

The following document was derived from handwritten notes signed by Ron Kalkhorst.

1a.

Grievance Hearing
Time 11:15 a.m.
Date: 12/10/99
Subject: On-Going Payroll Problems &
Article 37 (Harassment)

Present:

Jim Deidel

Pat Tharan

Scott Ford

Byron Moore

Ron Kalkhorst

Conversation before Grievance:

Scott: You guys ever come up with a figure you think you owe Ron?

Male: No. (Very unimportant)

Male: So far, I've got -(Inaudible)-

-(Inaudible) conversation.

Male: -(Inaudible)- Grab a chair...

-(Inaudible) conversation.

Zipper bag – opening or closing -

Male: He does wonder.

Male: People are upstairs -(Inaudible)- they're like Kansas and shit. -(Inaudible)-

Guys laughing at above remark.

-(Inaudible)-

Ron: So, we don't get to drive those yellow vans?

Pat: No. (Very unimportant)

Ron: Except to go get ...

Male: What?

Male: -(Inaudible)-

Ron: Those are nice vans.

Pat: That's why you don't drive them, 'cause we wanna keep them nice.

-(Inaudible) – 2-3 men speaking at the same time.

Ron: So, what? You're using them for what?

Male: You know what? We got a -(Inaudible)- or a back up -(Inaudible)-

Ron: Oh.

-(Inaudible)-

Jim: You guys made the fatal mistake... -(Inaudible)-

Ron leaves the room and begins a conversation with a woman.

Female: Hi Ron, how did it go? Wanna get a chair? You don't need a chair.

-(Inaudible)-

Ron: Byron, c'mon man, -(Inaudible)- Oh.

Ron walked back into the room.

-(Inaudible) conversation-

Ron: You're going out of work if you have to do that.

Jim: Yeah Ron has -(Inaudible)- interrupted by

.....

Beginning of Grievance Process:

Scott Ford: All right we got Grievance 70293 filed under Article 8, and Article 37. Grievant feels his paycheck is short by 10 hours and grievant feels he was harassed by Aurora Center Manager, Jim Deidel. He's asking for his payroll history accompanied by Article 37 be made whole! So, um... Do you want to get into the pay first or do you want to get into the Article 37?

Ron: Pay would be fine! Yes!

Scott Ford: OK! What did you guys come up with on his pay?

Jim Deidel: I have a question, and I've said this a couple of times; this grievant doesn't indicate. It says 10 hours. It doesn't say what pay period, it doesn't say, what month, what year, what day, so you tell me.

Scott Ford: I think that we already covered all that!

Jim Deidel: I really don't know that.

Scott: I'm not going to go through all that shit!

2a.

Ron: I wrote it all out for them. I even brought what I have! This is the check right here. That's the one Scott went over and figured out for me.

Jim Deidel: Scott.

Ron: Ford.

Jim Deidel: Well where's that in relation to all this?

a. Ron: It's in there, here's a copy of it on that!

NOTE: Jim Deidel was interrupting me while I was saying this above (a.) and Jim Deidel was saying why would we have all these if its only this one?

Ron: Those other things are copies of the A/R under deductions...about the Green checks and how they were deducted out again in my checks after that.

NOTE: Scott Ford was stating in Reference to how you would pay him a green check... then turn around and take it back out his regular checks!

NOTE: This would be indicated on my checks, under deductions.

Jim Deidel: What is this Tuesday 863 ground rate all day no lunch. What's that mean?

Scott Ford: It means he should have been paid the premium rate, which is...

Jim Deidel: Didn't you get paid the premium rate that day?

3a.

Jim Deidel: OK! What's this day? What's this weekend? 9/24/99? Do we got 9/24 in there? In this pile of stuff?

Jim Deidel: I don't understand this.

Pat: You don't?

Jim Deidel: Did I read one of these?

Pat: You read them all the time.

Jim Deidel: Seriously what's 9/24?

Scott Ford: _____ Yeah, you 40 Jimmy I do this all the time!

Jim Deidel: Then why aren't you doing this instead of _____ over here?

Scott Ford: Because no one handed me the fucking paper!

Jim Deidel: Here... I see 9/24 right here; here's 9/25. is that the same... ah here's 9/26.

Scott Ford: Is that a break down by day? Or is that a breakdown by pay period?

Pat Tharan: Pay period.

Scott Ford: Walk that down so I can take a look.

Jim Deidel: I'm learning here... I'm learning how to read these things. I've never had to read them.

(CD: Track Time 0102:40)

4a.

Scott Ford: You know what Jimmy, I think you...

Jim Deidel: Here take, tell me what it says.

Scott Ford: Bull shit that's what I think.

Jim Deidel: I didn't say it wasn't... I just said I don't know how to read this! (0102:49)

Scott: All right. Here's your pay rate 22.27 over here and 1.35 hours.

Jim Deidel then said OK!

Scott Ford: OK! Here's his regular. That's how much he made when you take that 1.35×22.275 .

Jim Deidel then said OK.

Scott Ford: Here's his... a you got 0 pay rate there and you still paid of \$124.00.

* Jim Deidel: So you say he still owes us \$124.00? (0103:10)

Ron → NOTE: Why would Jim Deidel say something like this makes me question his incompetence as an overseer of this center!

Scott: Yes...but I'm sure you put it back in on the tax.

As Scott said this Pat Tharan was mumbling: that's the ground flat if we... so, if we got zero over here we...

Scott: It's 14.85 hr. It's a .478... OK?

Jim Deidel: OK?

5a.

Scott Ford: So...?

Jim Deidel: So, where's the ten hours we owe him?

Scott Ford: You guys didn't go through these at all?

Jim Deidel: You guys said you did it.

Pat Tharan: I've tried to match it up. I can't make sense of that. I'm not a ...

Jim Deidel: I mean, why do we owe you ten hours? Tell me why do we owe you ten hours? That's what I need to know.

Ron: I just went over it with Scott Ford in his office and he's the one that figured it out.

NOTE: This was based on the records I would print out of UPS computer that kept accurate start time and finish time, or any time I would return to the UPS building and then leave on another trip. Leave building-2 trip to do more air deliveries or pick-ups. Also there were times they had me deliver a diad to a driver who's diad broke down or needed me to deliver a larger vehicle to a driver and return with his vehicle. Also meet a driver out on his route and either helps this driver with his ground deliveries or he would give me some of his ground packages. Then I would load them in my vehicle and then deliver them. So, I kept real good records of my hours and what I did for those weeks. And Scott had showed me how to figure my time out using the conversion chart that would help me to convert my regular hours into hundredth's and vice versa.

6a.

NOTE: In Mr. Deidel's question: " Why do we owe you ten hours?"

NOTE: I've always wondered why he would ask such a dumb question like this to me? I gave proof to them on my time card print out sheet that comes from the driver's diad. The only way I could prove to Jim Deidel the shortage of my check is to match my hours and rate on my stub to the printout sheet. The rest would be quite elementary! And if there were any discrepancies, I felt was prevalent in figuring out my time or anything associated with my pay, I would get a second opinion and ask Scott to help me understand what's going on with my check stub. If there were a problem with my hours and pay... Scott would tell me to show Pat Tharan the problem with my pay on my check. If Pat Tharan would not follow this through or get back to me with an explanation, then we would follow through on filing grievance proceedings. I feel a lot of this again, could have been avoidable! For what reason, why this continued on is beyond my reasoning and understanding! I have never had problems like what I have experienced at UPS with any other company when it came to pay issues or harassments and discrimination!

Continue...

Jim Deidel: Scott said we owe you 10 hours? (0103:43)

Scott Ford: On this check, check the back of the check...

Pat Tharan: 26134?

Scott Ford: 2175 hours he should have had at straight time. 32.62 at over time... OK You paid him...

7a.

...regularly here you should have paid 22.7 at over time. I came up with 32.62 and then you add... a.

Jim Deidel: Where did you come up with 3262?

Scott Ford: Going off again with all of his records to.

Scott Ford: Here it is, because he keeps track of his records every day, he's accurate!

Ron: Yes... This one also shows 22.27 when I should have been paid at 32. (32.620/T Rate)

Jim Deidel: well, let me ask you a question... how many total hours did you work that week? Where's the answer? (0104:22)

NOTE: When Jim Deidel asked me this question... above... Scott Ford was saying OK! Give me your card...

Scott Ford: Well, right here!

Ron: It shows it right on there!

Jim Deidel: Well, that's what helps you guys straight! (0104:32)

Ron: Well, it shows it right on there too, on what you guys paid me.

NOTE: Referring to their print out or my stub.

Jim Deidel: Regular hours worked \$14.85, that's your pay rate, OK!

Scott Ford: That's his pay rate!

NOTE: Mr. Deidel was reading off of something in the background.

Pat Tharan: That shows 2478 and 1.35 O/T (time and a half).

Jim Deidel: Yea...

8a.

Pat Tharan: 2435 flatted in to cover the ground for 17.

Jim Deidel: Where do you come up with 32.62 overtime hours?

Ron: The reason why I came up with that...?

