

Confidential



Investigation Report
Steve Ritchie
Neighborhood Housing Department
February 12, 2015

Background

On November 3, 2014 Jeff Burton, HRD Employee Relations Manager assigned Leroy Bookman, Human Resources Consultant, to investigate concerns regarding Steven Ritchie. The concerns were reported to Jeff Burton by [REDACTED] Neighborhood Housing and Community Development based on feedback [REDACTED] received.

On November 4, 2014 [REDACTED] informed Mr. Leroy Bookman that [REDACTED] told her that [REDACTED] complained to her that Mr. Steve Ritchie touched her inappropriately on several occasions and sat in her lap. [REDACTED] is a [REDACTED] for Neighborhood Housing Department. [REDACTED] met with Leroy Bookman, HR Consultant with HRD Employee Relations on November 11, 2014 to complain of an escalation of inappropriate touching by her manager, Steve Ritchie.

Allegations

- Steve Ritchie routinely demonstrates inappropriate behavior towards [REDACTED] by hugging her and sitting in her lap.
- Steve Ritchie had previous complaints against him for inappropriately touching two former employees who worked in the Neighborhood Housing Department.
- Steve Ritchie was also investigated by the City of Austin Integrity Unit.
- Betsy Spencer, Director protects and supports Steve Ritchie no matter what he does.

Complainant

- [REDACTED], Neighborhood Housing Department

Respondent

- Steve Ritchie, Manager

Investigator

- Leroy Bookman, HR Consultant, Employee Relations Division

Purpose of Investigation

To determine whether there is factual evidence to support the complainant's allegations and to determine whether City of Austin personnel policies have been violated.

Note: this report contains information that, if requested via a public information request, may need to be redacted.

Relevant City of Austin Personnel Policies

I. CONDITIONS OF WORK

A. DISCRIMINATION, HARASSMENT AND SEXUAL HARASSMENT

1. Discrimination

As an Equal Employment Opportunity (EEO) employer, the City will conduct its staffing activities: selection, promotion, demotion, transfer, training and separation, in accordance with established federal, state and local EEO laws and regulations as they affect the City. The City of Austin will employ positive business and personnel practices designed to ensure equal employment opportunity.

The City of Austin will not discriminate against any applicant or employee based on race, creed, color, national origin, sex, gender identity, age, religion, veteran status, disability, or sexual orientation. In addition, the City will not discriminate in employment decisions on the basis of an individual's AIDS, AIDS Related Complex, or HIV status; nor will the City discriminate against individuals who are perceived to be at risk of HIV infection, or who associate with individuals who are believed to be at risk.

Every manager and supervisor is expected to implement this policy through uniform and consistent employment practices. Management is also responsible for maintaining a professional working environment free of intimidation, sexual harassment, racial harassment, other forms of harassment and discriminatory conduct.

2. Harassment

The City is committed to promoting a work environment that is free of harassment. Harassment is abusive, obscene or threatening conduct or communication that is intended to harass, annoy, alarm, torment, embarrass or injure another. Employees who engage in such conduct while on duty or on City premises will be subject to immediate discipline.

While on duty or on City premises, employees shall not use obscene or abusive language or offensive gestures in their communication with coworkers or members of the public; employees shall not by oral, written, electronic or other means of communication threaten or intimidate coworkers or members of the public; employees shall not physically endanger, intimidate or injure coworkers or members of the public. Such conduct will not be tolerated.

3. Sexual Harassment

Sexual harassment, which is any unwelcome sexual conduct that occurs under one or more of the following conditions, is prohibited and shall not be tolerated. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature will be considered harassment when:

- a. Submission to such conduct is made either openly or by implication a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that person; or
- c. Such conduct unreasonably interferes with the individual's work performance or creates an intimidating, hostile, or offensive working environment.

Any manager, supervisor or employee who engages in such objectionable conduct is subject to immediate discipline up to and including termination.

Sexually oriented jokes, remarks, gestures, or pictures may be offensive to other employees and will not be tolerated.

EMPLOYEE CONDUCT

Employees while on duty are at all times individually responsible for conducting themselves in a professional and ethical manner and for treating coworkers and members of the public with respect and dignity. The intent of this policy is to make a clear statement that unprofessional and abusive behavior will not be tolerated in the workplace.

