

CD \_\_\_\_\_ Track \_\_\_\_\_ & Track \_\_\_\_\_

**Grievance Proceedings Regarding Sexual Harassment  
Filed on Behalf of Peggy Alley, OCA driver, Part-Time and H.R. Department,  
(Included are specific track times in parentheses)**

Transcription completed by: Claudia Nanino, Justice Information Center  
Edited by Ron Kalkhorst

Those present:

Jim Deidel, Aurora Center Manager  
Dan McWain, Union Steward  
Jehrome Whitney, H.R. Manager  
Dan Backchelder, Labor Relations Personnel  
Ron Kalkhorst, Employee

Date: January 8, 1999

Abbreviations:

[IC]	Incomprehensible audio
UK	Unknown/unidentifiable voice
Text in <i>Italics</i>	Notes and explanations added by Ron Kalkhorst
*	Emphasis added by Ron Kalkhorst

Jim Deidel: Okay, Ron. We got to have a little pow-wow on this incident that happened with Peggy. So, uh, I guess you know Jehrome or do you know Jehrome?

Ron: Yes, I know Jehrome.

Jim Deidel: Do you know Danny? You know Danny. *[Backchelder]*

Ron: I don't know him but I've met him.

Jim: Uh, I guess basically, uh...

Dan McWain: Is that Peggy's statement?

Jim: Yeah.

Dan McWain: Were there any witness to this?

Jim: Well, there was a couple of [IC] but your not getting too much, so... I'm not going to involve anybody. (0500:29)

Ron: Well, I have a witness of her grabbin' me.

Jim: Well, let's get- let's get this thing out first of all. You and I talked initially awhile back and, uh, I kind of know what your side of the story is. I guess I need to have you give me your side of the story. You agree with that?  
*[Note: If Jim has my side of the story, why would he need it again? To see if I changed it.]* (0500:37)

Ron: I have a statement, but it's at home right now.

Dan Backchelder: Why don't you tell us what your statement is then.

Ron: Well, my statement is that when I was coming in I noticed a lot of Airs sitting down with mine, and I assumed they were probably hers because they always put her Airs with mine. I was walking up here, I went ahead and punched in. Then I was walking off and then, as I was seeing Pat Tharan in the area I was going to come up to Pat and ask him about if I was going to doing my own Airs. But he walked off with another driver, talking about something. I didn't want to bother him so, I looked around to see if there were any other supervisors. There were no other supervisors in the area, so I saw Peg-Peggy sitting there on the counter. So, I kind of came up to Peggy, not right up to her, and asked her if she is going to be doing her own Airs that were sitting down with mine. And she kind of said "No, I don't know what I'm going to be doing. I'm just sitting here, waiting here to see what they are going to have me do." And

I basically kind of said okay and started walking off and she continued to say more to me about the Airs, if she- if she was going to do them or not.

Dan Backchelder: What did she say?

Ron: I had it written down, I don't quite remember right now [IC].

Dan Backchelder: Well...

Ron: Huh?

Dan Backchelder: Tell me, what she say?

Ron: She was just basically going back and forth in saying that she didn't know if she was going to be doing them, uh, and asked why did I come up to her and asked her. And, uh, kind of said like "Don't bother me," or something like that, as I was walking away. And as I was walking away, I wasn't sure if she was mad at me or what, and I said "You don't have to be such a witch about it" in a joking way to her. And she jumped off the counter and runs up to me and grabs me by the shirt and pushes me back a little and says "Don't you ever call me that." And I was kind of shocked that she came up and grabbed me. And then I just said "Don't you touch me." And then I basically walked off in a fast pace and I saw Jim Deidel standing there. I came up to Jim and he was wondering what was going on, because he was kind of confused, in hearing her yelling and all that. And he just basically said "Go down and do your own Airs." And then asking me as I was walking off, "Why are you bothering Peggy?" And I tried to explain to him that I came in up and punched in, and I was asking her about my Airs, and then he said, looked at his watch and said "Aren't you punched in yet? It's three minutes after." I said "I already punched in, I punched in 7:59." And he was kind of curious why I was up here talking to her, so then just told me just to go down and do my own Airs, and that was it.

Dan Backchelder: So you say she grabbed your shirt, pushed you back here a little.  
(0503:26)

Dan McWain: And you say you had witnesses to this?

Ron: Yeah I did.

Dan Backchelder: Who's your witness?

Ron: There's some drivers I asked if they would testify to that. Reggie was sitting out there.

Dan McWain: Reggie there at seven [IC], so...

