigned. She said she is not a maid.
- She saw it as symbolic of how Bivens misused authority and overlooked boundaries of respect.

5. Bivens’ Communication Style

- Lowry consistently cited public shaming, micromanagement, and emotional manipulation.
- Specific incident: During a meeting, Bivens dismissed Lowry’s chart edits and had another staff member hand her the corrected copy—publicly humiliating.
- Bivens allegedly stood in doorways, escalated small disputes, and spoke to staff as “if they were children.”

6. Allegations of Racism & Ageism

- Bivens promoted Johnson to Recreation Supervisor instead of her in 2022.
- Bivens said, “I know you don’t like the R word but when are you going to retire.”
- In November 2022, Bivens came into the office and found her door open. She asked Lowry to show her key to check if Lowry had opened her office door. This was perceived to be racially motivated because Lowry is brown, and brown people are treated suspiciously.
- Lowry repeatedly referred to Bivens as a “slave master.”
- She clarified this referred both to racial and generational disrespect—especially toward Black, older women.
- She claimed Bivens’ communication style was authoritarian and demeaning, and HR’s inaction empowered it.

7. Johnson Parallel Support

- Lowry and Johnson documented issues in personal journals and collaborated on complaint writing. **[Exhibit 1 & 2]**
- She described Johnson as respectful but noted Bivens often misinterpreted her tone or laughter as disrespect.
- Described an incident where Johnson laughed to deescalate, and Bivens viewed it as defiance.
- Lowry kicked Johnson under the table to prompt her to stop laughing.

8. Desire for Departmental Change

- Lowry wants Bivens removed from overseeing Recreation.
- Believes she is “overloaded” managing six departments and is unable to offer focused leadership.
- Suggested early HR intervention could have prevented the toxic dynamic from escalating.
- Stated that the incidents in 2022 with Bivens asking her about retirement and accusing her opening her office have never been resolved.

Summary

Lowry reported experiencing multiple instances of procedural and managerial failures during her tenure as Recreation Supervisor. Documented testimony and internal records confirm that Ms. Lowry was asked about her retirement when a promotional opportunity had arisen. She was also asked to surrender her key in connection with security concern in 2022.

The interview underscores a deep rift between Lowry and Bivens, marked by perceived racism and disrespect, inadequate support, and a breakdown in communication, with Lowry viewing the situation as irreparable without structural change.

WITNESS INTERVIEWS

A total of 13 Town of Hamden employees were interviewed by this agency between February 5, 2025, and March 12, 2025. Interview summaries are included as an exhibit in this investigation. **[Exhibit 3]** Efforts were made to interview two additional witnesses Witness #14 and Witness #15. Witness #14 declined to be interviewed and requested that the Town of Hamden appoint a lawyer to represent him. **[Exhibit 4]** Witness #15 did not respond to Human Resources multiple requests to schedule an interview. **[Exhibit 5]**

Some of the witnesses interviewed shared their knowledge related to specific complaints lodged by Johnson. Many witnesses spoke to the general work environment and Johnson's and Lowry's conduct towards Bivens.

Summaries from Witness Interviews:

Witness #1:

- [REDACTED]
- The management structure appears to have serious communication breakdowns.
- 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.
- Only sees Johnson once every few months. She only comes to the pool to collect sheets of time 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."*
- 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.

Witness #2:

- 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."
- Lowry and Johnson make many comments about their issues with Bivens and speculations about her motives.
- Believes that 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.
- Witnesses say that Johnson and Lowry attempt to shift blame for errors onto camp employees
- There are ongoing issues with T-shirts orders and camp registration.

Witness #3:

- 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
- Lowry asked him to write a statement against Bivens, which the witness does not feel is warranted

Witness #4:

- Johnson and Lowry are very professional and helpful
- Bivens is always highly professional
- Does not feel disrespected by Bivens

Witness #5:

- There is a lot of back and forth during interdepartmental meetings
- Lowry and Johnson vent about Bivens.
- He has heard them call her a bitch.
- They have implied racism by Bivens, which he does not find valid

Witness #6:

- *Observed that Johnson often doodled or was distracted during meetings, even when asked by Bivens to pay attention.*
- *He said, “Never ever did I hear Karen raise a voice or be disrespectful.”*
- *Ordering of T-shirts was discussed during an interdepartmental staff meeting. He said the color was discussed to be Town of Hamden green and that Nicole and Sallie would order staff shirts for everyone. He said when the t-shirts came in, Nicole and Sallie had pink and purple collared t-shirts and they only ordered t-shirts for the kids. They responded that they only ordered the staff shirts for themselves and not for the rest of the staff.*
- *Bivens told them to order t-shirts for the staff and ask their sizes. They did not ask witness #6 his size, during the meeting and Johnson told Bivens that he was a temporary employee and did not need a shirt.*
- *Even after this meeting, Johnson and Lowry still did not order the shirts for the staff.*
- *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 #7:

- Pushbacks against Bivens’ leadership stem from Bivens’ attempts to impose order, accountability and discipline
- Tensions during weekly interdepartmental meetings, as particularly very 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 the conditions.
- [REDACTED] Bivens brought wipes for a few of the tables for the Silverbells Event.
- 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.

Witness #8:

- [REDACTED]
- [REDACTED]
- Johnson, hired at Elderly Services with no prior issues, became argumentative and insubordinate after moving to Recreation
- Lowry and Johnson are described as creating a hostile environment through insubordination and confrontation, making it difficult for Bivens to manage
- [REDACTED]
- A key complaint involved Lowry and Johnson refusing to clean tables for the Silver Bells event, claiming it was custodial work, despite it being part of their event setup duties, leading to an MPP hearing [REDACTED]
- [REDACTED]
- Lowry and Johnson file numerous complaints (e.g., over Bivens' red marker corrections), consuming time that detracts from work.