In addition to the provisions in these policies, employees are responsible for complying with any other federal and state laws or regulations or local ordinances governing their conduct. This includes, but is not limited to, the City Charter, City Code sections 2-7-62 through -66 (*Standards of Conduct, Prohibition on Conflict of Interest, Disclosure of Conflict of Interest, Substantial Interest of Relative and Misuse of Official Information*).

Retaliation Policy (Administrative Bulletin 07-09)

The City is committed to maintaining an environment in which an employee is free to raise a question or concern involving the terms and conditions of the employee's employment.

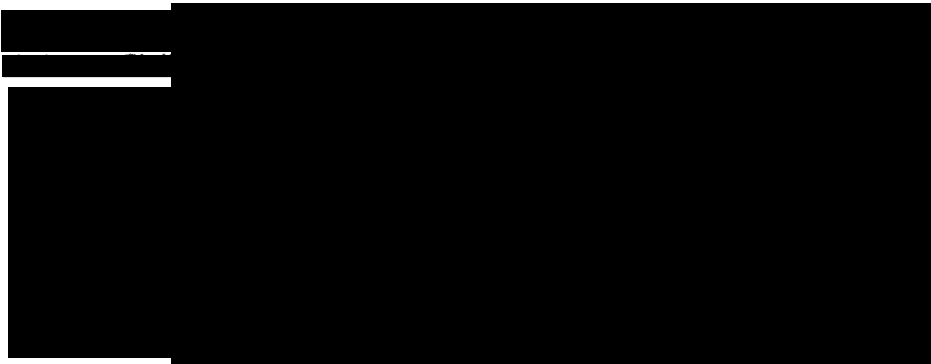
The City prohibits retaliation against an employee, who has, in good faith, filed a complaint about a law, policy, practice or procedure, or has otherwise participated in good faith in an investigation, proceeding or hearing.

In addition, the City prohibits retaliation against employees for engaging in any activity or availing themselves of any benefit authorized under the personnel policies, such as filing a workers' compensation claim, requesting family and medical leave or requesting military leave.

Any employee who engages in retaliation is subject to disciplinary action up to and including immediate termination.

Persons Interviewed Included

The following individuals were interviewed:



Documents Reviewed Included

- Investigation report on Steve Ritchie by Christine Jones
- CAIU Allegation Referral #803-managerial hostility against Steve Ritchie
- Personnel file for Steve Ritchie
- City of Austin Personnel Policies
- MCS Rules

Summary of Allegations, Findings of Fact and Conclusions

Allegation 1:

The complainant alleged that Mr. Steve Ritchie routinely demonstrates inappropriate behavior towards [REDACTED] by hugging her and sitting in her lap.

Findings of Fact:

- [REDACTED] is the [REDACTED] for NHCD with [REDACTED] years of service reporting to [REDACTED] supervisor, and Mr. Steve Ritchie, manager. During her interview [REDACTED] stated the following:
 - From approximately three years ago until recently Mr. Steve Ritchie has been touching her inappropriately, and on two occasions he sat in her lap.

- The inappropriate touching consisted of face- to-face hugging, and hugging from the side and from behind.
- ██████ stated that ██████ and ██████ witnessed the hugging by Mr. Ritchie, and ██████ and ██████ witnessed the incident involving Mr. Ritchie sitting on her lap.
- ██████ stated that Mr. Ritchie hugs people often and the most recent incident of inappropriate touching was the week of November 3, 2014 when he sat on her lap.
- ██████ stated that Mr. Ritchie touches her in the workplace so often, in various ways, with such frequency, that "it's hard to keep up with it."
- ██████ further stated that she had heard that two former employees reported they had been touched inappropriately by Mr. Ritchie.
- ██████ stated that she never told Mr. Ritchie his behavior was offensive because of fear of retaliation.
- ██████ stated that, based on her fears, she didn't report her concerns regarding Mr. Ritchie's conduct until around September 2014 to ██████
- ██████ stated the following:
 - ██████ is the ██████ for NHCD, and reports to Ms. Betsy Spencer, Director NHCD.
 - Around September 2014, ██████ and ██████ were in the break room when ██████ asked ██████ how things were going in her division. The reason ██████ asked the question was because ██████ division had been going through a team building exercise based on reports that staff members were not working well together.
 - ██████ reportedly told ██████ that she was having issues with Mr. Steve Ritchie, manager over her division. ██████ reported that Mr. Ritchie comes into her cube puts his hands on her shoulder and neck, causing her to feel uncomfortable.
 - ██████ told ██████ that Mr. Ritchie sat on her lap once in the reception area and that ██████ was a witness. ██████ reportedly told ██████ she was afraid to report Mr. Ritchie's behavior because of fear of retaliation. ██████ also stated that she didn't trust this matter with the division's Human Resources staff either.
 - ██████ told ██████ that she didn't feel comfortable reporting the incident to Ms. Spencer because of her relationship with Mr. Ritchie. Both Ms. Spencer and Mr. Ritchie previously worked together prior to coming to the City. Also Ms. Spencer hired Mr. Ritchie into his current position.
 - ██████ reported ██████ complaint regarding Mr. Ritchie to ██████
- ██████ confirmed that ██████ reported ██████ concerns regarding Mr. Steve Ritchie's behavior to her in or around September 2014.
- ██████ reportedly informed Ms. Betsy Spencer, Director of NHCD that she would report concerns that she had heard to the Human Resources Department.

