

LORRAINE McILVEEN

FAX TRANSMISSION

17 Oakland Avenue  
Farmington, Connecticut 06032  
TEL: (860) 676-0530

COVER PAGE

DATE:

August 9, 2016

TO:

Adjudications Specialist  
CT Dept. of Labor, 645 South Main St.  
Middletown, CT 06457-4562

FAX: 866-754-1410

RE:

8/9/16 1:45pm hearing  
Lorraine McIlveen 045-62-3367  
CT Consignment LLC  
ER. #: 41-442-82

NUMBER OF PAGES, INCLUDING THIS PAGE: 21

SENT BY: Lorraine C. McIlveen

TEL: (860) 676-0530

E-MAIL: charb46@yahoo.com

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REMARKS:

- 1) I plan on participating via telephone at 1:45 pm.
- 2) I had requested, in writing, my complete employment file from CT Consignment, LLC in a July 11, 2016, 7:42am email and its attachment. In reply, 11-1/2 days later on 7/22/16, **only** received new employer comments to the corrected employee statements that were in response to employer claims. **I have not been given copy of my employee file as requested on July 11, 2016.**
- 3) As I did not receive copy of my employment file, requested almost a month ago, I attach my copy of the following items that I imagine is in my file or that I had requested to be included in my employee file:
  - a) Two 'write-ups' that included 5/26/16 and 6/9/16 employer claims.
  - b) 6/17/16 undated Termination Letter.
  - c) My 7/11/16 email correcting my employee statements replying to those employer claims in the two 'write-ups', and the reasons for correcting the employee statements.
  - d) My 8/9/16 email in reply to 7/22/16 employer comments (and new post-employment employer claims) of those corrected employee statements (7/22/16 employer comments attached with 8/9/16 email here).
- 4) As my daughter, Shannon was present during the two phone calls that the employer claims is the basis of my wrongful termination, I include her Witness Statement.
- 5) Regarding larger or other documents, such as the CT Consignment, LLC Employee Manual given to me, these may be found at ct-c.mcilveen.us.

# NOTICE OF DISCIPLINARY ACTION

EMPLOYEE NAME: Lorraine McIlwain DATE OF NOTICE: 5-20-16

SUPERVISOR NAME: Laurie Forchuck JOB POSITION: Key Holder

- TYPE OF PROBLEM OR VIOLATION:
- Tardiness
  - Absenteeism
  - Insubordination
  - Other: Loap
  - Quality of Work
  - Quantity of Work
  - Neatness
  - Safety
  - Drug or Alcohol Abuse
  - Carelessness
  - Date of Occurrence: \_\_\_\_\_

DETAILS OF OCCURRENCE (include description of impact on Company):  
Making comments about the store manager. Inappropriate behavior for a key holder. As told by a customer

CORRECTIVE ACTION TO BE TAKEN:  
Suspension:  With Pay  Without Pay  
First Day: \_\_\_\_\_  
Last Day: \_\_\_\_\_  
Other: \_\_\_\_\_

EXPECTED IMPROVEMENT (include a clear statement as to the consequences of failing to improve):  
This behavior will not be tolerated. Working for Co is a team effort. Failure to do so will result in demotion - suspension - and or termination

EMPLOYEE'S STATEMENT (Use additional paper if necessary)

By signing this notice, I am acknowledging that I have been counseled about my inappropriate conduct and informed of consequences if improvements are not made.  
Employee Signature: L. McIlwain Date: 5-20-16

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EMPLOYEE DISCIPLINARY ACTION FORM

Employee: Lorraine Mcilveen

Date of Warning: June 9th, 2016

Department: Avon

Supervisor: Laurie Forcellina

TYPE OF VIOLATION:

WARNING:

Attendance  Carelessness  Disobedience

Violation Date: 6/8/16

Safety  Tardiness  Work Quality

Violation Time: (a.m. / p.m.) 6:36 PM and 7PM

Other Lorraine called Laurie on 6/8/16 and was screaming at her.

Place Violation Occurred: Avon

EMPLOYER STATEMENT

Lorraine called the store manager Laurie and was yelling and threatening her and being very insubordinate.