Witness #9:

- Witness # 9 lodged similar complaints to Johnson and Lowry
- The witness has a very strained relationship with Bivens
- *"I have been keeping notes since Bivens started [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 14]*
- *The witness said none of the incidents with Biven rose to level of grievance. She called it "death by a thousand cuts".*
- She said many of the incidents are flying just under the radar of being able to be grieved but add up to a toxic work environment.
- The witness cited chief complaints against Bivens as denying regular and overtime participation in historical programs, micromanagement, budget confusion, delayed and unclear communication, lying, criticism, dismissiveness, and program and event management.

Witness #10:

- [REDACTED]
- [REDACTED]

Witness #11:

- Worked with Johnson and Lowry [REDACTED]
- Believed Johnson and Lowry [REDACTED]
- Works Harmoniously with Bivens

Witness #12:

- [REDACTED]
- [REDACTED]
- Noticed the tension in the department [REDACTED].
- Notes significant tension in team meetings, where Bivens' instructions are always questioned. Witness said everything is questioned even when it does not need to be, mostly by Lowry and Johnson.
- Witness observed that Lowry and Johnson frequently do not do what Biven asks them to do, do not do tasks as Bivens instructs, or reluctantly perform tasks.
- [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 in following her directives.
- The witness describes hostility and questioning as a pattern that creates tension and undermines Bivens leadership as the Director.
- Witness has harmonious and positive working relationship with Bivens

Witness #13:

- During the Silver Bells event, Lowry and Johnson offered to help with the cleanup. However, they both expressed 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 they 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 reported frequent negative comments from Lowry and Johnson about Bivens.
- 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".

COMPLAINTS-GRIEVANCES ANALYSIS

1-10-24 Complaint [Appendix C 187-191]

Johnson claims that Bivens informed her the pool needed to be closed due to a lack of lifeguards, citing **witness #1** as the source of the information. Johnson was asked to contact **witness #1** and BOE staff to address the issue, but she expressed frustration as this solution had not worked before. She also complained about Bivens' pattern of microaggressions and passive-aggressive behavior when there are disagreements. While Johnson typically ignores this, she feels Bivens dismisses her concerns about her reports of a toxic culture and communication style and Bivens views her as insubordinate.

Witness: **Witness #14**

Desired outcome: leadership training for Bivens and conflict resolution and communication training for the department

Analysis

This complaint relates to Johnson's perceptions of Bivens' dispositions during disagreements. **Witness #14** would not participate in the investigation, without being appointed an attorney by the Town of Hamden [**Exhibit 4**] **Witness #1** was interviewed. He noted delayed responses from Johnson, inability to reach the recreation department and lack of attentiveness to related to the pool changes and issues. **Witness #1** stated that he rarely sees Johnson, she is in and out to pick up lifeguard sheets and check the cash, and she does not stop to speak with him.

3-7-24 Complaint [Appendix C, 192-196]

Johnson reports that on 2/27, Bivens met with her in the conference room to instruct her to visit the lifeguards weekly. On 2/29, Johnson submitted an overtime form for lifeguard visits that were after 5 p.m. and for an upcoming event on 3/21. On 3/5, Bivens visited Johnson's office to discuss adjusting her work hours. While Johnson continued working on her computer and avoided eye contact, Bivens moved to ensure eye contact and accused Johnson of being disrespectful. Bivens left, stating they would have another meeting to discuss the schedule. Johnson is upset that she received no response to emails exchanged with Bivens on 3/5. She feels confused and attacked, claiming she was then "flooded" with tasks and tight deadlines as a form of retaliation. Johnson believes Bivens abuses her position and always seeks to assert dominance. Additionally, she stated that she expects retaliation if Bivens is offended.

Desired outcome: leadership training for Bivens and conflict resolution and communication training for the Rec department

Analysis

This complaint relates to a reported interpersonal conflict related to Johnson paying attention to Bivens. Johnson admitted 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 by the witness as

*unprofessional and disrespectful. **Witness # 6** observed that Bivens tries to redirect Johnson's behavior without confrontation.*

6-25-24 Complaint [Appendix C, 197-202]

Johnson recounts a department meeting on 6/25 where Bivens supplied an agenda for discussion topics and criticized her for ordering shirts in the wrong color and for not ordering for all staff. Johnson stated there was prior verbal approval to order for only 2 staff members. After some back-and-forth, Bivens asked Johnson to gather sizes for the 2 staff members and place the order. Johnson did as asked and then closed her notebook, Bivens insisted the meeting wasn't over. Johnson then doodled during the meeting, which led Bivens to interrupt a staff member and tell her to pay attention. Johnson explained her doodling wasn't disruptive, but Bivens reacted with a look of distaste.

Earlier, Bivens had asked Johnson to help [REDACTED] with camp registration, but Johnson explained she was behind on her own tasks due to illness. Bivens insisted Johnson put her tasks aside to assist, saying she would inform the Admin Assistant, Debbie, about delays.

Johnson views this as her third complaint and believes Bivens is unable to separate personal feelings from work, calling her "disrespectful, unhinged, and abusive of her power."