Ron → NOTE: I looked at Scott Ford—he figured this out!

Jim Deidel: That's more overtime hours than you even worked! (0105:01)

Ron: I don't know how he (Scott Ford) figured that out, I just...

Scott Ford: Because wants he works that rate Jim, you got to give him the right rate! You guys aren't paying him at the right rate. You're paying him at his \$14.85 when he is delivering grounds. Which therefore... (0105:04)

Pat Tharan: No! That's the ground that's slided into...

(Now confusion—Everyone talking at the same time!)

Pat Tharan: It can only show your pay rate that you worked on a check. It can't change your pay rate.

(Scott was saying at the same time: On a check!)

1. Pat Tharan: So, when you do ground, that's why you

2. Have regular NO hours. No rate a hundred and twenty-four...

Scott Ford: That's flatted in here!

Pat Tharan: ...That's the difference in the ground.

(Jim Deidel was saying at the same time 2nd line: "That's why he's got \$124 extra dollars, right here. He's got no hours no rate \$124.00 (dollars) more in the beginning.")

9a.

Scott Ford: Give me your stuff for that week ending.

Ron: They have it right there. Let me take a look at it. Here...that one there!

Jim Deidel: I mean 32 hours overtime you didn't work no 32, 32 hours...

Pat Tharan: You didn't work 32 hours period! (0105:42)

Ron: What week is that? What period end?

Scott Ford: Oh, that's his rate, that's not the...

Ron: What's the Period Ending?

Scott Ford: That's says: \$21.75 at straight time. \$32.62 at overtime is what it shows.

Pat Tharan: Right! OK! Flatted in.

Jim Deidel: \$32.00 dollars at overtime...? (0106:02)

Scott Ford: That's the rate,

Pat Tharan: The rate for ground.

Scott Ford: And rate for overtime after I straighten it.

Pat Tharan: As time and a ½ and straight time that's what's flatted in 124.70 is the difference between 14.85 and \$21.75 at the overtime rate of 32.85 and 22.60 what ever your rate is? That's the difference between...

10a.

Jim Deidel: We paid him 14.85 to do the Air. You got to make up the difference for the grounds.
(0106:21)

Scott Ford: What if he delivers at any point during that day that...

Pat Tharan: That's why it's flatted right in there.

Jim Deidel: We're not disputing it. (0106:29)

Scott Ford: Did you find that ... remember that stuff you brought me that we looked at in my office?

Ron: That's what I'm looking for... what, what week is that? (0106:39)

Jim Deidel: The week that you handed me this, saying this is the one you are saying it's (blank) up.

Ron: I know... I mean what is the week ending?

Jim Deidel: 9/24.

Ron: 9/24?

Jim Deidel: Where do you get this 863 ground rate all day no lunch?

Scott Ford: 8.63 hours ground rate all day no lunch!

Ron: I thought I gave it all to you...?

Scott Ford: Don't mix up... your stuff. Because you had a pretty good system going there for a while!
With your time cards, and all that.

11a.

Ron: That's 9/24...huh?

Scott Ford: So, are you going to go to the Super Bowl this year?

(Asking Mr. Deidel this question)

Scott Ford: Jacksonville are going to get their fucking ass kicked Monday night. That's going to be a blood bath man. (0107:32)

Jim Deidel: Denver is!

Scott Ford: No, I'm not thinking...

Ron: Is that this week here?

(Looking for a check stub and print out from diad on "start-time," and "finished-time" for that week 9/24... while Jim Deidel and Scott Ford were talking)

Scott Ford: Let me see what's you got here... week ending... 9/18, that would be the week bro!
(0107:45)

Jim Deidel: No! We said 9/24 week ending.

Scott Ford: Week ending. That's the check date. The check date that they promised to pay.

Jim Deidel: All right.

Scott Ford: I thought you knew how to read this? (0107:59)

Jim Deidel: I'm not so sure you guys can read it. (0108:02)

Scott Ford: All right! Which week ending are we looking at here Jim? September what?

Jim Deidel: Week ending 9/2?

12a.

Scott Ford: All right! So, 9/13 here's his time card for 9/13. We got to figure this out again. I don't mind! (0108:39)

(Scott being sarcastic)

Scott Ford: He worked...where's the...

Jim Deidel: Do we have those hours on the report in here?

Pat Tharan: God knows! It's been a few weeks and it's gone! (0108:55)

Scott Ford: You do ground that day? (0109:08)

(Looking at my time card sheet)

Ron: A... no, I would have wrote it on there if I did ground that day! (0109:10)

Scott Ford: OK! So you worked... Your start time is Eight o'clock, right?

Ron: uh-huh?

Scott Ford: So you work eight to eleven thirty five. So, that's three hours and thirty-five minutes, OK!

Agree with that?

Ron: Right!

Scott Ford: And we convert that to military time on your hours?

Pat Tharan: Three-fifty-eight is what it shows here!

Jim Deidel: What's this? Thirty-five minutes?

13a.

Scott Ford: OK! OK! That's Monday. Now, 9/14 started at eight worked 'till eleven thirty three so what's that? Three point what? On Tuesday?

Pat Tharan: Three point, fifth... is what it shows here.

Jim Deidel: Fifty... five.

Scott Ford: Three point five 0'.

Pat Tharan: Right here, Tuesday three point five 0'.

Scott Ford: OK! Down fifteenth started at eight o'clock worked 'till eleven thirty six. That's three point, what's thirty-six in your... hobby sheet?

Jim Deidel: Three points...

Pat Tharan: Six 0'.

(What is being said here is 3.60)

Scott: What did you do here?

Ron: OK! I punched out...a

Scott: And you did ground right? You punched out at 21.75 (9:45)? I mean, it's ten o'clock at night. Did you work in the hub? Or what?

Ron: That was probably Air's! That I did—I would have wrote ground on it... continue (0110:38)
14a.

... unless it's a continuation of that one; is it? 16th?

Scott Ford: No! This is 9/15.

Ron: OK!

Scott Ford: This is 13th, 14th and 15th. How many hours do you show he worked on the 15th? (0110:46)

Jim Deidel: Him? Or you? (0110:50)

This question was asked to Pat Tharan.

Scott Ford: Me! I mean.

Pat Tharan: What day is the 15th? Tuesday?

Scott Ford: Wednesday!

Pat Tharan: Wednesday at 3.60 it says here hub 475.

Scott Ford: Hub—475.

Ron: I was in the Hub? OK!

Jim Deidel: You got that down...we got a ...

Ron: You should of know that at 5:00. You know that?

NOTE: They knew that if I'm not on their clock... then I would hold over in the hub at this time 5:00 p.m. when the hub starts up; working in the hub.

15a.

Scott: Right!

Jim Deidel: So, shall how do we... what? How do we know that? (0111:07)

Pat Tharan: I don't know that! Have no idea? (0111:09)

NOTE: Both Jim Deidel and Pat Tharan denying about knowing if I start back on the clock at 5:00 p.m. Why? Because they both confer with each other if they would need me in the early evening to do Ground Pick Ups or "Letter Box Centers." So, if I worked doing Pick-Ups in another center or worked in the hub in the evenings, I bring my time always to either Pat Tharan who is still usually in the Aurora Center between 6:00 p.m. up to 7:30 p.m. or even 8:00 p.m. If Pat is not there, then I give my time to Lacy Pachas. And most of the time, Jim Deidel, Pat Tharan, and Vince Lupo know if I'm back in the building and off the clock. All they have to do is check my diad in the slot or see if my vehicle is parked outside the building!

Continue from last response: Pat Tharan: I don't have a day-by-day history. (0111:12)

Scott Ford: Do you want him to order day-by-day history, and will get back to you later? Or do yo your commitment.

Pat Tharan: If I loose _ _ _ _ you loose it all!

Scott Ford: Just for the freaking aggravation that you put this guy through, you ought to just pay him. Just to get it off the books... just because you know you're wrong! (0111:24)

16a.

Jim Deidel: Ye... will probably do that! (0111:30)

Ron → Mr. Jim Deidel again was being smart and sarcastic

Scott Ford: On the 16th. Here's the 16th... on the 16th he worked 8:00 to 16:38 (4:38) and he did ground all day. OK? No lunch. OK? (0111:31)

Jim Deidel: How do I know that? (0111:52)

NOTE: Mr. Deidel is very much aware of the contract when it comes to Air drivers working over 7 to 8 hours or more--- that they do not take out for lunch when out on the clock for over 8:00 Hours. The only way they would do this... deduct the time out of your check for that day taking a lunch, only when they tell us to take a lunch when doing ground deliveries. That's when I would put in my diad under the Screen that says "Break" or "Lunch" → Example: START: _____ FINISHED _____

Scott Ford: That's what he's got written on here. You got some records to be checked? ...

Ron: No, I don't take lunch usually when I'm out there doing those grounds.

NOTE: I get a copy of my printout time sheet or card that I write out indicates in large letters, "No Lunch." Then this time sheet is given to Pat or Lacy who puts usually the driver's time for that evening into the computer. And knows not to take out for lunch on my diad or time printout sheet when I have specified this to her or Pat directly!