EMPLOYEE STATEMENT

I never screamed at Laurie, I was trying to help her out as I asked her if she had ever been a manager before and she said no I replied well I have. ~~I~~ Asked her what she said to Jackie and the first time

WARNING DECISION

Lorraine will be put on administrative leave pending an investigation.

Approved by: Jackie Leathe  
Name

General Manger  
Title

6/9/16  
Date

List All Previous Warnings (when warned and by whom):

Previous Warning: \_\_\_\_\_ 1st Warning  
 Date 5/26/16  
 Verbal \_\_\_\_\_  
 Written X

Previous Warning: \_\_\_\_\_ 2nd Warning  
 Date \_\_\_\_\_  
 Verbal \_\_\_\_\_  
 Written \_\_\_\_\_

Previous Warning: \_\_\_\_\_ 3rd Warning  
 Date \_\_\_\_\_  
 Verbal \_\_\_\_\_  
 Written \_\_\_\_\_

I have read this "warning decision". I understand it and have received a copy of the same.

Jackie Leathe 6-9-16  
 Employee Signature Date

Lorraine Mcilveen 6-9-16  
 Signature of person who prepared warning Date

Laurie Forcellina 6/9  
 Supervisor's Signature Date

COPY DISTRIBUTION

Employee  HR Dept  Supervisor

EB-1

Lorraine McIlveen

SENT VIA REGULAR AND CERTIFIED MAIL

**Re: Termination of Employment**

Dear Lorraine:

This letter is written to inform you that your employment with Consignment Originals is terminated effective today June 14, 2016. The reason for your termination is that you have engaged in inappropriate and unprofessional behavior towards your immediate supervisor. Recently, on Wednesday June 8<sup>th</sup>, you called the Avon store and spoke with Laurie Forcellina your immediate supervisor. In an aggressive tone you asked Ms. Forcellina what she had said to me about an incident that had occurred in the store. Ms. Forcellina told you that I would speak with you on Thursday June 9<sup>th</sup>. You then asked Ms. Forcellina what exactly she had told me. Ms. Forcellina again told you that you could speak with me on Thursday. At this point in the phone call began to yell and became belligerent. You yelled at Ms. Forcellina demanding to know if she was ever a manager and if she knew what the term legal ramification meant. You then again yelled at Ms. Forcellina and stated "were you a manager, or do you know what the term means?" You continued to yell at Ms. Forcellina and demanded to know what she had told me about the incident. Ms. Forcellina then told you what she had told me and your yelling got even louder and more disrespectful. This entire time Ms. Forcellina was in the store with customers present. she was forced to hold the phone away from her ear and then walked into the office. At this point Ms. Forcellina informed you that she had to go because she was busy. Your response was to yell at her stating that it was 7:00 p.m. and she wasn't busy. Ms. Forcellina then hung up the phone and apologized to a nearby customer.

This behavior is disrespectful and reprehensible. In addition, on May 26, 2016 you received a written warning for engaging in inappropriate behavior with respect to Ms. Forcellina. At the conclusion of this written warning you were informed that "this behavior will not be tolerated. Working for Co. is a team effort. Failure to do so will result in demotion - suspension - and or termination."

It is for all of these reasons that your employment is terminated. Enclosed please find your final paycheck and unemployment paperwork.

Sincerely,



Jackie Leathe  
General Manager  
Consignment Originals

BC-1

Jul 11 at 7:42 AM

Lorraine mcIlveen <charb46@yahoo.com>

To jleathe@consignit.com

CC jprocanik@consignit.com hr@consignit.com

Mrs. Jackie Leathe, General Manager of Consignment Originals,

There are applicable employment incidents that are undocumented, a resurfaced 5/26/16 notice and a 6/9/16 employer reduced *employee statement* that I need to have clarified. I want you to amend my employment file with the enclosed two documents by attaching each to their respective Action Form and Action Notice. As noted below, and due to false verbal assurances from management, I am copying Corporate Owner, Jim Procanik who had previously told me that I could contact him directly.

The first amendment is my response to the 5/26/16 write-up regarding 'Gossip'; I would have written my statement at the time the write-up was made, but was told by you that the 5/26/16 write up was not going to be put into my employee file and would never be used again so there was no need for any statement from me. Contrary to your verbal assurances, the 5/26/16 write-up was unexpectedly mentioned in the second 6/9/16 write-up. Due to the verbal misinformation from management, I need to have my responding employee statement added, as I was not given an opportunity to properly respond to the claims at that time. In fact, after requesting a copy of the 'Gossip' write-up, it was not until two or three days later when you stated "Oh yeah, I should have given it to you then."