Witnesses: [REDACTED] **Witness #6**

Desired outcome: leadership training for Bivens and conflict resolution and communication training for the Rec department

Letter provided: Johnson and Lowry are reporting bullying and harassment by Bivens. They express feeling unsafe, uncomfortable, and disrespected at work, with the environment negatively affecting their mental and physical health. They are losing trust in the department and fear humiliation or retaliation, which discourages collaboration, asking questions, or pursuing advancement. Bivens is said to undermine their ability to perform duties by withholding information and creating a hostile, toxic work environment, which harms both the department and the community. Johnson and Lowry also allege retaliation after requesting a transfer to the Supervisor's Union and claim Bivens consistently discredits staff to their employers. They request training for Bivens on appropriate workplace behavior, sensitivity, anger management, conflict resolution, and professional development by an external entity.

Analysis

Witness #2 said there are ongoing issues with the t-shirts, related to the quantity and sizes. He said, "We've been complaining for years because our kids never have the appropriate shirts. I'm a male, I have female campers. I don't feel comfortable with these girls walking around with t-shirts that look like dresses on. It almost seems like every project that doesn't get done, the task was given to the recreational supervisors. You call them oh, it's Karen's fault."

Witness #6 observed that Johnson often doodled or was distracted during meetings, even when asked by Bivens to pay attention. He said, "Never ever did I hear Karen raise a voice or be disrespectful." **Witness #6** also stated that the ordering of T-shirts was discussed during an interdepartmental staff meeting. He said the color was discussed to be Town of Hamden green and that Nicole and Sallie would order staff shirts for

everyone. He said when the T-shirts came in, Nicole and Sallie had pink and purple collared t-shirts, and they only ordered T-shirts for the kids. They responded that they only ordered the staff shirts for themselves and not for the rest of the staff. **Witness #6** said Bivens told them to order t-shirts for the staff and ask their sizes. They did not ask witness #6 his size, during the meeting and Johnson told Bivens that he was a temporary employee and did not need a shirt. **Witness #6** stated that even after this meeting, Johnson and Lowry still did not order the shirts for the staff.

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.”

8-1-24 Complaint [Exhibits 10 & 11]

7/1 Johnson submitted a vacation request to Bivens, but Bivens did not respond initially. On 7/2, Bivens informed the team that vacation requests would not be approved from May to August. After Brown submitted a layout for an August event on 7/18, Bivens continued to ask for additional tasks before approving Brown’s vacation. Brown expressed frustration, feeling that Bivens was holding her vacation approval "hostage" and using the tasks as leverage, which she views as an abuse of power.

Emails:

- Johnson requested vacation approval.
- Bivens had an email chain with several staff members (J. Wilson, N. Johnson, S. Lowry, K. Paecht, B. Murphy, Witness #14, Witness #9, A. Bunyaminu, L. Hongo) about events and what is needed to complete them.
- Johnson sent a reminder for vacation approval and Bivens responded to her request, expressing concerns about time off before the event and requesting confirmation that all Caribbean Fest tasks were complete. She asked for details on vendors, site plans, setup, and staff assistance. Bivens also emphasized the need for communication about pending tasks during Johnson's absence before granting vacation approval.
- Bivens sent an email to Lowry and Johnson asking about timesheets for lifeguards noting this was the second occurrence in a month. She stressed that payroll was due the day before and it was unacceptable for the timesheets to be missing.
- Bivens followed up on the t-shirt inventory, asking Johnson to update the spreadsheet with the shirts already inventoried. She requested that the inventory be updated again once the remaining shirts are returned from the camps and when new shirts are picked up, to ensure everything is accounted for before the next camp season.
- Bivens sent an email to parents to inform them of a change in venue for summer camp.

- Bivens confirmed Johnson's vacation and overtime approvals are forthcoming and asked her to address a few tasks before leaving. Bivens also suggested having Lowry help with any unfinished tasks and wished Johnson a great vacation.

Analysis

There were no witnesses. This complaint was based on Johnson's perception that Bivens was holding her vacation approval hostage until she reported on tasks which she had already completed.

8-15-24 CHRO [Appendix C, 237-249 & Exhibit 12]

Johnson reports that her direct supervisor, Bivens, created a tense work environment and frequently micromanaged her work. Despite Johnson's efforts to plan events and manage projects, she faced constant pushback, delays, and changes, making it difficult to complete tasks on time and meet deadlines. There were also issues with approvals, space reservations, and a lack of timely communication.

In several instances, Bivens is accused of making unreasonable demands, changing work schedules, and assigned tasks with impossible timeframes. Johnson had to handle issues related to booking spaces, promoting events, and managing the pool while being expected to work beyond normal hours without adequate support. Johnson also experienced retaliation for sending emails or taking actions Bivens did not approve of. Bivens' treatment and communication were described as disrespectful, particularly toward Johnson, who believes Bivens' behavior was discriminatory based on **sex, race, and age**.

Johnson filed grievances with Human Resources, requesting supervisor training and conflict resolution for Bivens. After mediation, Bivens admitted to mistakes, but Johnson's concerns about training and support were not addressed. Ongoing issues with communication, approval processes, and micromanagement led Johnson to believe she was being treated unfairly and discriminated against, particularly as a young female staff member in the department.

Analysis

Investigators interviewed three black females, two black males, three white females, and five white male witnesses, for this investigation. Age ranges of employees interviewed also varied. Most witnesses indicated that they were uncomfortable with the behavior and mistreatment of Bivens by Johnson and Lowry, regardless of the witnesses' gender, race or age.

Additionally, during her interview, Johnson did not present any evidence related to discrimination based on **race or age**. She stated that she believes Bivens alleged discrimination is based on her **gender** and that Bivens has issues with **female** subordinates.

