

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 17**

THE SUSAN B. ALLEN MEMORIAL HOSPITAL

and

Case 14-CA-233000

GAY KIMBLE, an Individual

and

LORI DASHNER, an Individual

Case 14-CA-233898

**COUNSEL FOR THE GENERAL COUNSEL'S
MOTION TO SUPPLEMENT THE RECORD**

Pursuant to Section 102.24 of the Board's Rules and Regulations, Counsel for the General Counsel moves to supplement the record to include General Counsel Exhibit 6 (GC Exhibit 6), a copy of which is attached hereto.

1. This matter was heard before Administrative Law Judge Arthur Amchan on July 1 and 2, 2019 in El Dorado, Kansas.
2. Briefs to ALJ Amchan are due on Tuesday, August 6, 2019.
3. GC Exhibit 6 is a copy of a "Susan B. Allen Memorial Hospital Personnel Report" dated November 20, 2018. Respondent Susan B. Allen Memorial Hospital (Respondent) provided GC Exhibit 6 pursuant to a subpoena issued by the General Counsel.
4. Counsel for the General Counsel presented GC Exhibit 6 during the hearing. Counsel for the General Counsel referred to the document as GC Exhibit 6 during direct examination of Charging Party Kimble and Attorney Peterson referred to the document as GC Exhibit 6 during cross-examination of a Respondent witness. The document labeled "GC Exhibit 6" was marked as "Identified" and "Received" in the copies of the transcripts received. However,

upon review of the transcript, Counsel for the General Counsel inadvertently did not move for its admittance to the record.

5. Respondent has had a chance to review the attached document and does not oppose this Motion.

6. Supplementing the record to admit GC Exhibit 6 will allow the parties to avoid any confusion with regard to the document's contents and will give parties a simple method with which to refer to the document.

7. Accordingly, Counsel for the General Counsel respectfully requests that GC Exhibit 6 be received and admitted into the record.

Dated: July 18, 2019

Respectfully submitted,

/s/ Lauren Fletcher

Lauren Fletcher, Counsel for the General Counsel
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SUSAN B. ALLEN MEMORIAL HOSPITAL
PERSONNEL REPORT

Employee's Name: Gay Kimble

Job Title: CHRO

Date: November 20th, 2018

Oral Warning _____ Suspension _____ Commendation _____

Written Warning _____ Discharge X Skills Update or Coaching _____

Referred to EAP _____ Extend Probation _____

Circumstances and Action Taken:

Category 1: First offense, Discharge:

Willful violation of safety regulations – Failure to support a department leader

On November 7th, Alan Patterson presented to the HR department an incident where a facility's department employee had been caught falsifying a life safety–fire drill form. Alan's recommendation to HR was for the termination of the employee. During the next couple weeks (November 7-16), the HR department participated in discussions with Alan and others that eventually lead to a recommendation to reduce the discipline level to a lesser category. That recommendation was rejected by Mark Rooker and further discussion took place on November 16th. At the conclusion of that meeting, HR failed to give a final recommendation leaving Alan feeling unsupported.

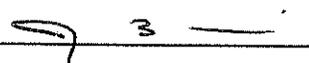
Falsifying a life safety-fire drill form is an extreme violation and a senior executive should understand the severity of this action and the need to swiftly act in support of the presenting department leader. Failure to do so creates a divide where Administration is perceived as not supporting department leaders in their quest to establish a culture of safety for patients and employees.

On November 19th, 2018, I scheduled a meeting with Gay and Mark Rooker to learn more about the series of discussions involving the above infraction and to come to a decision regarding the level of discipline appropriate for this event. During our discussion, Gay admitted there was a strained relationship between the HR Manager and Alan Patterson yet Gay remained out of the major discussions quoting she was coaching the HR Manager and wanted to demonstrate support of her. When I asked if that had gone well, Gay

admitted it had not. I also learned that Gay participated in a meeting with the CQO to give input on the level of seriousness associated with this infraction. When asked why she chose this time to get involved and why the results were not shared with Mark Rooker, she stated again she thought the HR Manager was going communicate with others involved and wanted to continue to support her.

I expressed to Gay I was not pleased with her lack of involvement from her senior position especially learning she knew of the relationship issues between these two leaders and the many opportunities she should have injected herself to move this conclusion to a swifter resolution. Gay also admitted the length of time from first discovery to the planned date of issuing discipline for this infraction was inappropriately too long for a discharge offence.

Gay's lack of involvement in this serious HR issue demonstrates her inability to promote a supportive relationship between HR and department leaders. This failed attempt to support Alan Patterson has caused undue stress for many individuals.

Supervisor's Signature  Date 11/20/18

Employee's Signature Gay Kimble Date 1/20/18

Employee's signature indicates that they have read above report and are aware of its content.

(This report will be filed in Employee's Personnel File)

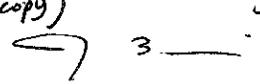
I disagree with statements made in this document.

*Gay Kimble
1/20/18*

Gay stated Sheila did not know of this issue until 11/15/18 and Sheila did not make her aware there was an issue until then. Alan's emails and comments do not support this timeline

(This was added after Gay's signature and is not on her copy)

Gay's

 11/20/18