Similarly, the second attachment is my finished and complete employee statement for the 6/9/16 write-up that contributed to my subsequent termination with Consignment Originals. When I started writing my contemporaneous statement, you again stopped me, almost as soon as I began, and instructed me to cross out what I had been writing because you did not want your name mentioned. You told me that you would investigate the claims and would call with the results; I never received that follow-up phone call that you promised. You did however, call me about an hour after I left the Avon store requesting that I drive back to Avon and turn my key in.

Not even getting into the incident of your verbal offer to me to manage the Avon store (there is a witness that you would be making the offer) that turned out to be another empty promise (giving the position to Laurie Forcellina instead), I had submitted dress shirts for consignment that Laurie Forcellina checked-in on 2/25/16 and that has mysteriously disappeared (including Consignment Originals computer records of the consignment) in the first week or two after submission. Every time I mention the missing consigned clothing articles, I keep getting told by you or Laurie that someone will look into it or make it right. That was months ago.

I am also requesting a complete copy of my employee file that has these two attachments included with their respective documents.

Thank you,

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Lorraine McIveen

C: HR,  
Mr. Jim Procanik

DATE: Wednesday, June 9, 2016

RE: Avon Consignment Originals Employee Statement for Lorraine McIlveen

SUBJ: 6/8/16 attempted theft, subsequent telephone statement and 6/9/16 management Admin. Leave decision

The following is my corrected 6/9/16 employee statement that the General Manager Jackie Leathe interrupted, had me modify and wouldn't allow me to complete regarding the 6/9/16 write-up that ended up contributing to my termination with Consignment Originals. The pre-typed employer statement and pre-typed warning decision was made prior to hearing my side of the story.

1. On Wednesday June 8, 2016, I observed fellow Employee Betsy (a good friend of Avon Store Manager Laurie Forcellina) removing a pill from my prescription bottle which was located in my purse that had been zipped shut. When Laurie arrived to work, I advised her of the incident, to which she said she was shaken up over the matter and couldn't believe it. Laurie said she would talk to Jackie later that evening even though she had already told me Jackie would be in the next day, Thursday, to deliver some items we needed.
2. Before leaving at the end of my shift on Wednesday, Laurie again said she was going to be speaking with Jackie later that day. To avoid any chance of Betsy getting into Jackie's medication (which could cause some serious ramifications), I said to Laurie that Jackie also takes prescription medication pills, hoping she would tell Jackie to protect her prescription medications in her purse too. I know this because Jackie and I had conversations about the prescription medicine she takes, including phentermine to lose weight, pain killers, etc.
3. Approximately two hours later I got an irate call from Jackie asking what happened with Betsy. After explaining the incident details, Jackie asked what I had said to Laurie involving her. I explained what I had said, along with the reasoning behind it noted above. Jackie said Laurie told her that I had said that Jackie had been known to pop pills also, to which I re-iterated my comments noted above. Laurie may have been confused because I had told her that Betsy had confessed to me that she was a pill popper, and Laurie did say she was shaken up over the whole incident.
4. I have not known Jackie long enough to know what she does and doesn't do. I only know what Jackie had told me, including that if I am prescribed pain killers, not to forget her, as she said she likes when she takes her prescription medicines and chills on the couch. While I said this did not enter into my conversation with Laurie at all, Jackie said Laurie, her and I will sit down tomorrow [Thursday, June 9, 2016] to discuss this.
5. I then called Laurie and asked if she was busy, to which she said no, she was just pricing. I therefore asked Laurie what she said to Jackie and why she lied. I tried to explain that if she didn't lie then she must have misunderstood me, as I never said Jackie was known to pop pills. I explained to Laurie that since she would be talking to Jackie that evening, Laurie should give Jackie a heads up, as she had a short history of being a general manager and may not be familiar with the implications of Betsy's actions. Voices got raised, not just mine, and she proceeded to hang up on me. I never threatened Laurie. (I have a witness to the conversation).
6. The following day when I went in to work, Jackie said she needed to talk to me, thinking that we are going to clear the air about the above discussions and misunderstandings. We did not have the conversation Jackie promised we would; instead I was put on administrative leave pending an investigation. When I read the disciplinary action paper presented to me that had the employer statement and decision already pre-typed, I said I would not sign it because the reason was untrue; Jackie said there is a place to leave my statement. As I started to explain in the employee statement portion about how all of this started, Jackie said the things between her and I do not apply and my statement should only be related to the phone conversation between Laurie and I. I reluctantly crossed it out. I believe my additional curtailed statements do apply because those statements would have explained how all of this started and, as it is my statement, I should have the right to say what happened, whether or not anyone feels my statement applies or not. She said immediately after the conversation that Laurie called her in tears, which Jackie said Laurie seems to do a lot because of the pressure of the job (as told to me by Jackie previously, asking me not to say a word which I had complied with thus far).
7. I feel like my placement on administrative leave and subsequent termination is retaliation for telling on the Manager's friend and whistle blowing on the General Manager's business practices.

