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1/27/2025

To: Vice Chancellor Mark Krause
Office of Compliance
University of California, Los Angeles
Wilshire Center, Suite 700
Los Angeles, Ca, 90095

I, Harout Gulessarian, make no waivers or admissions and reserve all rights, without limitation, to amend, revoke, modify, or supplement any and all provisions of this complaint, especially as additional evidence is discovered. All issues or statements raised herein are being presented without any limitations.

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Dear Vice Chancellor Krause,

I am writing to continue to document my ongoing concerns regarding my whistleblowing, my lateral transfer, and the unresolved issues related to my healthcare accommodations among many other things. Despite your invaluable assistance, I continue to face ongoing significant protected class violations, without limitations discrimination and retaliation within the lab and with at least two individuals accompanying the Department of Neurobiology at UCLA, as more fully expanded on below. Below, the evidence presented outlines and amplifies the reasoning, along with any and all of the non-ignorable realities that UCLA policies, state, and federal law violative actions arguably require the overseeing of UCLA authorities to act and ultimately ascertain and hold accountable the parties named more fully below.

Over the past year, I have been subjected to a persistent pattern of retaliatory and discriminatory behavior, primarily from key individuals in the Department of Neurobiology; namely, Supervisor & Chief Administrative Officer Mark Lucas, HR Representative Helen Nguyen, and my direct supervisor, Bennett Novitch. These individuals have actively co-conspired to create a false narrative(s) about me, including but not limited to superficial judgments regarding my appearance, speech, my mental health, and my active role as a whistleblower, among many other things. The actions or inactions taken by these individuals appear to be intentionally orchestrated to undermine my professional standing, obstruct my rights to healthcare accommodations, and ultimately work toward terminating my employment rights at UCLA.

As you are aware, my whistleblower status has been central to these ongoing continuing issues among other things. The actions outlined below are not merely violations of my civil rights or employment policies but are specifically retaliatory actions designed to penalize me for reporting misconduct and for my role in exposing unethical practices within the lab. These actions are in direct violation of UCLA's Whistleblower Protection Policy, as well as both state and federal whistleblower protection laws, including but not limited to California Labor Code § 1102.5 and the Sarbanes-Oxley Act. I believe that the retaliation I have faced is not only unlawful but intentionally orchestrated by my supervisor and other supervisors + department HR representatives to silence me and deter future whistleblowing activity.

This document will also outline and expressly identify, without limitations, numerous seemingly false & misleading statements and/or information designed to impact my career, my education, and all other facets of my UCLA employment, both materially and negatively by intentional, violative, bad faith acts further evidencing a bold pattern of discriminatory (at law and equity) actions coupled with written words, thus the evidence tends to suggest on its face a clear and blatant campaign of retaliation aimed at harming my employment with UCLA among many other things. Without limitations, these actions were and continue to be aimed at ensuring my termination, professional discreditation, and the infringement of my rights as a whistleblower among many other things.

I am providing a detailed breakdown of a few instances without limitations that will tend to show a pattern of retaliatory behavior orchestrated by the individuals identified above. This breakdown

intends to demonstrate how my whistleblower protections have been violated among other things, with a clear pattern of retaliation and discrimination directed at me because of my actions in exposing wrongdoing in the Neurobiology department. These actions have directly interfered with my ability to perform my duties, to work effectively, to exercise my healthcare rights under FMLA, and to access reasonable healthcare accommodations among many other things.

Given the nature of the retaliation I have faced, It is clear that the actions or inactions taken by the individuals named above are retaliatory in nature and are designed to punish me for exercising my rights and reporting violations among many other things. These actions fall squarely within the scope of whistleblower retaliation laws, which protect employees from retaliation for reporting unethical or unlawful practices without limitations.

Thank you again for your continued support Vice Chancellor Krause, and I trust that, with your help, we can continue to address these ongoing and deeply concerning issues that seem to deviate from UCLA's gold standards of professionalism, ethics, and compliance with the law. I look forward to a swift resolution and the restoration of a fair and just workplace for all involved at UCLA collectively.

Below, I will break down how Supervisor Mark Lucas and HR Rep Helen Nguyen are directly involved in this situation, particularly with regard to their retaliatory actions that have targeted me in retaliation for my whistleblower activities. I will incorporate by reference all other documents, memorandums, or any form of evidence previously provided, which shall be considered fully included herein. I will not go into the details of Bennett Novitch's actions in this write-up at this stage; however, I do expect that all of his actions will be considered along with those of Samantha Butler. The objective here is to assess whether the actions of these individuals, collectively, are motivated by malicious intent, which, when viewed in the context of the larger picture, further establishes that the interference in my lateral transfer to the biochemistry lab was not only unjust but arguably orchestrated and coordinated specifically to harm me as a whistleblower.

Their actions, in light of my protected whistleblower status, appear to be a direct violation of whistleblower protections under both California Labor Code § 1102.5 and UCLA's Whistleblower Protection Policy. This retaliation, including their interference with my job transfer, undermines my professional standing, obstructs my ability to work effectively, and significantly disrupts my career at UCLA. This conduct is arguably intended to punish me for speaking out against misconduct within the department, and it has materially and negatively impacted my employment terms at UCLA.

Mark Lucas Neurobiology Department Chief Administrative Officer

Failure to Provide Reasonable Healthcare Accommodations and Retaliatory Conduct:

Supervisor Mark Lucas, in his capacity as the Chief Administrative Officer (CAO) of the Department of Neurobiology, engaged in a series of retaliatory and discriminatory actions that further obstructed my ability to return to work in a reasonable and lawful manner or to exercise my healthcare rights under the Family and Medical Leave Act (FMLA) and other applicable laws. His actions not only violated my legal rights regarding healthcare accommodations but also contributed to a broader, ongoing pattern of retaliation against me as a whistleblower. This retaliatory conduct appears to be part of a coordinated effort to undermine my professional standing at UCLA and obstruct my ability to perform my work. Below is a detailed account of these actions, with a particular focus on Supervisor Mark Lucas's failure to provide reasonable accommodations and the retaliatory conduct that has compounded my mistreatment.

Failure to Provide Reasonable Healthcare Accommodations:

On April 15, 2024, Supervisor Mark Lucas became involved in the ongoing issues within the Novitch lab, having been hand-selected by Supervisor Bennett Novitch to mediate the situation. However, Supervisor Novitch hand selected a biased mediator Supervisor Lucas who clearly had a conflict of interest. Essentially, Supervisor Bennett Novitch disregarded the services of UCLA's Office of Ombud's, a neutral and non-biased entity designed to mediate conflicts within the University. Supervisor Mark Lucas's involvement from the outset was flawed, as he failed to facilitate proper healthcare accommodations, thus violating my rights under the Americans with Disabilities Act (ADA), California's Fair Employment and Housing Act (FEHA), and the Family and Medical Leave Act (FMLA).

Despite being fully aware of the mistreatment I was enduring in the Novitch lab, Supervisor Mark Lucas took no meaningful action to address or remedy the situation. When I reported the abuse to him on numerous occasions, Supervisor Lucas ignored the concerns raised and failed to take any action that could have mitigated the harm. This failure to act not only reflects a disregard for my healthcare rights but also demonstrates a pattern of retaliation for reporting workplace misconduct that is central to this claim.

Specifically, on April 19, 2024, I needed to tend to healthcare matters, which were integral to my ongoing treatment and were communicated to both Supervisor Bennett Novitch and Supervisor Mark Lucas. However, Supervisor Novitch misinformed Supervisor Mark Lucas about my whereabouts during this time. While I was attending to my healthcare needs, Supervisor Novitch's false and misleading statements suggested I had walked off the job, which was not the case. In fact, Supervisor Novitch had made written admissions acknowledging my whereabouts and the legitimate healthcare matters I was addressing. Despite this, Supervisor Mark Lucas acknowledged the false and misleading narrative that was being set in place but chose to ignore it. This behavior, combined with the continued retaliation and misrepresentation of my actions, further underscores the coordinated effort to punish me for engaging in whistleblower activity related to the Novitch lab among other things without limitations.

This false narrative about my alleged abandonment of the job, coupled with Supervisor Lucas's failure to act, constitutes not only a violation of my healthcare rights but also whistleblower retaliation under California Labor Code § 1102.5, which protects employees who report violations of law from retaliation. The actions of both Mark Lucas and Bennett Novitch represent a direct attempt to undermine my rights, including my right to healthcare accommodations and my ability to perform work duties in a safe and legally protected manner.

Summary of Retaliatory Conduct:

The retaliatory behavior described above, compounded by false accusations, failure to facilitate reasonable accommodations, and the deliberate misrepresentation of my actions, form a coherent pattern of actions designed to punish me for whistleblowing and reporting concerns regarding unethical conduct within the department. These actions are not only unlawful but are a clear violation of California Labor Code § 1102.5, UCLA's Whistleblower Protection Policy, and various federal and state laws designed to protect employees from retaliation.

First Attempt to Report Abuse and Retaliation to Mark Lucas:

On my first attempt to report the ongoing abuse and retaliation I was facing from Supervisors Bennett Novitch and Samantha Butler, I directly informed Supervisor Mark Lucas about the mistreatment I was enduring within the Novitch lab. Despite the seriousness of my claims, Supervisor Mark Lucas failed to take any appropriate action or initiate a neutral investigation into the matter. His failure to respond in any meaningful way, especially in light of the clear violations of my rights under UCLA policy, FMLA, and whistleblower protections, reflects a willful disregard for my concerns and a conscious failure to intervene in what was a clear case of retaliation.

Instead of addressing the abusive behavior or providing appropriate mediation, Mark Lucas chose to ignore the whistleblower retaliation I was facing and allowed the situation to persist. This inaction constitutes a violation of California Labor Code § 1102.5, which protects employees from retaliation for reporting misconduct. Furthermore, it underscores the failure of UCLA's Whistleblower Protection Policy to ensure that whistleblowers are not subject to retaliation, discrimination, or unfair treatment in the workplace.

In my report to Supervisor Lucas, I clearly outlined how Supervisors Novitch and Butler had been retaliating against me, including undermining my professional credibility and obstructing my ability to access healthcare accommodations. Despite this detailed information, Mark Lucas chose to turn a blind eye, allowing the abuse to continue unchecked. This failure to act, in violation of both state and federal laws protecting whistleblowers, further illustrates the coordinated retaliation and discriminatory behavior I have faced in the Department of Neurobiology.

 Harout Gulessarian
Re: Chat?
To: Lucas, Mark

April 25, 2024 at 12:48 AM



Good day, Mark.

After discussing time off for healthcare matters(among other things), and reaching an understanding with the UCLA Office of Ombud's Services on the matters, I subsequently requested from Ben some time off from work due to issues germane to the Ombudsman meetings.

I had requested to use my vacation time for my healthcare matters that urgently need tending to.

First, I was wondering whether there are any updates regarding my time off request.

Second, in the event that I am prohibited from using my vacation time, then I need to better understand how I can use my sick time off effective immediately. Your advice on this would be deeply appreciated.

Moreover, I don't know if this is the proper forum for reporting something that occurred to me today at work which I found offensive, unprofessional, and inappropriate. More specifically, at approximately 4:10pm yesterday afternoon, I was going to grab a snack from the first-floor vending machines next to cafe med. Samantha Butler (Wife of Bennett Novitch) and Bennett Novitch both (at the same time) ran into me in the hallway.

Although, both husband and wife respectively exhibited hostile behavior towards me, Samantha Butler, in express public view in the hallway got loud, showed anger, opened her eyes wide, made me feel extremely apprehensive, and uncomfortable. Samantha Butler told me I am going to be written up, fired, and accused me of being a liar because I stated that I never received an email from you (I found this particularly odd given Samantha Butler is not my supervisor nor do I work in her lab). I don't believe this is in line with UCLA policy for a person to come to work only to be put in fear of personal harm; particularly retaliatory actions such as threats and demeaning/slanderous comments that a reasonable person would find harmful and offensive in front of other UCLA bystanders..

Moreover, I looked into my inbox again, and I sincerely believe this is the first email I received from you regarding the matter. Therefore I must object to Samantha's defamatory/slanderous remarks regarding any correspondence between you and I.

My Email addresses are:

Hkg90@icloud.com
Hgulessarian@nednet.UCLA.edu

Let me say in advance, I appreciate your time, assistance, and guidance on these apprehensive matters. Moreover, I also appreciate the confidentiality in our instant correspondence.

Thanks,
Harout

Second Attempt to Report to Mark Lucas:

After my initial report of the abuse and retaliation I was enduring from Supervisors Bennett Novitch and Samantha Butler, I had no choice but to bring the matter to Supervisor Mark Lucas a second time. During this second attempt to report the ongoing mistreatment, Mark Lucas failed once again to take any appropriate action or address the serious retaliation I was facing. Instead, he made a false and misleading statement, suggesting that he would discuss the workplace matters with me separately—but he failed to follow through on that promise.