Jim Deidel: Lunch automatically comes out if you work over 6 hours.

17a.

Scott Ford: Not if you put ten SL under or Scott Ford said: Not if you put NSL!

Jim Deidel: Did you put NSL in there (diad)? (0112:04)

Ron: No!

Jim Deidel: Then it came out! (0112:05)

(They docked me for lunch when I didn't take a lunch!)

Ron: What's NSL?

NOTE: No one in management ever told me about doing this when it comes to not taking a lunch. Again, I was always told that they do not dock Air driver's who work over 6 or 8 hours for lunch because they are considered part time Air and only when you are told to take a lunch then you take a lunch! When I asked what's "NSL" I concluded by saying: I never even heard of doing that. Then Scott Ford said "You can't put it in there!" (0112:09)

Ron: oh!

Scott Ford: They could. (0112:11)

Jim Deidel: Nobody, allows you not to take a lunch except for me! (0112:12)

NOTE: Again, usually I am told to take a lunch from a supervisor if I'm going to be out there for most of the day and evening!

Scott Ford: Well, I don't even want him delivering grounds, so...

18a.

Jim Deidel: That's good! That's true! (0112:17)

Scott Ford: So, you know, lets stop that!

Ron: You know, I don't mind helping them out! I mean...

Scott Ford: I don't want part-time employees doing full-time work, period.

Jim Deidel: OK! So...

Scott Ford: We've been through that before, so, we got a... 'til 438 so I got 8 and then what's 38 in your hundredths? (0112:25)

Jim Deidel: I got 838 so, 38 is what? 25, 25 ... (0112:34)

NOTE: I don't think Deidel knew what was going on.

Scott Ford: Pat, what's 38 at your _____ 43? (0112:40)

Jim Deidel: He got 863, but...

Pat Tharan: _____ 43, that's about right; 43.

Jim Deidel: I'm sure there's an hour less out of there. Then what he says, he's got! Because there's lunch came up. (0112:46)

Scott Ford: So, that's 8.43 ground.

Jim Deidel: Minus an hour. (0112:54)

Scott Ford: No! Minus an hour.

19a.

Jim Deidel: Well, it's minus an hour. Here it is! After you work 6 they take out a lunch.

Pat Tharan: Might be... might. (0113:00)

Scott Ford: But, if you put in 1200 to 1200 in your diad, it doesn't take it out right?

Jim Deidel: He didn't do that. He even said that he didn't do that! (0113:03)

Scott Ford: Well, but you... are you disputing owing him the hour?

Jim Deidel: No I don't, um, I am, ya. I don't know if he took a lunch or not. (0113:09)

* NOTE: if that's the case, Mr. Deidel is either assuming I took a lunch or he is being really biased about this situation for his own cognitive and motive reasons without knowing the facts! If Mr. Deidel knew the contract out of the "National Master" booklet, we wouldn't be hashing over this matter! NOTE: Under Article 40. (Air Operation) Section 1. Air Drivers pg. 114. Letter (f) Subject: Break Periods; it states in paragraph (2) as follows:

This provision is not intended to give less than eight (8) hour air drivers or less than eight (8) hour combination air drivers more than (1) break unless specifically stated in the Local Supplement, Rider or Addendum."

NOTE: I am a part-time Air Driver.

Continue from Jim Deidel's remark!

Scott Ford: All right!

20a.

Scott Ford: I guess we can pull the records and see...

Jim Deide: It doesn't matter! (0113:15)

NOTE: Deidel's attitude is he doesn't care!

Ron: Well, us...! No, usually you guys tell me to take a lunch; I'll put it in! (Diad)

Scott Ford: All right, so then we go with 8, you know what that should actually...

Ron: Jim are you saying that I'm dishonest and I'll sit out there take a lunch and not put it in?

Scott Ford: It can't be 43 because he punched out at 16:38.

Pat: 38...

Jim Deidel: 1638 minus 8 hours.

Scott Ford: Diad goes minutes correct?

Pat: 58...8.38...

Scott Ford: So, 38 would be 8 (point) what?

Jim Deidel: 48. (0113:38)

Scott Ford: How could it be 8.3...?

Jim Deidel: 8 hours minus 1638.

Scott Ford: A half hours is 8.50.

21a.

Jim Deidel: 1638.

Scott Ford: That's regular time, not your hundredth time.

Jim Deidel: All right, well then a diad's 8.5 that's 50 and 8 minutes is 8 hundredths. (0113:49)

Scott Ford: It should be 8.58. (0113:58)

Jim Deidel: 58!

Scott Ford: What do we have written down on that?

Jim Deidel: He's got 8.63 on his _ _ _ _ _.

Scott Ford: OK!

Scott Ford: All right. Now on the 17th he does ground again. Punches out at 16:43 so that's 8. like what?

72?

Jim Deidel: That's what he's (Ron) got!

Scott Ford: OK!

Scott Ford: And then, OK!

Jim Deidel: Where did you go to do those grounds? You remember?

Scott Ford: Then on the 18th ...

22a.

Jim Deidel: Or did you just do it... just did a couple and get paid all day?

NOTE: I don't know what he is implying here, but it didn't sound good.

Ron: I wonder if that could have been the one you had me... they were sitting down there wanted me load on to the truck and then deliver to like a ... out at Buckingham Square, I think! (0114:31)

Jim Deidel: O yea... I remember now!

Scott: So, we got on Saturday you worked 7:30 to 11:47 so that's 4. At 1700's right? Or 11:47 that would be four point like 27, be 28?

Jim Deidel: He's got 4.78... What is it?

Scott Ford: 8:30, 9:30, 10:30, 11:30, and then 17 minutes. What's 17 minutes?

Pat Tharan: Twenty hundreds, give or take the question.

Jim Deidel: 10 minutes is 1700 hours...

Scott Ford: 15 minutes is 25. So, it's like, .28, so 4.28 something like that? OK! So, the way I figured it...

(Scott Ford reviewing his figures)

* Jim Deidel: What's your Saturday ground rate... the same as your Air Rate? (0115:30)

Scott: Same!

Ron: uh-huh

23a.

Scott Ford: You got 14 roughly 14.96 hours at... What's your rate 14.85? For air?

Ron: 14.85... yes!

Scott Ford: OK! And then, he should have...

Ron: The ground 21.75?'

Scott Ford: You should have 17.3 hours roughly times a ... What is it...2115? ...2175?

Jim Deidel: You put in that hub-time in there?

Scott Ford: ... um, I figured his... I don't know if I put his hub time with that! Let me... I should put his hub time with his Air. Actually, 19.71 hours at \$14.85 (My Rate) How much you make in the hub?

Ron: They kept me at 14.85.

Scott Ford: And now, I got 17.3 hours at 21.75. But, then you got... because he went over 5 hours when he worked Air that day and the hub and then he goes on overtime so you got 3.35 hours at overtime out of that 19.71, and then on that 8 you got .58, .72, 1.3 hours out of that is 17.3 at a ... Whatever 3275. Do we agree with those figures?

Pat Tharan: Let me see this for a moment. Where, somewhere in the ballpark. (0117:14)

Jim Deidel: What are you getting paid for the groundwork for those 2 days? What rate of pay?

24a.

Scott Ford: 21.75 for the entire day. But, then he's got... he's got .58 and .72 at overtime for those 2 days...um! So, then, you got 1.3 hours at 32.75.

NOTE: There is more to be added to this Grievance meeting. But there is no time to include more information on what transpired on this day. I'll only include what is necessary if any, regarding antagonizing comments made or directed to me!

Continue...

My gross for the week according to Management's records is \$522.42, Jim Deidel said. (0118:56)

Scott Ford came up with the figure \$708.16. This amount is what it should have been according to Scott. (0119:06)

Jim Deidel: So, you're saying we owe him 10 hours at what? (0119:11)

* Scott Ford: That's not even getting into the A/R and all that jazz. (0119:16)

NOTE: At the same time Scott was saying... A/R and all the jazz. Jim Deidel was saying, well, I mean we're still waiting to see where we missed in owing him. (0119:19)

Scott Ford: What did you pay him? 708...? What's you pay him? What's his gross? (0119:22)

Jim Deidel: Says his total earning is \$522.42.

Scott Ford: Minus 708.16 minus... 522.42 I'm sorry give me-Jim Deidel was saying: "522.42." Scott then continues...and says: that is \$185.74 is that roughly what I got?

Jim Deidel: It just says short at least a little over 10 hours. Is what it says.

25a.

Scott Ford: OK! If you divide that by 14.85 (pay rate) that's 12.50 hours.

Jim Deidel: Divide what?

Scott Ford: If I divide \$185.74 by \$14.85 it's 12.5 hours.

Jim Deidel: So, where are we missing his time? Where are we missing it? (0120:08)

Scott Ford: What do you mean, where?