Written Warning issued 08.16.2024 – Warning notice to Johnson included:
[Exhibit 9]

1. Water Supply Issue (7.2.2024): There was a water supply issue at two Camps. Recreation Supervisors were instructed to notify the Department Head during any emergency situations as they arise.
2. Field Trip Without Approval (7.5.2024): Recreation Supervisors sent Gold Dragon Camp on a last-minute field trip without consulting the Department Head or notifying parents in advance. This lack of communication caused anxiety for campers and inconvenience for parents, as they didn't have enough time to prepare their children.
3. Incident Between Counselors (7.16.2024): A fight and use of inappropriate language between camp counselors occurred, affecting campers. The Department Head was not notified promptly and only learned about the incident from a parent, raising concerns about the safety and well-being of the children at camp.
4. Unauthorized Visitors (7.17.2024): Non-authorized visitors were present at camp, violating safety protocols and potentially creating liability for the town.
5. Field Trip Ticket Issue (7.17.2024): Tickets for multiple camps were mistakenly given in one envelope without instructions, causing confusion and delays. Camp Directors had to count the tickets themselves during busy drop-off hours. The Department Head instructed Recreation Supervisors to provide counted and separated tickets in advance for future trips to improve efficiency and prevent disruptions.
6. T-Shirt and Uniform Problems: There were several issues with camp T-shirt orders, including ill-fitting shirts for campers and insufficient shirts for staff. Some Recreation Supervisors ordered shirts only for themselves in unapproved colors, and other staff members did not receive staff polos.
7. Failure to check in with pool and camp staff, leaving over \$600 in pool money uncollected, and failing to provide blank timesheets, which led to delayed timesheet submissions.

Grievance – Johnson's Response To Written Reprimand [Exhibit 15]

1. Water shut off – Text messages were exchanged between Johnson and Bivens (5:09pm - 6:11pm). Bivens acknowledged speaking with Katie and Johnson received a text from John Cross.
2. Field trip – Gayle Jenkins called Johnson to inform her that the scheduled trip could not proceed due to a lack of 30 participants. The bus was already paid for, and the camp directors provided all the schedules to the Department Head. The trip was scheduled in June. Lowry suggested contacting the parents to ask permission to go with the other camp and parents said yes.
3. Fight at GYM - The Gold Camp Director requested a basketball tournament, which was approved by Bivens. Bivens did not inform the Recreation Supervisors about the tournament and directed Camp Directors to communicate only with her, criticizing the Recreation Supervisors' competence. Lowry received a call about an incident involving her son and asked Johnson to meet her at the gym. Bivens arrived at the same time as Johnson, and Lowry.
4. Unauthorized visitor - The unauthorized person was a mentee from a Camp. During summer, Hamden High School hosts various programs, which results in frequent entry

- of unknown individuals. Recreation Supervisors would have to be on-site at all times to monitor and identify if any unauthorized individuals entered the building.
5. Tickets for field trip - All camp groups gathered at Hamden High School for the trip to Lake Compounce. Tickets were held by the Camp Director and distributed on the day of the trip. Tickets were distributed in the same manner as previous years. A directive from Bivens on July 25, 2024, instructed Lowry to separate tickets for each Camp Director, but this was the first time such a directive had been issued.
 6. Camp T-Shirts - T-shirts were ordered with approval from Bivens, and Johnson was responsible for ordering camp T-shirts, but she received limited training and no guidance on spending restrictions. Bivens had emphasized staying within the budget and acknowledged a vendor error, considering a change of vendor for the next camp season.
 7. Failure to check-in at pool and with camp staff - Since July 2, 2023, Johnson instructed pool staff to submit their timesheets to Lowry. By October 2023, it became standard practice for lifeguards to bring the cashbox and submit timesheets to the Parks and Recreation Department.

Write Up Related Grievance Proceedings [Appendix C 254-287]

8-16-24 Employee Contract Grievance Step 1

On August 16, 2024, Johnson and Lowry filed a grievance Bivens for the written warning. These actions were claimed to be a violation of the Collective Bargaining Agreement's disciplinary guidelines.

8/28/24 Supervisor outreach to schedule meeting related to Step 1 grievance

Bivens sent an email to Johnson, J. Wilson, and K. Catalioto, asking for their availability to meet in order to continue with the grievance process.

MPP 35409 – Hearing Scheduled 9/27/24

The document alleges that the Town of Hamden engaged in prohibited practices under the Municipal Employees Relations Act by retaliating against Lowry and Johnson, after they filed a Bullying and Harassment complaint on August 1, 2024.

The Union claims that these actions were in retaliation for the harassment complaint and had a detrimental impact on the bargaining unit. They argue that the Town's actions violate the duty to bargain in good faith and constitute prohibited practices under the Municipal Employees Relations Act.

Step 2 Grievance Response

On October 25, 2024, Kasey Catalioto emailed Dan Bonfiglio regarding the Step 2 grievances filed by Lowry and Johnson. After reviewing the case, it was determined that discipline was warranted due to the employees not meeting clear expectations in July. However, to improve their working relationship with their supervisor, the Town offered to resolve the grievances by allowing the discipline to be removed from their files after one year, provided they attend a coaching meeting with their supervisor to discuss expectations. Catalioto asked Bonfiglio to review the proposed agreement and discuss it with Lowry and Johnson.

Hamden Parks & Recreation Step 2 Grievance [9-11-2024]

Bivens' grievance is consistent with the one stated in Step 1, with the added claim that Johnson failed to provide counted and separated tickets to camp directors and did not distribute the tickets before the day of the field trip.

