

FILED
DEC 06 2013
FRANKLIN CIRCUIT COURT
SALLY JUMP, CLERK

COMMONWEALTH OF KENTUCKY
48th JUDICIAL CIRCUIT
FRANKLIN CIRCUIT COURT – DIVISION I
CIVIL ACTION NO. 13-CI- 01413

LESLIE THOMAS

PLAINTIFF

vs.

**COMPLAINT
JURY TRIAL DEMANDED**

BOARD OF REGENTS OF KENTUCKY
STATE UNIVERSITY

DEFENDANT

Serve: Lori Davis
Office of the President
Kentucky State University
400 E. Main Street
Frankfort, KY 40601

MARY SIAS,
In Her Individual Capacity

DEFENDANT

Serve: Mary Sias
Office of the President
Kentucky State University
400 E. Main Street
Frankfort, KY 40601

LORENZO ESTERS,
In His Individual Capacity

DEFENDANT

Serve: Lorenzo Esters
Office of the President
Kentucky State University
400 E. Main Street
Frankfort, KY 40601

JACQUELINE GIBSON,
In Her Individual Capacity
Mississippi Valley State University
Student Union Annex
Student Affairs Suite
14000 Hwy. 82 W
Itta Bena, MS 38941

Serve: Office of the Secretary of State
Summons Branch
700 Capital Ave., Ste. 86
Frankfort, KY 40601
(pursuant to KRS 454.210)

* * * * *

Plaintiff Leslie Thomas for her Complaint against defendants states as follows:

I

Nature of the Case

1. This is an action asserting causes of action pursuant to the Kentucky Civil Rights Act, KRS Chapter 344 *et seq.*, the common law of Kentucky and the Kentucky Whistleblower Act, KRS Chapter 61 *et seq.*, arising from discriminatory employment practices and the termination of plaintiff's employment at and by Kentucky State University seeking recovery of compensatory and punitive damages, back pay, reinstatement to employment or, in the alternative, front pay, attorney's fees, costs and litigation expenses.

II

Jurisdiction and Venue

2. Franklin Circuit Court has jurisdiction over this matter pursuant to KRS 23A.010, KRS 344.450, and KRS 61.103(2). Venue is proper in Franklin Circuit Court because the claims asserted herein arose in Franklin County, Kentucky.

III

Parties

3. Plaintiff Leslie Thomas (Thomas) is a citizen of the United States of America and a resident of Franklin County, Kentucky.

4. Defendant Board of Regents of Kentucky State University (hereinafter referred to as "defendant") is the body corporate of Kentucky State University.

5. Defendant Mary Sias (Sias) is, upon information and belief, a resident of Franklin County, Kentucky. She is sued in her individual capacity for wrongful acts committed and injuries inflicted in Franklin County, Kentucky.

6. Defendant Lorenzo Esters (Esters) is, upon information and belief, a resident of Franklin County, Kentucky. He is sued in his individual capacity for wrongful acts committed and injuries inflicted in Franklin County, Kentucky.

7. Defendant Jacqueline Gibson (Gibson) is, upon information and belief, now a resident of Leflore County, Mississippi or works within that county. She is sued in her individual capacity for wrongful acts committed and injuries inflicted in Franklin County, Kentucky.

IV

Facts Giving Rise to Lawsuit

8. Thomas is a Caucasian woman and the Kentucky Civil Rights Act prohibits discrimination against her with respect to her employment including its terms and conditions based on her race.

9. Thomas, at all times pertinent hereto and up to on or about October 18, 2013, was an employee of defendant within the meaning of KRS Chapter 344.

10. Thomas, at all times pertinent hereto and up to on or about October 18, 2013, was an "employee" of defendant within the meaning of KRS 61.102.

11. Defendant, at all times pertinent hereto, and up to on or about October 18, 2013, was Thomas's employer within the meaning of KRS 344.040 and KRS 61.102.