Ron: Well, it's on that week is where you're missing the time... I mean, we keep track of the time punching in the hub, punching out and working here, so I don't' know where you're missing the time at what day... That's something that you guys should figure out or something! (0120:13)

NOTE: You would think hat after we proved this to them on how many hours worked in the Aurora Center and in the hub... What rates I should have been paid at and broke this all down for them. I feel that this was not for me to have to prove to them where the hours are missing! I had enough proof from their computer printout in their system. Now, I can't change these figures after these time sheets have been printed out to me for those days that week. But, I do know that these hours and rates can be changed. By these authorized people who have access to that part...

Continued...

26a.

...of that system in the Terminal... and that would be either Jim Deidel, Pat Tharan, Vince Lupo, or Lacy Pachas

Continuation CD A, Track (0120:39)

Jim: It shows you gettin' a hundred twenty four dollars and thirty seven cents with no pay rate, which is your Ground pay. It shows you gettin' sixty seven dollars and ninety eight cents at your 14.85, that's 24.78 hours, that's your Air Pay. Then it shows you gettin' overtime of an hour thirty five.

Ron: What's the, uh, overtime at, what rate?

Jim: Twenty two twenty seven.

Ron: And- is that supposed to- is that the correct rate?

Scott: You get 24.78 hours at 14.85, I don't know how you came up with that unless- are they lumpin' in- Pat are they lumpin' in all of his Ground time and then that's what they're doing at the top. Then, they're throwing that extra hundred twenty four bucks on there.

Pat: The difference- the difference between ground and...

Scott: So we- so, let's just say...

Jim: They ground it in here.

Scott: ...if we added all the hours up that he had from the weekend, 19.71 plus 17.3, 3701, so that- that don't work. I mean, that's- that's our point Jim it's all screwed up. (0121:32)

Jim: Well, uh- you know- you got a hundred twenty four dollars got that. (0121:58)

[Skip ahead to (0122:37)]

[Note: Scott and Ron going over figures and talking about conversion sheet. (0122:20)]

* Scott: Now, let me see your report on the A/R crap. (0122:37)

[Skip ahead to (0123:14)]

Scott Ford: Did you look- did you want to look through these to see if my times are right?

* Jim: Well, all we can go by is what you say. The problem I- the problem I wish we had right now is I don't have [IC]. (0123:19)

Scott: Well, we've only had the grievance since 11/3, so six weeks now so I guess...

Jim: Yeah, but he's grieving this two months before at 11. You know if it wasn't a pay grievance I call it on time. Why are we grieving 9/18 on 11/3?

Scott: We've got ninety days for this.

Ron: It's probably when I had a chance...

Jim: I understand that, I'm just saying if I get a paycheck and I was out of, and shorted two - hundred bucks... you know. (0123:45)

Scott: I was out of town ...I was out of town and he came down...

Ron: Well just a minute-

* Jim: You can't say that the reason you don't have the time is because it's our fault. He grieve it two months later. (0123:54)

Scott: Well...

Ron: The point is I shouldn't have to be grieving at all.

* Scott: The point is you're right.

Jim: That's not necessarily true. (0124:04)

Ron: Yeah.

Scott: Oh jeez Jim...

* Jim: I still don't see anything factually that says I owe you ten hours. (0124:07)

* Scott: Well then go pull- go pull your hours reports from the Hub and from wherever else you can get them and we'll sit down and talk again. (0124:11)

Ron: Well-

Jim: If you'd said that right away we could have got them, you know [IC]. (0124:15)

[Note: Jim Deidel should have pulled these reports and come prepared instead of making up excuses.]

Ron: Well, I don't know the procedures when it comes to...

Pat: The reason the checks...

Jim: [IC] file pay grievances...

* Pat: The reason the checks were initially messed up is the Hub time cards not being turned in on time. And the next couple weeks, and this was just this week, we had the Hub override and make an adjustment for that. So the key was, when we got the whole thing going, is Ron if you want to get paid you got to give me your timecard. That's why it originally got screwed up. The timecards weren't turned in to get on this- (0124:21)

[Note: My time was always kept track of from the supervisors in the Hub – who would write down my name, my social security number and the time started and finished.]

Scott: Well, I thought when we sat down and we had, uh, I'm trying to think of the fellows name, we sat in there that one night-

Jim: [IC]

Scott: [IC] that was all... that was...

Pat: [IC] timecards.

Jim: What were you going to say? *[Note: Question asked to Pat Tharan.]*

Ron: Well-

Scott: You're telling me that hasn't been happening because he hasn't been getting his time card in every day?

* Pat: That's what- that's what originally happened on this... when the whole thing started. That's what got this thing rollin' is not gettin' the Hub timecards in so we could get in on the current week ending payroll. (0124:59) *[Note: Pat Tharan like Jim Deidel making up excuses for ron's timecards not turned in.]*

Ron: No, I got the timecards in. *[Note: Ron made them copies of his timecards or would let part-time supervisor (Lacy) know about his time either driving, doing over-time or working extra hours in the Hub.]*

Pat: Monday- Monday it's then closed out, so anything that happens after Monday morning now has got to be done by...

UK: [IC] *[Supervisor comes into office letting Jim Deidel know a driver is on one of the phone lines.]*

Ron: Pat, I've been turning in the timecards in on time to you.

Pat: Sure, you have now. Not here, no.

Ron: I've been always doing it.

Pat: [IC] no.

Ron: Yes, I've been putting them in your slot. (0125:21)

[Skip ahead to (0125:47)]

Jim: Where's your hub time card this for week? Oh it's right here.

Scott: He got me the payroll records-

Ron: Which week is that? *[Note: Ron asking Jim Deidel.]*

Scott: And-

Jim: This is the week we decided... this is the week. This is a little different than what you have.

Jim: My figures are a little bit different than what you have.

Ron: That same one right there, we're talking about the ten d- the ten hours?

Scott: I show that this week, uhm...

Ron: They're right here. He was just figuring them in. Right here.

Scott: He had an ex- extra day that [IC].

Jim: 15.75 is what's [IC] week ending 8/7, week ending 8/4 17.38, week ending 8/21 he was short 12.11, week ending 8/28 he was short 7.02. Now week ending 8/28 they did make an adjustment and gave a check for, or put a check in there for the adjustment 41 dollars and 30 cents.

Ron: Week ending...

Scott: [IC]

Ron: Oh, okay.

Scott: So, my whole [IC] came up with 52.26 minus the 41.30, it looks like we owe you about eleven bucks, \$10.96. So, because it was over 30 dollars now they owe you ½ of your guarantee, so, I think we can settle, you know, if you want to, I think we can settle the whole pay for like five hours of straight time. Are you up for that? Okay, do you want to talk to Byron? Byron can sign it off if you're good with that. Are you up for that Jim? [IC]. (0126:30)

Scott: Five hours of straight time, bro. Sorry it took so long, man. All right buddy. Hey, and keep me posted, let's make sure they got the right date, you know, when you get your eighteen months 'cuz you're getting a raise at eighteen months. 8/3, 9/3, 10/3, 11/3, 12/3, 1/3, 2/3. (0127:03)

[Skip ahead to (0127:41)]

Ron: May I say something? Sometimes I get behind on figuring these checks out and what I'm- what I'm supposed to be getting. So, I'll let a week go by, or something like that but I'm trying to stay up on top of it now.

Jim: Well I'll tell you right now I have no clue whether we owe you this money or not. I don't... (0127:51) *[Note: Mr. Deidel has no clue in what's going on as a Manager.]*

Ron: But, Scott told me that it didn't matter when you check your checks to see if they're short. It doesn't have to be in a time frame.

Jim: No. There's a time frame. But [IC].

Scott: Well, yeah- it's easier if we do it- if we do it immediately because then they can pull the reports. But they still got- they're still obligated to for [IC] Airs there's ninety days per Article 4 in the contract so, so when we don't, it's easier- it's easier for them, it's easier for me, it may not be easier for you, but... (0128:02)

Ron: Mmm-hmm.

Scott: ...you know as soon as the problem occurs to address it so that they can pull whatever report they want to pull. 'Cuz then we don't get into the situation where they're requesting or questioning whether or not you actually worked the Hub, when you worked the Hub, whatever. Um, I want to look at, where's that package...

Ron: You know where it is.

*Scott: Where's that package, let me see that. I want to see about this A/R. Let's look at another week. Did you come up with something on that, Pat? (0128:42)

Pat: [IC]. (0128:50)

Scott: Is it this one?

Ron: You would see it when you see down in there this one right there. Here's one. *[Note: Scott saying: "Yeah."]* And this is the green checks I get, uh, the week after that. When you total in this with these, that's my total deductions and it comes to- it all figures out up here. If you don't include that and just do this [IC].

[Skip ahead to (0129:19)]

“Grievance Meeting Addressing the A/R under deductions on regular checks related to Green checks paid to Ron Kalkhorst because of ongoing payroll problems.”