Ron: Yeah, and I talked to some other driver, there is one driver his name is Mark Byers. And he said that he would, uh, if you guys would [IC]...

Dan McWain: And these guys physically something. I mean they visually saw her grab you?

Ron: Yeah, I asked Mark "Did you see her come up and just grab me by the shirt?" And he goes "Yeah," and said "I heard her yell and all that." I don't think he heard what was said.

Dan McWain: Did you use any other profanity other than witch, to her? (0503:59)

Ron: No, that's all I said to her. That was it!

Dan Backchelder: So when she says, you said "What the hell is your problem?" (0504:06)

Dan McWain: Then "Why are you being such a [IC]... witch?"

Dan Backchelder: Uh-huh. What is- what is your response to that? (0504:15)

Ron: "What the hell is your problem?"

Dan Backchelder: Uh-huh.

Ron: I guess I probably said it, I don't remember saying that, but, uh...

Dan Backchelder: Okay, maybe you didn't.

Ron: I don't- I don't recall saying it.

Dan Backchelder: Okay.

Ron: It's possible that I could say something like that, but I don't recall saying it.

Dan Backchelder: She says, I quote, "I don't care what Pat said go get your shit, you take it yourself, I'm not going to do it." (0504:31) *[Note: I never made any reference to Peggy about going to Pat about her Air packages sitting with mine. No reference whatsoever on this transcript or tapes (CD's).]*

Ron: She said that?

Dan McWain: She said you said that.

Ron: Oh, I said that? No, I wouldn't say that to her. I didn't pursue on after that because...

\*Dan Backchelder: Okay, all right. Now, she said, uh, well she said you told her, "Well you're acting like a real fucking bitch this morning." (0504:45)

Ron: I didn't say that either.

\*Dan Backchelder: Okay. You said this doesn't happen, but she grabbed you. (0504:58) *[Note: Mr. Backchelder was implying something here in a bias way.]*

Ron: I just know that after I said "You don't have to be a witch about it." She came off the counter, ran up to me, in fast pace, and came up and grabbed me... *[Note: As I was explaining this situation to Dan Backchelder he began to interrupt me like he wasn't really listening to what I had to say.]*

\*Dan Backchelder: Did you say anything like "You don't have to be a real fucking witch this morning?" (0505:09)

Ron: I would never say that cuz I- from my experience in the past, what happened to me talking like that. No, I wouldn't say that.

Dan Backchelder: Well, that goes both ways Ron. From experiences, from our experiences in the past you do say that. (0509:19)

Ron: You got to understand that you can't always go by the experiences. People do learn from their experiences. Don't you agree?

Dan Backchelder: Well, I would hope so. But...

Ron: Yeah.

Dan Backchelder: Here we are talking about the very same thing that happened to you... (0505:36)

Ron: She could- she could be lying a lot on [IC] some of this stuff. I don't know why she would want to do that. All I just know is what happened to the best of my knowledge, I know what I'm telling is true.

Jehrome Whitney: So, Ron you're saying... (0505:51)

Ron: I would never use the "F" word in front of her, anyways.

Jehrome Whitney: Wait a minute, you're saying that you walk up to a young lady...  
(0505:55)

Ron: I didn't walk right up to her. I was- she's sitting on the counter and I just kind of came up this far...

Jehrome Whitney: I'm not determining how close you were to her.

Ron: Oh.

Jehrome Whitney: As a young lady that I'm seeing out there, talking to everyone, seems to be a very nice individual, you walk up to her and say "Are you going to take your stuff today?" (0506:07)

Ron: Yeah...

Jehrome Whitney: That makes her jump off the counter that creates such havoc?  
(0506:19)

Ron: Well, there's been times in the past when I would ask her about her Airs and she'd seem like she would wonder why am I coming up and asking her cuz she doesn't even know what...

Dan McWain: Well that's not her [IC]... [IC]

Ron: She's probably getting- yeah... she's probably getting tired of me coming up and asking her. But the thing is I'm under the gun when it [IC] on my vehicle and I'm not sure if I'm going to be doing mine or hers, because they keep having her do other things too.

Jehrome Whitney: Well if this is a problem, why- why wouldn't you just go to your supervisor if that was a problem in the past? (0506:46)

Ron: I didn't think it was a problem.

Jehrome Whitney: And just say hey a...

Ron: Because she's come up and asked me about me doing Airs, so what' the difference? (0506:53)

Jehrome Whitney: Well, I'm just saying then, well, if that's the case and you guys got- sounds like you got a rapport going on here? (0506:56)

Ron: We...