- [REDACTED] is a [REDACTED] with [REDACTED] years of service reporting to [REDACTED]
- [REDACTED] stated the following:
 - [REDACTED] is a [REDACTED] with [REDACTED] years of service reporting to [REDACTED] Supervisor.
 - [REDACTED] witnessed Mr. Ritchie hugging [REDACTED] during the summer of 2014 and stated that he perceived she was offended by [REDACTED] Ritchie's behavior.
 - Mr. Ritchie sometimes goes out of his way to sit [REDACTED] to [REDACTED]
 - During the week of December 1, 2014 [REDACTED] was standing at the end of her cube, Mr. Ritchie grabbed [REDACTED] from behind in a bear hug then proceeded to shake her back and forth while walking her [REDACTED] away from her cube. This was witnessed by [REDACTED]
 - [REDACTED] has witnessed Mr. Ritchie hugging [REDACTED] people constantly since the first day he was hired for the job. [REDACTED] described Mr. Ritchie as a touchy feely type of person who believes that everyone [REDACTED] him. [REDACTED] stated that another employee [REDACTED] witness[REDACTED] Mr. Ritchie hugging [REDACTED] at various times.
 - [REDACTED] stated that he is aware that two [REDACTED] women filed sexual harassment complaints against Mr. Ritchie in the past. [REDACTED] believes that Mr. Ritchie is protected by Ms. Betsy Spencer because the [REDACTED] woman worked together prior to working for the city.
- [REDACTED] is a [REDACTED] with [REDACTED] years of service reporting to [REDACTED] Supervisor.
- [REDACTED] stated the following:
 - [REDACTED] witnessed Mr. Ritchie approach [REDACTED] people from behind and grab them in a bear hug and shake them in a wrestle like [REDACTED] movements. This happened during the summer months around August 2014. [REDACTED] noted that Mr. Ritchie, "does it all the time."
 - [REDACTED] stated that he witnessed Mr. Ritchie approach [REDACTED] from behind and tickle her ears and pull back her hair. This also happened during the summer around August 2014. (Although not part of her original allegations, [REDACTED] confirmed this incident.)
 - [REDACTED] described Mr. Ritchie as being [REDACTED] and doing things constantly, "that is inappropriate in the workplace like hugging [REDACTED] on people." [REDACTED] stated that Mr. Ritchie, "doesn't seem to be aware of the impact his behavior has on other people."
 - [REDACTED] witnessed Mr. Ritchie grab Mr. [REDACTED] by Ramirez from behind in a bear hug after one of the staff meetings during the summer of 2014.
 - [REDACTED] witnessed Mr. Ritchie and [REDACTED] pantering back and forth and Mr. Ritchie sat on [REDACTED] lap. [REDACTED] couldn't remember the exact time frame but said he heard them in [REDACTED] cube which is next to his cube. [REDACTED] stated that [REDACTED] was offended by Mr. Ritchie sitting on her lap and she told [REDACTED] that it felt awkward. [REDACTED] the [REDACTED]
 - [REDACTED] stated that he witnessed Mr. [REDACTED] the simulating a quarterback standing behind a center by gyrating as if he were the quarterback. [REDACTED]

said the incident happened sometimes during football season, and occurred in the hallway [REDACTED] stated that he was surprised that Mr. Ritchie behaves the way he does constantly.