Declined Settlement Agreement re grievance 10-26-24

The Settlement Agreement between the Town of Hamden, the Union, and Johnson outlined that a counseling session and written expectations would be provided to Johnson. Additionally, the Town proposed that if the behaviors were corrected the written warning would be removed from Johnson's file in one year. Johnson declined to accept the agreement.

Step 3 Arbitration Hamden UPSEU 2025-A-0082 -12/9/24

The Board received the Union's request to arbitrate the grievance(s).

Analysis/Factual Claims during NLI Investigation

The following incidents were discussed during interviews with Lowry and Johnson:

- Camp Lake Compounce Tickets
 - Johnson claimed that a counselor [REDACTED] and another counselor, whose name she could not remember, but she knows his face, were given the tickets to bring to the Camp Director
 - Lowry said [REDACTED] and her grandson [REDACTED] were given the tickets to bring to Camp Director Witness #2.
 - Lowry said that Witness #2 was contacted and advised that the tickets were being delivered by [REDACTED] and [REDACTED].
 - Witness #2 stated that the tickets were very expensive and there was a concern by Bivens when she learned that a counselor, Lowry's grandson, was tasked with handling and delivering the tickets instead of a supervisor.

Neither Johnson nor Lowry have addressed Bivens' concerns that the tickets were not separated and delivered with an account for each camp by a Recreation Supervisor.

- Fight at Camp Gym
 - Johnson stated that she was notified by Lowry of the incident involving Lamont and she responded because she is Lamont's supervisor
 - Johnson said she arrived at the camp at same time as Bivens
 - Lowry stated that it is the Camp Directors responsibility to inform Bivens any incidents at Camp

There appears to be chain of command confusion related to this issue. Johnson believes she is Lamont's supervisor. Lowry believes it is the Camp Directors responsibility to report emergent issues at camp to Bivens. Bivens claims she instructed Lowry and Johnson to immediately report emergent issues to her following the emergency water shut off issue on 7/2/24.

- Camp T-Shirts

This issue was addressed above in Johnson's 6/25/24 complaint to Human resources.

*Ultimately, **Witness #2** said there are ongoing issues with receiving an adequate order and sizes for the camps attendees and staff.*

***Witness #6** stated that Bivens' instructions to Johnson were clear and Johnson did not follow them.*

- Failure to check-in at pool, leave blank timesheets, submit timesheet timely and collect cash:
 - Johnson written response claims she instructed lifeguards to submit and timesheets to Lowry and by October 23, 2023 it was past practice for lifeguards to bring their timesheets and the cash box to the Recreation Department [**Exhibit 15**]

Ultimately, Johnson admitted that she did not address the responsibility of collecting the cash for a long period of time. Johnson admitted that she did not tell Bivens what her concerns related to collections of the money in the cash box until they went to mediation.

MPP35527 – Hearing Scheduled 2/4/25 [Appendix C 289-292]

This document alleges that the Town of Hamden violated the Municipal Employee Relations Act by unilaterally changing the working conditions of Recreation Supervisors Lowry and Johnson. On December 13, 2024, they were directed by Bivens, to perform custodial duties, such as removing, cleaning, and changing approximately 30 tables at the Senior Center Services Building, a task typically handled by custodial staff. The Union claims this change negatively impacted the bargaining unit and constitutes a refusal to bargain in good faith. The Union is requesting remedies including an order for the Town to cease assigning custodial duties to Recreation Supervisors, compensation for impacted employees, and payment of attorney's fees.

Analysis

Witness #8 stated that the State advised the Union to withdraw the complaint and that it was being dismissed as frivolous.

MPP number not yet assigned - 01.27.2025 [Appendix C, 300-303]

The document alleges that the Town of Hamden violated the Municipal Employees Relations Act by unilaterally changing the working conditions for Recreation Supervisors Johnson and Lowry. On December 31, 2024, the supervisors were directed by the Town's Director, Bivens, to be on-call and take their work phones home to monitor for call-outs, weather-related issues, and program cancellations. The Union claims that this change negatively impacted the bargaining unit and constitutes a refusal to bargain in good faith. The Union requests remedies including an order for the Town to cease the practice, compensation for affected employees, and payment of attorney's fees.

Status: *Pending Hearing*

Analysis

Under Johnson's job description, Working Conditions and Schedule, she is required to be available for programming needs on evening, weekend and holidays. 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.*

INVESTIGATIVE FINDINGS REPORT

I. Scope of Investigation

This investigation was initiated to assess the credibility of allegations made by Johnson, Recreation Supervisor, against her supervisor, Bivens. It also includes an examination of Johnson's conduct, including verbal misconduct, filing patterns of complaints, workplace behavior, and whether her actions may have contributed to or exacerbated the department's dysfunction.