3C-4

DATE: May 26, 2016

RE: Avon Consignment Originals Employee Statement for Lorraine McIlveen

SUBJ: 5/26/16 *Notice of Disciplinary Action* "Gossip" Clarification

The General Manager Jackie Leathe had me sign the subject notice, was not interested in allowing me a written response to the claim and said the notice would not be going in my file. Since the 5/26/16 Notice was referenced in the subsequent notice, and a contributor to my termination, the following clarification records conversations in my presence on the 25<sup>th</sup> and 26<sup>th</sup> of May, 2016 and is my statement regarding the Disciplinary Action about "Gossip" that I want included in my file:

1. Early in the afternoon, when there was no one in the Avon store except for Employee Betsy and I, she came over and told me that she had just finished putting away the remaining articles from the dressing rooms. I mentioned that "Laurie never seems to do that before she leaves" and that my training dictated that at the end of shift, employees are supposed to put clothes from the dressing rooms away as well as putting hangers from the registers away. Betsy said nothing in response to my comment and we kept working the same as always.
2. The next time I saw Betsy, she would only answer in one or two word answers. As abbreviated responses are atypical for Betsy, I inquired about her demeanor. Betsy said that she did not like the way I talked about Laurie. Pressing Betsy for more details, she told me that she didn't like that I said Laurie does not work on the floor. Immediately clarifying that I never said any such thing but that I did say that Laurie doesn't clear the dressing rooms and put all articles away at the end of shift, and that I was trained it is a requirement for the end of the shift. Betsy then told me that she told Jackie that I said Laurie never works on the floor. So I said to Betsy, if you are going to repeat to people about what I said that she needs to listen closer and get it right.
3. Upon arriving to work the next day, Jackie called me into the lunch room where she gave me this first write up and told me that both Betsy and Laurie signed one, however this May 26, 2016 *Notice of Disciplinary Action* wouldn't be part of our file but only to be used to reinforce our need to "play nice and help each other work as a team," in Jackie's words. Then Jackie told me that she had a meeting with Laurie that morning and Laurie was crying and saying how stressed she was; Jackie told me to not dare to tell Laurie that she told me.
4. I proceeded to tell Jackie that I have done everything I can to help Laurie, I have taught her things she didn't know how to do when she came here as a manager. Jackie said "well, you guys need to get along". I responded that I had thought Laurie and I got along just fine. Then Jackie told me I could leave.
5. I never wrote a statement in reply at the time because Jackie said it wasn't going in my file. I am writing this now after finding it noted on the form that led to my termination, to set the record straight. The notice also says it was told by a customer that I was gossiping about the manager, which is impossible as there was not a single customer in the store both times Betsy and I talked and we both used Laurie's name never mentioning the word "manager". I was also told by Betsy herself, that she is the one who told Jackie a false statement of what I said, in an offhand comment about what I was taught with regards to working for Consignment Originals in training at their main training facility in Rocky Hill.