Jehrome Whitney: I still can't fathom in my mind, me coming up to Jim Deidel, who we both do Airs in the same section of town everyday, we need to have some ... we have some type of communication... (0507:01)

Ron: Mmm-hmm.

Jehrome Whitney: I mean, even Dan [*McWain*], with the guys who are in the same area, have some type of communication, I can't imagine me coming up to Dan as the guy that's in his same loop, and saying "You're going to take- are you going to take this, uh, stop for me today," and have him jump back at me so much that I have to send a manager that has to separate the two of you. [IC]

Dan McWain: It's happened a time or to Jehrome. (0507:36)

Jehrome Whitney: I'm just wondering what was said... (0507:37)

Ron: Jehrome, I don't know why she would do it, I don't plan to get into her head, to figure her out. Maybe she was having a bad day. I put that in my report, I don't know. I just know I probably should have never come up and asked her, but the thing is there was nobody else around, that's why I asked her. Otherwise, I would have just bypassed her... (0507:39)

Jehrome Whitney: What do you mean nobody else was around? (0507:55)

Ron: Pat was- Pat was with another driver. And he started walking off, I didn't want to go up and interrupt him, while he was talking. That's what I try not to do, is interrupt people when they're busy.

Jehrome Whitney: Has she ever displayed this type of, uh, aggression before when you've asked her about Airs? (0508:05)

Ron: No, but she had said things and shared things with me that's in my report about, uh, I don't know if this has anything to do with this here... (0508:16)

Jehrome Whitney: Let me ask you a question...

Ron: About a one-night-stand she had with somebody in personnel. (0508:16)  
*[Note: This was only brought up to show how bias these UPS management personnel are. It's okay for Peggy Alley to talk to me this way when it comes to sexual harassment towards me. (Ron Kalkhorst)]*

Jehrome Whitney: That- that's irrelevant.

\*Dan Backchelder: No. You wait a minute, all right... (0508:23)

\*Ron: Just a minute, you're coming after me! (0508:23)

Dan Backchelder: No, Ron. Listen, listen Ron hears... (0508:23)

Ron: What?

\*Dan Backchelder: I'm going to go through something here with you. You telling me you never use the F-word in front of anybody. Let's read a statement here the last time that you... (0508:26)

Ron: About not in front of anybody, I'm talking about Peggy. We're talking about this situation right here.

\*Dan Backchelder: She said "Fuck this man, I'm not going out there I've got fucking things to do. No fucking way this is my fucking fault, if those fuckers aren't there, I put up with this shit all fucking day." You say that all of the time. (0508:36) *[Note: Dan Backchelder was accusing Ron of false accusations and badgering Ron Kalkhorst at the same time.]*

Ron: No, I don't.

Dan Backchelder: The last time you...

Ron: Are you an attorney?

Dan Backchelder: ...call this Lacy thing? *[continued from previous line]*

\*Ron: Are you an attorney?

Dan Backchelder: You called this Lacy...

\*Ron: Are you an attorney to talk to me like this? (0508:52)

\*Dan Backchelder: Hey Ron, listen you want to talk about this or do you just want to just leave? Because you called the last person a liar- (0508:52)

\*Ron: You don't have to talk to me like [IC]. You don't have to talk to me the way you are, though you got to be nice about it. (0508:58)

Dan Backchelder: You know what I'll be nice with you but...

Ron: Because you're yelling at me.

\*Dan Backchelder: -you're just sitting here trying to make crap up. (0509:03) *[Note: A continuation of badgering Mr. Kalkhorst during these proceedings.]*



Ron: How do you know? Now that's an accusation on your part, you don't know what went on there. You're going by her side of the story. (0509:05)

Dan Backchelder: [IC] But you know what... [IC] *[Note: Dan and Ron talking at the same time.]*

Ron: You're being bias. (0509:10) *[Note: At this time Dan Backchelder doesn't want to hear what I have to say.]*

Dan Backchelder: [IC]

\*Ron: And that's discrimination against me. Hey, I want you to know I have seen my attorney on this. (0509:11)

Dan McWain: Nothing's going on here, guys?

\*Dan Backchelder: I don't care if you consult your attorney. (0509:16)

Ron: You don't?