12. Esters, at all times pertinent hereto, was a "person" within the meaning of KRS 344.280.

13. Sias, at all times pertinent hereto, was a "person" within the meaning of KRS 344.280.

14. Gibson, at all times pertinent hereto, was a "person" within the meaning of KRS 344.280.

15. Thomas began employment with Kentucky State University on July 1, 1988.

16. Thomas worked principally in the position of Director of Student Life for defendant.

17. At the time her employment was terminated, Thomas held the job title of Director of Student Life.

18. Thomas, notwithstanding her years of dedicated and exemplary service, was the lowest-paid Director at Kentucky State University.

19. As a consequence of her exemplary and dedicated job performance on behalf of defendant Kentucky State University, its students and community, Thomas received the Favorite Faculty/Staff award as voted on by the KSU student body every year of its existence.

20. Additionally, in March 2013, Thomas received a Lifetime Achievement Award in recognition of her 25 years of dedicated and exemplary service to Kentucky State University, its students and community.

21. On or about September 15, 2013, defendant Esters, who had become KSU's Vice-President for Student Success and Enrollment Management, became Thomas's immediate supervisor.

22. On or about November 1, 2013, defendant Gibson commenced work for Kentucky State University as its Assistant Vice President for Student Engagement and Leadership Development and in this capacity supplanted Esters as Thomas's immediate supervisor.

23. Esters and Gibson, who are African-American, resented that Thomas, a white woman, had such close, cordial and productive relationships with African-American students at KSU.

24. As a result of their resentment against Thomas based on her race and because Esters wished to have all of the Directors in his division be African-American, Esters and Gibson, each aiding and abetting the other, launched a concerted campaign aimed at getting Thomas's employment terminated and/or coercing her into resigning her employment at Kentucky State University.

25. Esters' and Gibson's motive and intent was to discriminate against Thomas based on her race.

26. One of the principal means by which Esters and Gibson fostered and furthered their discrimination against Thomas was unfounded assertions that Thomas either could not or would not perform adequately her job duties as Director of Student Life.

27. Although Gibson and Esters continually criticized Thomas for lacking skills or initiative to adequately perform her job as Director of Student Life, they assigned to her important jobs and duties beyond those of the Director of Student Life: at the time she was terminated, Thomas was also responsible for performing the full-time job duties of the position of Director of Women/Women of Excellence.

28. At the time her employment was terminated, Thomas, in addition to her regular full-time duties as Director of Student Life and the additional full-time duties assigned her in the Director of Women/Women of Excellence position, was also responsible for performing other duties including serving

as co-Chair of the New Thorobred Week program; developing and implementing a program to track the grades of all Student Leaders and office-holders in student organizations which entailed checking grades, meeting with each student individually to develop an action plan, follow up from midterm to finals, provide orientation, reflection of learning, etc.; part of the Judicial Officer duties; and supervising, advising and coordinating all SGA and PanHellenic events.

29. Esters and Gibson, in furtherance of their intent to discriminate against Thomas based on her race, fabricated complaints about Thomas's job performance.

30. Esters and Gibson, in furtherance of their intent to discriminate against Thomas based on her race, had Thomas's Facebook page monitored through a third person and regularly received and reviewed printouts of her Facebook page.

31. Esters and Gibson monitored Thomas's Facebook page for the purpose of finding some pretext to advance their intent to have Thomas's employment terminated and/or to coerce her to resign and to discriminate against her based on her race.

32. Esters and Gibson, in furtherance of their intent to discriminate against Thomas based on her race, treated Thomas differently than other Directors under her supervision including assigning more job duties and tasks to Thomas, putting Thomas on three 90-day probation periods,

reducing Thomas's office space, forbidding Thomas to permit students to visit in the Student Life suite, arbitrarily cancelled traditionally successful Student Life events such as the annual Project Rebuild New Orleans service trip and annual Black History trip, among other things.

33. Gibson and Esters regularly accused Thomas of using students as surrogates to advance her agenda. Attached to this complaint as Ex. 1 is a text message that Gibson unintentionally sent Thomas making precisely this type accusation.