II. Summary of Allegations by Johnson

Johnson alleges the following:

- Hostile work environment created by Bivens
- Retaliatory disciplinary actions following complaints and vacation requests
- Public humiliation (e.g., whiteboard corrections, voicemail playback)
- Budget mismanagement and poor event support (Caribbean Festival)
- Unequal workload compared to peers
- HR's failure to address her concerns
- Discriminatory treatment based on race, sex, and age (CHRO filing)

III. Review of Complaint Activity by Johnson

Johnson is the primary source of workplace complaints in the Recreation Department. She is the author of the document that contains 97 total complaint entries compiled by her and Lowry. **[Exhibit 1]**

A. Complaint Volume & Classification

- Total Complaints Logged: 97
 - Individual Complaints: 36
 - Joint Complaints (with Lowry): 58
 - Others (Unverified): 3
- Logged by Johnson: 94 out of 97

B. Categories of Complaints

Category	Number	Notes
Union Grievances Filed	8+	MPPs 35409, 35527; Step 3 Arbitration Case 2025-A-0082
Addressed by HR	~12	Included budget issues, harassment, scheduling
CHRO Filing	1+	August 15, 2024 (race, sex, age discrimination)
Left Open/Unresolved	20+	No closure

C. Procedural Compliance by Johnson

- Followed Step 1–3 Grievance Steps- **Yes**
- Filed MPPs with Union Coordination-**Yes**
- Did she Bypassed Procedures- **No**
- Mediation Participation: - **Mixed outcome** (declined sessions without union)

IV. Credibility of Allegations Against Bivens

A. Substantiated or Acknowledged Incidents

- **Caribbean Festival Budget:** Bivens admitted error during mediation
- **Delayed Vacation Approval:** HR became involved, Complaint Withdrawn
- **Voicemail Playback in Meeting (February 2025):** Witnesses confirmed that it was not changed
- **Public Whiteboard Corrections:** Photographed and submitted to HR, management rights

B. Unsubstantiated or Disputed Issues

- **CHRO Filing:** No outcome, documentation available
- **MPP 35409** - Arbitration Scheduled
- **Pool Cash Box Allegation:** Remains disputed
- **Claims of Discrimination:** Pending CHRO process

Conclusion: Several complaints appear to have valid elements of concern, specifically miscommunications and public correction. However, no substantive evidence of systemic discrimination or intentional misconduct was identified.

V. Verbal Misconduct by Johnson Toward Supervisor

Lowry, Recreation Supervisor, provided direct insight into verbal misconduct by Johnson toward Bivens. Lowry confirmed that Johnson used derogatory terms such as “**overlord**,” and “**fat bitch**” during private conversations between the two of them. Although these comments were not made publicly or directly to Bivens, Lowry acknowledged that the language reflected their growing frustration with Bivens’ management style. She clarified that while she herself referred to Bivens as a “**slave**”

master,” Johnson did not use that term. Lowry emphasized that the derogatory remarks were expressions of emotional fatigue and resistance. Her statements suggest a dynamic where private venting about leadership frustrations may have escalated tensions and undermined professionalism.

Witness #5 stated that he has heard Johnson and Lowry refer to Bivens a bitch.

Witness #13 a [REDACTED] described Johnson and Lowry as having a toxic attitude. He stated that he overheard Johnson and Lowry use derogatory language toward Bivens, including terms like **“fat bitch,” “bitch,” “asshole,” “whore,” and “Master.”** The witness reported that the negative atmosphere—especially during the Silver Bells event and ongoing daytime shifts—made him uncomfortable and led him to distance himself from both Johnson and Lowry.

Bivens reported that Johnson failed to complete mandatory training, ignored scheduling changes, and routinely resisted communication protocols. Bivens noted a recurring pattern of noncompliance from Johnson, including failure to submit program outlines and flex logs. She characterized Johnson and Lowry as inflexible and resistant to collaboration. These issues were said to span her tenure from 2022 through 2025, with the most significant concerns arising in 2023 and 2024.

Conclusion: Johnson’s admitted and witnessed verbal misconduct created a work environment described as hostile and emotionally unsafe by other employees. Multiple witnesses noted the impact on departmental morale.

The statements collected from multiple witnesses, including co-complainant Lowry, and Bivens, present a consistent and credible narrative of escalating dysfunction within the Recreation Department. While Lowry acknowledged that the derogatory language used by Johnson—such as **“overlord,”** and **“fat bitch”**—was shared privately and not directed at Bivens in public settings, the impact of that language reverberated beyond their conversations. Witness #13 independently corroborated hearing these terms and described the resulting work environment as toxic and uncomfortable, ultimately leading him to disengage from Johnson and Lowry altogether.

Bivens’ report added further context, outlining ongoing issues with Johnson’s resistance to directives, failure to complete required tasks, and consistent noncompliance. The convergence of testimonies from leadership, peers, and frontline staff supports the conclusion that Johnson’s conduct—including her use of derogatory language, refusal to cooperate with standard procedures, and alliance-driven conflict—contributed substantially to a deteriorating workplace climate.

Taken together, the evidence indicates that Johnson’s verbal misconduct, behavioral resistance, and alignment with Lowry against department leadership significantly disrupted operational effectiveness, damaged morale, and fostered a hostile work environment that extended beyond her immediate interactions with Bivens.

A. Documented Derogatory Terms Used by Johnson

Term Used	Source	Date / Period Confirmed	Witness / Impact
"Fat Bitch"	Johnson (admitted); Witness #13	March 20, 2025 Interview Prior to Mar 12, 2025	Witness #13 ██████████: Felt uncomfortable, avoided Johnson
"Bitch"	Johnson (admitted) Witness #5 Witness #13	March 20, 2025 Interview Ongoing	Witness #13 ██████████: Felt uncomfortable, avoided Johnson
"Asshole"	Johnson (admitted) Witness #13	March 20, 2025 Interview Ongoing	Described atmosphere as toxic
"Whore"	Witness #13	Ongoing	Called language disrespectful and degrading
"Overlord"	Johnson (admitted)	March 20, 2025 Interview	Stated it was used privately with Lowry
"Slave Master"	Lowry Witness #13	March 20, 2025 Interview Repeatedly	Witness felt disturbed

VI. Witness Assessments of Johnson's Behavior

Witness #2 stated that Johnson and Lowry are involving Camp Directors in their managerial disputes with Bivens and are bonded together against Bivens. He said they portray her as evil. **Witness #2** is uncomfortable with the dynamics in the workplace.