Despite my clear and repeated attempts to bring attention to the situation, Supervisor Mark Lucas's response was inadequate, dismissive, and wholly unprofessional. His actions not only failed to resolve the underlying issue but further contributed to a hostile work environment by preventing me from having the necessary discussions to protect my employment rights. The fact that he made an explicit promise to address the matter and then failed to do so only further compounds the retaliatory nature of his conduct, leaving me in a vulnerable position and with no recourse for whistleblower retaliation.

Supervisor Mark Lucas's failure to address the issue directly contributed to the continuing pattern of retaliation, undermining my ability to do my job and exercise my rights to healthcare accommodations and protection under the Family and Medical Leave Act (FMLA). His inaction violates both California Labor Code § 1102.5 and UCLA's Whistleblower Protection Policy, both of which protect employees from retaliation for reporting misconduct. By failing to follow through on his promise and allowing the retaliation to persist, Mark Lucas is complicit in the harassment and discriminatory treatment I am enduring within the Department of Neurobiology.



Harout Gulessarian
FMLA/Healthcare Matters
To: Mark Lucas

April 25, 2024 at 5:20 PM

Hello Mark.

I may be in error, but from what I can understand, it appears that using my vacation time for my Healthcare matters remains not approved. That being said, I want to thank you in advance for assistance regarding the immediate processing of my FMLA Healthcare matters which I requested with immediate effect last night as an alternative option from my prior requested vacation time regarding my Healthcare matters.

Given the FMLA process is virtually foreign to me at this juncture I appreciate any and all assistance towards helping me identify my FMLA/Healthcare leave options so as to further advance my existing Healthcare needs. If you can kindly forward to me the proper UCLA link(s), contact person info, and/or any other necessary details guiding me in the right direction to insure I am properly and thoroughly using any and all relevant applicable benefits, Healthcare or otherwise qualifiable.

Next, I notice you mention that I didn't show up to work on Friday, but I submit that given Samantha Butler's outrageous conduct towards me (as I noted to you in my prior email which I incorporate by reference here), I believe Samantha's conduct was intended to cause me emotional distress by somehow knowing that I was out on Healthcare matters Friday, which I believe exemplified a reckless disregard for my privacy, healthcare and employment rights among others; given Samantha Butler is not my supervisor and I do not work in her lab, it is axiomatic that I am entitled to believe that any information indicating I did not go to work on Friday could very well have been presented to you with retaliatory and discriminatory animus intended to be intentionally misleading, deceitful, and defamatory/slanderous, among other things, as such I am attaching and incorporating herein the relevant emails, in part, below.

In an abundance of caution, I would like to inform you that I in-fact had noticed Ben that I was going to be out Friday due to Medical/Healthcare issues. In fact, not only did I notice Ben of this, I submit that Ben responded to my notice saying (I quote in relevant part): "Hi Harout, I really appreciate your sending me this message and letting me know what you are up to..."

Specifically, Ben was responding to my Healthcare/FMLA message to him where I specifically emailed Ben and said the following (I quote, in relevant part): "Hello Ben, hope all is well. I have a few healthcare matters today that I am tending to. At the earliest time after my healthcare matters, I will respond to any and all laboratory items and matters".

Consistent with my Medical/Healthcare issues that I was tending to Friday I was out to my instant Healthcare matters until April 24, 2024. Given some of the outrageous statements made to me by Samantha Butler in Ben Novitch's presence yesterday, in relevant part I was going to get fired or written up for "walking off the job" due to my Healthcare matters is not only a substantial factor in furthering outrageous retaliatory and harassing conduct in the presence of my supervisor Ben, but I submit it was intended to inflict injury to me as I submit Samantha engaged in this reckless conduct with the realization that injury will result to me from these statements, and this is why I don't mean to dismiss from the FMLA Healthcare issues that you are helping me with, but I believe the email correspondence between Ben and I is the best evidence of the fact that Ben (and somehow Samantha Butler) knew that I was tending to my Healthcare matters on Friday and it's important for you to have that information to prevent any misleading statements regarding Friday given it was put in issue by Ben to you in your capacity as the Neurobiology CAO.

I noticed directly UCLA/BEN NOVITCH (since at least last year) that I was, and remain exposed to what I submitted/submit remains unlawful, discriminatory, harassing, retaliatory and otherwise harmful conduct in the lab, and I believe the discriminatory animus is fostering retaliatory conduct by Ben and others in lab against me for very important complaints, such as, without limitations, discrimination based on ethnic/looks/speech, retaliation for whistleblowing regarding written intent of misappropriation of UCLA intellectual property, UCLA Trade Secrets, possibly patentable and otherwise, draftable and prosecutable UCLA intellectual property which I discovered by accident during my work in the lab on September 11 2023; now given the extreme and outrageous statements and conduct of Samantha Butler with my Supervisor Ben Novitch by her side yesterday, and given the above issues, I now have some basis to believe, that I can most certainly add retaliation to me for all the items I prior noticed Ben/UCLA for, without limitations, but as it seemingly appears to the extent there maybe any misleading statements regarding my Healthcare matters on Friday, I very respectfully submit there is active retaliation by Samantha Butler and Ben Novitch for tending to my Healthcare matters, among the many other reasons that I have already prior noticed UCLA and Ben Novitch in writing.

In fact, in an abundance of caution, to show that there may very well be misleading and deceitful statements posed to you regarding "me not showing up to work on Friday." I am attaching screen shots of the relevant email exchange that conclusively establishes that Ben in fact knew that I was tending to healthcare matters and that I was going to in fact tend to laboratory issues post my healthcare matters (which is exactly what I attempted to do). Once I was back to work on 04/24/2024, as is the same day that Samantha Butler seemingly assaulted, defamed, slandered, and otherwise threatened and harmed me because at the time and now I believed) that there remains an anticipation of harm towards me as I have a right to come to work without being put in fear of personal harm to me. This is not the first time that I am subjected to these kind of hostile actions by Ben and it appears that also Samantha Butler is on the same page and I just respectfully requesting that my right to come to work and do my job without me being put in fear of personal harm to myself by Ben Novitch and now Samantha Butler and all late member(s), as something like this occurred back in February 2024, but that was by Ben Novitch only and not Samantha.

That being said, I returned to work on 24 April 2024, and I was in fact attempting to do my job, and I was in fact doing my job until ~4:10pm (embarrassingly there were witnesses) where I was harassed, slandered, and defamed by Samantha Butler in front of UCLA bystanders on the first floor with Ben Novitch my supervisor by Samantha's side, and again Ben failed to take any reasonable actions to curb such harmful words and conduct directly at me by another UCLA employee (Samantha Butler).

Again, sorry for digressing as I am certain you understand, but it's hard enough dealing with the heavy Healthcare issues I face, thus if you can kindly guide me and help insure, I complete all the requisite steps for FMLA/Healthcare leave, so I can move forward with my Healthcare matters and try to recover from my pending Healthcare issues, then deeply appreciative I remain to you for reaching out to help me.

In the event it is necessary, I do have documentary evidence of my Healthcare issues, but of course I certainly make no waivers as I reserve all rights and remedies as I attempt to deal with my Healthcare road towards recovery.

Supervisor Mark Lucas engaged in false and misleading conduct that directly interfered with my FMLA leave, healthcare rights, and ability to receive the necessary accommodations under UCLA's policies and state and federal laws. His actions compounded the ongoing retaliation I was facing, further obstructing my rights under FMLA and other protected class rights.

For instance, Mark Lucas provided a fabricated email address to HR representative Helen Nguyen, causing unnecessary delays and complications in the FMLA process. This misrepresentation significantly hindered my ability to communicate effectively about my leave and ensured that I was denied the protections that I am legally entitled to under FMLA.

Additionally, Supervisor Lucas misled me by stating he would address workplace matters with me separately, yet he failed to follow through on this promise. This false assurance and subsequent failure to act were clear attempts to deflect accountability and avoid addressing the underlying retaliation and mistreatment I was experiencing.

Moreover, despite being instructed to initiate my FMLA by the appropriate parties, Mark Lucas did not take action to properly implement my FMLA leave. Instead of following the FMLA procedures, he merely provided me with a PDF explaining what FMLA is—an inadequate and dismissive response that failed to address my urgent healthcare needs. His failure to properly implement FMLA leave directly obstructed my ability to care for my health, violating UCLA's policies, the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Act (ADA).

Supervisor Mark Lucas's actions in this instance are clear violations of UCLA's Whistleblower Protection Policy, FMLA, and state and federal employment laws. These actions not only constitute interference with my healthcare rights but also amount to whistleblower retaliation, as

I had previously reported the unlawful conduct of my supervisors, Bennett Novitch and Samantha Butler, and their discriminatory actions against me. Lucas's failure to take meaningful action in response to my healthcare needs and the retaliatory treatment I was subjected to further exemplifies the malicious intent behind the retaliation and the pattern of obstruction I have faced.



Mark Lucas
To: Harout Gulessserian >

4/25/24
🕒

Hi, Harout. Thank you for your e-mail and the background. I want to focus this e-mail to help with the Leave questions. We can discuss the other item you cite separately.

You receive vacation and sick accruals each pay period. For vacation, the policy is that you need to request it in advance and approval is at the discretion of your supervisor based on institutional needs. Dr. Novitch told me that you asked for 3 weeks off (vacation) and he asked to meet with you to review how items in the lab would be handled during your absence. He said that you did not respond and just took off on Friday. He assumed you were out on the 3 week (unapproved) vacation until he saw you yesterday afternoon in CHS. If you'd like to use vacation, I'd recommend simply requesting and making sure that you liaise with your supervisor to make sure that they are aware of what is pending and how to traffic during your absence.

For sick leave, it obviously would not require pre-approval. You cannot control illness. You do need to let your supervisor know if you're out sick for a day. They cannot deny this. If you need to be out longer than 2 consecutive days, DGSOM policy requires a doctor's note to use the paid sick time. If you are out longer, there is not an issue with this, but we are required to offer you FMLA. FMLA = the Family Medical Leave Act, which in short states that you cannot lose your job or benefits while on leave. It says nothing about pay. We would ask that you speak with the department HR rep (Helen Nguyen, or me if preferred) if you do plan to be out for an unplanned illness or extended length of time. There is a small bit of paperwork and the need for a doctor's note. This is designed to protect you during your leave while recovering from your illness. For reference material, please see: <https://ucnet.universityofcalifornia.edu/wp-content/uploads/forms/pdf/family-medical-leave.pdf>.

It may be easiest at this juncture to contact Helen (helennguyen@mednet.ucla.edu) and discuss what you want to do and she can initiate the process/paperwork.

Please let me know if this helps. Thanks.



Another instance of false misleading statements made by Supervisor Lucas was On May 14, 2024, Supervisor Mark Lucas sent the following false statements:

"Your request for use of FMLA has not been approved as yet. We wanted to remind you that you were provided with 15 days (through May 15, 2024) to submit medical certification. Your absence from work is currently unauthorized and unexcused."

This statement was misleading and false. UCLA had already approved my request for FMLA leave, and my absence was not unauthorized, as evidenced by the medical certification that had

already been uploaded to the UCLA LOAN system on May 3, 2024 (*see attached further below*). Subsequently, my access to upload healthcare documents was revoked by the department, yet they continued to request that I upload documents through the UCLA LOAN portal, as will be evidenced below in this write-up (*see page 21 for access denial to LOAN system*).

☆  **Harout Gulessserian**
FMLA update
To: helennguyen@mednet.ucla.edu, Jackeline Peraza, Robert Damoiseaux, Erick Nedd, BENNETT NOVITCH, Mark Lucas, suzanne@cnsi.ucla.edu

May 14, 2024 at 4:55 PM [Hide](#)

Hello Everyone.
I remain unavailable on FMLA leave until at least 15 July, 2024.
Kind regards. Harout

Found in Inbox - iCloud Mailbox

 **Lucas, Mark**
RE: FMLA update
To: Harout Gulessserian, Cc: Nguyen, Helen A., Bennett Novitch (bnovitch@g.ucla.edu) <bnovitch@g.ucla.edu>

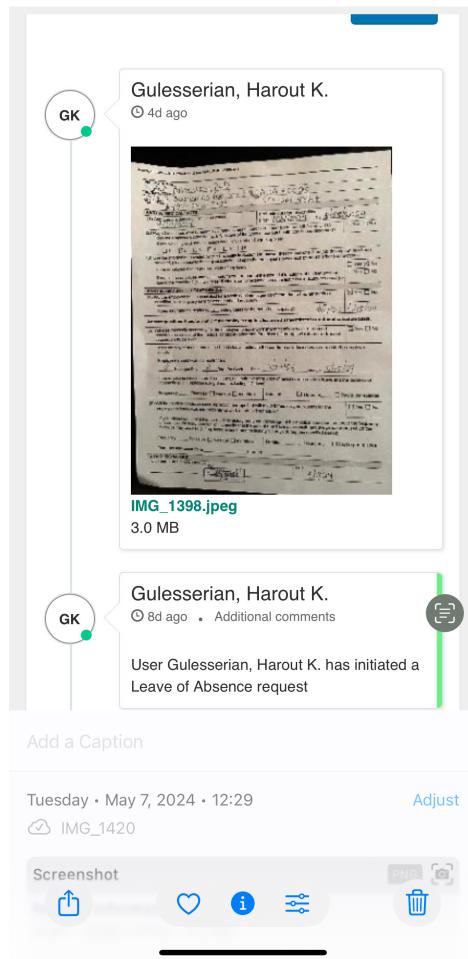
May 14, 2024 at 4:59 PM [Details](#)

Hi, Harout. Thanks for the update. We need you to officially file the FMLA. You have not done so as yet in the UCLA LOAN system. Neither are we in receipt of your doctor's note. We cannot approve a Leave without these items. Please contact me or Helen if you have any questions. Thanks.