- [REDACTED] stated that Mr. Ritchie started teaching diversity classes after he was previously investigated for grabbing a woman from behind.
- [REDACTED] is an [REDACTED] with [REDACTED] years of service reporting to [REDACTED], Supervisor NHCD.
- [REDACTED] stated the following:
 - [REDACTED] witnessed Mr. Steve Ritchie sitting on [REDACTED] lap about 2-3 months ago, in the lobby of the receptionist area. (As the witness was interviewed on December 9, 2014, the incident would have occurred in September or October of 2014.)
 - [REDACTED] stated that [REDACTED] was in the area waiting for a customer when Mr. Ritchie approached her joking around (like he always does according to [REDACTED]), then proceeded to sit in [REDACTED] lap.
 - [REDACTED] described Mr. Ritchie as “touchy feely” and stated that, “he does it to everyone.” [REDACTED] stated that Mr. Ritchie is comfortable with his behavior but others are not.
 - [REDACTED] stated that people talk about the way Mr. Ritchie goes around hugging on people all the time.
 - [REDACTED] stated that she witnessed Mr. Ritchie rubbing on [REDACTED] shoulders about 2-3 months ago. [REDACTED] did not recall whether there were any witnesses besides her to Mr. Ritchie sitting on [REDACTED] lap or to him rubbing her shoulders.
 - [REDACTED] stated that once Mr. Ritchie offended a temporary employee named [REDACTED]. According to [REDACTED], [REDACTED] requested time off because his wife was having breast surgery. [REDACTED] stated that [REDACTED] reported to her that Mr. Ritchie asked [REDACTED] to let him see pictures of his wife’s breast before and after the surgery. [REDACTED] reportedly told Mr. Ritchie that he was offended by his request. However, during [REDACTED] interview, when asked about the alleged comment Mr. Ritchie made regarding his wife, [REDACTED] denied any knowledge of the comment attributed to Mr. Ritchie and stated that it “didn’t ring a bell.” [REDACTED] repeated his response several times.
 - [REDACTED] stated that Mr. Ritchie jokes about his home life, pats people on the back, and hugs people a lot. [REDACTED] stated that she feels uncomfortable being around Mr. Ritchie and she tries to avoid him, and that he is the only man in the department that she avoids.
- [REDACTED] is a [REDACTED] with [REDACTED] years of service reporting to Mr. Steve Ritchie, Manager NHCD.
- [REDACTED] stated the following:
 - [REDACTED] was aware of several investigations regarding Mr. Steve Ritchie. He was also interviewed during the first investigation on Mr. Ritchie.
 - [REDACTED] stated that he has witnessed Mr. Ritchie hugging people but that, “it wasn’t sexual” and that Mr. Ritchie is a friendly person. [REDACTED] stated that

he himself hugs people also but knows that they are not offended. [REDACTED] stated that "you have to know who you are hugging".

- o [REDACTED] stated that he has witnessed Mr. Ritchie hugging [REDACTED] and at times she seemed like it wasn't welcomed and she would make faces or sigh, and other times it appeared that it was no big deal.
- o [REDACTED] stated that [REDACTED] was not the huggy/ feely type.
- o [REDACTED] stated that he witnessed Mr. Ritchie "almost sit in [REDACTED] lap" in her cube area. One day [REDACTED] was in her cube and Mr. Ritchie walked in and turned around "like he was going to sit in her lap." [REDACTED] stated that he was not sure if Mr. Ritchie actually made physical contact with [REDACTED] because he did it in a joking way. [REDACTED] stated that he did not witness Mr. Ritchie sitting in [REDACTED] lap in the receptionist area.
- o [REDACTED] stated that Mr. Ritchie asked him last week if he ever witnessed him hug or sitting in [REDACTED]. Mr. Ritchie also asked [REDACTED] if he had been called for an interview. [REDACTED] reportedly told Mr. Ritchie that he did witness the hugging, joking around like he was going to sit in [REDACTED] lap and that he was called for an interview.
- o [REDACTED] stated that he has seen other staff members give hugs back to Mr. Ritchie also. [REDACTED] said that no one else has ever pulled back or shied away from Mr. Ritchie except [REDACTED]
- o [REDACTED] stated that Mr. Ritchie told him that several people were called in for interviews during this investigation.
- o Mr. Ritchie met with the investigator on December 15, 2014 and was instructed not to discuss the investigation with anyone. Mr. Ritchie's discussion with [REDACTED] was inconsistent with the instruction that he previously had been given by the investigator. In addition, prior to the investigation, the investigator received multiple reports from staff that Mr. Ritchie was notifying various staff members that he was "under investigation for sexual harassment".