Scott: There was one more reason for that. Why- I guess Pat look at these tell me why we're just taking it out, we're never adding it in. We're giving him a green check, okay, and generally you see that on this side, right, and then they take it back out and that's so that taxes and so your guys' book balance but- on all these where he's get these A/Rs you guys aren't putting it back in on the front side, you're just taking it out on the back side. So you're giving him a check but then you're taking it right back the next week. (0129:19) *[Note: Scott is saying front side would be under description on checks. Back side would be under deductions of checks.]*

Ron: That's the way I see it.

Pat: It's not on the same check.

Scott: Well it should be-

Pat: No, because... you're gonna be a week behind. Depending on when you put the adjustment in that's the stub it's gonna show up on. Depending on if I put the adjustment in in September for a July grievance, September's gonna show an A/R weekly. (0129:53)

Jim: See that's what- that's what [IC].

Scott: But my point-

Pat: It's not on the same check.

Scott: But my, no- no- no- but my point is-

Jim: He gets an adjustment on his next check.

Scott: -the only reason you show an adjustment is bec- and the only reason you even show it on his check is so that your payroll in Omaha balances when you're issuing green checks. And they're supposed to add it on in the front and take it out on the back, even though the guy's gotten a green check 'cause that's what reconciles his taxes with his- with his I.D. number, with his social security number.

Jim: After this pay period, when you were saying you were short, did you just- did you get a green check right after that? [IC]. (0130:42)

Ron: Yeah. I would get it like, uh, a week and a half later or something like that.

Jim: And what was that- what was that for?

Ron: That would be for the week, maybe, that would be not maybe, but the previous for that one week that I told you about it. So they'd be paying me the green check for the week- here, this week here. I'd asked you about it here, then when I would get the green check...

[Note: Mr. Deidel is not listening to Ron in letting Ron explain about the green check.]

* Jim: Hold on, let me ask you a question, let me ask you a question. Not to say that- I'm just confused, I guess, logistically, in the sense that if you had payroll problems, which it seems like, I'm just- I'm not saying that it's any other thing that is factual it seems like, almost weekly you'd come up and say your checks wrong very, very next [IC] a lot of times that's every place you've been that I've been, so, I guess my confusion is on 9/18, which was seven- six or seven weeks prior to this grievance date, uh, you didn't say anything about this check wrong. I'm not sure because I don't keep track of that, maybe we can find it on this sheet of paper. (0131:05) *[Note: This statement Mr. Deidel is making to Ron links back to the time Mr. Deidel was demoted from Division Manager to Center Manager relating to several reasons why Jim Deidel was demoted. An Air-Driver had payroll problems when he was driving in the Inverness Center when Deidel was Division Manager.]*

Scott: Okay, well-

Ron: Well, uh-

Jim: Have you ever gotten an adjustment on a prior check that took care of it?

Ron: I've got an adjustment. It shows it-

* Jim: So how do I know- (0131:55)

Ron: It shows it on there.

* Jim: - that on 11/3 do I- do you realize on 9/18 that you got a check from me, I mean that's a check you cashed a week before.

Ron: The adjustment would- the adjustment would be for another week prior.

Jim: Do you see what I'm saying though?

Ron: Yeah, I know what you're saying.

Jim: That adjustment is for six weeks before.

Scott: All right, let's look at, for greens, let's look at week ending 10/18. You got that there? You got week ending 10/18?

Pat: The check date 10/15, check date 10/29, what's that week ending?

* Scott: Well, the check date would be 10/30- the check date would be 10/24, would be the check date for period ending 10/18. You know how to look at that? *[Note: Scott asking Pat Tharan.]* (0132:29)

Pat: I got a check date of 10/22.

[Note: Emphasize the issue of the A/R under Deductions begin with Line 8 and continue... On-going Investigation of Money illegally taken back out of Ron's Regular Checks.]

Scott: What do you show that week check date for 10/22? What do you show?

Pat: For check 1062 I show 257.11.

Jim: Week ending 10/15?

Scott: See this 99?

Ron: Mmm-hmmm.

Scott: It's 97.

Ron: Oh.

Scott: Forget it.

Ron: Yeah, those are the ones that I included in there.

Scott: In mine too. Let me find another example.

Ron: You'll want to keep going back.

Scott: Okay, here we go.

Ron: There's a '99 right there.

Scott: All right, let's look at week period end 10/9 check date 10/15.

UK: Okay.

Pat: 29- 23.99, straight time for 356.25.

Scott: Okay.

Pat: And .33 at the same rate for four dollars and ninety cents.

Line 8 *Scott: Okay, now do you see over there in deductions? (0133:37) *[Note: Scott Ford questions the deduction part of Ron's regular checks weekly.]*

Pat: Okay.

* Scott: It says twenty dollars and fifty eight cents. (0133:40)

Pat: Okay.

*Scott: Why did we take that out of his check? (0133:46)

[Note: There was a pause of 6 seconds before Pat Tharan answered this question!]

* Pat: Beats me. There must have been a green check sometime prior to that. (0133:52)

* Scott: He did get a green check, but you gotta add it in on the front. (0133:54)

Pat: [IC]

* Scott: It shows if you take his gross pay which was 361.15, and you start subtracting out his social security and all this other jazz, he's short twenty dollars and fifty eight cents that week. 'Cuz you gave him a green check, which you owed him... (0133:57)

Pat: Where's the green check at?

* Scott: Well, I got a copy of that right here, 831072 is the green check number. (0134:12)

* Jim: For twenty dollars and fifty-eight cents? (0134:16)

* Scott: For twenty dollars and fifty-eight cents. (0134:17)

* Jim: How do you know it's not added in on the front? *[Note: How does Mr. Deidel know that it is added on the front?]*

Scott: Because if you do the math-

Pat: You gotta know what week ending date that adjustment was for, and that's where it shows up in here.

Ron: It shows it over, it should say... that's the week ending...

Scott: Maybe that's 9/16 of '99?

Pat: 9/16 of '99...

* Jim: Well, let's stick with this 10 hours [IC]. (0134:44) *[Note: Mr. Deidel is trying to deviate from the A/R-Green Checks issue which is part of the grievance – 70293 Article 8 concerning Pay-roll problems.]*

Scott: Uh, I came up with 12 something actually.

Pat: What does he got?

Jim: He's got 10, right there.

Pat: I know.

Scott: But you wanna do the right thing...

Ron: He's got ten he wrote-

Jim: I want to know-

Ron: He wrote that down.

* Jim: I want to know what the hell's going on here, because- (0134:55) *[Note: Mr. Deidel has no clue as a Center Manager what is going on..]*

* Jim: Short by ten hours?

Ron: Jim, I didn't write that down, he did.

* Jim: This is your writing. (0135:01)

Ron: Because I went by what Scott had on here.

Scott: What did I put? Let me see...

Ron: He put ten hours and then you guys really broke it down, I guess, and that's why it came to whatever it says.

* Scott: See what I'm saying on that Pat? (0135:23)

* Pat: Yeah, you just gotta find a week ending hub get a finance guy to tell us what's on the week ending, how do they put that in. Does it get- (0135:26)

* Sott: The way I'll tell you honest to God. The way I've always seen it on that check, it's only done, the reason that they do that A/R deal is to balance your own books with their taxes so that it reconciles with the social security number. And the way that I've always seen it is that same week they take it out they show it going in on the front end. (0135:32)

Pat: No, 'cuz here it is right here, balance adjustment One sixty-one "D" A/R weekly twenty fifty-eight. How they put it.

Jim: Yeah, they put it in.

Pat: So it's in here and it says check for number 924. But, see 924 was already cut.

Scott: Okay.

Pat: So what that does is they- they put it in to 9/24 for the totals-

Scott: How could they put it-

Pat: They change it.

Scott: How could they put it in 9/24?

Pat: For the yearly totals, on your, what you've earned and what your taxes are-

Scott: I need to come over and see what you're talking about.

Pat: Balance adjustment twenty, eighteen.

Scott: So how would they know to put this in here?

* Pat: 'Cuz I do it, when your doing adjustments you gotta tell what week ending is it for. Where did he work those hours, what's the day, what's the hours worked, what did he get paid for that day, what do we show for that day, then you show the difference. You paid him five hours, you should've paid him seven hours on week ending 9/24. (0136:30)

Scott: How do you – how could he go back and put that in after you've already paid him?

* Pat: But- it's- it's for the payroll history. It's not going to be on your check. So on the payroll history, they put this in the system and they added into this week. And so the total is right. (0136:45)

* Scott: But he never gets it. (0136:55)

* Pat: Sure he did, he got a green check for it. And then they take it out on the totals on the week when the next check that you got that's the day of the week they cut that check and that way you're not getting double-dipped on your taxes 'cuz you've already paid them here. (0136:56)

Ron: What the that doesn't make sense.

* Scott: No, it doesn't make sense because a... (0137:11)

Pat: I'll get a finance guy down here you can call Ricardo he can explain. **(0137:13)** *[Note: Deidel or Pat Tharan or Scott Ford never got a hold of Ricardo or called him. Ron caught Ricardo outside of his office and confronted him on the "A/R-weekly" indicated under deduction on Ron's weekly checks.]* CD__A__Track__III__.