[See More from Harout Gulessserian](#)

Hello Everyone.
I remain unavailable on FMLA leave until at least 15 July, 2024.
Kind regards. Harout

However, On May 7, 2024, a screenshot from the UCLA LOAN system confirms that the medical certification had been uploaded, contradicting Supervisor Mark Lucas's false statements made on May 14, 2024. His false claims regarding my FMLA leave being "unauthorized" were made with the malicious intent to harm my employment status, which not only undermined my ability to receive FMLA benefits but also obstructed my right to reasonable healthcare accommodations.



Later, Supervisor Mark Lucas once again sent misleading false statements on May 15, 2024:

“Your request for use of FMLA has not been approved as yet. We wanted to remind you that you were provided with 15 days (through May 15, 2024) to submit medical certification. Your absence from work is currently unauthorized and unexcused.”

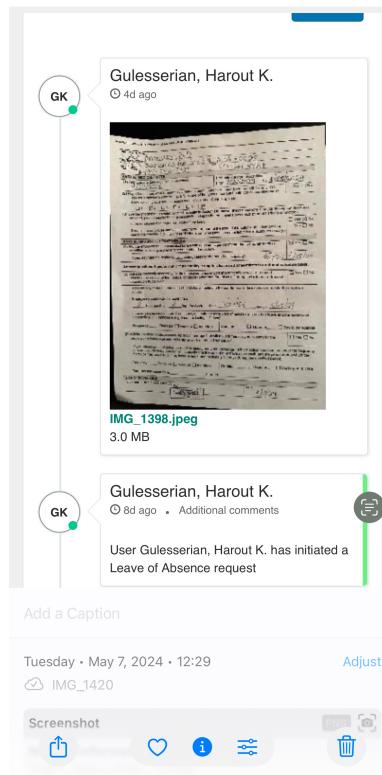
On May 15, 2024, at 10:42, Lucas, Mark
<MLucas@mednet.ucla.edu> wrote:

Dear Harout,
Your request for use of FMLA has not been approved as yet. We wanted to remind you that you were provided with 15 days (through May 15, 2024) to submit medical certification. Your absence from work is currently unauthorized and unexcused. Can you please contact us to provide and/or reply to the LOAN system e-mail that was sent on April 30, 2024 from UCLA Health? Thanking you in advance.

Best,
Mark

UCLA HEALTH SCIENCES IMPORTANT WARNING: This email (and any attachments) is only intended for the use of the person or entity to which it is addressed, and may contain information that is privileged and confidential. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Unauthorized redisclosure or failure to maintain confidentiality may subject you to federal and state penalties. If you are not the intended recipient, please immediately notify us by return email.

As noted earlier, this statement was completely false. My FMLA request had been approved by UCLA well before the dates Lucas states, and the medical certification had been uploaded on May 3, 2024—to the UCLA LOAN system (When I had access to upload I did, but that access to uploading documents was taken away from me by the department) thus disproving Supervisor Mark Lucas's false misleading claims.



Without limitation, more examples of Supervisor Mark Lucas's false and misleading statements persist throughout this process. These actions have created a toxic and hostile work environment where my employment has been jeopardized based on malicious misrepresentations and discriminatory conduct. The series of false narratives pushed forward by Mark Lucas, in conjunction with the ongoing retaliation from other supervisors, has led to significant distress, confusion, and delays in processing both my healthcare accommodations and FMLA leave.

Had I not possessed strong evidence to substantiate my claims, I submit that my whistleblower status—which I assert has been a driving factor in this retaliation—would have already led to my unlawful termination. This coordinated effort to undermine my career and deny me the rights I am entitled to under state and federal law, including the FMLA, ADA, and UCLA's Whistleblower Protection Policy, highlights a pattern of unlawful conduct designed to remove me from my position at UCLA for reasons that are both discriminatory and retaliatory in nature.

These false and misleading statements, which were intended to discredit me and obstruct my rightful claims, directly violated UCLA's internal policies and were in clear contravention of state and federal laws protecting employees from retaliation. Had I not had the foresight to gather the necessary evidence documenting these abuses, my employment status would have already been jeopardized, effectively ending my career at UCLA due to my protected whistleblower activities and lawful pursuit of healthcare accommodations.

This ongoing campaign of misinformation and obstruction underscores the malicious intent behind these actions and further exemplifies the systematic retaliation I am experiencing as a direct result of speaking out against unlawful practices and abuses in the workplace.

Retaliatory and Discriminatory Actions by Supervisor Mark Lucas:

In addition to Supervisor CAO Mark Lucas's failure to provide reasonable healthcare accommodations, he actively engaged in a series of retaliatory actions that have exacerbated the hostile and discriminatory work environment I have endured. Specifically, his manipulation and interference with my FMLA leave process were not just failures of duty—they were intentional retaliatory acts designed to prevent me from accessing the healthcare accommodations I was legally entitled to under state and federal law, including ADA protections, and to obstruct my FMLA leave.

Supervisor Mark Lucas's refusal to correct or address misleading statements, particularly regarding the status of my FMLA leave, was a deliberate attempt to undermine my workplace rights and prolong my distress. His conduct, combined with HR Representative Helen Nguyen's lack of action, manipulated the process in a manner that intentionally obstructed my access to the systems I needed to submit healthcare documentation during my FMLA leave. Despite being instructed to provide me with proper guidance and action, Supervisor Lucas and HR rep Nguyen both failed to ensure that my rights were upheld, thus furthering a pattern of discriminatory and retaliatory conduct that hindered my ability to access the healthcare benefits I needed to recover and return to work.

The failure to provide correct information or facilitate the FMLA process has caused undue delays, resulting in substantial emotional and financial distress, including exacerbating medical conditions that I have been dealing with. These actions, which were intentionally obstructive, have placed me in a position of further vulnerability, where I have had to endure not only the initial health challenges but also the added burden of a discriminatory and retaliatory work environment.

This conduct directly violates UCLA policies, including the Whistleblower Protection Policy, state, and federal law regarding FMLA, ADA, and workplace retaliation. Had I not had the evidence to support my claims, these unlawful actions would have already resulted in irreparable harm to my employment status and my well-being.

Ongoing Discriminatory and Retaliatory Conduct:

The ongoing discriminatory conduct by Supervisor CAO Mark Lucas is part of a clear pattern of retaliation, driven by my whistleblower status, for asserting my legal rights and speaking out against workplace discrimination. These actions are not isolated incidents, but reflect a systemic failure within the Department of Neurobiology, where Supervisor Lucas has consistently failed to intervene or correct the retaliatory behavior directed at me. His inaction has allowed this environment of discrimination to fester, and no employee should be forced to take extraordinary measures to address a supervisor's failures or to "right" a wrong that should never have occurred in the first place.

Supervisor Lucas's deliberate denial of reasonable healthcare accommodations, coupled with his false claims about my FMLA leave and facilitation of retaliatory practices, has significantly obstructed my ability to recover and return to work in a reasonable and lawful manner. His conduct, compounded by the actions of HR representative Helen Nguyen, who reports directly to him, has created a hostile environment that violates my fundamental rights under UCLA policies, state and federal laws, and employment contracts I have with the university. By facilitating this obstruction of healthcare rights, Supervisor Lucas and HR representative Nguyen have failed to uphold basic workplace protections, demonstrating an intentional disregard for my healthcare rights and the whistleblower protections afforded to me.



Nguyen, Helen A.

Automatic reply: HRC0301037 LOA - Harout Gulessarian

To: Harout Gulessarian

June 20, 2024 at 6:19 AM



Hello,

I'm out of the office. I will return on Monday, June 24, 2024. If this is an emergency, please contact mlucas@mednet.ucla.edu.

UCLA HEALTH SCIENCES IMPORTANT WARNING: This email (and any attachments) is only intended for the use of the person or entity to which it is addressed, and may contain information that is privileged and confidential. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Unauthorized redisclosure or failure to maintain confidentiality may subject you to federal and state penalties. If you are not the intended recipient, please immediately notify us by return email, and delete this message from your computer.

Arguably, why would a supervisor or HR subordinate representative place an employee on administrative leave (August 6th- August 19th) the day that employee returns from FMLA and then proceeds knowingly to document false misleading dates for admin leave.

PAY ADVICE STATEMENT																																																																																																																																												
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Harout Karnik Gulessarian 6403 Valmont St Tujunga, CA 91042		Employee ID: 10582324 Department: 143000-Neurobiology Location: Chs Job Title: SRA I Pay Rate: \$27.140000 Hourly						TAX DATA Description Federal CA State Tax Status: Single Single Allowances: N/A 1 Addl.Allowances: N/A Addl. Amount:																																																																																																																																				
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MESSAGE: Did your tax status change? Don't forget to update your W-4.

ML **Lucas, Mark**        

Return to lab
To: hkg90@icloud.com

Dear Harout,
We hope this finds you well. We are in receipt of your physician's note, authorizing your return to work on Tuesday, August 7, 2024.

Because Professor Novitch is currently on vacation, we do not have assignments for you to complete this week in the lab. He will return on Monday, August 13, however, and so we are delaying your return date until then. We will pay you for the remainder of this week (Tuesday, August 7 – Friday, August 10), but ask that you do not return to the lab before August 13th.

We look forward to you returning then. Please let me know if you have any questions.

Best,
Mark Lucas
Chief Administrative Officer
Department of Neurobiology

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Nguyen, Helen A.

RE: First Day Back - Reminder - ACTION REQUIRED - Harout Gulessarian - HRC0301037
To: Harout Gulessarian, Cc: UCLA Health Employee Relations, LOA Team

August 14, 2024 at 8:30 AM



Details



Hi Harout,

Please reach out to Dr. Novitch to schedule a Return-to-Work meeting with him for your first day back. Your timesheet will reflect your administrative leave from Tuesday August 6 through Friday August 9, Monday August 12, and Tuesday August 13, 2024.

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu



From: Harout Gulessarian <hkg90@icloud.com>
Sent: Tuesday, August 13, 2024 4:20 PM
To: Nguyen, Helen A. <HelenANguyen@mednet.ucla.edu>
Cc: UCLA Health Employee Relations <UCLAHealthEmployeeRelations@mednet.ucla.edu>; LOA Team <LOATeam@mednet.ucla.edu>
Subject: Re: First Day Back - Reminder - ACTION REQUIRED - Harout Gulessarian - HRC0301037

[See More from Harout Gulessarian](#)

Supervisor CAO Mark Lucas and subordinate HR rep Helen Nguyen unfortunately arguably engage in false deceptive misleading practices and arguably failed to respect employee rights.

Conclusion on Supervisor CAO Mark Lucas:

The actions of Supervisor Mark Lucas, in his capacity as Chief Administrative Officer for the Department of Neurobiology, have not only violated my legal rights regarding healthcare accommodations but have also been instrumental in perpetuating the hostile and retaliatory work environment I have been forced to endure. His false and misleading statements about my FMLA leave, along with his direct involvement in coordinating with subordinate HR Representative Helen Nguyen and Principal Investigator Bennett Novitch, have collectively created a situation that continues to cause significant harm to my career, my health, my education, my research, my draft manuscript, my intellectual property, and my overall well-being.

Supervisor Lucas's conduct, particularly his failure to uphold healthcare rights, obstruction of FMLA leave, and direct participation in retaliatory actions, constitutes clear violations of UCLA policies as well as state and federal law, including the Americans with Disabilities Act (ADA), the California Fair Employment and Housing Act (FEHA), and the Family and Medical Leave Act (FMLA), among others. These actions must be addressed immediately to prevent further harm and to ensure that such illegal and unethical conduct is not allowed to occur again. The retaliation I have faced cannot go unpunished, as it jeopardizes my professional reputation, my legal rights, and my intellectual property rights related to my novel discovery.