34. Gibson issued Thomas a written reprimand for not attending *cancelled events* during New Thoroughbred Week student orientation programming.

35. Gibson and Esters both ordered Thomas to increase the number of Student Life programs. Gibson ordered such programs be conducted 3-4 nights a week and both ordered that programs be conducted on weekends.

36. In April 2013, during a performance evaluation meeting with Gibson, Thomas, in response to Gibson's criticism that she was not having enough Student Life activities and programs, informed Gibson that KSU faculty was complaining that Student Life was conducting too many programs and activities to the point that they were impacting negatively students' academic performance.

37. At the same meeting, Thomas informed Gibson that students themselves were complaining about the number of Student Life activities,

claiming that they were monopolizing the campus calendar and interfering with the ability of student organizations to conduct their own events and programs.

38. Also at the same meeting, Thomas pointed out that the KSU faculty's concerns about the adverse impact of the increased number of Student Life programs on student academic performance appeared to be well-founded, because the number of midterm warnings had increased from 800 in the Fall 2012 semester to 1200 in the Spring 2013 semester.

39. Gibson, in response to this information and evidence, simply replied to Thomas: "Well, that's not going to change."

40. Thomas continued to do as ordered by Gibson, and the number of midterm warnings increased further from 1200 to 2250 in the Fall 2013 semester.

41. Thomas was advised by Lacy Rice, a prominent KSU alumnus, that she should "watch her back" because it was plain to Rice based on his conversations and discussions with Esters that Esters wanted an all black group of Directors working under him.

42. Thomas reported to Sias on numerous occasions the unfair and discriminatory treatment she was getting from Esters and Gibson.

43. Thomas filed a grievance regarding the unfair and discriminatory treatment she was getting from Esters and Gibson, which resulted ultimately in mandatory mediation in which she and Gibson participated.

44. The mediator's recommendation was that Thomas and Student Life be removed from the supervision of Esters and Gibson.

45. The mediator's recommendation was ignored and not acted upon.

46. Esters and Gibson, in furtherance of their intent to discriminate against Thomas based on her race, caused to be issued Thomas on August 19, 2013, an unfounded, unfair and negative performance evaluation.

47. Thomas, in response to this unfounded, unfair and negative performance evaluation, sent to Sias, Esters, Gibson and Gary Meiseles, the Director of Human Resources for defendant, the written rebuttal attached hereto and marked Ex. 2 to this complaint.

48. On or about June 14, 2013, Thomas was elected as the staff representative to the KSU Board of Regents.

49. On or about July 26, 2013, Thomas commenced officially her position as a member of the KSU Board of Regents.

50. As a member of the Kentucky State University Board of Regents, Thomas had a duty to seek and obtain accurate information, to raise questions and concerns about university issues and to participate substantively in the governance and operations of Kentucky State University.

51. Thomas, in accordance with her duties as a member of the KSU Board of Regents, raised questions and sought information material to the governance and operation of Kentucky State University including but not limited to the \$1.2 million increase in administrative salaries in the

preceding year; staff salary inequities; the fees charged students at the Rosenwald Child Care Center; the abolition of accumulated sick time for employees in the KTRS system; a general fear of retaliation among KSU staff; the overall morale of KSU staff; the accuracy of the numbers of students enrolled that had been reported; the proposed Board action regarding the University policy permitting employees to appeal their termination; the low student retention rate; and, the reduction of security in the dorms on campus.

52. On October 18, 2013, Thomas's employment at Kentucky State University was terminated. A copy of Thomas's termination letter is attached as Ex. 3 to this complaint.

53. Esters and Gibson with the consent and approval of Sias caused the termination of Thomas's employment.

54. As a result of the involuntary and unlawful termination of her employment for defendant, Thomas became ineligible to continue serving on the Board of Regents of Kentucky State University.

55. As a result of Thomas's ineligibility to continue serving on the Board of Regents of Kentucky State University, Sias, Esters and Gibson succeeded in undermining and countermanding the election of a Board of Regents member charged with governance and operation of Kentucky State University and holding accountable members of its administration including Sias, Esters and Gibson.