3D-1

**Subject:** Re: Employment File requests  
**From:** Lorraine mcIlveen (charb46@yahoo.com)  
**To:** jleathe@consignit.com;  
**Cc:** hr@consignit.com; jprocanik@consignit.com;  
**Date:** Tuesday, August 9, 2016 10:05 AM

Jackie,

Expecting an attempt to meet my 7/11/16 requests, instead, 11-1/2 days later, I received your defensive email attachments to "set the record straight" in your continuing attempt to control the conversations and to disparage my employee statement replies to the 5/16/16 & 6/9/16 employer claims. Your responses and 7/22/16 employer claims are categorically incorrect. Also, I know of no employer who comments on employee statements that are in response to employer claims and view yours as another attempt to convolute my employee's statement replies. My 7/11/16 emailed statements stand on their own without your corruption and they should be reflected in my employee file in such a fashion.

Also, even now, your 7/22/16 email attachments interject some new post-employment employer claims. An example of a new post-employment employer claim is you now have a new witness, "the maintenance person" and although unspecified, is actually your husband. Given the undocumented *attempted theft of my prescription medication* and having my *missing consignment articles* continue to be unresolved (as if being swept under the rug by not even discussing them), I feel that the disregard (by the 'team' and 'management') for theft reinforces my feelings that CT Consignment, LLC management fosters a hostile work environment.

At this point, my further replies to your erroneous new claims would prove to be an exercise in futility and it is best to curtail these back-and-forth emails as they appear to unacceptably escalate the quantity and frequency of additional false employer claims.

Lorraine

3D-2

Jul 22 at 3:59 PM

**Jackie Leathe** <jleathe@consignit.com>

To Lorraine mcllveen

CC jprocanik@consignit.com hr@consignit.com

Hi Lorraine,

I have added your statements to your file. I also added my comments as well.

Thank you!

---



**Jackie Leathe**

General Manager, Consignment Originals  
Cheshire, Rocky Hill, Orange, Avon, & Wallingford  
p:860-266-0990

e:[jleathe@consignit.com](mailto:jleathe@consignit.com) | w:[www.consignit.com](http://www.consignit.com)



Dear Ms. McIlveen:

In your letter dated May 26, 2016, you make the following assertions (see bold text). In order to set the record straight, I am responding to your incorrect statements (see italic underlined text).

**The General Manager Jackie Leathe had me sign the subject notice, was not interested in allowing me a written response to the claim and said the notice would not be going in my file. Since the 5/26/16 Notice was referenced in the subsequent notice, and a contributor to my termination, the following clarification records conversations in my presence on the 25<sup>th</sup> and 26<sup>th</sup> of May, 2016 and is my statement regarding the Disciplinary Action about "Gossip" that I want included in my file: *I never told you this notice was not going into your file. I specifically had you sign the document.***

- 1. Early in the afternoon, when there was no one in the Avon store except for Employee Betsy and I, she came over and told me that she had just finished putting away the remaining articles from the dressing rooms. I mentioned that "Laurie never seems to do that before she leaves" and that my training**

dictated that at the end of shift, employees are supposed to put clothes from the dressing rooms away as well as putting hangers from the registers away. Betsy said nothing in response to my comment and we kept working the same as always.

2. The next time I saw Betsy, she would only answer in one or two word answers. As abbreviated responses are atypical for Betsy, I inquired about her demeanor. Betsy said that she did not like the way I talked about Laurie. Pressing Betsy for more details, she told me that she didn't like that I said Laurie does not work on the floor. Immediately clarifying that I never said any such thing but that I did say that Laurie doesn't clear the dressing rooms and put all articles away at the end of shift, and that I was trained it is a requirement for the end of the shift. Betsy then told me that she told Jackie that I said Laurie never works on the floor. So I said to Betsy, if you are going to repeat to people about what I said that she needs to listen closer and get it right. *You also proceeded in telling Betsy you have no idea how bad I can be. In addition, you were very combative.*

3. Upon arriving to work the next day, Jackie called me into the lunch room where she gave me this first write up and told me that both Betsy and Laurie signed one, however this May 26, 2016 *Notice of Disciplinary Action* wouldn't be part of our file but only to be used to reinforce our need to "play nice and help each other work as a team," in Jackie's words. Then Jackie told me that she had a meeting with Laurie that morning and Laurie was crying and saying how stressed she was; Jackie told me to not dare to tell Laurie that she told me. *This another fact that you choose to mischaracterize. I called you in to talk with you about this situation. I told you that this was a documented conversation. This was not the first time I had heard that you were not being team player. I had other managers, employees and customers tell me that you were always bad mouthing the Laurie, the store manager and treating her co-worker Betsy in a disrespectful manner. I believe you're disgruntled that did not receive a management position.*
4. I proceeded to tell Jackie that I have done everything I can to help Laurie, I have taught her things she didn't know how to do when she came here as a manager. Jackie said "well, you guys need to get along". I responded that I had thought