It is absolutely crucial that Supervisor Mark Lucas be held accountable for his actions. This will not only serve to protect my rights but will also safeguard the rights of other employees who may be subjected to similar misconduct. The interference with my lateral transfer and continued

obstruction of my rights must cease, and Supervisor Lucas must be made to answer for his role in the retaliatory practices that have harmed me professionally and personally.

 **Harout Gulessarian**

Re: First Day Back - Reminder - ACTION REQUIRED – Harout Gulessarian - HRC0301037

To: Nguyen, Helen A., Cc: UCLA Health Employee Relations, LOA Team

August 14, 2024 at 12:29 PM

[Details](#)

Dear Helen,

I am writing in response to your recent email regarding my timesheet and the Return-to-Work meeting with Dr. Novitch.

I noticed that the email states, "Your timesheet will reflect your administrative leave from Tuesday, August 6 through Friday, August 9, Monday, August 12, and Tuesday, August 13, 2024." However, I was never given any prior notice, nor was I provided with a meaningful opportunity to be heard regarding this "administrative leave." In fact, all prior communications indicated otherwise. I would appreciate it if you could compare the emails and clarify the basis and reasoning for this administrative leave.

I must object to this designation, and I expressly reserve all rights without making any waivers. Furthermore, the email you sent me earlier specified that my first day back would be Tuesday, August 13th, with no mention of any administrative leave.

Lastly, Ben Novitch suggested..."if you want to speak with either Mark or Helen about return-to-work logistics, please contact them directly. Mark is in the Neurobiology office (CHS 73-235) most days, though always best to contact him in advance in case he has other meetings going on. Both are very responsive by email", ... therefore I am reaching out to you (Helen) to get this process going.

Please clarify this matter at your earliest convenience. Thank you.

Best regards,
Harout Gulessarian

HR rep Helen Nguyen and the department of Neurobiology placed me directly on Administrative leave upon my return to work from FMLA without any prior Notice and proceeded to incorrectly document the actual dates of the admin leave as was shown previously.

2. Helen Nguyen – HR Representative, Department of Neurobiology

Helen Nguyen, as the Human Resources (HR) Representative for the Department of Neurobiology, has also played a central role in perpetuating a hostile and discriminatory work environment. Her actions or inactions—both by omission and commission—have directly contributed to the violation of my rights under UCLA policies, state, and federal law, especially concerning healthcare accommodations, FMLA leave, and my ability to work without retaliation. Her failure to fulfill her legal obligations has exacerbated the challenges I've faced, continuously obstructing my ability to access essential healthcare benefits and protections. Below are key instances without limitations in which Helen Nguyen's actions cannot be legally or equitably defended and must be urgently addressed by UCLA to rectify the harm caused to me and the possible harm that could be caused to other employees who face a similar situation.

A) False and Misleading Information Regarding FMLA Leave

On May 24, 2024, HR Representative Helen Nguyen contacted me for the first time and is referencing LOA case #HRC0301037 my original LOA ticket while Helen opened a second ticket under my name with LOA case #HRC0304603:

"My name is Helen and I'm the HR Analyst for Neurobiology. I am your official Leave Analyst while you are taking time off. I am following up on your LOA case #HRC0301037. You filed for

leave of absence from April 24, 2024 to May 15, 2024 (now extended to July 15, 2024). I have attached the Leave form that you will need to fill out and return back to me by May 31, 2024. As of today's date, I have not received your completed designation form for your leave of absence."

 Nguyen, Helen A.
HRC0301037 LOA - Harout Gulessarian
To: Harout Gulessarian

May 24, 2024 at 2:03 PM

Siri found new contact info Helen A. Nguyen helenanguyen@mednet.ucla.edu [add...](#) 

Hi Harout,

My name is Helen and I'm the HR Analyst for Neurobiology. I am your official Leave Analyst while you are taking time off. I am following up on your LOA case #HRC0301037. You filed for leave of absence from April 24, 2024 to May 15, 2024 (now extended to July 15, 2024). I have attached the Leave form that you will need to fill out and return back to me by May 31, 2024. If you have any questions, please don't hesitate to reach back out to me.

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu

UCLA Health

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 Designation_Do
cumen...es.pdf

This statement was misleading because the required designation form had already been completed by Helen Nguyen. In fact, in opposition of what HR representative Helen Nguyen stated the employee relations manager contradicted Nguyens statements because the documents and evidence show that all paperwork referenced by Nguyen were already completed per Vera C. Moubayaed as indicated in the UCLA LOAN system and the corroborating statements made by Employee Relations Manager Vera C. Moubayaed on 05/28/2024.

"Good evening, Mr. Gulessarian. Thank you for your email. I understand that your FML has been appropriately processed by your departmental leave analyst, Ms. Helen Nguyen, and all should be in order at this time."

 **Moubayed, Vera C.**
FW: Harout Gulessarian Case # HRC0301037
To: Harout Gulessarian, Cc: UCLA Health Employee Relations

May 28, 2024 at 6:57 PM

 Details

Good evening, Mr. Gulessarian.

Thank you for your email. I understand that your FML has been appropriately processed by your departmental leave analyst, Ms. Helen Nguyen, and all should be in order at this time.

In addition, please understand that suspension of mednet email access during leaves of absence is routine and appropriate.

Lastly, if you wish to report any civil rights violations, you may do so here: <https://equity.ucla.edu/report-an-incident/>. In addition, your below email will be separately forwarded to UCLA's Civil Rights Office.

Thank you.

Vera

Vera Moubayed
Employee Relations Manager
Employee & Labor Relations
UCLA Health, Human Resources
310-775-0704
vmoubayed@mednet.ucla.edu
www.uclahealth.org

However, the very next day, Helen Nguyen responded with the following misleading statement:

"As per your leave of absence, your leave is currently being worked on until I have received your paperwork... As of today's date, you have not returned the designation document with the additional extension as requested."

 **Nguyen, Helen A.**
RE: HRC0301037 LOA - Harout Gulessarian
To: Harout Gulessarian

June 10, 2024 at 4:13 PM



Hi Harout,

As requested, attached is the electronic personnel file. As per your leave of absence, your leave is currently being worked on until I have received your paperwork. If you have submitted paperwork that is not already in your case files, please send them my way, so I can upload them to your case. As of today's date, you have not returned the designation document with the additional extension as requested. To stay in compliant as we work on your LOA case, please complete the designation document at your earliest. In the designation document, the document states you have available usage to use vacation and sick leave hours for your FMLA. In order to use your hours, you will need to communicate that you would like to use them to me. Please return the designation document for us to move to the next step.

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu

This direction from Helen contradicted the confirmation I received from Employee Relations Manager Vera Moubayaed and demonstrated Helen Nguyens ongoing failure to acknowledge the completed documentation that Helen had already filled out herself. How can an employee have their healthcare provider fill out return to work documents 6 weeks in advance without knowing when that employee was due back from their FMLA? Once again, the designation document was already filled out by Helen. Helen used this as an excuse to try to make me

prematurely fill out documents to which I made my objections. Helen attempted this multiple times in an effort to unduly influence my healthcare providers treatment plans .

As one can see the “Designation Document” HR rep Helen Nguyen was referring to in numerous emails was already filled out by HR rep Nguyen yet HR rep Nguyen insisted that I did not comply or return the designation document when in fact HR Nguyen had already completed the document (See below).

DocSign Envelope ID: 327A051-E159-4109-B9CF-1151984BEBE83

1 of 2

DESIGNATION NOTICE (R12/22)
FAMILY AND MEDICAL LEAVE ACT (FMLA), CALIFORNIA FAMILY RIGHTS ACT (CFRA),
AND CALIFORNIA PREGNANCY DISABILITY LEAVE LAW (PDLL)

To: _____ Date: _____
 We have reviewed your request for Family and Medical Leave (FMLA) and any supporting documentation that you have provided.
 We received your most recent information on _____ Own illness or injury (non-work related): _____

PART A: To Be Completed if FML Request is Approved.
 Your FML request for the following reason(s) is approved:

Your own serious health condition.

The need to care for one of the following family members due to their serious health condition:
 spouse; domestic partner; designated person; child;
 parent; parent-in-law; grandparent; grandchild; sibling.

Pregnancy Disability Leave (PDLL). This leave may be used when you are disabled by pregnancy, childbirth, or a related medical condition. It may also be used for prenatal care.

Parental bonding leave following the birth of a child, or placement of a child with you for adoption or foster care.

Military caregiver leave to care for a family member who is a Covered Servicemember with a serious injury or illness. You are the Covered Servicemember's:
 spouse; domestic partner; child; parent; next of kin.

A qualifying exigency related to the following family member's active duty or call to active duty status with the Armed Forces:
 spouse; domestic partner; child; parent; parent-in-law.

All leave taken for the above reason(s) will be designated as FMLA and counted against your entitlement under the following statute(s) until exhausted: FMLA; CFRA; PDLL.

For block leaves:
 Start date: 04/24/2024 Anticipated End Date: 07/15/2024 Return to Work Date: 07/16/2024

For Reduced schedule leaves or leaves on an intermittent basis:
 Start date: _____ Anticipated End Date: _____

You are required to notify the University as soon as practicable if the dates of your scheduled leave change or are extended. If there was no firm end date for your leave, you should notify the University as soon as practicable when firm end date is established. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your FML leave entitlement:

Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your FML leave entitlement under the following statute(s):

<input type="checkbox"/> FMLA	<u>11</u>	<input type="checkbox"/> Weeks	<u>5</u>	<input type="checkbox"/> Days	<u>0</u>	<input type="checkbox"/> Hours
<input type="checkbox"/> CFRA		<input type="checkbox"/> Weeks		<input type="checkbox"/> Days		<input type="checkbox"/> Hours
<input type="checkbox"/> PDLL		<input type="checkbox"/> Weeks		<input type="checkbox"/> Days		<input type="checkbox"/> Hours

2 of 2

- Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FML leave entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

If more than one statute is checked above, please note:

- For an FML leave other than Pregnancy Disability Leave: If both the FMLA and CFRA boxes are checked above, you will be concurrently using your entitlements under those statutes until you have either completed your leave or exhausted one or both of those entitlements.
- For a Pregnancy Disability Leave (whether or not immediately followed by Parental Bonding Leave): During the first 12 workweeks of your Pregnancy Disability Leave, you will be concurrently using your PDLL and FMLA entitlements until you have either completed your Pregnancy Disability Leave or exhausted your FMLA entitlement. If your Pregnancy Disability Leave continues after that point, you will only be using your PDLL entitlement until you have either completed your Pregnancy Disability Leave or exhausted your PDLL entitlement. If you take Parental Bonding Leave immediately following Pregnancy Disability Leave and you have not yet exhausted both your FMLA and CFRA entitlements, you will be concurrently using your FMLA and CFRA entitlements during your Parental Bonding Leave until you have either completed your leave or exhausted one or both of those entitlements.

Please be advised (check if applicable):

- You have requested to use paid leave during your FML. Your entire FML absence, including any period during which you are using paid leave, will count against your FML leave entitlement.
- You have requested to use Pay for Family Care and Bonding (PFCB) during your FML. If your leave qualifies for the PFCB option and you have PFCB entitlement available, your entire FML absence, including any period during which you are using PFCB, will count against your FML leave entitlement.
- We are requiring you to use paid leave during some or all of your FML. Your entire FML absence, including any period during which you are using paid leave, will count against your FML leave entitlement.
- You will be required to provide the enclosed Return to Work certification to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. If the job description is attached, the Return to Work certification must address your ability to perform those essential functions that you were unable to perform as a result of your serious health condition.
- A job description listing the essential functions of your position is attached to the Return to Work Certification.

PART B: To Be Completed if FML Request Is Not Approved

Your FML request is **Not Approved** because:

- Your leave is not for an FML-qualifying reason.
- You have not provided the necessary information to support your request for FML.
- You have exhausted your FML leave entitlement for the applicable period.

DEPARTMENT SIGNATURE

NAME (PRINT) Nguyen, Helen A.

SIGNATURE



DATE 5/24/2024

HG Harout Gulessarian

Re: HRC0301037 LOA - Harout Gulessarian

To: Nguyen, Helen A., Bcc: chr@chr.ucla.edu, Victoria Castaneda

June 11, 2024 at 4:56 PM



Details

Dear Helen,

Thank you for your message. I would like to address a few points regarding my leave of absence documentation:

1. Designation Document: It's important to note that the designation document was signed by yourself, Helen, not by me. Additionally, there is nowhere for me to sign a document, nor was there a request or need for me to do so. I confirm that I agree with using my vacation and sick hours for FMLA, as indicated by your signature. Please ensure that my pay is retroactively adjusted to reflect this usage, and I receive the appropriate back pay.

2. Document Submission: Once again, it is imperative that UCLA receives NOTICE that I do not have access to upload documents myself because UCLA has stripped me of my access. Given this remains a long standing event, and given UCLA is in the exclusive control of UCLA's electronic servers and thus the portals I submit, yet again, that all necessary paperwork has already been submitted and should be in my case files.