\*Dan Backchelder: No, I don't. (0509:16)

\*Ron: You better be concerned because there's a pattern of this all going on since I've been driving. (0509:19)

Dan Backchelder: You bet there is a pattern. You bet there's a pattern. (0509:21) *[Note: Dan Backchelder admitting to perhaps UPS Management (Jim Deidel) and Dan Backchelder himself showing a pattern of harassment towards Mr. Kalkhorst as an example here.]*

Ron: I'm telling you-

\*Dan Backchelder: You've used all the F-words [IC] supervisors and fellow employees. (0509:26)

Ron: I'm telling you... I'm just trying to tell you that did not happen this time. I learned from that experience.

Dan Backchelder: Okay.

Jehrome Whitney: Ron, let me read something to you. Are you familiar with this book? (0509:35)

Ron: Yes, I am. About calling in...

Jehrome Whitney: Okay, let me read something to you, uh, under the UPS workplace, I'm not going to read the first part here, but I'll get over here. "We help and encourage our people to develop themselves and we keep our employees informed about company activities and plans that may affect them on their work. We also- we are also committed to providing and maintaining a work environment that respects the rights of all employees, that is free of harassing, hostile, or offensive behavior, that is safe and healthy." Now, before Dan has any more to say, I want to say this: Yes, people can change, but I tell you what, I've known you for a long time and this right here is very serious. The reason I'm here- (0509:39) *[Note: I'm not sure what Jehrome was trying to imply here about knowing me for a long time. We had only talked and visited many times.]*

Ron: Uh-huh.

Jehrome Whitney: The company has liabilities...

Ron: Mmm-hmm.

Jehrome Whitney: And these liabilities are to protect individuals from a harassing and free environment. I'm very concerned here, and honestly right here what you have said, you're leaving a lot of stuff out here because you can't make me believe- (0510:23)

Ron: I'm not leaving a lot of stuff out.

Jehrome Whitney: You cannot make me believe that you went up to an individual out here.

Dan McWain: You also have the same liabilities to take his word into. (0510:39)

Ron: That's right.

Dan McWain: You should back this up than it... (0510:42)

Ron: You got proof on this? (0510:44)

\*Jehrome Whitney: You know, you know I'll tell you what. (0510:44)

\*Ron: Do you have any proof? I have witnesses. (0510:46)

\*Jehrome Whitney: I have proof. I've got plenty of proof. I've got plenty of proof. (0510:48)

\*Ron: Witnesses said that I said that? (0510:49)

\*Jehrome Whitney: I got plenty of proof. You know what, I got plenty of proof.

Ron: You have witnesses saying that I said that? (0510:51)

\*Jehrome Whitney: You know what, I got plenty of proof... I got plenty of proof.  
(0510:51)

Ron: Do you have witnesses saying I said that? Let me draw a picture for you  
Jehrome. (0510:53)

\*Jehrome Whitney: I don't have [IC]. Are you producing any witnesses? (0510:55)

Ron: Yes, I do. I do have one saying that says that they [IC] (0510:57)

UK: [IC] *[Note: Everyone talking at the same time.]*

Ron: That's not right either, that's called assault. That's assault. (0511:00)  
*[Note: Jehrome was not happy and did not want me to produce a witness  
of what transpired or witnessing Peggy Alley grabbing me.]*

Dan McWain: I'm gonna produce him right now. Is Reggie here? I'm predicting...

\*Ron: Reggie and also Mark Byers. *[Note: Called in to testify as a witness.]*  
(0511:06)

UK: [IC] (0511:07)

Ron: I don't know if Reggie will say anything about it. (0511:09)

Dan Backchelder: I want them both in here. *[Reggie and Mark Byers]*

\*Jim Deidel: Let's just do it and run [IC]. (0511:19)

Ron: And you know, Jim Deidel, used the "F" word in front of me and I was in  
here talking to him one day and I put that in my report. He excused  
himself from it, but you know it's a double-standard it seems here. You  
allow only your management to say things like that, but it's a no-no if I  
say that accidentally when I get angry. We all get angry and emotional  
about things and we all should watch what we are saying. Am I right?  
(0511:24)

\*Dan Backchelder: Thanks for the lecture. I appreciate... (0511:45)

Ron: Why are you being such a...

\*Dan Backchelder: You know what, because I don't really believe some of the crap you're telling me. (0511:48)

\*Ron: What kind of management. What kind of manager are you? (0511:50)  
*[Note: This is again an example of what goes on out here at UPS and how management treats people.]*

Dan Backchelder: You know what...

\*Ron: Or, what kind of person are you? (0511:53)

\*Dan Backchelder: You know what, what? Who are you to judge? (0511:53)

Ron: Or what kind of person- person are you?