**Laurie and I got along just fine. Then Jackie told me I could leave. I did tell you that this behavior was unbecoming of a Consignment Original Employee and that this would not be tolerated. You signed the write up and went back to work. On the write up it says should this happen again it would result in either suspension, or termination. Given the severity of the phone call you made to your Manager and statements made therein your employment was terminated.**

- 5. I never wrote a statement in reply at the time because Jackie said it wasn't going in my file. I am writing this now after finding it noted on the form that led to my termination, to set the record straight. The notice also says it was told by a customer that I was gossiping about the manager, which is impossible as there was not a single customer in the store both times Betsy and I talked and we both used Laurie's name never mentioning the word "manager". I was also told by Betsy herself, that she is the one who told Jackie a false statement of what I said, in an offhand comment about what I was taught with regards to working for Consignment Originals in training at their main training facility in Rocky Hill. This statement is untrue as well. I did have a customer let me know what**

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you were saying. I also had several employees that worked with you say you would bad  
mouth the store and its manager.

Dear Ms. McIlveen:

In your letter dated June 9, 2016, you make the following assertions (see bold text). In order to set the record straight, I am responding to your incorrect statements (see italic underlined text).

**The following is my corrected 6/9/16 employee statement that the General Manager Jackie Leathe interrupted, had me modify and wouldn't allow me to complete regarding the 6/9/16 write-up that ended up contributing to my termination with Consignment Originals. The pre-typed employer statement and pre-typed warning decision was made prior to hearing my side of the story.** *This opening statement is incorrect. I always give the employees a chance to comment. I specifically gave you a chance to comment as well.*

- 1. On Wednesday June 8, 2016, I observed fellow Employee Betsy (a good friend of Avon Store Manager Laurie Forcellina) removing a pill from my prescription bottle which was located in my purse that had been zipped shut. When Laurie arrived to work, I advised her of the incident, to which she said she was shaken up over the matter and couldn't believe it. Laurie said she would talk to Jackie later that evening even though she had already told me Jackie would be in the next day, Thursday, to deliver some items we needed.** *Betsy was not a good friend of Laurie's. She was an employee. They had not met prior to working together. In addition, Laurie informed me of this incident right away.*
- 2. Before leaving at the end of my shift on Wednesday, Laurie again said she was going to be speaking with Jackie later that day. To avoid any chance of Betsy getting into Jackie's medication (which could cause some serious**

ramifications), I said to Laurie that Jackie also takes prescription medication pills, hoping she would tell Jackie to protect her prescription medications in her purse too. I know this because Jackie and I had conversations about the prescription medicine she takes, including phentermine to lose weight, pain killers, etc. I did tell you about my weight loss prescription because you said you felt overweight and wanted to know how I was doing it. I told you about the Medi-Weight Loss program. That was the end of the conversation.

3. **Approximately two hours later I got an irate call from Jackie asking what happened with Betsy. After explaining the incident details, Jackie asked what I had said to Laurie involving her. I explained what I had said, along with the reasoning behind it noted above. Jackie said Laurie told her that I had said that Jackie had been known to pop pills also, to which I re-iterated my comments noted above. Laurie may have been confused because I had told her that Betsy had confessed to me that she was a pill popper, and Laurie did say she was shaken up over the whole incident.**
4. **I have not known Jackie long enough to know what she does and doesn't do. I only know what Jackie had told me, including that if I am prescribed pain killers, not to forget her, as she said she likes when she takes her prescription medicines and chills on the couch. While I said this did not enter into my conversation with Laurie at all, Jackie said Laurie, her and I will sit down tomorrow [Thursday, June 9, 2016] to discuss this. This statement is false.**
5. **I then called Laurie and asked if she was busy, to which she said no, she was just pricing. I therefore asked Laurie what she said to Jackie and why she lied.**