3. Delay in Service: It has been well over a month since I initiated this process, and I find it concerning that this service is only being offered now. I expect this matter to be expedited, investigated, and corrected.

4. Access to the Portal: Given that all necessary documents have been provided in a timely manner by me, Harout Gulessarian, I once again ask to regain access to upload information to the portal. It's not fair to expect document uploading when UCLA stripped away access, which is an impossible task to ask of an employee.

5. Access to FMLA Paperwork: Notice that I again am requesting any and all FMLA documents or electronic files of any kind, whether completed or not, to be presented to me in one file that is current up to the time of this email. I believe these are my rights and should not be denied, as such I am making a 2nd notice regarding my request.

6. NOTICE Regarding many and numerous prior requested by me; Harout Gulessarian, (06/06/24), but yet to be delivered to me; Harout Gulessarian, include, but are not limited to the following: all FMLA documents whether completed or not, complete employee file with the patent acknowledgment agreement including all pages not just the first page. Also, please update my email address to the correct email address: HGulessarian@mednet.UCLA.edu

Once again, please ensure that my leave of absence is processed promptly, that I receive the back pay for up to 8 weeks of FMLA leave, and that the patent acknowledgment form has the second page attached to my employee files, updated and resent to me; I reserve all rights, make zero waivers, zero admissions, and I sincerely thank you for your time and assistance.

Thanks,
Harout Gulessarian

[See More from Nguyen, Helen A.](#)

B) Failure to Process Healthcare Benefits and Leave Requests in a Timely Manner

Throughout this period, under the direct supervision and direction of Supervisor CAO Mark Lucas, Helen Nguyen repeatedly delayed processing my healthcare benefits, including the use of vacation and sick leave to offset my FMLA leave when instructed to do so. On June 6, 2024, I explicitly asked Helen to apply my accrued vacation and sick hours towards my FMLA leave, specifically requesting that I be paid for up to 8 weeks of FMLA leave pursuant to my collective bargaining agreement with UPTE. Despite acknowledging this request on June 10, 2024, Helen failed to process any payment until July 15, 2024, causing significant financial hardship and economic damages.

Additionally, her continued failure to process my accrued hours directly contradicted my rights under my collective bargaining agreements with my union, which provide for the use of vacation and sick time during medical leaves.



Harout Gulessserian

Re: HRC0301037 LOA - Harout Gulessserian

To: Nguyen, Helen A., UCLAHealth-HR@mednet.ucla.edu, Bcc: Marina Samson

June 6, 2024 at 5:57 PM



[Details](#)

Dear Helen,

As per my rights as an employee at UCLA, I would like to request in the entirety my complete employment file. Please provide any and all records from the start of my first interaction with UCLA, without limits including my internship in September 2021 up to the current date of this instant email; moreover, without limitations, insure to include any and all FMLA materials existing or otherwise filed under my name. Thank you in advance for your assistance; your time and efforts are deeply appreciated.

Also, please identify whether these files will be mailed electronically or physically, as I prefer both electronically and a physical set to be mailed to me within the next 5 working days, to the extent possible.

Furthermore, I would like to bring to your attention some matters of concern regarding my employment status and information forwarded to me thus far.

Firstly, regarding the document titled "SRA I Novitch 06/22" the "job description" materials furnished for my Healthcare Provider appears to be outdated; in fact, the document is referencing the year 2011 and the identifying name of another individual, not merely myself.

I kindly request an updated more accurate version, if available.

Additionally, I am confused by the completion of the designation form, as it is the first two pages of the document you recently sent me.

These pages request a healthcare provider certification, but it must be pointed out that I have prior duly provided this material to UCLA and UCLA seemingly approved this via the employee task portal, among other places.

That being said, I must highlight that I no longer have access to this necessary UCLA portal, despite UCLA's expectation for me to upload healthcare-related documents so as to comply with university policies. By design, this is seemingly placing me in an impossible position.

Furthermore, there appears written confirmation from the UCLA Health Employee Relations Department that the tasks requested and required of me by you are already completed.

Moreover, as a member of a collective bargaining unit through my union, please edify me; the issue is whether, I am entitled to utilize my accrued vacation and sick hours for FMLA purposes, as stipulated in my contract. I am in a hardship due to my FMLA, and given my Leave and Care issues, I find it perplexing as to why I am only seemingly now being offered this service, if at all, nearly a month into my FMLA leave, despite the fact it I seemingly remain eligible to use these hours for up to 8 weeks. Basically, I have not received any payment nor received guidance from UCLA on how to proceed to obtain payment during this challenging Healthcare leave period. Furthermore, I am looking forward to undertake additional efforts to comply with UCLA's demands for document uploading from me, but first please understand that I am removed from that system.

In conclusion, I kindly request your prompt attention to these matters and clarification on the process moving forward. Additionally, I would appreciate if you could specify whether the requested files will be provided electronically or physically, along with an estimated time frame pursuant to my sincere and needed request.

Thanks,
Harout Gulessserian

 Harout Gulessserian

Re: HRC0301037 LOA - Harout Gulessserian

To: Nguyen, Helen A., Bcc: chr@chr.ucla.edu, Victoria Castaneda

June 11, 2024 at 4:56 PM

 Details

Dear Helen,

Thank you for your message. I would like to address a few points regarding my leave of absence documentation:

1. Designation Document: It's important to note that the designation document was signed by yourself, Helen, not by me. Additionally, there is nowhere for me to sign a document, nor was there a request or need for me to do so. I confirm that I agree with using my vacation and sick hours for FMLA, as indicated by your signature. Please ensure that my pay is retroactively adjusted to reflect this usage, and I receive the appropriate back pay.

2. Document Submission: Once again, it is imperative that UCLA receives NOTICE that I do not have access to upload documents myself because UCLA has stripped me of my access. Given this remains a long standing event, and given UCLA is in the exclusive control of UCLA's electronic servers and thus the portals I submit, yet again, that all necessary paperwork has already been submitted and should be in my case files.

3. Delay in Service: It has been well over a month since I initiated this process, and I find it concerning that this service is only being offered now. I expect this matter to be expedited, investigated, and corrected.

4. Access to the Portal: Given that all necessary documents have been provided in a timely manner by me, Harout Gulessserian, I once again ask to regain access to upload information to the portal. It's not fair to expect document uploading when UCLA stripped away access, which is an impossible task to ask of an employee.

5. Access to FMLA Paperwork: Notice that I again am requesting any and all all FMLA documents or electronic files of any kind, whether completed or not, to be presented to me in one file that is current up to the time of this email. I believe these are my rights and should not be denied, as such I am making a 2nd notice regarding my request.

6. NOTICE Regarding many and numerous prior requested by me; Harout Gulessserian, (06/06/24), but yet to be delivered to me; Harout Gulessserian, include, but are not limited to the following: all FMLA documents whether completed or not, complete employee file with the patent acknowledgment agreement including all pages not just the first page. Also, please update my email address to the correct email address: HGulesserian@mednet.UCLA.edu

Once again, please ensure that my leave of absence is processed promptly, that I receive the back pay for up to 8 weeks of FMLA leave, and that the patent acknowledgment form has the second page attached to my employee files, updated and resent to me; I reserve all rights, make zero waivers, zero admissions, and I sincerely thank you for your time and assistance.

Thanks,
Harout Gulessserian

[See More from Nguyen, Helen A.](#)



Nguyen, Helen A.

RE: HRC0301037 LOA - Harout Gulessserian

To: Harout Gulessserian

June 13, 2024 at 10:22 AM



Hi Harout,

As of your leave from 4/24/24, you have 266.22 hours of vacation and sick leave accruals combined. You are covered to be paid from 4/24/24 to 6/7/24 with a total leave usage of 264.00 hours. Please confirm if you would like to use your leave balances to cover these dates mentioned (4/24/24 to 6/7/24). Thereafter, you will have extinguished your accrued leave. You will need to either apply for disability for the remainder of your leave or take the remaining time without pay. Can you please advise?

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu





Nguyen, Helen A.
RE: HRC0301037 LOA - Harout Gulessrian
To: Harout Gulessrian

June 28, 2024 at 9:44 AM



Hi Harout,

Per your confirmation, I have processed your FMLA leave paid to you from 4/24/24 to 6/7/24 with a total of 264.00 hours of vacation and sick leave with a remainder of 2.22 hours in your leave balance. I have attached the following files as you have requested. Please see attached:

- State Oath and Patent Acknowledgement Form page 2
- LOA Files

If you would like assistance to upload your files to your cases, please reach out to the LOA Team at: loateam@mednet.ucla.edu.

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu



From: Harout Gulessrian <hkg90@icloud.com>
Sent: Thursday, June 20, 2024 6:18 AM
To: Nguyen, Helen A. <HelenANguyen@mednet.ucla.edu>
Subject: Re: HRC0301037 LOA - Harout Gulessrian

[See More from Harout Gulessrian](#)



PDF



PDF

Designation.pdf Designation_Documen...es.pdf

July 15, 2024 at 1:59 PM



Nguyen, Helen A.
RE: ACTION REQUIRED - Return to Work - Harout Gulessrian - HRC0301037
To: Harout Gulessrian, Cc: Novitch, Bennett

[Details](#)

Hi Harout,

You will need to provide an updated Doctor's Note for your extended leave to be approved. Your retro for your leave pay have been processed and I have confirmed that your back pay will be available to you on July 17, 2024.

Best Regards,

Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu



From: Harout Gulessrian <hkg90@icloud.com>
Sent: Sunday, July 14, 2024 8:00 PM
To: Nguyen, Helen A. <HelenANguyen@mednet.ucla.edu>
Cc: Novitch, Bennett <BNovitch@mednet.ucla.edu>
Subject: Re: ACTION REQUIRED - Return to Work - Harout Gulessrian - HRC0301037

[See More from Harout Gulessrian](#)

The evidence tends to show an intention to effectively deny and actually delay my ability to get my pay and benefits in a timely and organized manner.

C) False Claims About Healthcare Certification and FMLA Compliance (July 23, 2024)

On July 23, 2024, Helen Nguyen made the following false statement regarding my healthcare documentation:

"You have not sent over updated healthcare certification documentation."

"You can also see the task under Employee Experience Center > My To-dos"

HN Nguyen, Helen A.
RE: ACTION REQUIRED - Lack of Documentation - Harout Gulesserian - HRC0301037
To: Harout Gulesserian

July 23, 2024 at 2:49 PM

Siri found new contact info Helen A. Nguyen HelenANguyen@mednet.ucla.edu add... X

Hi Harout,
The last medical note we received from you covered you through [7/15/24].
As of 07-23-2024, I have not received an updated returned to work date from your Doctor's Note.
We must receive an updated work status note by 7/24/24. The doctor's note must include a Return to Work date.
Your Leave of Absence is considered unauthorized until we confirm receipt of an updated work status note by 7/24/24.
Please upload this documentation by completing the task assigned to you in Employee Experience Center: [HERE](#)
You can also see the task under Employee Experience Center > My To-dos

Best Regards,
Helen Nguyen, (She/Her/Hers)
Human Resources Analyst
Department of Neurobiology
David Geffen School of Medicine at UCLA
P:(424) 440-3429
E: HelenANguyen@mednet.ucla.edu

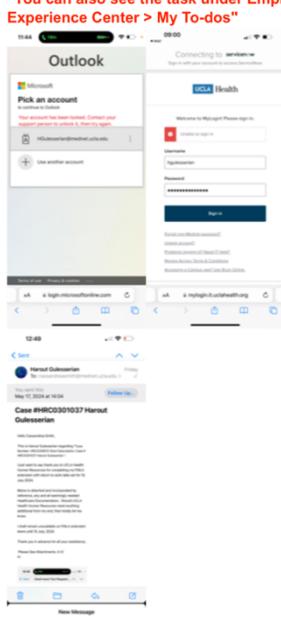
UCLA Health

[See More from Nguyen, Helen A.](#)

However, I had already submitted the required healthcare certification both via email and certified mail, due to being stripped of access to the UCLA LOAN system the same system HR rep Helen Nguyen was referring to above.

Because I was intentionally locked out of the UCLA LOAN system but also note that UCLA had absolute control over the instrumentality and situation regarding the UCLA LOAN system it is impossible that It is my fault to fail to upload requested documents at the direction of Supervisor CAO Mark Lucas and HR rep Helen Nguyen because I could have not contributed to the incident because I had absolutely no control in denying my own access to the UCLA LOAN system while I was expected to use the very same system that I was intentionally locked out of (see login failure below). Undoubtedly this event where I was intentionally locked out of the LOAN system is not the type of incident that ordinarily occurs at UCLA without at minimum negligence let alone the intentional bad faith actions established based on the systematic and ongoing pattern of violations against my rights both at law and in equity.