56. As a direct and proximate result of the wrongful actions of defendant, Sias, Esters, and Gibson, Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits, emotional distress and mental anguish, embarrassment and humiliation and violation of her rights.

57. Defendants have acted with gross negligence and/or wanton and reckless indifference for Thomas's rights.

V

Causes of Action

Count 1 – Discrimination Based On Thomas's Race

58. Thomas incorporates paragraphs 1 through 57 hereof as if fully set forth herein.

59. Thomas was subjected to discrimination in the terms and conditions of her employment including its termination based on her race in violation of KRS 344.040.

60. A substantial and motivating factor for Thomas's termination from employment was her race, white.

61. As a direct and proximate result of the discrimination in the terms and conditions of her employment based on her race in violation of KRS 344.040, Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits, emotional distress and mental anguish and embarrassment and humiliation.

Count 2 - Aiding & Abetting Wrongful Race Discrimination

62. Thomas incorporates paragraphs 1 through 61 hereof as if fully set forth herein.

63. Esters and Gibson aided and abetted in violation of KRS 344.280(2) the discrimination based on her race, white, to which Thomas was subjected in violation of KRS 344.040.

64. Sias by ratifying the termination of Thomas's employment as urged by Esters and Gibson likewise aided and abetted in violation of KRS 344.280(2) the discrimination based on her race, white, to which Thomas was subjected in violation of KRS 344.040.

65. As a direct and proximate result of Esters's, Gibson's and Sias's actions in violation of KRS 344.280(2), Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits, emotional distress and mental anguish, and embarrassment and humiliation.

Count 3 – Aiding and Abetting Wrongful Discharge

66. Thomas incorporates paragraphs 1 through 65 hereof as if fully set forth herein.

67. Thomas, as a member of the Kentucky State University Board of Regents, had a duty, in accordance with KRS 164.350, to seek and obtain accurate information, to raise questions and concerns about university issues and to participate substantively in the governance and operations of Kentucky State University.

68. Thomas, in accordance with her statutory duties and the public interest they serve, sought information and raised questions and concerns for the purpose of fulfilling her duties as a member of the Board of Regents.

69. A motivating factor for the termination of and Thomas's discharge from employment was her actions toward fulfilling her statutory duties as a member of the Board of Regents in accordance with KRS 164.350.

70. Sias aided and abetted the wrongful termination and discharge of Thomas from defendant's employment.

71. As a result and proximate result of her wrongful discharge from employment and Sias's aiding and abetting of same, Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits, emotional distress and mental anguish, embarrassment and humiliation.

Count 4 – Reprisal for Protected Report

72. Thomas incorporates paragraphs 1 through 71 hereof as if fully set forth herein.

73. Thomas reported in her rebuttal (Ex. 2 to this Complaint) to the unfounded, unfair and negative performance evaluation facts or information relative to actual or suspected mismanagement and/or abuse of authority within the meaning of KRS 61.102.

74. Thomas was subjected to reprisal and retaliation based on her protected disclosures and reports in violation of KRS 61.102.

75. As a result and proximate result of the unlawful reprisal and retaliation to which she was subjected in violation of KRS 61.102, Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits.

Count 5 - Termination Without Cause

76. Thomas incorporates paragraphs 1 through 75 hereof as if fully set forth herein.

77. Thomas, by virtue of her official membership of the Board of Regents and because by statute her membership is contingent upon her continued employment by defendant, cannot be terminated from employment by defendant without cause.

78. The public policy of Kentucky prohibits the termination of a staff representative's employment with Kentucky State University because allowing such termination without cause would contravene and undermine the efficiency and operations of the governing Board of Regents.

79. No assertion of cause was made for Thomas's termination; she was simply informed that her employment was terminated. A copy of her termination letter is attached as Ex. 3 to this complaint.

80. Thomas's employment at Kentucky State University was unlawfully terminated without cause and without any assertion of cause.

81. The public interest has been irreparably harmed and there is no adequate remedy at law for the wrongful actions of Sias, Esters and Gibson for attempting to evade and undermine oversight by the Board of Regents.