* Scott: You got to add it on the front. **(0137:15)**

Ron: All I know-

Pat: [IC] it gets added in on the front-

Ron: All I know under deductions-

Scott: But, he's already had his [IC]. **(0137:19)**

Ron: That's right.

Pat: It isn't for you it's for- it's for the total system the total hours-

* Scott: But he never got it. (0137:24)

Pat: He got the check for 22 [IC].

* Scott: And then you took it back! (0137:27)

Ron: Yeah, you took it back again.

* Pat: Because it's put in on this side. That's why you gotta pay a little atten... 'cuz you can't see it. (0137:29)

Scott: But he never-

* Scott: Then he needs to get two checks. **(0137:33)**

Ron: Just a minute Pat.

Pat: No, see [IC]

Ron: Under deductions, you take out twenty dollars, okay, under deductions. You add it with the rest of deductions you're taking it out again. *[Note: Ron is saying that the total of all his deductions except for the "A/R-weekly" in the amount of \$20.00 it would show his net pay not matching up with the rest of his deductions including his taxes etc...]*

* Scott: If you're taking it out here you gotta put it back in. And I understand this is **10/9**, but it we go back to what his thing says on 9/16, the reason you're putting it in here is because you didn't

give it to him on 9/16 and maybe you go back and you reconcile it on this, but you got to give it to him twice if you're going to take it back once. (0137:43)

Pat: Get some finance guys in here.

* Jim: I'm not getting finance guys in here. (0138:03) *[Note: Does Mr. Deidel have something to hide?]*

Pat: 'Cuz that- 'cuz that-

* Jim: We're talking about- we're talking about less than [IC]. (0138:05)

Pat: Here's another one right here. One-fifty six, seventy seven.

Scott: That was this week-

Pat: 9/25.

Scott: Right here.

Pat: Right.

Jim: Actually...

Pat: There's one there, there's one here.

Jim: Is this the week-ending we're talking about?

Ron: Mmm-hmm. You mean for the A's the A/R?

Jim: But, but this-

Scott: Well, can we get the whole thing cleared up while we're here or do we got to file grievance? Or what do we gotta do, I mean-

Ron: That's what we want to do, yes!

Pat: Well, what do you want?

* Jim: You want to post pone this or bring in finance guys in here now? (0138:30)

* Scott: Well, can we make a phone call, maybe there's still somebody in there. (0138:33)

Line – A *Jim: They're all in meetings today, they're all in meetings today. (0138:35) *[Note: Why would Deidel ask about bringing in finance guys than turn around and say: "They're all in a meeting today?" After Scott Ford mentioned calling finance. Line – A.]*

Ron: I thought you guys- *[Note: Ron addressing this question to Jim Deidel.]*

Jim: No, [IC].

Ron: I thought you guys would know about this stuff.

* Scott: You understand why I'm confused here? Because if I add up actually what he [IC]-
(0138:41)

Ron: Here's another one A slash R.

Scott: If I add up what he actually worked this week Jim-

Ron: Another one A slash R.

Scott: Okay there's three sixty one fifteen. We start taking all this out-

Ron: Another one A slash R.

Scott: -take all this out.

* Jim: Where's all the green checks? [*Check stubs*] (0138:55)

Scott: Okay.

Ron: They're right behind them right here. [*Note: Green check stubs behind regular check stubs.*]

Scott: And what he should have got, what his- what his- what his net is, his net here should have-
(0138:59)

Ron: Another one.

Scott: -been twenty dollars and fifty eight cents more- (0139:02)

Ron: Another one.

Scott: -than what it is.

Scott: Pat let's do it. [*Note: Do some figuring.*]

Scott: You got thirty-three sixty-one fifteen.

Jim: [IC] Jim Deidel this is Ricardo. (0139:15) [*Note: Jim Deidel making a phone calls to finance department.*]

Scott: Minus- let's just do the total. Minus ninety sixteen...

Jim: Uhhh...

Scott: Minus seven one sixty four...

Jim: [IC]

* Scott: Which is a hundred ninety nine thirty five, that's what he's got. So where did he get this? He got it here and then you took it back. **(0139:26)**

* Jim: Okay. **(0139:34)**

* Scott: And that's what I'm talking about. When you ever did A/Rs it would show A/R it would show adjustment up here twenty fifty-eight and then it would show it over here twenty fifty eight. **(0139:37)**

Ron: 'Cuz I remember when payroll used to be here, you used to have it over on this side.

* Jim: Well, I'm telling you right now... [IC]. **(0139:50)**

Scott: See what I'm saying?

Jim: They're not making it [IC].

* Pat: Because they couldn't. I mean good God we're not- **(0139:53)**

* Jim: We're not paying anything on that until somebody explains it more than that because they're doing it, they're put it in and back out. And you know... **(0139:56)**

Scott: See Pat...

* Pat: [IC] I see what you're saying. **(0140:03)**

Scott: See Pat they're supposed to add it on in here, than make the deductions over here. **(0140:04)**

Pat: It balances out [IC].

* Scott: If they did not give that to him in his gross, sure they would go ahead and take it back because they never gave to him in his gross. **(0140:10)**

Pat: That balances your books.

Pat: I got to have a finance guy explain why and finalize this. I don't know how the hell that works. **(0140:16)**

Jim: Nobody can, there. **(0140:20)**

[Skip ahead to (0140:37)]

* Jim: Okay, so, uh, I guess I still need to know a couple of things on this grievance. You're saying that your ten hours short. I can't say if you are or your aren't, I can't- **(0140:37)**

Ron: Yeah, we just proved it right here. Scott just figured it out.

* Jim: You didn't prove anything; you added some hours that you wrote on a piece of paper. Well that's what you did. And [IC]- (0140:56)

Ron: We're also going by what Scott figured too. Well, you saying he's wrong, or what?

* Jim: What Scott figured is what you gave him to figure. I understand that... (0141:05)

* Ron: I got timecards and everything to prove it though. That's all I'm saying, it's not- (0141:08)

Line – A * Jim: We've got timecards to be punched I don't have diad records. I don't have diad records; I don't have your time on diad records. (0141:11)

Ron: Well that's because you guys told me to punch in with- with the time card, so that's- that's my-

Line – B * Jim: No, but what I'm saying is I don't have your diad timecards which you delivered those days. I don't have it. So, what you punched on a- on a timecard, and I'm not calling you dishonest at all. (0141:19) *[Note: Mr. Deidel has diad records he can retrieve from hard copies. Ron punched in on a paper card-timecard, to help keep track of his own time in driving overtime. Paper card timecards was used in the Hub for overtime worked.]*

Ron: Here- here's a diad timecard right here.

Jim: That's for a Saturday.

Ron: That's Saturday, well here's another one right here then.

Jim: That's for Saturday also.

Ron: Well, anyway...

Ron: That's for Friday.

* Scott: Other than this ... other than this A/R (0141:40).

Ron: This one right here, that's the ground one.

Jim: I believe that, I'm not calling you a liar...

Ron: No, but you just said that you didn't have them... (0141:46)

Line C - Jim: No, what I'm saying is it's hard for me on- when you grieve something on 11/3, you fill out a grievance and you don't even say what pay periods we're talking about, you just say we owe you ten hours. (0141:48) *[Note: Mr. Deidel did not say from Line – C in reference to what he said on Line – A (0141:11) or Line – B (0141:19)]*

Scott: Well, I think I talked to Pat on the phone. (0141:58)

Jim: No, but, you know what I'm saying Scott?

* Scott: I think that we tried to avoid a grievance in the first place, Jim. And I talked with Pat on the phone and I talked with you about it and I know I then instructed Ronnie to bring his records in... (0142:01)

Ron: Yeah.

Scott: ...which I know the company's had. Um, part of the overall problem that we're having is that it's- is that it's always wrong. I don't know where you- (0142:11)

Jim: Yeah, but-

* Scott: Ronnie said he's bringing the pay cards for the, when he works the Hub or whatever, he's bringing those in each day. (0142:19)

* Jim: There's one instance- there was one instance where, and it's happened in a couple of different situations here, when these guys have doubled in different departments... (0142:34)

Ron: Mmm-hmm.

* Jim: ...and for some reason, the Hub overrode his time, that wasn't this week. That was [IC]. If the Hub overrode his time this week, we owe him three- four hours. He only worked in the Hub. (0142:25)

Ron: [IC]

* Scott: And here's- here's check ending **10/30** and he's short a dollar sixty-three. I think he was short two dollars and eight cents this week. (0142:44)

* Ron: And let's not forget last week I was short thirty dollars. Did Pat tell you that, thirty dollars and nineteen cents? (0142:53)

Jim: For what reason? [*Note: Mr. Deidel is trying to confuse the issue. Ron has no idea why they short him thirty dollars and nineteen cents.*]

Ron: I don't know, Pat.

* Pat: Because they paid double time for the holiday on Friday instead of time and half for ground time for Wednesday. So it would be eighty dollars, they paid fifty dollars instead- (0143:08)

Jim: Wait a minute, wait a minute, say what, say that again.