"You can upload your documents to your case by completing the task assigned to you in Employee Experience Center: HRC0304603"
"You can also see the task under Employee Experience Center > My To-dos"



In my response to Helen, I stated:

"There is a deliberate or negligent misrepresentation of facts within UCLA's system that aims to violate my FMLA."

 **Harout Gulessarian**
Re: ACTION REQUIRED - Lack of Documentation - Harout Gulessarian - HRC0301037
To: Nguyen, Helen A., Bcc: chr@chr.ucla.edu, LOA Team

July 24, 2024 at 5:05 PM



Hi Helen,

This email serves as notice that there is a deliberate or negligent misrepresentation of facts within UCLA's system that aims to violate my FMLA rights.

I have complied with all necessary FMLA Healthcare Certification requirements and have provided the required documentation. Despite the evidence of timely delivery of Healthcare Certification by myself to UCLA representatives, representatives from UCLA are making statements that are completely inconsistent with the truth. If my access to upload documents were reinstated as your email suggests, these documents would already be in the system and would not be used against me. They now have been sent via certified mail.

To address your email:

- I submitted my documents for the extension, which you confirmed receiving and uploading on 7/16/2024. Since I have been stripped of my access to upload these documents (well over a month and half now and to which you are/were fully aware of), you are responsible for uploading them to my portal. If there was any negligence in uploading the document, it is not my fault and should not be used against me.

- The extension note indicated a three-week period rather than a specific date, yet you now claim you never received the initial extension note. The last medical note you received covered me through 07/15/24 plus an additional three weeks, as stated in the doctor's note. As of 07/23/2024, you claim not to have received an updated return-to-work date from my doctor. However, I have provided all necessary documentation as required. You then requested an updated note with a specific return date at my earliest convenience. See your response below.

On 07/16/2024, in email you stated: " Thank you for providing the doctor's note. I have uploaded this to your case. I would like to ask for clarification from the doctor in terms of your anticipated to return to work date following the guideline of "3 weeks". Please advise at your earliest so I can update the new anticipated return to work date on your case."

This miscommunication must be rectified immediately to ensure my rights under FMLA are upheld. All of my healthcare documents were sent to you via email or uploaded to the portal by myself initially, and now also sent to you via certified mail. Please acknowledge receipt of my documents and confirm my extended leave status as previously indicated by email.

Now, if my FMLA is past the 12 week point do I need to fill out any other documentation to keep myself in full compliance with the universities rules and policies? Please kindly let me know so I can continue complying with the rules and policies of the university, thanks.

Kind regards,
Harout Gulessarian



Harout Gulessserian

Re: First Day Back - Reminder - ACTION REQUIRED – Harout Gulessserian - HRC0301037
To: Nguyen, Helen A., Cc: UCLA Health Employee Relations, LOA Team

August 14, 2024 at 12:29 PM

[Details](#)

Dear Helen,

I am writing in response to your recent email regarding my timesheet and the Return-to-Work meeting with Dr. Novitch.

I noticed that the email states, "Your timesheet will reflect your administrative leave from Tuesday, August 6 through Friday, August 9, Monday, August 12, and Tuesday, August 13, 2024." However, I was never given any prior notice, nor was I provided with a meaningful opportunity to be heard regarding this "administrative leave." In fact, all prior communications indicated otherwise. I would appreciate it if you could compare the emails and clarify the basis and reasoning for this administrative leave.

I must object to this designation, and I expressly reserve all rights without making any waivers. Furthermore, the email you sent me earlier specified that my first day back would be Tuesday, August 13th, with no mention of any administrative leave.

Lastly, Ben Novitch suggested... "if you want to speak with either Mark or Helen about return-to-work logistics, please contact them directly. Mark is in the Neurobiology office (CHS 73-235) most days, though always best to contact him in advance in case he has other meetings going on. Both are very responsive by email", ... therefore I am reaching out to you (Helen) to get this process going.

Please clarify this matter at your earliest convenience. Thank you.

Best regards,
Harout Gulessserian

By this point, a pattern had clearly emerged where subordinate HR rep Helen Nguyen and Supervisor CAO Mark Lucas engaged jointly and severely with Bennett Novitch and Samantha Butler in the discriminatory retaliatory conduct that is pervasive and continues to the date of this writing.

D) Failure to Attend Critical Meetings and Negligence in Accommodation Process

On August 19, 2024, HR rep Helen Nguyen was scheduled to attend an in-person meeting regarding my healthcare accommodations with my supervisor, Bennett Novitch. Despite Nguyen's earlier confirmation through email that Nguyen would be present, HR rep Helen Nguyen failed to attend this critical meeting without any prior notice, leaving me to face yet another abusive session with Supervisor Bennett Novitch, who had/has an ongoing pattern and practice of discriminatory and harassing behavior towards me. This email arguably contains false misleading statements which I objected and reserved all rights.

Helen stated:

"This letter is to memorialize our conversation this morning regarding your return to work in the lab of Ben Novitch in the Department of Neurobiology. As discussed, you will be returning to onsite work on Monday, August 19, 2024. We will be meeting in Dr. Novitch's office in 66-200 CHS at 1 p.m. on Monday, August 19, 2024 to review work assignments for the coming week.."

HN

Nguyen, Helen A.

Return to Work

To: Harout Gulessarian, Cc: Bennett Novitch (bnovitch@g.ucla.edu) <bnovitch@g.ucla.edu>

August 16, 2024 at 8:25 AM



Details



Siri found new contact info Helen A. Nguyen helenanguyen@mednet.ucla.edu

add...

August 15, 2024

Harout Gulessarian

Dear Harout,

This letter is to memorialize our conversation this morning regarding your return to work in the lab of Ben Novitch in the Department of Neurobiology. As discussed, you will be returning to onsite work on Monday, August 19, 2024. We will be meeting in Dr. Novitch's office in 66-200 CHS at 1 p.m. on Monday, August 19, 2024 to review work assignments for the coming week.

As discussed, we will be setting your regular work schedule as per your request to Monday through Friday, 7:00 a.m. until 3:30 p.m. (to include a 30 min meal/rest break in the middle of the day). This new schedule will not require any after-hours or weekend work; in the rare event after-hours or weekend work is required, you will be compensated accordingly for these additional hours.

You asked for accommodations. You asked to have a stress-free environment. While it is impossible to ensure that any environment is completely stress-free, we will make every effort to reduce stress as it arises. We would ask that you alert Dr. Novitch when stressful situations for you arise. You also asked for a completely remote and flexible work schedule. Given the onsite lab work that needs to be performed, the work will need to be conducted fully onsite. Similarly, we cannot at present offer any flexible work schedules. Please be clear that any work you perform will need to be conducted onsite.

If you are unable to meet this onsite work, please let us know and we will ask a disability coordinator to review your case.

In addition, we would like to remind you that your work should be focused exclusively on collecting and reviewing data from the research experiments assigned to you by Dr. Novitch and, with his direction, assisting others in the laboratory in their research efforts

We look forward to your return to the lab and continued outstanding contributions to our research endeavors.

Best wishes,

Ben Novitch, Ph.D.

Helen A. Nguyen, MBA

However, as mentioned before HR rep Helen Nguyen did not show up, leaving me vulnerable and unsupported during this difficult interaction with supervisor Bennett Novitch who had a pattern of discriminatory/retaliatory interactions with me. This failure to attend the meeting further demonstrated HR rep Nguyen's neglect in handling my healthcare accommodations and a failure to address the toxic discriminatory/retaliatory workplace violations occurring in the Novitch lab. When HR rep Helen Nguyen was put on notice about the misconduct on numerous occasions HR rep Helen Nguyen elected to neglect the workplace violations occurring to me and furthered her actions which have harmed me in a materially and negative way because she arguably failed to report to alternative HR representatives to help me solve the issue going on but rather allowed for more retaliation, discrimination and harassment to occur towards me by turning a blind eye.

 **Harout Gulessarian**

Re: Return to Work

To: Nguyen, Helen A., Bcc: Vera Moubayed

August 19, 2024 at 12:58 PM



[Details](#)

Dear Helen,

Thank you for your email summarizing our discussion regarding my return to work. I appreciate the time and effort taken to outline these details. Though, this requires objecting, as I make no waivers, no admissions and I reserve all rights, because, I must address a few inaccuracies in the summary to ensure that all parties are aligned and that there is no misunderstanding moving forward:

1 Working hours Schedule:

The schedule of 7:00 a.m. to 3:30 p.m. mentioned in your email does not reflect our agreement. While this was an accommodation requested by my doctor, it was denied by Ben in Friday's meeting. During our conversation, I was informed that my schedule would need to align with Dr. Novitch's hours, which are from 9:00 a.m. to 6:00 p.m. Please confirm whether this remains the expectation, or if the 7:00 a.m. to 3:30 p.m. schedule will now be respected as you indicated.

2 Remote Work:

The statement regarding my request for a "completely remote and flexible work schedule" is not accurate. At no point did I request to work entirely remotely. My request was specifically for the option to perform certain tasks remotely, such as assembling figures, which is a practice currently permitted for other members of the lab. I ask that this be accurately reflected in any official documentation. Additionally, I would like to note that I have been capable of performing my job since August 6th, which was my official return date from FMLA. However, I have since been placed on administrative leave without any accompanying paperwork, or documentation.

3 Research Focus:

The directive to focus exclusively on assigned research tasks raises important questions. I would like to understand the rationale behind the restriction on working on my own invention/discovery during my time in the lab. Clarification on this point is crucial to ensure that the Novitch lab is fully compliant with institutional policies and expectations.

I have rights as a creator and inventor to discoveries and accidental mistakes I made, which led me to disclose the information to TDG. Ben Novitch did not instruct me to make the accidental mistake of using the special molecule, nor did he have a say in the protocol being presented. In fact, the truth is that there are numerous emails from Ben to me asking me (Harout) to share the protocol with numerous parties including himself, and individuals outside of our immediate lab prior to any safeguarding done from UCLA TDG. The Novitch lab has its own protocols, but my protocol did not exist, and my accidental discovery did not exist in the lab or anywhere in the world prior to September 11, 2023, when I created, discovered, and invented a groundbreaking scientific advancement. Therefore, my inventor and creator interests cannot just be muted without notice or a meaningful opportunity to be heard. While the school owns the IP, I retain inventor/creator rights to my discoveries.

This is precisely why we sign the patent acknowledgment agreement. Nowhere in that agreement does it state that the PI owns the intellectual processes that led to the creation just because that individual is employed in the PI's lab. As I mentioned earlier, I made a discovery through the accidental usage of a molecule in the Novitch lab. The school deserves its rights to the resulting intellectual property, just as I deserve my rights as the creator, inventor, and discoverer.

I trust that these clarifications can be addressed promptly.

Sincerely,
Harout Gulessarian

 **Harout Gulessarian**

Re: First Day Back - Reminder - ACTION REQUIRED - Harout Gulessarian - HRC0301037

To: Nguyen, Helen A., Bcc: Vera Moubayed

August 15, 2024 at 2:08 PM

[Details](#)

Dear Helen,

I wanted to follow up on a few important matters that I raised during today's meeting that were not followed up in today's meeting by Ben and were left undiscussed. These matters still require deeper exploration and discussion. These matters need to be documented and need to be discussed and referenced for all relevant departments at UCLA. Please advise as to proper form including time, place, and manner of reporting.

In September 2023, I invented a protocol in the Novitch lab involving a novel use of a molecule that has potential for patenting. Despite my repeated attempts to have Ben follow UCLA policy and best practices by reporting my invention/discovery appropriately, he refused to do so.

Due to these concerns, I disclosed the information to the patent office (TDG) as required by policy. The discovery was first disclosed to the vice chancellor of TDG (A. Naiberg) on 1/12/2024 to which vice chancellor guided me to the chief intellectual property officer of UCLA (C. Arora) in which three draft manuscripts were delivered to TDG to begin the process of protecting university assets, and giving the proper credit to the creator/discoverer (Harout).

On February 6, I received a message that suggested an intention to take what I had created in the lab by Bennett's graduate student on Slack. Later, on February 23, 2024, when Ben discovered my disclosure to TDG, he reacted with extreme hostility, which left me feeling shaken, uncomfortable, scared, and intimidated (Email evidence of this hostility does exist). As time was moving forward these hostilities were increasing. It was on April 24, 2024, when both Samantha Butler and Ben Novitch yelled at me in a public area on the first floor of CHS with public bystanders passing by. I reported this incident to Mark Lucas twice, explaining that it contributed to my need for FMLA leave. However, Mark provided me with the wrong email address, which was supposed to be yours, and he also failed to report the incident himself to HR as required. Furthermore, Mark claimed to be the FMLA initiator yet did not initiate FMLA leave for me, Harout.

