

EXHIBIT D

Re: Complaint / ADA accomodation (re: EEOC 443-2016-01415N)

Sabina L Burton

Wed 9/21/2016 9:59 AM

To: Janelle Crowley <crowleyja@uwplatt.edu>;

Cc: Jennifer S. Lattis <jlattis@uwsa.edu>; Dennis J Shields <shieldsd@uwplatt.edu>; melissa.lawent@eeoc.gov <melissa.lawent@eeoc.gov>; Dale Burke <dgburke911@gmail.com>; Sen.Harsdorf@legis.wi.gov <Sen.Harsdorf@legis.wi.gov>; Kim Kohlhaas <President@aft-wisconsin.org>; henn@aft-wisconsin.org <henn@aft-wisconsin.org>; Raymond Spoto <spoto@uwplatt.edu>; Staci Strobl <stroblst@uwplatt.edu>; Jane Radue <jradue@uwsa.edu>;

1 attachments (56 KB)

Med-Delay-Investigation.pdf;

Dr. Crowley,

I have not received a copy of the investigation announcement issued from the Chancellor to Ms. Rice. The Chancellor copied Rice on the letter he wrote to me announcing his intention to investigate Rice's complaint against me. His letter also contained a threat of employment termination before even validating her allegations.

Have you sent Rice the Chancellor's letter to her announcing that she must comply with his investigation into my complaints against her?

Did the Chancellor include the threat of termination on his letter to Rice as he did in my letter?

Was the Chancellor's letter to Rice sent by certified mail and delivered to Rice personally by your investigator or are you, again, practicing disparate treatment?

My complaint came long before Rice's complaint. In fact, my complaint was already validated as legitimate by then HR Director Lohmann. You, as the new HR Director, didn't follow up on the investigation that Lohmann informed me in spring 2015 should go forward and that was supported by then CJ Chair Dalecki and then LAE Dean Throop.

You are in possession of several sworn statements and other evidence that support my claims. Yet, you are unwilling to address the hostility and stress that I have been exposed to by several of the university's agents, including Ms. Rice, and that have severely affected my health except to exacerbate my condition by continuing the harassment.

I believe that Ms. Lattis, on behalf of the Chancellor, is participating in this witch-hunt against me, she was informed of my severe health issues in early 2015 and seems to want to terminate me as being 'too ill to fulfill my employment.'

Not only is it untrue that your bogus investigation against me is one of my duties, as you and Lattis put it, it is an outlandish assertion.

My contract does not at all state that my primary duties include submitting to a witch hunt or kangaroo court investigation. Ms. Lattis, UW-Legal Counsel, and you, the HR Director of UW-Platteville, seem to be completely oblivious and ignorant of ADA guidelines.

Here is a link that addresses your responsibilities as the employer: <https://www.eeoc.gov/facts/ada17.html>

To quote:

"It is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship. Undue hardship means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation."

Your obligations to provide reasonable accommodations include: *"Adjusting or modifying examinations, training materials or policies."*

My doctor requested only a one month delay of the investigation. That is hardly an undue burden to you and the Chancellor especially considering that Chancellor Shields was late on every single deadline concerning my prior grievances and even then Dean Throop's UWS 6.01 complaint investigation against me which took Chancellor Shields almost a year to process.

How can you conduct an investigation without including the person you are investigating? That seems quite absurd. I believe you and the Chancellor are doing this in retaliation for my recent OCR/EEOC complaint.

So again, I beg you all, Chancellor Shields, Atty Lattis, and HR Director Crowley: Please stop harassing me.

Please send me a copy of the timeline Ms. Lattis was referring to in her email. I am unaware of a timeline for this issue. Was she referring to the need to harass me now, while I am preparing my appeal to the court? Was she referring to the OCR/EEOC investigation?

I again request that my doctor's recommendation (attached to this email) be observed so I can provide my essential job duty of providing lectures and advising to my students and to be available for my department chair.

Respectfully,

Dr. Sabina Burton

From: Janelle Crowley
Sent: Friday, September 16, 2016 3:45 PM
To: Sabina L Burton
Subject: Complaint

Dear Dr. Burton,

The complaint you sent to Dr. Shenita Brokenburr, Senior Associate Vice President & Chief Human Resource Officer has been referred back to the University of Wisconsin-Platteville. Your complaint will be addressed concurrently with the complaint presented previously by Deborah Rice.

You have been directed to participate in the investigation as part of your duties. Therefore, with or without your participation, the investigation will continue.

Regards,

Janelle A. Crowley, Ph.D.

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