I tried to explain that if she didn't lie then she must have misunderstood me, as I never said Jackie was known to pop pills. I explained to Laurie that since she would be talking to Jackie that evening, Laurie should give Jackie a heads up, as she had a short history of being a general manager and may not be familiar with the implications of Betsy's actions. Voices got raised, not just mine, and she proceeded to hang up on me. I never threatened Laurie. (I have a witness to the

**conversation).** You called Laurie and was yelling asking her had she ever been a manager before, you also inquired as to whether she knew what the legal ramifications were (in a very threatening tone). You were so loud a customer came to ask if Laurie was okay because she could hear yelling on the phone. Also the maintenance person was in the store and could tell that Laurie was upset by the look on her face and he could hear someone being very loud on the phone.

6. The following day when I went in to work, Jackie said she needed to talk to me, thinking that we are going to clear the air about the above discussions and misunderstandings. We did not have the conversation Jackie promised we would; instead I was put on administrative leave pending an investigation. When I read the disciplinary action paper presented to me that had the employer statement and decision already pre-typed, I said I would not sign it because the reason was untrue; Jackie said there is a place to leave my statement. As I started to explain in the employee statement portion about how all of this started, Jackie said the things between her and I do not apply and my statement should only be related to the phone conversation between

Laurie and I. I reluctantly crossed it out. I believe my additional curtailed statements do apply because those statements would have explained how all of this started and, as it is my statement, I should have the right to say what happened, whether or not anyone feels my statement applies or not. She said immediately after the conversation that Laurie called her in tears, which Jackie said Laurie seems to do a lot because of the pressure of the job (as told to me by Jackie previously, asking me not to say a word which I had complied with thus far). No one has ever forced you not to comment or cross anything out. You have been told to comment if you would like. Your dismissal was strictly due to your poor behavior.

7. I feel like my placement on administrative leave and subsequent termination is retaliation for telling on the Manager's friend and whistle blowing on the General Manager's business practices. Again, Laurie did not know Betsy prior to working for Consignment Originals and they only worked together for a few weeks. You were not retaliated against. Instead, you were terminated for poor behavior.

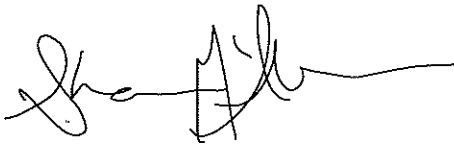
Witness Statement to 6/8/16 Telephone Incident:

On the evening of Wednesday, June 8, 2016, with me present, Lorraine McIlveen received a call from Jackie Leathe, the General Manager of Consignment Originals. We both figured it was regarding an incident with Betsy, a coworker of Lorraine's whom she caught trying to steal her prescription medicine from her purse earlier that day. While that was what the conversation started about, it quickly changed when Jackie had said something along the lines of Laurie Forcilina (the Store Manager in Avon) claimed that Lorraine had accused Jackie of stealing pills from her purse. Lorraine told Jackie the truth and the whole story (that she had told me earlier that day) and relayed it correctly and in its entirety to Jackie. Lorraine reiterated what happened with Betsy and how Jackie needs to be careful with her prescriptions and to make sure none of Jackie's had been taken, because Lorraine knew Betsy and Jackie had been in the store together before. After a few more times of them going back and forth, Lorraine assured Jackie that she never accused Jackie of stealing her medicine. Lorraine told Jackie that she had only been looking out for Jackie, and the company in general, because of the liability involved with having an employee who steals prescription medications from co-workers. Lorraine said Jackie hadn't even been in the store at the same time as her for weeks now so how could Jackie have stolen her medicine? Jackie claimed everything was alright after Lorraine explained everything, they said goodbye and hung up.