During today's meeting, Ben expressed that he does not want me to continue with the work I invented in the lab before my health leave and suggested discussing these matters without your presence. Additionally, he stated that he cannot accommodate flexible hours for me at this time, which was a condition of my return and an accommodation for my healthcare needs. This is a violation of my FMLA return and healthcare requirements.

Furthermore, I still haven't received a response regarding the reasons for my Administrative Leave, which concerns me. I am committed to ensuring my rights are respected and would appreciate your attention to these issues.

If possible, I would like to request that any future meetings with Ben be held over Zoom, with you present as well, to ensure transparency and address any concerns appropriately.

Thank you for your time, and assistance.

Best regards
Harout Gulessarian

Conclusion on Helen Nguyen : A Pattern of Negligence and Retaliation

HR rep Helen Nguyen's repeated failure to process my FMLA leave and healthcare accommodations in a timely and accurate manner, or address the discrimination, harassment, and retaliation that I was going through has exacerbated the hostile and discriminatory work environment I have been subjected to unfair treatment at UCLA something UCLA is completely against according to their policies and workplace modules. HR rep Helen Nguyens actions—ranging from misleading statements, unnecessary delays, and failure to attend critical meetings—have directly contributed to the ongoing violation of my rights under UCLA policies, as well as state and federal law further proving that there was and continues to be a joint and several liability with Supervisor Bennett Novitch and Supervisor Samantha Butler and Supervisor Mark Lucas.

Return from FMLA – Failure to Provide Reasonable Healthcare Accommodations and Retaliatory Lab Transfer

Upon return from FMLA, I encountered significant and ongoing issues with my healthcare accommodations and the hostile, retaliatory actions taken by Supervisor Bennett Novitch, Supervisor Mark Lucas, and HR rep Helen Nguyen. The actions of these individuals, collectively, exacerbated the challenges I faced, obstructed my rights under federal and state law, and subjected me to continued retaliation, harassment, and discrimination. Below is a detailed account of some of these violations without limitations, highlighting the failure to provide reasonable healthcare accommodations, the potential retaliatory lab transfer, and the ongoing discriminatory and retaliatory conduct without limitations.

Failure to Provide Reasonable Healthcare Accommodations:

On multiple occasions, Helen Nguyen failed to provide the necessary healthcare accommodations I was legally entitled to under both the Americans with Disabilities Act (ADA)

and California's Fair Employment and Housing Act (FEHA). Despite her confirmation on August 19, 2024, that healthcare-related accommodations would be provided, she failed to follow through. This omission exacerbated the discrimination and retaliation I had already faced and continued to prevent me from working in a reasonable and lawful manner, violating both state and federal law regarding the right to reasonable accommodations.

HR rep Helen Nguyen's negligence in responding to my repeated requests for support has contributed to a hostile and discriminatory work environment. This failure to act in accordance with legal obligations has not only hindered my recovery but has also resulted in my inability to return to work in a timely and equitable manner among other things. Specifically, when HR rep Helen Nguyen failed to provide reasonable accommodations, she had promised on August 15, 2024, it further confirmed the discriminatory and retaliatory nature of Nguyen's actions and those of her colleagues in the department.

On August 15th, Helen Nguyen, Bennett Novitch, and I had a Zoom meeting regarding my return to work, during which they made false and misleading statements.

BN BENNETT NOVITCH
Re: Harout Gulessarian Return
To: Harout Gulessarian, Cc: Helen A. Nguyen

August 15, 2024 at 8:38 AM [Details](#)

Hi Harout,

Helen has confirmed her availability at 8:45. Here are updated zoom details:

Ben Novitch is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
<https://ucla.zoom.us/j/91388602426?pwd=IdDBf8sgaBrLRLdJwlWBrv7E5p5t3.1>

Meeting ID: 913 8860 2426
Passcode: 338512

I will see you both in a few minutes!

Ben

Bennett Novitch, Ph.D.
Professor, Department of Neurobiology
Broad Center of Regenerative Medicine & Stem Cell Research
David Geffen School of Medicine at UCLA
650 Charles E. Young Drive South, CHS 67-200K
Los Angeles CA 90095

Phone (office): 310-794-9339
Phone (lab): 310-825-7565
Fax: 310-825-2224
Email: bnovitch@ucla.edu
Web: <http://novitchlab.com>

[See More from Harout Gulessarian](#)

In the follow-up email, they misrepresented the content of our discussion, and it became clear that they were intentionally obscuring key details. Furthermore, during the meeting, both Helen and Bennett denied my request for reasonable healthcare accommodations, despite my legal entitlement to them. This denial was not only a direct violation of my rights but also marked a continuation of the discrimination and retaliation I had already been experiencing.

HN Nguyen, Helen A.
Return to Work
To: Harout Gulessarian Cc: Bennett Novitch (bnovitch@g.ucla.edu) <bnovitch@g.ucla.edu>
Siri found new contact info Helen A. Nguyen helenanguyen@mednet.ucla.edu

August 16, 2024 at 8:25 AM

Details

August 15, 2024

Harout Gulessarian

Dear Harout,

This letter is to memorialize our conversation this morning regarding your return to work in the lab of Ben Novitch in the Department of Neurobiology. As discussed, you will be returning to onsite work on Monday, August 19, 2024. We will be meeting in Dr. Novitch's office in 66-200 CHS at 1 p.m. on Monday, August 19, 2024 to review work assignments for the coming week.

As discussed, we will be setting your regular work schedule as per your request to Monday through Friday, 7:00 a.m. until 3:30 p.m. (to include a 30 min meal/rest break in the middle of the day). This new schedule will not require any after-hours or weekend work; in the rare event after-hours or weekend work is required, you will be compensated accordingly for these additional hours.

You asked for accommodations. You asked to have a stress-free environment. While it is impossible to ensure that any environment is completely stress-free, we will make every effort to reduce stress as it arises. We would ask that you alert Dr. Novitch when stressful situations for you arise. You also asked for a completely remote and flexible work schedule. Given the onsite lab work that needs to be performed, the work will need to be conducted fully onsite. Similarly, we cannot at present offer any flexible work schedules. Please be clear that any work you perform will need to be conducted onsite.

If you are unable to meet this onsite work, please let us know and we will ask a disability coordinator to review your case.

In addition, we would like to remind you that your work should be focused exclusively on collecting and reviewing data from the research experiments assigned to you by Dr. Novitch and, with his direction, assisting others in the laboratory in their research efforts

We look forward to your return to the lab and continued outstanding contributions to our research endeavors.

Best wishes,

Ben Novitch, Ph.D.

Helen A. Nguyen, MBA

To which I stated my Objections and reserved all my rights

HG Harout Gulessarian
Re: Return to Work
To: Nguyen, Helen A., Bcc: Vera Moubayed

August 19, 2024 at 12:58 PM

Details

Dear Helen,

Thank you for your email summarizing our discussion regarding my return to work. I appreciate the time and effort taken to outline these details. Though, this requires objecting, as I make no waivers, no admissions and I reserve all rights, because, I must address a few inaccuracies in the summary to ensure that all parties are aligned and that there is no misunderstanding moving forward:

1 Working hours Schedule:

The schedule of 7:00 a.m. to 3:30 p.m. mentioned in your email does not reflect our agreement. While this was an accommodation requested by my doctor, it was denied by Ben in Friday's meeting. During our conversation, I was informed that my schedule would need to align with Dr. Novitch's hours, which are from 9:00 a.m. to 6:00 p.m. Please confirm whether this remains the expectation, or if the 7:00 a.m. to 3:30 p.m. schedule will now be respected as you indicated.

2 Remote Work:

The statement regarding my request for a "completely remote and flexible work schedule" is not accurate. At no point did I request to work entirely remotely. My request was specifically for the option to perform certain tasks remotely, such as assembling figures, which is a practice currently permitted for other members of the lab. I ask that this be accurately reflected in any official documentation. Additionally, I would like to note that I have been capable of performing my job since August 8th, which was my official return date from FMLA. However, I have since been placed on administrative leave without any accompanying paperwork, or documentation.

3 Research Focus:

The directive to focus exclusively on assigned research tasks raises important questions. I would like to understand the rationale behind the restriction on working on my own invention/discovery during my time in the lab. Clarification on this point is crucial to ensure that the Novitch lab is fully compliant with institutional policies and expectations.

I have rights as a creator and inventor to discoveries and accidental mistakes I made, which led me to disclose the information to TDG. Ben Novitch did not instruct me to make the accidental mistake of using the special molecule, nor did he have a say in the protocol being presented. In fact, the truth is that there are numerous emails from Ben to me asking me (Harout) to share the protocol with numerous parties including himself, and individuals outside of our immediate lab prior to any safeguarding done from UCLA TDG. The Novitch lab has its own protocols, but my protocol did not exist, and my accidental discovery did not exist in the lab or anywhere in the world prior to September 11, 2023, when I created, discovered, and invented a groundbreaking scientific advancement. Therefore, my inventor and creator interests cannot just be muted without notice or a meaningful opportunity to be heard. While the school owns the IP, I retain inventor/creator rights to my discoveries.

This is precisely why we sign the patent acknowledgment agreement. Nowhere in that agreement does it state that the PI owns the intellectual processes that led to the creation just because that individual is employed in the PI's lab. As I mentioned earlier, I made a discovery through the accidental usage of a molecule in the Novitch lab. The school deserves its rights to the resulting intellectual property, just as I deserve my rights as the creator, inventor, and discoverer.

I trust that these clarifications can be addressed promptly.

Sincerely,
Harout Gulessarian

After this meeting, they began denying requests for Zoom meetings for reasonable healthcare accommodations, obstructing my ability to communicate and address my concerns in a fair and accessible manner. Their actions are a clear attempt to undermine my rights and perpetuate the hostile environment I have been forced to navigate.



Harout Gulessserian

Re: First Day Back - Reminder - ACTION REQUIRED - Harout Gulessserian - HRC0301037
To: Nguyen, Helen A.; Bcc: Vera Moubayed

August 15, 2024 at 2:08 PM

[Details](#)

Dear Helen,

I wanted to follow up on a few important matters that I raised during today's meeting that were not followed up in today's meeting by Ben and were left undiscussed. These matters still require deeper exploration and discussion. These matters need to be documented and need to be discussed and referenced for all relevant departments at UCLA. Please advise as to proper form including time, place, and manner of reporting.

In September 2023, I invented a protocol in the Novitch lab involving a novel use of a molecule that has potential for patenting. Despite my repeated attempts to have Ben follow UCLA policy and best practices by reporting my invention/discovery appropriately, he refused to do so.

Due to these concerns, I disclosed the information to the patent office (TDG) as required by policy. The discovery was first disclosed to the vice chancellor of TDG (A. Naiberg) on 1/12/2024 to which vice chancellor guided me to the chief intellectual property officer of UCLA (C. Arora) in which three draft manuscripts were delivered to TDG to begin the process of protecting university assets, and giving the proper credit to the creator/discoverer (Harout).

On February 6, I received a message that suggested an intention to take what I had created in the lab by Bennett's graduate student on Slack. Later, on February 23, 2024, when Ben discovered my disclosure to TDG, he reacted with extreme hostility, which left me feeling shaken, uncomfortable, scared, and intimidated (Email evidence of this hostility does exist). As time was moving forward these hostilities were increasing. It was on April 24, 2024, when both Samantha Butler and Ben Novitch yelled at me in a public area on the first floor of CHS with public bystanders passing by. I reported this incident to Mark Lucas twice, explaining that it contributed to my need for FMLA leave. However, Mark provided me with the wrong email address, which was supposed to be yours, and he also failed to report the incident himself to HR as required. Furthermore, Mark claimed to be the FMLA initiator yet did not initiate FMLA leave for me, Harout.

During today's meeting, Ben expressed that he does not want me to continue with the work I invented in the lab before my health leave and suggested discussing these matters without your presence. Additionally, he stated that he cannot accommodate flexible hours for me at this time, which was a condition of my return and an accommodation for my healthcare needs. This is a violation of my FMLA return and healthcare requirements.

Furthermore, I still haven't received a response regarding the reasons for my Administrative Leave, which concerns me. I am committed to ensuring my rights are respected and would appreciate your attention to these issues.

If possible, I would like to request that any future meetings with Ben be held over Zoom, with you present as well, to ensure transparency and address any concerns appropriately.

Thank you for your time, and assistance.

Best regards
Harout Gulessserian

[See More from Harout Gulessserian](#)

The refusal to provide healthcare approved accommodations was not an isolated incident but part of a larger pattern of conduct aimed at hindering my ability to work effectively and maintain my health during a period of significant medical need and for me to break UCLA policy and abide to individuals who were not abiding to the simple easy to follow rules set by the university or reagents or the laws that fall under Federal or State jurisdiction. Once Nguyen became aware Nguyen neglected me just like Mark Lucas and just like Bennett Novitch. When I needed their support to put an end to the nonsense going on they purposefully and intentionally did their bad acts and once again if I did not have my evidence at hand I would not be employed currently by UCLA due to the bad actors succeeding which now they are trying to do so through indirect pathways described in the lateral transfer section below.