\*Dan Backchelder: What? What? Who are you to judge? Who do you judge? (0511:54)

Ron: But you're behavior has shown me you are not a professional. (0511:56)

\*Dan Backchelder: You know what, cuz I'm a little sick of your crap already. (0511:59) *[Note: Management does not like to be challenged when they're wrong]*

Ron: But, you're judging me!

\*Dan Backchelder: Sure, why not because I'm not the one that's being [IC]. (0512:02)

Ron: Now you're being bias and being discriminated again by doing [IC]. You are in deep...

Dan Backchelder: What do you want?

\*Ron: You are in deep by doing this. (0512:10)

Dan Backchelder: I'm in deep...

Ron: You're digging yourself into a big hole [IC].

\*Dan Backchelder: You know what I don't have a file that has me in front of a panel or with you with [IC]

Ron: Do you have me being- Do you have me being written up? Do you have me being, uh, warned? Any warning letters?

Dan Backchelder: Yeah, I absolutely do. (0512:23)

Ron: No, you don't. You don't have a single thing like that on me. (0512:23)  
*[Note: I have no copies of warning letters with any of my signatures on them that I can recall.]*

Dan Backchelder: You know what-

Ron: You don't have any of that. I know you don't. Because you never came up and approach me and you usually have people sign for these things. You have steps to go through on these things. (0512:27)

Dan Backchelder: You know what these are very serious steps and we are at that step.

Ron: You guys don't follow through on these steps.

Dan Backchelder: What are we supposed to come up to you and say "Hey, you're not supposed to harass other employees." (0512:38) *[Note: There is not proof of Ron Kalkhorst harassing other employees.]*

\*Ron: You're taking her word over mine. (0512:41)

\*Dan Backchelder: Sure. (0512:420) *[Note: This is discrimination]*

Ron: Why? Because of past experiences? That's being biased. (0512:43)

\*Dan Backchelder: Oh, I see. Well, okay. (0512:46)

Ron: That is being very biased in my opinion. That's my opinion.

Dan Backchelder: Okay, alright.

Ron: And I have a right to my opinion. (0512:53)

Dan Backchelder: You're wrong. (0512:54) *[Note: Ron Kalkhort's civil rights and constitutional rights have been violated perhaps.]*

Ron: What? That's because you- you think that I'm wrong all of the time. That's- that's your opinion. But you have no facts to base that up, that's the thing. You know I'm not here to cause waves with you guys. You know, I come in here to do my job, I'm on time, I try to get along with people, I can't help if I came up to her and she gets irate because I'm asking about Airs. I can't help that. All I can do is watch myself, and leave, and not- and not bother her anymore, don't even talk to her. If that's what it takes to work here, and not say anything to anybody, I'm bound to do that. (0512:55)

\*Dan Backchelder: You know, that's the same thing you told the panel. (0513:28)

Ron: I didn't say I wouldn't talk to anybody. But, I'm telling you in this situation here.

\*Dan Backchelder: No, this is at the panel you told them that you come and go, do your job, not cause any problems... *[Note: Dan Backchelder is accusing Ron Kalkhorst in this statement and implying that Ron causes problems with people or in this case with Peggy Alley.]*

Ron: You weren't even at the panel.

\*Dan Backchelder: You want to bet? (0513:38) *[Note: On the front cover sheet of page 1 it lists the "Union Panel," "Company Panel," "Appearing for the Company," and "Appearing for the Union." I do not recall Dan Backchelder being present. Date of Panel June 24, 1998, Location: Holiday Inn, Northglenn, Colorado.]*

Ron: I don't remember seeing you there. (0513:40)

Dan Backchelder: Okay.

Ron: But beside the point. You know, there-

\*Dan Backchelder: I was sitting there when they told you never to come back. (0513:46) *[Note: This again could imply as a threat; even if Dan Backchelder was present or not at the panel.]*

Ron: Never to come back? What do you mean?

Dan Backchelder: To the panel. Never-

Ron: Oh.

Dan: -to come before them again with the same kind of problems.

Ron: I've heard that before too from other people that have been terminated. That I heard that-

\*Dan Backchelder: Well, I mean, you want to roll the dice, we'd be happy to do that for you. (0514:00)

Ron: I'm not saying that.

Dan Backchelder: I'm telling you will get to the bottom of this thing- (0514:03)

Ron: All I'm saying is-

\*Dan Backhelder: And when you come up now and say I don't and this is the first I've heard- (0514:05) *[Note: Dan Backhelder is being a smart mouth here.]*

Ron: What?

Dan Backhelder: -where you say somebody comes up and grabs you.

Ron: You think I'm making that up?