Witness #6 is very disheartened by Johnson and Lowry's conduct towards Bivens. He stated that Johnson and Lowry are avoiding accountability and undermining Bivens' directives and authority.

Witness #7 is very uncomfortable during interdepartmental meetings and said Johnson and Lowry are hostile.

Witness #8: Described Johnson and Lowry as insubordinate and resistant to directives. This assessment aligns with Johnson's own statements in her transcript, where she admits to deliberately ignoring Bivens in the workplace and refusing to respond to her directives.

Johnson explained that she uses **doodling** and other non-verbal gestures as a form of protest or passive resistance during meetings when she disagrees with Bivens. She also

acknowledged that she escalates her behavior based on Bivens' tone or perceived approach but provided no evidence of verbal misconduct by Bivens to justify her actions.

Witness #11 stated that Johnson and Lowry have a very negative view of Bivens.

Witness #12 stated that meetings are tense and Johnson and Lowry are very negative and critical towards Bivens.

Witness #13: Characterized Johnson's attitude and comments as toxic, stating he frequently overheard derogatory remarks made by Johnson about Bivens, including terms like "**fat bitch**" and "**asshole**".

Johnson confirmed in her own transcript that she used these terms during private conversations with coworkers and recognized that others may have overheard them. Johnson also acknowledged that her behavior may have made others uncomfortable, lending credibility to the [REDACTED] claim that the work environment was emotionally unsafe and unprofessional.

Bivens: Reported that Johnson failed to complete training requirements, ignored scheduling changes, and refused to comply with standard communication protocols. Bivens also cited missed deadlines and a pattern of noncompliance. Johnson corroborated many of these claims in her own statements, acknowledging she disregarded directives, refused to acknowledge Bivens' presence in the workplace, and chose to protest instructions through nonverbal resistance. Although Johnson asserted that her actions were reactions to Bivens' behavior, she offered no substantiated claims of verbal abuse or unprofessional conduct by Bivens, and she admitted to engaging in unprofessional conduct herself.

VII. Analysis of Performance and Accountability Avoidance

- **Evidence of Job Confusion:** Johnson had no updated job description post-promotion
- **Missed Trainings:** Ignored directives to complete software onboarding training
- **Event Support:** Frequently and purposely resisted attending events and or participating in event setup
- **Vacation and Schedule Conflict:** Shows reactivity to basic supervisory expectations and accountability for her job duties and function
- **Complaint Timing:** Many complaints were filed immediately after being asked to perform tasks or being disciplined which suggest she weaponizes her union member rights as a way to deflect job duties and accountability

Conclusion: Johnson appears to have filed complaints to escalate disputes rather than to find constructive ways to resolve them internally or seek better job duty clarification. The volume and timing suggest a potential pattern of complaint usage as a deflection mechanism to avoid managerial scrutiny or job performance issues.

VIII. Conclusion

A. Overall Finding

Johnson's complaints contain some credible elements of concern regarding miscommunications and public correction but are significantly weakened by:

- Her own blatant verbal misconduct which included willful and intentional profanity towards Bivens in the workplace environment
- Insubordinate behavior which she openly admitted to using as a means of protesting Bivens authority over her
- A documented pattern of workplace disruption through corralling other employees to "sign on" and endorse her distributive workplace behavior and derogatory comments towards Bivens
- Continuous attempts to undermine supervisory authority and by creating a chaotic work atmosphere

Johnson's conduct has had a **detrimental impact on the workplace environment**, creating discomfort for coworkers and compromising organizational trust.

B. Recommendations

1. Mandatory Conflict Resolution Training for all parties.
2. **Formal Disciplinary Review** of Johnson's workplace misconduct.
3. **Clarification of Job Roles** with updated written job descriptions.
4. **Supervisor Support Plan** for Bivens to ensure she is not retaliated against for enforcing policy. Progressive disciplinary policy as it relates to managing union employees.
5. **External Mediation** to determine viability of continued working relationship between Johnson and Bivens.
6. **Union and HR Accountability Review** regarding responsiveness to ongoing issues. Create a quarterly report workplace assessment report.

Interpretation of Complaint Timing

Johnson lodged a total of **94 complaints**, including individual, joint, and formal grievances, across multiple channels—the workplace, HR, the union, and CHRO. Procedurally, Johnson adhered to the requirements outlined in the collective bargaining agreement and the Municipal Employee Relations Act (MERA), initiating proper Step 1 through Step 3 grievances and formally coordinating with her union. **[Exhibit 13]** There is no evidence that she bypassed any official protocol.

However, a noticeable behavioral pattern emerges when analyzing the timing and context of these complaints: a significant number were filed immediately after Johnson was asked to perform job duties, was given direction by her supervisor, or received disciplinary action. This trend—*though procedurally lawful*—raises critical questions about Johnson's intent and motivations for filing such an exceptionally high volume of grievances.