* Pat: We had to do, green um, E-forms for all the guys that worked the holiday, over that Friday after the holiday. (0143:12)

- * Jim: Well, Ron didn't get double time for that, because- **(0143:19)**
- * Pat: No, well, he did because she had his sorted with regular drivers. **(0143:20)**
- * Jim: So we paid him too much. **(0143:24)** *[Note: Mr. Deidel either does not understand or listens to what's going on, or he is being bias towards Ron's pay.]*
- * Pat: No we didn't pay him enough- **(0143:26)**
- Ron: No. *[Note: Ron saying "No" to Jim Deidel.]*
- * Pat: -because he worked ground- **(0143:26)**
- Scott: On Wednesday. **(0143:28)**
- Pat: -he worked ground on Wednesday. **(0143:28)**
- Jim: For what reason? *[Note: For Mr. Deidel to ask this question is irrelevant. He is confusing the issue in Ron not getting paid enough in what they owe him.]*
- * Pat: I don't know what reason. **(0143:33)**
- * Jim: Okay, well here's what we're going to do: number one, I'll pay ten hours at, uh, your regular rate and- and I'm doing this almost under protest because I don't have any idea **(0143:34)**.
- Scott: Well-
- Jim: To get this grievance settled that's what I'll do. That's what you're asking for, that's what I'll do. But, I'm not saying that I owe it to you or not owe it to you [IC]. **(0143:50)**
- [Note: Scott, Ron & Byron leave Jim Deidel's office to talk about what transpired – Background Noise]*
- [Skip ahead to (0144:07)]*
- * Scott: But they're asking for ten hours, we filed grievance and agree to pay ten hours. And they need to get an explanation on that A/R stuff and if can't get that than I'll let you file a greivance. That doesn't make sense to me. How can they fuckin' take it out? They got to give it- if they are going to take it out once, they got to give it to me twice. Green checks or an adjustment on each check. **(0144:07)**
- Ron: This has been going on back in '97, [IC].
- * Scott: Can't go back that far. **(0144:35)**
- Ron: Is- is that my fault?
- Scott: Yes, you're obligated to realize, not paid for corrections. So you gotta bring it to somebody's attention in order to fix it. I can't go back and fix that.

Ron: You know why- you know why I couldn't figure it out back then is because there's no way you can figure out the checks [IC] front.

* Scott: They're pretty good at it now; I can read the paperwork with Pat Tharan. (0144:56)

Ron: It was better when payroll was right here and they had everything lined out as it was before.

Scott: I get that, man. (0145:04)

Ron: If that's what's coming to me, yeah, I don't know, what is? (0145:11)

* Jim: What's coming to you is less than that, but I'm not gonna go through all these numbers. I'm writing it up, is that what you want? (0145:13)

Ron: Yes, [IC].

Jim: I mean, that's what you're asking for... (0145:24)

[Noise from the Hub – Office door opens, Scott Ford comes back into Jim's office.]

Scott Ford: It looks like personal notes on there either.

Pat Tharan: Okay man.

Scott: All right.

Scott: Did we agree? What did we agree to on this? (0145:54)

Jim: Ten hours at straight time. (0145:57)

Scott: Do you agree to that?

Ron: Yeah. [IC]

Scott: Okay.

* Scott: Now, we need to- we need to address this **Article 37** on here. Um, Ron, because of the on-going problems that we've had with this center, and because of the on going, you know, payroll nightmares, he wants you to agree that he can have the next available opening on a.m. Air, and be moved. (0146:02)

* Jim: All right! Next available opening? Which, I don't know when that's going to be, but... (0146:24)

[Note: All Jim had to say is yes. Everything else here is irrelevant. He comes across like he doesn't like that idea in letting Ron move to another area.]

Scott: Well

Ron: Probably next week. .

* Jim: I guess... I need to speak to you on this, I mean, the next available opening... what if somebody with more seniority than him, wants the next available opening? Where are we? (0146:30)

Scott: Obviously that person would come to Aurora. (0146:42)

* Jim: Okay. (0146:44)

* Scott: He wants the next available opening out of this center, so, it's wherever that occurs, that's where Ron goes and then based on the quarterly sign up sheet, you fill, you fill this out. Company agrees to that? You agree to that? (0146:45)

[CD A, Track 1 continues on Track 2]

Ron: Yeah!

Scott: You want to discuss this any further?

Ron: On Article 37? [*Harassment*]

Scott: Mhm... About what happened that day?

Ron: I don't know if Jimmy remembers that day.

Jim: Oh, Absolutely! I remember that!

Ron: Okay. I mean I think he gets mad sometimes, and I think you say things you don't mean to say unless you did mean to say it.

Jim: You wanna discuss it? You wanna tell the whole story, why don't you tell Scott what happened...

Ron: I came in...

* Jim: ... if you wanna get into it. (interrupting) (0200:27)

Ron: No, I just came in and I was upset about what was going on down there and I was raising my [IC] with a pre-load supervisor, which is, what's her name? I forget her name.

Jim: Melissa.

Ron: Melissa. And she was telling me what to do, and so I came in and told you about it, and I was raising my voice at you...

Jim: mhm...

Ron: ... And you said, you wanna get fired again, if you're raising your voice at me. I mean, you raise your voice at me, and I don't take it personal. Or I can't really say anything about it... I was just saying...

Jim: Why were you raising [IC]? (interrupting)

Ron: ... because I was upset about what was going on down there, and I was trying to tell you I had a problem down there.

Jim: No. Tell him the whole story.

Ron: That's all I remember.

Jim: Mhm. Okay.

Ron: Why was I in here?

* Jim: If you only remember that part, why are you writing that on that grievance form? Do we need to get McWain in here and talk about it? **(0201:09)** [*Note: McWain is the Union Steward for the Aurora Center.*]

Ron: McWain?

Jim: Yeah.

Ron: Was McWain in here?

Jim: Yeah.

Ron: I forget.

* Jim: Was he or wasn't he? **(0201:20)**

* Ron: I think he was.

* Jim: You have selective memory Ron. (0201:22) [*Note: Mr. Deidel has no right to say this to Ron. This is harassment.*]

Ron: No, he said, that you have to work directive. That part I do know, okay.

Jim: mhm.

Ron: Okay. But I don't agree with it because I went to talk...

Jim: Okay, well... (interrupting)

Ron: No, no, may I finish and explain why I don't agree with it? I went to talk to your boss, who ever that guy is over here next to Dan Florence's office, I forget his name. He told me that she shouldn't be telling me what to do. You work in the center and the center tells you what to do, that's what he told me.

* Jim: Do we have to get him in here just to clarify that? **(0201:49)**

Ron: You can if you want, go ahead. Would you, I, please call him in here!

* Jim: So, when a pre-load supervisor tells you I need you to take these packages, this is what you do.

You can tell them; no I'm not doing it, because I don't want to do this. That true? (*Sarcasm*) **(0201:53)**

Ron: I didn't say that.

Jim: That's what you just said! YELLING **(0202:03)**

Note: Mr. Jim Deidel does not listen. He hears what he wants to hear.

* Scott: He said, that's not what he just said, he said, that's what... **(0202:04)**

* Scott: Did you talk to Jim Nelson or Myron Gray? **(0202:07)**

* Ron: Jim Nelson. **(0202:09)**

* Scott: He said that's what Jim Nelson said.

Ron: That's what Jim Nelson said to me.

Scott: Because pre-load sup shouldn't be doing it. Here's Ron, here's...

* Jim: You take your chances in that man! **(0202:16)** [*Note: Mr. Deidel is displaying a form of threat towards Ron by making this comment.*]

Ron: Well, no, no, I'm not trying to...

Scott: ‘Come on, I’m trying to resolve this thing guys. You need to follow your last given directions, whether it’s a part-time sup or what ever, and we got into this at the Englewood building. What you need to tell them is say, hey, that’s not what I was told to, however...

Note: Office door opens and Scott was handed something to him and said “Thank you.”

Scott: ...however, I’ll do it. Then I would, if you guys don’t have a problem with it, then I would come and handle it with Pat and say, this is what whoever is told me what to do , is that what you guys want me to do? You guys have a problem with that?

* Ron: I came to Pat too, and then Pat said the same thing, do what she tells you to do, but come to me and I’ll handle it. Is that right Pat? (0202:45)

* Pat: Right! (0202:50)

Ron: That’s exactly what Pat told me to do. So I’ll just follow those steps and you know, from now on.

[Note: Mr. Deidel interrupted and made a remark saying: “That’s what you’ve always said.” (0202:56)]

I have no problem, I wouldn’t, no I don’t wanna refuse directive.

* Jim: But you did! (0203:01) *[Note: Mr. Deidel has a problem with his remarks.]*

Ron: Work directive...you know. I just want you to understand my problem, that’s all, and not argue with me.

* Scott: Is that fair? (0203:10)

* Jim: If work is directive...yeah! (0203:13)

Scott: Anything else you wanna say about that?

Jim: No, that’s all I can think of, yeah.