\*Dan Backhelder: How come you didn't tell Jim that- (0514:14) *[Note: In my statement I did tell Jim about this matter of Peggy grabbing me.]*

\*Ron: I did tell Jim that. I told him that day. I said that Peggy came up and grabbed- she came up and grabbed me. He didn't want to hear about it because he was frustrated 'cuz he was babysitting us, he told me. In the meeting we had in here he was getting tired of babysitting us. I said I understand his point on that. Why he has to go through this stuff every day. Well not every day but-

Dan Backhelder: Well what do you mean everyday he has to go through this?

Ron: You know what. *[Note: Ron saying this to Jim Deidel.]*

Jim Deidel: You know the thing is, the bottom line Ron, the conversations we had before. You don't have any flexibility, you don't. I've already had this conversation with you. You have had this in your record and whether or not you like it or don't like it it's a fact. It's a fact that it's in your file and your history [IC]. Now- (0514:37)

Dan McWain: [IC] Let's take one at a time. It's better that way. Reggie come in. *[Note: Dan McWain was coming into Jim Deidel's office with witnesses.]*

Jehrome Whitney: Hold on for a second. (0515:01) *[Note: Jehrome saying this to Dan McWain.]*

Jim Deidel: No, you can be in here.

Reggie *[UPS Driver]*: What do you want to here? There someone [IC].

Dan McWain: Are you, do you feel comfortable in, uh, answer their question?

Reggie: Yeah.

Dan McWain: December 30<sup>th</sup>, what transpired? *[Note: The year 1999.]*

Reggie: I don't know what day it was.

Dan McWain: Okay, what day did you see a conflict between Peggy and Ron Kalkhorst?

Reggie: All I know is I hear "Don't touch me, don't talk to me that way." That's all I hear. (0515:19)

Dan McWain: Who said that?

Reggie: They were sitting over there. I had my back turned. (0515:24)

Dan McWain: Who said "Don't touch me?"

Reggie: I don't know who said it, all I know is that's what I hear. (0515:28)

Ron: Reggie you just don't want to get involved, I know. *[Note: Reggie was sitting on the counter which faces only one direction and that's towards Peggy Alley and Ron Kalkhorst.]*

Various: [IC]

\*Dan Backchelder: Whoa, whoa, whoa. See we asked him the question and you don't like the answer so it's not he doesn't want to get involved? He's telling us what he heard. Now that's a [IC] and a thing. (0515:32) *[Note: Peggy Alley and Ron Kalkhorst was only a couple of feet from where Reggie was sitting on the counter facing towards them.]*

Ron: I know. I know. I shared with him Dan *[McWain]* I shared with him out there though Dan *[McWain]*.

Dan McWain: [IC] But you had not business with, you had no business saying this.

Ron: Okay, I apologize, okay?

\*Dan Backchelder: Let him ask and answer the question. (0515:49)

Ron: I'm sorry. (0515:51)

Reggie: My back was turned, all I know is someone jumped, they, they jumped off, the girl jumped off the counter, he went walking away, and all I heard was "Don't touch me, don't talk to me that way." That's all I heard. *[Note: "Don't touch me" was said by Ron Kalkhorst and "Don't talk to me that way" was said by Peggy Alley.]*



Dan McWain: Thanks a lot Reggie. That's all I needed.

\*Dan Backchelder: Did you see her grab him? (0516:03)

Reggie No, my back was turned.

\*Dan Backchelder: Did you see him grab her? (0516:06) *[Note: Now why would Dan Backchelder ask Reggie about seeing Ron Kalkhorst grab Peggy?]*

Reggie: No, my back was turned. I was talking to Jay and, uh-

Dan McWain: And from your vantage point your- here- you could not decipher if it was male or female? (0516:12)

Reggie: There was loud talking, that's all I heard. [IC] don't talk to me that way, that's all I heard, my back was turned.

Dan Backchelder: That's fine. I don't have any problem with it.

Jim Deidel: Alright, see ya.

Dan Backchelder: Alright.

Dan McWain: Thank you.

Jim Deidel: Thanks.

Dan Backchelder: Thanks.

Dan McWain: [IC] Um, Byer's uh... Ben Raymond's grabbing him cuz he knows where his car is, alright?

UK: [IC]

Dan McWain: Yeah, [IC] getting none of that... [IC]

Ron: Can I say something? I know he was sitting on the counter looking at this way, so I don't know how he could say he didn't see anything *[Reggie]*.  
[IC]

Mark Byers: Do I know about what?