- [REDACTED] is a [REDACTED] for NHCD.

- [REDACTED] stated the following:

- o [REDACTED] did inform Mr. Ritchie and his supervisor [REDACTED] that his wife was having surgery and the reason why. [REDACTED] said he doesn't remember or it "doesn't ring a bell" about Mr. Ritchie asking him to see pictures of his wife's breast before and after surgery. (It was reported earlier by one of the witnesses that Mr. Ritchie had asked [REDACTED] to show him before and after pictures of his wife's breast when she had her surgery).
- o When [REDACTED] was informed that Mr. Ritchie stated that [REDACTED] told him that [REDACTED] said that Mr. Ritchie was being investigated, [REDACTED] denied saying that to Mr. Ritchie.
- o [REDACTED] stated that he never said anything to Mr. Ritchie about [REDACTED].
- o [REDACTED] stated that he never witnessed any of the allegations against Mr. Ritchie (i.e. hugging and sitting on the lap). [REDACTED] stated that he avoids any and all gossip.

- Mr. Steve Ritchie is a Construction Development Manager with 4 years of service reporting to Ms. Betsy Spencer, Director NHCD.
- Mr. Ritchie stated the following:
 - [REDACTED] told Mr. Steve Ritchie that [REDACTED] told [REDACTED] that Mr. Ritchie was sitting in peoples lap, touching and rubbing shoulders.
 - The current investigation was not the first time that Mr. Ritchie has been falsely accused of inappropriate behavior. He has also consulted with a lawyer.
 - The day that he was hired there were 5 anonymous complaints against him with no names. HRD staff Mr. Mark Washington, and Ms. Carla Scales along with ACM Mr. Anthony Snipes addressed the staff and told them there was no merit to the allegations because it was anonymous.
 - He was hired to make changes and his style is firm but personable. People did not like him because he had to address several performance issues resulting in turn over in the department. There is an attempt to discredit him and his name because of changes he has made in the division.
 - Mr. Ritchie teaches Diversity, knows policy and procedures, and would never violate them.
 - Mr. Ritchie stated that he has never approached anyone to hug them first but people approach him to hug and he returns the favor. The hugs are not gender specific; he “does it to everyone.”
 - Mr. Ritchie doesn’t know who complained, but feels “retaliated against” and that the complaint was made to get him removed from his job.
 - Mr. Ritchie doesn’t go around hugging on people but will tap people on the shoulder.
 - Mr. Ritchie shakes hands and lightly touches people on the shoulder. He cannot remember rubbing any one’s shoulders.
 - Mr. Ritchie stated he never sat on any ones lap at work or can’t recall sitting on any one’s lap.
 - Mr. Ritchie stated that he does not think he hugged [REDACTED]
 - Mr. Ritchie stated that when he got the employees more money, they hugged him.
 - Mr. Ritchie stated that a few months ago, he backed up like he was going to sit in a chair, and [REDACTED] was in the chair, but he didn’t sit on her.
 - Mr. Ritchie stated that no one has ever complained to him about his behavior.
 - Mr. Ritchie never told anyone that he was being investigated. Mr. Ritchie suggested that [REDACTED] may have overheard him playing the voice mail recorded message from HRD.
 - Mr. Ritchie stated that he is a compassionate manager who fights for his employees. He was accused before of hugging people.
 - [REDACTED] is a good worker and he doesn’t think that she would say anything negative about him unless someone told her.
 - He enjoys people, teaches Diversity and nothing was found during all the investigations on him.
 - He would like to apologize to [REDACTED] or to whomever it was that complained.

Several of the witnesses interviewed independently expressed concern that 1) Mr. Ritchie appears to have a high level of support from Director Spencer 2) that Director Spencer would intervene and defend Mr. Ritchie and 3) they could be subject to retaliation for having participated in the investigation and contributing feedback adverse to Mr. Ritchie.