82. As a direct and proximate result of the unlawful termination without cause of Thomas's employment, Thomas has suffered, is suffering and is reasonably certain to suffer in the future injuries and damages including loss of income and benefits, emotional distress and mental anguish, embarrassment and humiliation.

VI

Demand for Relief

WHEREFORE, plaintiff Leslie Thomas demands entry of judgment against defendants as follows:

(1) reinstating her to her employment for Kentucky State University to remedy the undermining of public policy that defendants Sias, Esters and Gibson have effected by causing her removal from the Board of Regents and to restore her to her rightful place of employment;

(2) awarding her monetary damages in an amount to fairly compensate her for injuries pleaded herein, including loss of income and benefits, emotional distress and mental anguish, embarrassment and humiliation;

(3) awarding her punitive damages to punish defendants' wrongful conduct and deter repetition of same;

(4) award her attorney's fees, costs and litigation expenses pursuant to CR 54, KRS 344.450 and KRS 61.990; and,

(5) all other relief to which she is entitled.

Demand for Trial By Jury

Plaintiff demands pursuant to CR 38 trial by jury of all issues herein
so triable.



ROBERT L. ABELL
120 N. Upper Street
Lexington, KY 40507
859-254-7076
859-281-6541 fax
Robert@RobertAbellLaw.com
COUNSEL FOR PLAINTIFF

Messages (2)

Jacqueline...

Edit

OK

Jan 30, 2013, 8:49 PM

I know Leslie told
rodney to ask
those questions
cuz she
mentioned t to
me during her
one on one

Feb 1, 2013, 8:37 PM

WOW! it will
definitely snow.
What time do the

Ex. 1

To: Dr. Mary E. Sias, President
Dr. Jacqueline Gibson, Assistant Vice President
Mr. Gary Meiseles, Director of Human Resources

From: Ms. Leslie Thomas, Student Life Director and Staff Regent

Date: August 21, 2013

Re: Performance Review August 19, 2013

I am writing this letter to address the items listed on my performance review by Dr. Jacqueline Gibson. This will be the third review that Dr. Gibson has conducted as my supervisor during her 9 months at KSU. In each, she has attempted to discredit my strong reputation as an exemplary employee and Director of Student Life at Kentucky State University for the past 25 years.

Please know that prior to Dr. Gibson's arrival I was consistently rated as "Exceeds All Expectations" in every evaluation. It should be noted that my evaluations were conducted by several very experienced supervisors throughout my twenty-five year tenure. Dr. Gibson rated me a "2.9" which barely meets expectations and is not a true reflection of my work or abilities.

Twenty-five years of evaluations aren't my only means of documenting my abilities. I have been the recipient of the Favorite Staff award each year that it's been in existence. Both, the Favorite Staff and the Lifetime Achievement honors were awarded to me by the students. Staff too, have recognized my contributions by electing me as their Staff Regent. All of the aforementioned acknowledgements are evidence of my abilities, leadership, and knowledge of my workplace and campus at large.

As I write this, I can recall meeting with you and Dr. Esters in the President's conference room last February and Dr. Esters saying, "Performance appraisals are not meant to be punitive." You will find that Dr. Gibson was doing exactly that for my appraisal.

During my first two evaluations with Dr. Gibson, she stated that I did not have the knowledge and skills to do my job. How ironic that she and Dr. Esters have continued to add additional responsibilities to my duties which include; the Women of Excellence which was a full time position, co-chairing the New Thorobred Week events, creating the GGREAT program which is monitoring the grades of all student leaders who hold offices in the 50 plus organizations on campus, monitoring the disciplinary sanctions of students, writing a grant, and implementing the National Society for Leadership Success on our campus, just to name a few.

During performance reviews, supervisors usually point out the strengths and areas in need of improvement of an employee. Dr. Gibson has not highlighted any strengths or positive attributes about me in any of her appraisals. With all of this said, I will now address my concerns with the review.