Dan McWain: On December 30<sup>th</sup>, or anything in that proximity did you see an altercation between Ron Kalkhorst and Peggy?

Mark: All I seen was an argument.

Dan McWain: Okay, what? In what did you see in [IC] or heard?

Mark: Uh, I seen both of them argue and then I heard her raise her voice. Then I seen her go after him and that's about it. (0516:59)

\*Jehrome Whitney: So they were arguing before she came down off the counter? (0517:08) *[Note: Jehrome Whitney was implying that both Ron and Peggy were arguing with each other where that was not the case. Ron only asked her a question about the Airs.]*

Mark: Uh, yeah, I heard their voices.

Dan McWain: Okay.

Dan Backchelder: Okay, when- when you say she went after him, what- tell us what going on. (0517:13)

Mark: Well, I believe she was sitting on the counter, Ron was standing here and whatever's going on I didn't hear. You know, I wasn't close enough for that. I was over here, they were way over there. So, something was going on here and I just looked over there, and she jumped off the counter when Ron was walking away and she grabbed Ron. (0517:17)

\*Dan Backchelder: You telling me you saw her grab him. (0517:36)

Mark: Mmm-hmm. (0517:38)

Dan McWain: Physically grabbed his cloth?

Mark: Just grabbed his coat. [IC]

Ron: Right here...*[Note: Ron showing UPS Management where he was grabbed on the coat.]*

Mark: Then there is only two words that I understood.

\*Dan Backchelder: After- after-

Jehrome Whitney: So, was it- was it physically aggressive she just need, are you saying she wanted to get his attention was it [IC]? (0517:49)

Mark Byers: I don't know.

Dan McWain: [IC] garbage, Jehrome.

UK: [IC]

\*Mark: I can't- I can't say that [IC].

\*Dan Backchelder: What happened after she grabbed his coat? (0518:00)

\*Mark: Uh, Ron just walked away, basically. (0518:03)

\*Dan Backchelder: Was there anymore arguing going on? (0518:08) *[Note: Dan Backchelder continues to imply or insist some argument going on.]*

\*Mark: She was yelling at him. (0518:08)

Dan: Did you hear what she was saying?

Mark: No. No. To be honest I didn't.

Dan Backchelder: Thanks.

Dan Backchelder: All right. Thanks Mark.

Jehrome Whitney: Thanks.

Dan McWain: Thank you. I may need you to report-

***[Continuation on CD C, Track 1]***

Dan McWain: I may need you to put that into a written form and have that notarized for me, over the weekend if you could. If not, get it, you don't have to get it notarized. I am trying to get my application in through [IC] got it, yeah. Thank you Mark. Sounds like if it was wrong...wrong on both sides. Plain and simple. (0100:00)

Ron: Uh, I didn't say that [IC].

Jim: No, well it doesn't matter. If there was wrong, and I am not saying that he is wrong, not saying her wrong, but they both...

Dan Backchelder: Is she still here?

Ron: I don't- I don't know- I don't...

Jim Deidel: I would say...maybe- maybe she [IC] late Airs.

Jehrome Whitney: I just saw her out there.

Ron: She usually leaves here about 8:30, around 8:30.

Jim: She usually doesn't leave until around 8:30 because she has to come pick them *[Airs]* up [IC].

Dan McWain: So what I am seeing here is Ron's giving only his part of the story. Peg's only giving her part of the story. Frankly they both screwed up. (0100:42)

\*Jim Deidel: Why don't you give us a minute? (0100:49)

Ron: Well can I say something real quick before I go?

\*Jim Deidel: I think you better off not to. (0100:52)

\*Dan McWain: Ron, um, just let them do their thing. (0100:53)

Ron: Oh.

Dan McWain: You'll have your turn as soon as you get back. (0100:56)

Ron: I'll be down there loading up my vehicle. *[Note: On the CD everyone in the office said no, wait up here by Jim Deidel's office. Continuation...]*

[Hub Noise] [IC]

Dan McWain: So where are we going with this Jim?

\*Jim Deidel: Here's the deal Ron. And you and I have already had this conversation. I am telling you for the last time in front of your representation, representative of the union, the human resources department, and the labor department that if there is one more incident of any type, that even remotely resembles anything to do with the situation as it has transpired here, as it transpired in the situation when we went to the panel and some other one's that you and I already know about...I am not going to tolerate it and you're going to. Do you understand that? (0101:36) *[Note: The quote's are from an unknown person said to Dan McWain and not relevant to Ron's case.]*

Ron: Yeah.