Shortly thereafter, once Lorraine told me what was said by Jackie on that phone call. Lorraine tried to call Laurie at the Avon store to ask what she had told Jackie, because she in no way accused or ever suggested Jackie stole pills from her. I asked Lorraine why she was trying to call Laurie and she said "because I want to know what exactly Laurie told Jackie for her to ever get that idea". After a couple failed calls with no one answering the phone, Laurie finally picked up. Lorraine asked Laurie if she was busy. Laurie answered with something I couldn't hear and Lorraine said "oh so you're not busy, you're just pricing?" Laurie answered which I still couldn't hear and Lorraine then said "so you have a few minutes to tell me what you told Jackie?" Laurie answered and Lorraine said "what I mean is; I want to know what you told Jackie about what happened today." Laurie said something I couldn't hear then Lorraine said "and what was that?" I then was able to hear Laurie say "exactly what you told me!" Lorraine finally asked (still using the same voice she used when she first started talking to Laurie and had used thus far) "what exactly did you tell Jackie I said?" Laurie said something I couldn't hear again but by the end I heard "...and that you said that Jackie has been known to pop pills too!" Lorraine told her she never said any such thing and would never say anything like that because it's untrue. She retold Laurie exactly what she had said earlier that day confirming Jackie would be in tomorrow (Thursday, June 9, 2016) and that she did say "Jackie takes pills" too because Lorraine and Jackie had talked about Jackie's prescription medications before. Lorraine also explained her meaning behind what she had said about Jackie needing to keep an eye on her purse and all her medicine because she knows Jackie takes prescription pills. Just in case Laurie (as I was told is an inexperienced, untrained and unknowledgeable manager) didn't understand the points being made from the perspective Lorraine had been thinking from (which is that of an experienced manager), Lorraine discussed the ramifications an employee like that could have on the company and all employees who work with her. She had said that she never meant that her statement of "Jackie takes pills too" to be taken as anything other than a heads up for Jackie to check her medicine as well and keep an eye on them while Betsy is around because of how serious it is for someone having a prescription belonging to another person, or taking someone else's medicine. She said she knew Jackie and Betsy had been in the store together for hours and Jackie's belongings would not have been watched and Jackie is on strong medicine. I too have heard Jackie talking about the medicine she was taking (Phentermine to lose weight) and she did say she like to take a pain pill and chill on the couch after a long day.

Both Lorraine and Laurie at this point had high running emotions. I wouldn't say yelling had ensured on either end but raised voices had begun and it started with Laurie as she explained what she told Jackie, because I could hear her through the phone from halfway across the room. I was actually shocked when I heard Laurie's voice through the phone because I saw no reason for it. The fact that a Store Manager was raising her voice to her employee, who just witnessed a problem employee trying to steal her medication, and was then accused by this Manager of blaming/accusing the General Manager she hadn't seen in weeks or even months of stealing her medicine seemed incredibly unprofessional and an extreme overreaction for an innocent person to have.

NEVER were any threats made by Lorraine; from what I heard of Laurie's side, I didn't hear her make any threats. Lorraine asked Laurie if she had ever been a manager, as Laurie was saying "why are you calling me, you should tell all this to Jackie", and Lorraine responded with "I did, but I want to know what you told Jackie to make her ask me about accusing her of stealing my medicine." In reply to Laurie saying that she had been a manager, Lorraine asked "when and where were you a manager." Laurie said what sounded like "it doesn't matter", but it was softer and hard to hear that part. Lorraine said "so that means you understand all about the liability of Betsy's actions" (again back to the whole reason for this, Betsy a new friend of Laurie and an employee of Consignment Originals trying to steal Lorraine's prescription medicine out of her purse and getting caught)? Laurie blustered a little but finally admitted to having never been a manager (although I wasn't able to hear her admit that part as she finally said it softly) which Lorraine already knew as she had been giving Laurie help so she could figure out how to manage, as Lorraine was asked to do by Management. Lorraine responded with "well, I have been and I have been a General Manager and Regional Manager and have over 20 years of experience." Lorraine said she understands all about the liability and problems that comes from having an employee who steals and abuses drugs in a store. Lorraine said "I was only trying to help you like I have done since you started working here." Laurie then said to "tell Jackie all of this, and not me." Lorraine said "I did, and I will tell her again." Laurie said "so why are you calling me" and Lorraine answered "to find out what you said to Jackie." Laurie said again "Jackie will be in tomorrow so tell her." Lorraine replied with "I have, and I will again, but I wanted to know what you said to Jackie to make her think I accused her of stealing my medicine and to make sure as my manager you understand exactly what I said because I just got a call from Jackie saying that I claimed Jackie stole my medicine." Laurie then hung up on Lorraine.



Shannon McIlveen