Conclusion

Testimony from at least three employees confirmed that Mr. Ritchie hugged [REDACTED] (and others) multiple times. There was also confirmation that on at least one occasion, Mr. Ritchie had, in the workplace, and in the presence of a witness, pulled back [REDACTED] hair and tickled her ear. None of these actions could reasonably be construed to be necessary, consistent with policy or best practices, or in furtherance of business operations.

There were two reported instances of Mr. Ritchie sitting on [REDACTED] lap, first in the receptionist area, and second, in her cube. The incident in the reception area, as reported by [REDACTED] was confirmed by one witness. The incident in the cube area was partially acknowledged by Mr. Ritchie, who stated he was “acting” as if he were going to sit in [REDACTED] lap but did not make physical contact. This incident was witnessed by [REDACTED] who described seeing Mr. Ritchie’s attempt to sit on [REDACTED] lap either playfully or accidentally, but didn’t see physical contact. [REDACTED], who was sitting in an adjacent cube, reported hearing movement in [REDACTED] cube while Mr. Ritchie was there. [REDACTED] reported to [REDACTED] after Mr. Ritchie left that it felt awkward for Mr. Ritchie to sit in her lap. While there were no eye-witnesses to this incident, the testimonial demeanor of the complainant, in combination with the witness testimony that he saw the Respondent “act like he was going to sit in her lap” and the lack of credibility in the Respondent’s assertion that he “did not intend” to sit on the lap of the Complainant but was just “pretending”, weighs in favor of a conclusion that it is more likely than not that the Respondent did sit on the Complainant’s lap as alleged. Regardless of Mr. Ritchie’s intentions and/or whether or not physical contact was or was not made, his actions were wholly inappropriate. The witnesses consistently confirmed their perception that Mr. Ritchie’s behavior towards [REDACTED] was unwelcomed and offensive. Therefore, Mr. Ritchie’s actions in engaging in unwelcome physical contact in the workplace were neither professional nor respectful, and constitute a violation of the Employee Conduct Policy. Additionally, the act of jokingly and/or actually sitting on a co-workers lap, coupled with the totality of feedback regarding the pervasiveness of Mr. Ritchie’s unwelcomed physical contact toward employees has reasonably been viewed to create an offensive work environment and as such represents a violation of the City’s Sexual Harassment Policy.

Allegation 2:

Steve Ritchie had previous complaints against him for inappropriate touching by two former employees who worked in the Neighborhood Housing Department.

Findings of Fact:

- On October 25, 2011 Ms. Christine Jones, HR Coordinator Neighborhood Housing and Community Development, wrote a summary report pursuant to a complaint against Mr. Steve Ritchie for inappropriate hugging and touching.
 - The complainant stated that Mr. Ritchie interrupted a business meeting she was having with [REDACTED] in his office and began “horse playing” and physically touching both of them. Mr. Ritchie then came over to the complainant and proceeded to hug her and touched her breast.
 - [REDACTED] stated that he recognized that the complainant was frustrated, uncomfortable and agitated with Mr. Ritchie for hugging her. The witness stated that he also felt uncomfortable with the way Mr. Ritchie hugged and touched the complainant.
 - [REDACTED] stated that he has observed Mr. Ritchie hugging both men and women in the past.
 - Mr. Ritchie vowed to make every effort to keep his hands in his pockets going forward and make every effort to refrain from touching because of previous complaints against him.
 - Mr. Ritchie apologized to the complainant and stated that he would make every effort to refrain from any touching.
- In the same summary report there is reference to an anonymous complaint against Mr. Ritchie filed in June 2011 by the complainant and another employee who identified themselves during the October 25, 2011 investigation. No other investigative Reports about Mr. Ritchie’s behavior were found although several people mentioned there were other complaints.

Conclusion

The investigation confirmed that there were previous complaints against Mr. Ritchie for inappropriate touching. One complaint was anonymous and the other was filed with the Human Resources Department for NHCD. As this allegation was factual in nature, no policy violation is noted. At that time, the report noted that Mr. Ritchie had stated to the investigators that after receiving previous complaints, he had made an assertive effort, “to keep his hands in his pockets to be compliant.”

Allegation 3:

Steve Ritchie was also investigated by the City of Austin Integrity Unit.