Jim Deidel: Are we clear on that?

Ron: Yes, I am.

\*Jim Deidel: Because I am telling you right now...you can say all this stuff you said about Peggy grabbed you and this happened and that... (0102:20)

Dan McWain: Well we know that happened. (0102:28)

\*Jim Deidel: I'm just trying to make a point here, that you walked up and started this. Now you might not have started it in the sense that you think that everybody stated. But by you...

Ron: Everybody's what? I didn't...

\*Jim Deidel: By all of these statements, that you might base this on all these statements. (0102:42) *[Note: Mr. Jim Deidel is being bias towards Ron Kalkhorst implying and making a remark like this.]*

Ron: Oh.

\*Jim Deidel: That you walked up and you initiated this situation. You know and I know that you don't have any free passes to Elitch's anymore. You are done with them. You used all of your free tickets up, okay? You are sitting there with one thread. If this goes to a panel, you'd lose. I don't care what you think, you would lose. And I don't want to see that happen over something that that seems like [IC]. But if you put yourself in this position again, at least working for me, and I would guess that if you work anywhere else it is going to be the same thing because your file is going to follow you, that's it. Are we clear on that? (0102:46)

Ron: I understand what you are saying, yes. But I am not sure that I am clear on what you are saying. [IC].

Dan McWain: Uh, my [IC] to you... I really need to talk to you at 4:00. *[Note: The quote's are from an unknown person said to Dan McWain, and not relevant to Ron's case.]*

Dan McWain: My advice to you is to not even respond to Peg. Nothing. No contact. We [IC] there's a problem.

Jim Deidel: But the other thing is, Ron, that you can say there's a problem with Peggy. But, you have problem...

UK: [IC]

Ron: I didn't even say that.

Dan McWain: I did.

\*Jim Deidel: Well, he said it. So, you know...he said it so I'm assuming that's what we think. But you got a problem period. You have a problem with several different people. You better just understand that and if it happens again, that's it. (0103:47)

Ron: I got a problem too? Do you want to elaborate on what you mean by that?

\*Jim Deidel: You got a problem with Lacy. You got a problem with several situations that have happened on the other side. You know what I am saying...don't play dumb...or I'll get upset. (0104:02)

Dan McWain: All I am saying to you is let's just be smart. If you don't need to talk to him, don't. Go through a supervisor and get it done that way. Obviously, something is going on that you're coming across the wrong way. Not intentionally but you're coming across.

[\*]Jim: But if on record, I'm putting it on record in front of all these representatives and my representatives, that if anything happens again that's it. *[Note: As Jim Deidel was saying this, Dan McWain was talking at the same time as next line.]*

Dan McWain: You are coming across the wrong way and I don't think that you are doing it intentionally. In fact I know you're not, in my eyes. But the point is that it's not my eyes I am looking through. I am looking through other people's eyes.

Jim Deidel: Danny, are we clear on that? Are we clear on that?

Dan McWain: Yeah.

Jim Deidel: Are you guys clear on that? Thank you. *[Note: This question is directed towards H.R. Manager: Jehrome Whitney and Labor Relations Personnel; Dan Backhelder.]*

Dan McWain: Go ahead and go to work and uh...

Ron: I was wondering...I don't know if this is the right time to ask if this-

Jim Deidel: Probably not, but go ahead, if you want to start up again. (0104:45)  
*[Note: Jim Deidel is being very blunt and insensitive towards Ron]*

Ron: Well, no, no I am not trying to start this up but I am wondering if there is a possibility if I can get a transfer out of this center.

UK: Sign the uh...sign the uh...transfer sheet just like everybody else.

Dan McWain: Bid sheet.

Ron: Okay.

\*Dan Backchelder: This is not going to go away. (0104:59)

Ron: It's just that I would like to be able to start off on a fresh... that's all I'm saying.

Dan Backchelder: Well that is fine, I, that's okay. I don't have any problem with that. That's a good idea. That's a really good idea. (0105:06)

Dan McWain: That would be a good advice to sign-up.

Jim Deidel: That is probably a better way to approach it than, trying to say that you are being martyred here because... you know. But you got to follow the same rules as everybody else, and sign the bid, the shift...

Various: [IC]

UK: Until that happens...

Jim Deidel: ...transfer sheet in the in the- and the sheets that are in the HR that are posted...I believe quarterly [IC]. (0105:12)

Ron: One more quick thing....one thing that I don't understand is why am I called in here more than she is.

Dan McWain: Peg is going to be in here right after you are.

Ron: Okay, that's all I need to know.