



Anne S. Soileau
Director

State of Louisiana
DEPARTMENT OF STATE CIVIL SERVICE
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APPEALS DIVISION
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September 30, 2008

Susan Hill
P. O. Box 615
Brusly, LA 70719

and

Mark E. Falcon
Avant & Falcon
P. O. Box 2667
Baton Rouge, LA 70821

In Re: Susan Hill vs. Department of Natural Resources, Docket No. 16462
Susan Hill vs. Department of Natural Resources, Docket No. S-16490

NOTICE OF CONSOLIDATION

Pursuant to Civil Service Rule 13.23, these cases have been consolidated for hearing.

Sincerely,


Roxie F. Goynes
Civil Service Commission Referee

cc: Scott Angelle
Mary Ginn
Pending File

AP:RFG:dl

*** We accept all filings by FAX 225.342.8058 and by e-mail dscs.appeals@la.gov

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September 30, 2008

NOTICE OF HEARING

ROXIE F. GOYNES
for the
STATE CIVIL SERVICE COMMISSION

Claiborne Building
1st Floor - Room # 1-131
1201 North Third Street
Baton Rouge, Louisiana
225-342-8070

THURSDAY, OCTOBER 30, 2008

9:00 a.m. Public hearing on the appeal of **SUSAN HILL vs. DEPARTMENT OF NATURAL RESOURCES**, Docket No. 16462 and S-16490 (consolidated).
The employee is self represented and Mark Falcon is representing the agency.

Attachment:

- 1) Information Sheet
- 2) Subpoena Request Form

cc: Scott Angelle
Mary Ginn
Susan Hill
Mark Falcon

AP:RFG:dl

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AN EQUAL OPPORTUNITY EMPLOYER

Donna Kaye Brittain

From: S H
Sent: Friday, September 26, 2008 11:56 PM
To: DSCS Appeals
Subject: SUSAN HILL - Response to DNR's Motion for Partial Summary Disposition
Attachments: SUSAN HILL - Response to DNR's Motion for Partial Summary Disposition.doc

dscs.appeals@la.gov

Susan Hill

Docket No. 16462

Response to DNR's Motion for Partial Summary Disposition

RECEIVED & FILED 9/29/08
 IN 16462
 CC: Scott Angelle
Mary Ginn
Susan Hill
Mark Falcon

I am demanding immediate restoration of all my pay/benefits (health insurance, life insurance, retirement, etc.), reversal and/or dismissal of all of defendants' bad faith "disciplinary" and other actions taken against me, backpay, among other forms of relief.

I am demanding an immediate investigation of defendants' misconduct; demand to be immediately placed on Paid Special Leave, because of defendants deliberate indifference to my constitutional rights and causing me to suffer from continued, ongoing, and intensifying and terrorizing state-created danger and harm, during the period of time required for the investigation of defendants' misconduct and corresponding identification and resolution of all legal matters related to defendants actions which include sex and religious beliefs discrimination, unconstitutional deprivation of my rights, statutory violations, among other actions.

Defendants' misconduct has prevented me from being able to understand, know, or identify the extent of my claims and harms suffered.

Defendants have continued to engage in discrimination, bad faith actions, and retaliation taken against me for several years due to my opposition to sex and religious beliefs discrimination, my engaging in protected activity, my EEOC complaint, my federal lawsuit filed. I continue to be subjected to retaliation because of prior discrimination claims, my complaints of extortion of me by Kirk Rhinehart among other claims, my complaints of assault and battery on me by Karim Belhadjali and Chris Robertson, including my prior appeal of "Reduction in Pay" with associated "Pre-Deprivation Notice;" "Letter of Counseling;" "Pre-Termination Notice;" "Termination Notice" among other actions.

Defendants' letters itemized by title above are retaliatory actions and are replete with material misrepresentations and generalized "allegations" with no factual identification of who, when, where, what, why, how, etc. of any actions or statements purportedly taken or said by me.