Findings of Fact:

- Mr. Ritchie stated that he was investigated by the City of Austin Integrity Unit a couple times but was cleared of any wrong doings.
- On August 26, 2013 the City of Austin Integrity Unit received an allegation of managerial hostility against Ms. Letitia Brown and Mr. Steve Ritchie. Referral #803.
- The City of Austin Integrity Unit forwarded the referral to HRD for investigation and did not issue a report on the complaint.
- The City of Austin Integrity Unit confirmed that there were anonymous allegations against Mr. Ritchie in which they did not issue a report or automatically clear him. Due to the confidentiality of the office, the investigator was not given dates of the allegations or the results.

Conclusion

The allegation itself does not represent a current allegation of wrongdoing. The City of Austin Integrity Unit did receive anonymous complaints about Mr. Ritchie one was referred to HRD for investigation and others handled by the Integrity office. No policy violation was substantiated.

Allegation 4:

Betsy Spencer, Director NHCD, protects and supports Steve Ritchie no matter what he does.

Findings of Fact:

- Ms. Spencer denied having any involvement in any investigations regarding Mr. Ritchie. She stated that investigations were done by the Human Resources Department or the Integrity Unit.
- Ms. Spencer stated that she was aware of the complaints against Mr. Ritchie but no policy violations were found and no discipline was recommended.
- Ms. Spencer stated that people didn't like Mr. Ritchie because he had to deal with a lot of tough issues requiring discipline and that he was a good manager.
- Ms. Spencer stated that she and Mr. Ritchie had previously worked together in San Antonio Texas and he was hired because he has years of relevant experience.
- Ms. Spencer stated that Mr. Ritchie even volunteered to do Diversity training although it wasn't required.

Conclusion

This allegation was not substantiated and no policy violation was noted. Further, there is no evidence that Ms. Spencer protected Mr. Ritchie during the investigative process or that she observed or condoned his behaviors as described in this report.

Summary/Conclusion

Mr. Steve Ritchie is a Construction Development Manager with 4 years of service reporting to Ms. Betsy Spencer, Director Neighborhood Housing & Community Development. [REDACTED]

██████████ is a ██████████ with ████████ years of service reporting to ██████████
██████████, Supervisor, Mr. Steve Ritchie, Manager of the division, and ██████████ is ██████████
██████████

Around September of 2014 ██████████ told ██████████ that she was having issues with Mr. Steve Ritchie, manager over her division. ██████████ reported that Mr. Ritchie came into her cube, put his hands on her shoulder and neck, and that he hugged her, which caused her to feel uncomfortable. ██████████ also reported that Mr. Ritchie on two occasions sat in her lap. At the time of her report ██████████ named four witnesses to either the hugging of ██████████ or the sitting in her lap.

Testimony from three witnesses confirmed that Mr. Ritchie hugged ██████████ multiple times. The hugging consisted of grabbing ██████████ from behind in a “bear hug” shaking her back and forth, hugging her from the front, placing his hands on her shoulder and neck. There was a second incident in which Mr. Ritchie, by his own admission, backed up as if to sit down but did not sit down, but this incident was witnessed by another staff member, who stated that it appeared to him that Mr. Ritchie was pretending that he was going to sit in ██████████ lap. In addition, one witness reported, and ██████████ confirmed, that Mr. Ritchie pulled back her hair and tickled her ear from behind. All four witnesses stated that it appeared to them that Mr. Ritchie’s behavior was unwelcomed and offensive to ██████████.

Mr. Ritchie’s reputation among the witnesses is that he is a “touchy-feely” type of person who often gives hugs to everyone. One witness stated that he didn’t believe that Mr. Ritchie’s hugging was sexual, but that, “he needed to know who not to hug.” In October of 2011, Mr. Ritchie was investigated pursuant to allegations of inappropriate touching by a staff member of NHCD. Although no policy violation was substantiated, Mr. Ritchie subsequently met with the Complainant and the investigators, apologized to the complainant, and vowed that he would, “make every effort to refrain from any touching.”

Testimony from the four witnesses confirmed that Mr. Ritchie touched, hugged and sat in the lap of ██████████ in a manner that violated the City of Austin Personnel Policies regarding Discrimination, Harassment and Sexual Harassment, and Employee Conduct.