- Dr. Gibson states that our programming is the same as in previous years when the facts are that only the events that are annual are repetitive. Student Life provided many new and exciting events last year and have many planned this year.
- Dr. Gibson stated that I have not shown any evidence of programs and activities that have been developed with the FRIENDS program. In actuality, the last programmatic calendar that was submitted to Dr. Gibson has several events listed that are in collaboration with FRIENDS.
- Dr. Gibson rated me a “3” for, Coordination of the Mr. and Miss KSU Coronation when she was not even in attendance. If her rating was based upon the multiple positive reviews given to me publicly by both President Sias and Dr. Esters that should have been rated as Exceeds Expectations at the very least.
- Dr. Gibson reports that I “demonstrated unwillingness to further job skills and knowledge when recommended. Ms. Thomas demonstrated a strong resistance to it and failed to schedule and complete training within the original time period which was June 14, 2013.” The truth is that I have never resisted training or exhibited an unwillingness to further my job skills.

I have been eager and excited to receive professional development and even made the request to President Sias during our meeting in February, 2013, that I be permitted to attend conferences to stay current on best practices. The problem was the tight window of conferences being held prior to June 14th that conflicted with a family wedding, my daughter's graduation, and other commitments that were made long before being required to attend trainings.

I told President Sias and Dr. Gibson that there were limited training opportunities prior to July 1, which is likely because it's the end of the fiscal year but that I had found some in July. Dr. Sias said July was fine. Why would I resist something that I requested? This is an example of the rigid timelines that are given at times by Dr. Gibson which make it difficult to meet her demands. It is not because I refuse to complete any task that she has assigned to me.

- In regards to my leadership skills, Dr. Gibson stated that I, "Openly debated and refuted assigned projects in the presence of her staff.....overall, Ms. Thomas has shown resistance in a time of change, which the University is currently experiencing. This behavior is not indicative of leading by example in the efforts being made to enhance its services to students."

As the Director of Student Life, there are going to be times that we do not agree. As long as this is done in a respectful, professional manner, there is nothing wrong with it. Disagreement is not insubordination. Dr. Gibson and Dr. Esters have told us on numerous occasions that when they make decisions, we are to accept it and take ownership of it. For example, when they cancelled the New Orleans Spring Break Service trip and the Black History trip, they wanted Student Life to say we made that decision. I could not lie to my students so I said nothing except that it was cancelled. Dr. Gibson has continued to say that asking questions, sharing my thoughts on a situation or disagreeing respectfully is being insubordinate.

It's as if we are supposed to sit down, shut up and do what we are told to do. That is not the way the world works nor should it be. Thank God our Civil Rights leaders stood up for what they believed and what was right. I will not be "strong armed" into submission. I am passionate about what I do, my students, and my University. I have never refused to complete any task that Dr. Gibson or Dr. Esters have assigned to me.

- In regards to my communication skills, Dr. Gibson reports that I "Communicate with my supervisor in a defiant manner in my response to directives or decisions with which I disagree." She referred to the hiring of my Administrative Assistant II which was not an act of defiance. I did what she asked which included interviewing 6 individuals (3 that she chose) for this position. In regards to the Administrative Assistant position she said, "I'm glad I got to work with Ms. Yates, to see that she did have the skills needed to do this job." I reminded Dr. Gibson that both myself and my Leadership Coordinator tried to convey that to her multiple times. I asked her, "Why didn't you listen or value our opinion?" I received no response.

Dr. Gibson mentioned me being upset with her when she accused me of putting a student, Tisa Cunningham up to asking about summer programming during the April town hall meeting. I did not do that so why wouldn't I be upset and how is that considered being defiant?

The disrespect was in Dr. Gibson accusing me of doing something unethical.

Dr. Gibson also mentioned the discussion we all had with Dr. Esters in the Game Room regarding Student Life programming. We were asking questions and Dr. Esters was the only individual who spoke with a raised voice. That conversation ended when Dr. Esters said very loudly, "You will program every single weekend with no flex time because I want it done and you will do it. This is not up for discussion!" How am I the one being accused of being defiant?