One statement I provided in an email was coerced from me after me being subjected to false imprisonment on May 1, 2008, by Kirk Rhinehart, Diane Smith, and Karim Belhadjali. Prior to that date, Karim Belhadjali had directed Summer Martin and I to continue investigating the plant matter and the SOP. When Diane Smith and Ed Haywood directed me specifically about the EMI project, I followed their orders strictly and I stopped speaking about this project.

On May 1, 2008, I was falsely imprisoned by Kirk Rhinehart, Diane Smith, and Karim Belhadjali for over an hour and deprived of my constitutional rights. I was threatened with my job and insubordination; these authorities over me refused to allow me to explain the survey and SOP matter, threatened me with negative PPR consequences because of my opposition to retaliatory failure to train instances, threatened me when Kirk Rhinehart answered a question I

asked which acknowledged and exposed that Karim Belhadjali had lied to me for approximately six months and forced me to follow a "new policy" which was implemented in order to sabotage my work on directives from Chris Williams and Chris Knotts among others for retaliation from prior incidents of engaging in protected activity regarding my opposition to sex and religious beliefs discrimination. Instead of taking action against Karim Belhadjali for his lies to me, Diane Smith and Kirk Rhinehart threatened me with more punishment and rewarded Karim Belhadjali with work benefits, ratifying the conduct of Karim Belhadjali "successfully" lying to me for approximately six months in order to subject me to retaliation from Chris Williams and Chris Knotts among others. I believed the lie and followed his directives strictly until Kirk Rhinehart acknowledged there was no such "new policy" and I learned it was a lie.

Another example of Karim Belhadjali's lying verbally and lying on official documents was when he was proven to have lied to his supervisors during my grievance process I initiated after I was notified my detail was being terminated early. Karim Belhadjali initially denied allowing Chris Robertson's repeated batteries upon me during a time when I was having spontaneous nosebleeds and shortly thereafter I had surgery to remove tumor and I was diagnosed with cancer. Karim Belhadjali had lied when he denied he handed Chris Robertson a ruler and told him to hit me with it. Karim Belhadjali lied that this occurred until he was later forced to admit that he had lied to his supervisors because there was evidence to prove that he had handed the ruler to Chris Robertson and told him to hit me with it.

On June 2, 2008, I was falsely imprisoned by Mary Ginn and the lawyer Mark Falcon. Mary Ginn and Mark Falcon deprived of my constitutional rights. I was subjected to repeatedly having false allegations and accusations forced on me and Mark Falcon attempting to coerce me to acknowledge circumstances that were fabrications. Mary Ginn was on notice that my entire line of supervisory command had previously discriminated against me and retaliated for my discrimination complaints; she knew I was in the 90 day window of opportunity to file a lawsuit against these individuals and she was insisting on asserting their power and authority over me. I was subjected to Mark Falcon's hostile coercion, raised voice demands, intimidation, and harassment. I forced to answer questions for approximately 40 minutes about a conference call that took place on April 14, 2008, until they were apparently through making me answer their questions. At the conclusions of their interrogation of me, I was then notified I was under investigation based on complaints filed about me by Maury Chatellier and others who they refused to name during the week of May 27-30, 2008, and that authorities in the department had already issued apologies about my "behavior" to people outside the department. I asked to be provided with a copy of the complaints that had been lodged against me; Mary Ginn and Mark Falcon refused to provide me with copies of the complaints and refused to tell me what the complaints stated. I asked to be provided with a copy of the report with the results of his investigation into me and Mark Falcon said no. I asked who issued the apologies about me and who were the apologies issued to and Mary Ginn and Mark Falcon refused to provide me with this information. I asked if the apologies were verbal or written apologies about me and Mary Ginn and Mark Falcon refused to tell me. I asked what was the content of the apologies that were issued about me and Mary Ginn and Mark Falcon refused to tell me. I asked if the credibility of any person making a complaint against me would be considered and Mark Falcon said no. Mary Ginn corrected Mark Falcon and she said yes, then Mark Falcon said yes. I asked if they would speak to everyone present on the conference call to determine the truth of the