* Scott: Anybody else wanna say anything else about that? All right. So, I’m withdrawing 10 hours of straight time, Ron will take the next available opening am Air outside of Aurora Center. Okay? We agree with that? (0203:17)

* Ron: But, what about the A/R, we going to investigate that? (0203:28)

Scott: And you're gonna check into that [*Deidel*] and then he's going to call me and let me know what's going on with that. **(0203:30)** [*Note: This A/R matter never was resolved, or was Ron ever compensated for back pay. The Department of Labor was contacted to investigate Ron's on-going payroll problems. Also Trish Callahan from Teamster's Washing D.C. stated in a letter to Ron Kalkhorst that Scott Ford said this matter on this A/R Weekly Green Checks was resolved and Ron was owed what he had coming. This situation never was resolved. Scott Ford was not truthful.]*

[*Note: Trish Callahan and Scott Ford both never addressed the issue on the A/R-weekly (Green checks) in their letters mailed to the department of labor and Ron Kalkhorst.*]

Ron: Is that part on there too? [*The grievance*]

Scott: And if we don't, you know, pardon, me?

* Ron: Are you gonna put that on there too? [*The grievance*] **(0203:39)**

* Scott: That would really be a separate grievance... **(0203:41)**

Ron: Oh, okay.

* Scott: If he doesn't, [*Deidel*] then that'll be a separate grievance, 'cause we're, this is really date specific from what we're doing on this. [*The grievance*] **(0203:42)**

[*Note: Ron was a month later terminated. And the A/R matter still wasn't resolved.*]

Ron: That will work. [*Note: Ron Kalkhorst agrees.*]

Scott: So, do you agree to that? Sign that. You got his social security number? **(0203:49)**

Jim: Mhm.

Scott: Okay.

Ron: Where do want me to sign?

Scott: Right in here is fine.

Jim: You need to just stick that in here with that.

Pat: So, it's ready to go? Back to the center?

* Jim: Yeah, give it to Aldra, send it directly to Danny and over... give it to Aldra to. [*Dan Florez in Labor Relations*] (0204:07) [*Note: Paper work concerning grievance agreement covered in this Greivance Hearing*]

- (Inaudible) -

Pat: Okay.

Scott: Okay.

Pat: Thanks!

Scott: Thanks!

Pat: See ya...

Ron: Thanks, I appreciate it.

Scott: All right.

[*Meeting ends*]

After the meeting is over, there is a conversation-taking place between Ron, Byron and Scott Ford with a lot of background noise from the Hub in the Aurora Center.

Byron: I'm gonna let you take care of him. [IC] I'm going to let you take care of that.

Byron: Every time he makes threats like that, and bullshit us, he's getting labor board charge. He shouldn't be saying that to us at all... [*Jim Deidel*] (0205:01)

Ron: I want to file grievance against him now?

Byron: No, no, no, no listen, hush, relax. After the grievance has been settled, I'm gonna let you take care of that.

Scott: Okay.

Byron: He shouldn't be making threats to anybody in here. [*Jim Deidel*] (0205:15)

* Scott: What threats did he make? (0205:20)

Byron: Well, let's put it, you know, firing folks or a get him out of here, and that... (0205:21)

Ron: I just heard him do that, yeah, get him out of here!

Byron: That's a threat, that's a threat!

Scott: You're going to go to another center, it's going to be better, it'll be better. (0205:28)

Ron: I'll still go, but take care of him too while I'm at it, so, he won't do that to other people, if he gets away with it, you know?

Scott: I understand. Every time we've got this conversation; you file a grievance **under Article 37...**
(0205:38)

Ron: That's why I had you guys many times.

Scott: Management because that's management-poor relations... they give you respect. (0205:44)

Ron: If he wants respect from me, he's gotta give respect too in return.

Scott: All right? Okay? [IC]

* Byron: You going to take care of that? (0205:57)

* Scott: I'll talk to Jimmie. (0205:58)

Bryon: **I mean, just talk to him, he shouldn't be saying that. We're sitting there trying to seriously get a grievance settled, and he's over here trying to provoke us.**

Scott: Well I [IC] to Jimmie he's **fucking**... [IC] he's using a foul mouth and carrying on to and nobody can ever get... we can never a word in. (0206:06)

Byron: He gets like that when we came from outside. We were out here talking. So he was... he was in there running his mouth, anyways.

* Scott: I gotta get an answer on that **A/R stuff**, because I don't like what I've heard so far, I guess they've changed the way they're doing it ... Let me dig into that. Call me Wednesday. (0206:23)

[Note: Even Scott Ford admits to this A/R problem and says he would look into this.]

Ron: Okay.

* Scott: 'Cause I'm gonna be in Chicago Monday and Tuesday. I doubt I'll get an answer today, but hopefully I'll have one by Wednesday. (0206:33)

Ron: Okay.

Scott: And then we've got state panel Thursday, so, if we don't hook up Wednesday, we'll hook up Friday.

* Ron: Also, Sharon was thinking about quitting, did you know that? Because of all the problems with her pay. She doesn't wanna hang around here either. (0206:45)

* Scott: When did you talk to Sharon this week? (0206:51)

* Ron: She told me that just a little over a week ago. (0206:52)

* Scott: I already told her, that can go on, that could take months to get that adjudicated. (0206:55)

Ron: She's out, no this is when she's out in the parking lot talking to me about it.

Scott: Okay.

Ron: 'Cause she's just fed-up with it out here!

Scott: Well, she has to be paid, if the company taking position, I'm taking position, now that's gotta, you know, we've gotta sit down and have a hearing on it and that's gonna end up where its gonna end up, so. (0207:05)

Ron: I mean, their here - They want respect out of us, they want us to be on-time, they want us to do our job, we miss screw up somewhere, they harass us about it, so when it comes to my pay being short or the A/R what you're gonna look into or just his mouth. [*Deidel*] I shouldn't have to put up with that.

Because I'm in here because they screwed up. Not because I screwed up.

Scott: Are you on the clock or off the clock?

Ron: I'm on the clock. Is that okay to be on the clock while I'm talking to you?

Scott: No, but...

Ron: [IC] I put it in under other work and put in the time. Is that okay?

Scott: Well, you don't get paid for grievance hearings, but...

Ron: Oh, you don't?

Scott: No.

Scott: Wants I get involved. But that's fine. Just punch out. (0207:52)

Ron: So, if they short me, don't worry about it?

Scott: Are you gonna work noon day or what?

Ron: No!

Scott: No, they're not going to short you.

Ron: So, go ahead and take it for you then. Well, hold up; let me punch out right now.

[Byron was leaving. I wanted him to wait so I could walk with him out the building.]

Scott: Keep your eyes and ears open for an Air morning job.

Ron: Uh huh, oh, I've been talking to Mike Castia. *[In Human Resources]* (0208:09)

* Scott: And I'll send a letter, I'm gonna send the letter to Dan Florence, depending when I get back.

That this is how the grievance was settled... (0208:12)

Ron: Okay.

Scott: and then make sure they abide by the settlement of the grievance, and move you to the next available a.m. Air opening... (0208:19)

Ron: Okay.

Scott: And it doesn't hurt anybody's seniority 'cause you're currently in a classification. And if Byron is on the list to go Air driving, he's the top senior guy then he comes to Aurora Center. *[Note: Using Byron as an example.]*

Ron: Then he just comes over here and swats.

Scott: Right.

Ron: Now, I've talked to Rex over in Commerce City, and I talked to Arvada, Sherry...

Scott: Don't go to Sherry. (0208:42)

Ron: ... Okay. That was just for p.m.

Scott: Don't go to Sherry. Don't go to Sherry. *(Emphasizing)* (0208:45)

Ron: Okay. Rex said he may have an a.m. beginning of the year and so did the lady at the end Broomfield?

Scott: You be better off probably with Rex if you go over there. [IC].

Ron: She's okay isn't she?

Scott: Uh, I don't really have an opinion on Lisa yet, one way or the other...

Ron: Okay.

Scott: I know Sherry, if you think Jim holds you to a high standard, you ain't seen nothing yet, 'til you go and work for Sherry Hoffman. (0209:01)

Ron: Somebody told me about her too.

* Scott: She is as rigid, as this fucking floor! (0209:08)

Ron: She's like Jill?

* Scott: Worse than Jill. (0209:11)

Ron: Really?

* Scott: Way worse than Jill. I have more warning letters and bullshit comes out of that center than any other center. (0209:13)

Ron: Oh.

* Scott: Okay? Don't go over there. I've got guys that have been around getting warning letters that been here 25 years. (0209:20)

Ron: That's, why I don't want p.m. [*Driving – Picking up at letter boxes in the Arvada Center under Sherry Hoffman*]

Scott: The way we settle the grievances available a.m. openings, not p.m. the morning job.

Ron: Okay, that's fine.

Scott: Okay.

Ron: Cool.

Scott: All right. Happy Holidays.

Ron: Thanks again.

Ron: [Laughter] (0209:38) [*Track: for reference purpose*]

Scott: See ya, bud!

Byron: All right!

[Note: Conversation in the Hub outside of the Aurora Center ends]