- Dr. Gibson states that on several occasions I missed deadlines and failed to submit assignments. The truth is that I have met over 95% of the deadlines requested. I have never failed to submit an assignment. On any given day, I can be given multiple assignments with rigid deadlines that I do my best to complete but additional responsibilities, student needs and staff needs sometimes prevent me from meeting a deadline. Dr. Gibson has stated that anytime I need an extension just to let her know and I did. However, I am still being penalized. Dr. Gibson states that my productivity has fallen short of expectations even though my department has provided an excessive amount of programs while implementing the new leadership initiatives, supervising SGA, and many other duties assigned. This is in addition to working late nights and weekends consistently to fulfill those expectations and to serve the students.
- Lastly, Dr. Gibson stated that I have not reprimanded my staff appropriately. I was somewhat confused by this because I handle my staff issues as I deem appropriate and should not be told to reprimand them if such an action is not warranted. Dr. Gibson felt that my Activities Coordinator should have been reprimanded because the original Game Room mural reveal date was delayed. I did not reprimand him because I agree with his decision to allow the student to put his academics first. We are student-centered and when the student stated that he had to put the mural on hold because he was behind in his classes, My Coordinator did the right thing and told him that academics come first.

Finally, I was given a letter to sign acknowledging that I have been insubordinate to Dr. Gibson. I refused to sign because it simply is not true. This is America and this is an institution of higher education. Since when are we banned from disagreeing in a professional manner? In November, Dr. Gibson called me on the phone and was so disrespectful, demeaning, and loud in her conversation with me, that I called Gary Meiseles. His response was that I needed to have a "heart to heart" with her and so I did speak to her about it. When I explained to her that I had never been spoken to that way in my life by anyone she stated, "That was not my intent."

I went on to tell her that we should be able to disagree with each other professional to professional. Her reply was, "No, we should be able to disagree supervisor to employee." This is what I have had to endure since she was put in this position on November 1, 2012. I have gone above and beyond to work WITH Dr. Gibson and to help in any way I can, but she continues to harass me, continues to create a hostile work environment and I believe, retaliate because of the grievance I filed against her.

Dr. Esters and Dr. Gibson changed our office around with no warning or discussion. We were summoned to a meeting and handed a memo to read. When we finished, we were asked if we had any questions. That was it. I appealed to Dr. Esters to allow Ms. Yates to maintain a private office space because of all the work she does that demands attention to detail and his response was "Denied." As Director, I requested to move into the larger office in our suite instead of the one he assigned and again, he denied that request. It is obvious what is going on and their intentions. In 25 years at KSU I have never been mistreated, abused, disrespected and unappreciated as I have been with Dr. Gibson and Dr. Esters. It is a travesty.

I am being purposefully painted as an employee who "Cannot adjust to working with a new supervisor" when I have not had a problem with the seven who came before Dr. Gibson. I am being portrayed as someone unwilling to do my job, defiant, disruptive, and resistant to change with poor leadership and communication skills. Even President Sias stated to me in my February meeting with her, that I am "invaluable to this University and that I do a great job. " She has worked with me for over 8 years and has a solid basis for her opinion.

I'm thankful that my confidence in my ability to do my job and do it well is strong enough to endure all of the negativity that has been directed towards me on a daily basis. I continue to be ready, willing and able to do whatever it takes to serve our students while taking KSU to an even higher level of excellence. I look forward to hearing from you regarding this matter.

Cc: Dr. Lorenzo Esters, VPSSEM



Office of Human Resources
400 E. Main Street
ASB 429
Frankfort, KY 40601
(502) 597-6438
Fax: (502) 597-6450
WWW.KYSU.EDU

COPY

October 18, 2013

Ms. Leslie Thomas
613 Grama Dr.
Frankfort, KY 40601

Dear Ms. Thomas:

This letter will serve to inform you that effective immediately you are being separated from employment with Kentucky State University.

Sincerely,

Gary Meiseles, SPHR
Director of Human Resources