matter and Mark Falcon said no, it was best not to do that. I questioned how can you conduct an independent investigation if you do not speak to everyone who was present on the call and Mark Falcon said it is better not to involve so many people. I said that is not impartial and unbiased if you do not speak to everyone. I asked Mark Falcon if he would speak to Summer Martin and he at first said probably not and then he said no. I asked why he would not question Summer Martin, it was Summer Martin's project and Summer Martin and I had done all of the questioning of the plant diagram together and she had additionally questioned the water levels which I did not question. Mark Falcon said he would not interview Summer Martin because it is best not to involve too many people. I asked why did you issue an apology before you even conducted an investigation, because you already have the department labeling me as I did something wrong. I received no reply from Mark Falcon about this stigmatizing of me and my professional reputation to others outside the department by those in authority at DNR based on "complaints" from individuals whose credibility had clearly not been investigated as to why they made "complaints" about me over a month after a conference call took place. I had told him Darin Lee had been verbally abusive to me on the call and Ken Teague of EPA, the project's Federal sponsor, stopped Darin Lee and took up for me and was supportive of my efforts to question if the survey had been performed properly.

The "Reduction in Pay" disciplinary action is retaliation for exercising my Constitutional and statutory rights. Defendants fail to identify with specificity in the "Reduction in Pay" disciplinary action the who, when, where, what, why, how, etc. of actions/statements purportedly occurring; defendants fail to identify which policy/rule is claimed to be violated by purported actions and prior speech with retroactive discipline without notice was imposed. The "Letter of Counseling" given at the same exact time as the "Pre-Deprivation Notice" for the same purported speech/objections that defendant may have wanted ceased cannot be considered as "notice" upon which to base the "Reduction in Pay" discipline. Termination action is retaliation and has no authorization; action relies on prior free speech for which plaintiff was already disciplined and said discipline action, the "Reduction in Pay" disciplinary action by letter dated July 8, 2008 is under appeal. Defendants are aware that their retaliatory "Letter of Counseling" and disciplinary actions taken against me are under scrutiny and appeal; defendants know of their own misconduct and know that I am entitled to relief for their bad faith "Reduction in Pay" letter. Defendants have engaged in continuing and ongoing conduct including retaliation for prior grievance action/numerous complaints of sex discrimination; intimidation and threats of further retaliation; harassment; creating a hostile work environment; intimidation, punishment, material misrepresentations, and other tactics to prevent me from exercising my constitutional right of access to courts increasingly escalating with DNR on notice I was in the 90 day time frame having received my EEOC right to sue letter; defamation; abuse of process of Louisiana Civil Service Rules and Article among other abuses of process; bad faith "complaint" about me by Maury Chatellier with corresponding bad faith "investigation" of me by lawyer Mark Falcon, caused my detrimental reliance, made material misrepresentations, false claims of statements purportedly made by me, among other actions and inactions. Because of sex discrimination, retaliation, among other defendants' actions, state actors created and subjected me immediate, continued, ongoing, and intensifying and terrorizing danger and harm. Defendants knew of the dangerous actions and harms they were inflicting upon me and were on notice at all times of the consequences of their actions that defendants caused me to suffer. Defendants are fully aware

that at all times specified, I was on leave verbally approved by my designated leave approver, my manager Karim Belhadjali as I was at all times in compliance with the leave directives imposed upon me. Defendants engaged in bad faith entrapment actions during this time; I was denied access to my Outlook email and denied access to LEO. Once I demanded restoration of my rights of access, my LEO access was restored; however, my Outlook email access was not restored and during this time, I was never able to successfully access my Outlook email. After my LEO access was restored, I then properly followed-up electronically for my prior approved leave by submissions in LEO with the reason clearly specified in the text box. However, I was subjected to further retaliation by Karim Belhadjali when he electronically rejected my follow-up actions for my prior approved leave, obtained through my compliance with the leave directives imposed upon me. I was subjected to further retaliation from Kirk Rhinehart placing me on leave without pay, the bad faith "Reduction in Pay" disciplinary action, the bad faith "Pre-Termination Notice", the bad faith "Termination Notice", among other state actions involving illegal acts of discrimination, retaliation, denials and deprivations of my constitutional and statutory rights among other harms defendants caused me.

Susan Hill