Johnson herself admitted in transcripts that she intentionally ignored her supervisor, used **non-verbal protest behaviors** (like doodling and ignoring), and escalated her conduct in response to perceived slights or pressure. Yet, no evidence was presented that Bivens has ever used derogatory or inappropriate language toward Johnson, nor were there documented violations on Bivens' part rising to the level of harassment or discrimination. This further supports the interpretation that **Johnson's grievances may have functioned as a coercive strategy to resist accountability, create supervisory fatigue, and avoid managerial oversight.**

Review of the 20+ Open/Unresolved Complaints

A review of the 20+ complaints filed by Johnson that were left open or received no response reveals that many of them were triggered by minor administrative disputes, such as:

- Vacation scheduling conflicts
- Event and program duty assignments
- HR not responding to her inquiries
- Lack of updates from the union or HR after filings

These complaints often **coincide with internal discipline** or follow shortly after directives from Bivens. This pattern indicates that **Johnson may have been using grievance filings reactively**, not only to address perceived mistreatment but also to insulate herself from performance evaluations or direct supervision.

For instance, Johnson filed an **HR complaint on August 1, 2024**, around the same time that Bivens requested an event accounting prior to vacation approval. Another unresolved complaint was lodged after being asked to assist with **Silver Bells event preparations**—a directive she verbally opposed and used as a basis for HR escalation. However, in her March 20, 2025 interview, she stated that she had no problem in helping out in setting up during events and understood that it was part of her job responsibility.

These complaints, though filed under her protected union rights, lack documentation of workplace policy violations by her supervisor or the Town. Rather, they demonstrate a consistent correlation between complaint activity and managerial instruction, further reinforcing the conclusion that complaint filing was often used as an “employee resistance tactic.”

Investigator's Conclusion

It is reasonable to conclude that while Johnson lawfully exercised her **union-protected rights** to file grievances, the **volume and the reactive timing** of these filings strongly suggest that her intent was not always rooted in resolving legitimate workplace violations in effort to improve her workplace conditions. Instead, many complaints appear to have been filed as a **form of protest, deflection, or retaliation** in response to supervision, performance oversight, or perceived personal slights.

This pattern of behavior—while not in itself a workplace violation—**undermines the credibility and integrity** of the grievance process, significantly disrupts organizational effectiveness, and contributes to a extremely toxic departmental culture. Importantly, it must be recognized that the **existence of a complaint does not automatically indicate a workplace infraction**, and in Johnson’s case, many filings appear to have been **strategically timed rather than substantively justified**.

INVESTIGATIVE ALLEGATIONS ANALYSIS

Allegations Against Bivens

This section provides an in-depth analysis of the 10 core allegations brought forward by Johnson against her supervisor, Bivens. Each claim has been evaluated for potential violations of Town of Hamden policy, Connecticut State Labor Law, and Federal Employment Law.

1. Hostile Work Environment & Administrative Misconduct

Legal Standard:

To qualify as a hostile work environment under federal or Connecticut law, conduct must be severe or pervasive enough to alter employment conditions and create an abusive atmosphere.

Findings:

No evidence shows that Bivens engaged in harassment, discriminatory conduct, or used inappropriate language. While multiple employees noted Bivens' communication style as firm or structured, there is no documentation or witness support indicating abusive, threatening, or discriminatory behavior.

Conclusion:

No violation. Bivens’ supervisory style may have created tension with some employees but did not meet legal or policy thresholds for a hostile environment.

2. Retaliation Following Johnson’s Promotion (February 2023)

Legal Standard:

To substantiate retaliation, there must be (1) a protected activity, (2) an adverse action, and (3) a causal link between the two.

Findings:

No evidence suggests Bivens retaliated due to Johnson’s promotion. Tensions arose later—often in response to Johnson’s unwillingness to follow instructions or participate in performance expectations. Several documented conflicts appear to be **performance-related**, not retaliatory.

Conclusion:

No evidence of retaliation. Managerial friction occurred **after** behavioral and performance issues developed, not in connection with the promotion itself.

3. Delayed Vacation Approval

Findings:

Resolved by HR, reinforcing the pattern of reactionary complaint behavior by Johnson.

Conclusion:

No labor or policy violation. Johnson was asked to provide an update on pending tasks prior to taking vacation. This is a reasonable work expectation. Complaint filing immediately after resolution supports the interpretation of complaint usage as reactive and retaliatory.

4. Retaliatory Disciplinary Actions

Findings:

Bivens issued disciplinary actions after repeated incidents of noncompliance, resistance to directives, and public/workplace insubordination. Johnson admitted to purposely refusing communication, willfully ignoring directives, and knowingly using derogatory language towards Bivens.

Conclusion:

Discipline was justified and performance based. No evidence of retaliation.

5. Failure of HR to Act on Credible Concerns

Findings:

Multiple complaints filed by Johnson were acknowledged but not formally addressed by HR. Delays would have been consistent with the result of HR having been bombarded with multiple and continuous complaints filed by both Johnson and Lowry. HR also experienced several retirements and onboarding of new associates and Director. As a result, delayed mediation and vague follow-up contributed to unresolved tensions.

Conclusion:

Systemic procedural issues but not linked to Bivens' conduct.

Summary Conclusion of Allegations

Bivens did not violate any Town of Hamden workplace policies, Connecticut State Labor Laws, or Federal Employment Rights in her supervisory relationship with Johnson. While her (Bivens) management style may have created some friction with these two employees (Johnson and Lowry), there is no evidence that substantiates claims of harassment, retaliation, or policy abuse.

Further, Johnson's pattern of complaints—many of them immediately following supervision or task assignments—suggests that complaints were often used as a strategy to challenge authority, rather than to resolve legitimate workplace violations. The investigation supports that Johnson lawfully exercised her union rights, but in a way that undermined the integrity of the grievance process and contributed to workplace dysfunction, not resolution.

End Report