Example 1 Failure to provide reasonable healthcare accommodations without limitations

 **Soizic Riche**
Lab meeting
To: Samantha Butler, Marie Payne, mydia@g.ucla.edu & 22 more October 23, 2024 at 2:20 PM [Details](#)

Hi all,
Lab meeting is at 10am tomorrow.
Soizic



 **Harout Gulessarian**
Re: Lab meeting
To: Soizic Riche, Cc: BENNETT NOVITCH October 24, 2024 at 8:19 AM [Details](#)

Good morning,
Could someone please forward the zoom link for today's lab meeting? Thank you!
Kind regards,
Harout

[See More from Soizic Riche](#)

 **BENNETT NOVITCH**
Re: Lab meeting
To: Harout Gulessarian, Cc: Soizic Riche October 24, 2024 at 8:36 AM [Details](#)

Hi Harout,
As was stated in the lab expectations meeting in September, we are not holding lab meetings over zoom barring another pandemic or event that closes the university.
Ben

[See More from Harout Gulessarian](#)

**HG****Harout Gulessserian**

Re: Lab meeting

To: BENNETT NOVITCH

October 24, 2024 at 8:48 AM

Hi Ben,

Thank you for your response. I understand the lab's policy on meetings; however, I would like to clarify my request regarding Zoom meetings. My mental health is very important to me, and attending these meetings in person has been taking a toll on me as I had mentioned to you earlier in the week. If necessary, I am willing to provide further documentation from my healthcare provider to support my request for further accommodations. Please let me know how we can move forward.

Thank you for your understanding.

Harout

On Oct 24, 2024, at 8:36 AM, BENNETT NOVITCH <bnovitch@g.ucla.edu> wrote:

As was stated in the lab expectations meeting in September, we are not holding lab meetings over zoom barring another pandemic or event that closes the university.

BN**BENNETT NOVITCH**

Re: Lab meeting

To: Harout Gulessserian

October 24, 2024 at 9:52 AM

Hi Harout,

I will excuse you from todays lab meeting, while I discuss this situation with the office.

Ben

[See More from Harout Gulessserian](#)

BN**BENNETT NOVITCH**

Re: Lab meeting

To: Harout Gulessserian

October 24, 2024 at 3:24 PM

Hi Harout,

When I excused you from the lab meeting, it wasn't intended to be a pass on your work commitments today altogether. You will need to report your absence today as personal time off/sick leave.

Can you please tell me what happened to the plate of cells with the Syn-dTomato reporter that you had shown me on Tuesday? I could not find it in the incubator today. While I was unable to start an experiment with these cells yesterday, I had nevertheless planned to use them today- but they seem to have disappeared. Do you have any explanation of where they might have gone? Did you discard them or instruct others to do so?

I'm also not seeing any notes in the google doc that you created for some time (since ~10/11), and so feel in the dark as to

BN**BENNETT NOVITCH**

Re: Lab meeting

To: Harout Gulessserian

October 24, 2024 at 3:30 PM

My apologies about the plate of cells- I finally found them after checking a 3rd time. I misunderstood the labels on the plates. But I still would like to come up with a better means for communications and note keeping.

34

[See More from BENNETT NOVITCH](#)

Hi Ben,

I am writing to formally respond to your recent email regarding my work commitments and the status of specific cell lines, as well as your comments about communication and documentation. I understand your concerns and appreciate your transparency. I must object, reserve all rights, no waivers, and no admissions, especially given the below evidence supporting and suggesting an alternative viewpoint.

1. Attendance and Work Activities

For your information, I want to clarify that I was present in the lab for the entirety of the day in question. I spent my work in the tissue culture area, later I was responsible for stocking N2 gas upon their arrival. I signed off on the delivery at 11:10 AM and stored the vials away in the Buffer 501 I went to lunch from 12:00PM-12:30pm. I sectioned 4 different blocks from 12:30-1:30pm. Additionally, you ran into me around 3:30 PM in the TC at the end of my work shift, where I was performing staining and putting out the plate in question. Therefore, the suggestion that I was absent and need to report personal time off sick leave is unfounded and incorrect.

2. Status of Syntrome Stem Cells

During the Friday 7:25 AM lab meeting, the Syntrome report I must emphasize our previous conversation on Friday prior to leaving due to unfortunate situation that had occurred with Sander, confirmed that I had left you a plate of these stem cells at 50% confluence; following our discussion about the cells and their intended purpose, I informed you that I would be returning to the lab to retrieve them. I did not inform you that I had already done so and you were aware. During our subsequent conversation on Tuesday, I again informed you about the availability of these plates. I was surprised to hear about your concern regarding their whereabouts today; I confirmed that the plate is in the incubator, where it should be, and I did not discard it nor instruct anyone else to do so.

In furthermore, I had asked you kindly to remake the Syntrome plasmids for the transfection, as the current plasmids were not effective as the GFP. We had agreed that I will try using the vial you made for one more round, and then if that doesn't work then to start over.

3. Communication and Documentation

You mentioned a lack of updates, however, we had a thorough discussion on Tuesday for over an hour in the hallway of the main lab, during which I detailed my ongoing work on the F3500 RNA-seq analysis from my Freshly frozen expanded and the discovery of 83%, along with several unsuccessful reporter line insertions and expansions (GFP-RETT, mCherry-RETT-Mutant, and GFP-KO(F2.2)). I also informed you about the progress on the sectioned slides you and Erick are working on. I have consistently engaged in my work, including securing four blocks after my tissue culture work, despite your incorrect suggestion that I was not doing so. I am not acknowledging your concerns, as I am not alone in this, and I am not the only one who has been doing this.

4. Slack Communication

Regarding the use of Slack, I must clarify that I was involuntarily removed from the lab's Slack channel during my FMLA, which hindered my ability to communicate effectively with the lab. I am still part of the "2023-2024 - ... " team as a whole. However, my personal UCLA Slack account remained functional throughout my FMLA, and I have utilized it to communicate with [Diana](#) and [Angel](#) on the Novitski and Butler lab respectively since my return to work from FMLA. This includes without limitations interactions on August 2, [September 28](#), [October 4](#) with Diana from the Butler lab, and October 6 again with Diana.

5. Confidentiality of Healthcare Matters

In light of the above, I find the assertions made in your email regarding my absence and lack of communication to be both misleading and unsubstantiated. I am committed to maintaining open lines of communication and ensuring that projects continue to progress effectively.

Thank you for your attention to these matters. I look forward to resolving these concerns and continuing to contribute positively to the team.

Best regards,
Harout

Sent - iCloud | October 24, 2024 at 11:22 PM
Re: Lab meeting
To: BENNETT NOVITCH

15:55 13m Angel Emadi 2 tabs 69 Sep 28th Harout K G 1:39 AM Important Reminders for Saturday and Sunday Hello Diana and Angel, I wanted to leave some notes for you regarding the plates in the incubators. Please find the details below:

10:55 13m Diana Butler 10:55 13m Cristian Rodriguez 1:06 PM Hey Harout you gotta come grab some pizza Switzer plaza! There's a lot! 1 reply Aug 23rd at 8:42 AM

Aug 22nd Cristian Rodriguez 1:06 PM Hey Harout you gotta come grab some pizza Switzer plaza! There's a lot! 1 reply Aug 23rd at 8:42 AM

10:55 13m Diana Butler 10:55 13m Cristian Rodriguez 1:06 PM Hey Harout you gotta come grab some pizza Switzer plaza! There's a lot! 1 reply Aug 23rd at 8:42 AM

Home DMS Activity More

Example 2 Failure to provide reasonable healthcare accommodations without limitations



Harout Gulessarian

Fwd: Lab meeting

To: BENNETT NOVITCH

October 31, 2024 at 9:56 AM



Hi Ben,

I did not receive a zoom link for today's meeting. Will you kindly forward the link so I can attend?

Harout

[See More from Samantha Butler](#)



BENNETT NOVITCH

Re: Lab meeting

To: Harout Gulessarian

October 31, 2024 at 10:12 AM

Hi Harout,

As previously discussed, we are intending to hold lab meetings in person only.

Ben

Sent from my iPhone

[See More from Harout Gulessarian](#)

Example 3 Failure to provide reasonable healthcare accommodations without limitations

The screenshot shows two emails in an inbox. The first email is from Soizic Riche (SR) about a lab meeting. The second email is from Harout Gulessserian (HG) asking for a Zoom link to present at the lab meeting.

Email 1: Soizic Riche
Subject: Lab meeting
To: Samantha Butler, Marie Payne, BENNETT NOVITCH, mydia@g.ucla.edu, SALENA GALLARDO, sandeep gupta & 20 more
Date: December 18, 2024 at 8:42 AM
Content: Hi all,
Lab meeting is at 10 am tomorrow.
Soizic

Email 2: Harout Gulessserian
Subject: Re: Lab meeting
To: BENNETT NOVITCH
Date: December 19, 2024 at 10:09 AM
Content: Hi Ben,
Will you kindly forward a zoom link so I can present to the lab today?
Kind regards,
Harout Gulessserian
[See More from Soizic Riche](#)

Example 4 Failure to provide reasonable healthcare accommodations without limitations

The screenshot shows an email from Harout Gulessserian (HG) reporting harassment and discrimination. The email details interactions with Dr. Bennett Novitch and the university's discrimination prevention office.

Email: Ongoing harassment and discrimination: Harout Gulessserian
To: Discrimination Prevention Office, Genevieve Mayer, Nicole Lewis, Anashe Hakopiannik & 3 more
Date: December 10, 2024 at 11:54 AM
Content: Dear UCLA,
I am writing to report yet another concerning incident that occurred today (12/10/2024) involving Dr. Bennett Novitch and myself, which I believe constitutes as retaliation, discrimination, and harassment.
During our interaction by my lab bench in 66-200k CHS, Dr. Novitch raised his voice at me said I should not be working if I am mentally disabled and sick that I should go home, all in an angry tone because I asked to meet with him over zoom. He repeatedly stated that he would not accommodate my reasonable, pre-approved healthcare accommodations from the disability office (which is to meet with him over zoom due to the functional limitations I am experiencing). This conversation left me feeling extremely distressed, and I was visibly shaking. When I politely asked for 5 minutes to collect myself, Dr. Novitch continued to yell at me and further harassed me.
Additionally, Dr. Novitch stated that the University is not willing to accommodate Zoom meetings. However, the accommodations office manager informed me yesterday that she had instructed the department to accommodate me with Zoom meetings until a long-term solution is found. This contradicts what Dr. Novitch communicated, which adds to my concern that I am not being treated fairly or in accordance with the accommodations to which I am entitled.
I feel unsafe and unsupported in this environment, and I respectfully request that this issue among others be investigated promptly as this is an ongoing reoccurring never ending rollercoaster that has been reported to UCLA for some time now.
Due to the escalating impact on my mental health from this incident, my symptoms are currently spiking, and I am feeling overwhelmed. As a result, I need to step out for the day to address my well-being. I will follow up with another document later today with more evidence of discrimination harassment and retaliation that occurred to me without limitations.
Thank you for your understanding and for your prompt attention to this matter.

Kind regards,

Harout Gulessserian

Interference with Lateral Transfer:

Against the backdrop of pervasive healthcare discrimination among other matters now the issue is whether Supervisor CAO Mark Lucas jointly and severally, indented to interfere and place me in a lab that may be shut down due to a planned retirement of Dr. Paul Micevych. is arguably once again another mechanism to lead to my ultimate unlawful termination. If this is the case then arguably Supervisor Lucas and his subordinates would be doing indirectly what they are precluded from doing directly; which is terminating me because of my whistleblowing among other protected class matters and complaints without limitations.

Siri found new contact info Shelly Frohrip sfromhrip@irm.ucla.edu

Hi Harout,

The job re-assignment position for Professor Micevych's lab is posted and live, the link is below. Please confirm with me once you have applied and I will let the department know so we can proceed with next steps.

Thanks,
Shelly

<https://uclahealth.avature.net/internalcareers/JobDetail/Laboratory-Technician/21860>

Shelly Frohrip
Employee Disability Management Services-Program Manager
Email: sfromhrip@irm.ucla.edu
Phone: 424-259-5242
10920 Wilshire Blvd., suite 620
Los Angeles, CA 90024

UCLA Insurance & Risk Management

bri.ucla.edu

Department Of Neurobiology – Paul Micevych Retirement Symposium

May 26, 2023 1:00pm – 5:30pm

Luskin Conference Center – Laureate Classroom

Recent Post

December 17, 2024 The Best Minds, A Pulitzer Prize Finalist

February 20, 2024 We welcome Alicia Uribe de la Torre, Carlos Portera-Cailliau, Laura DeNardo, and Sohnia Masmaridis, the newest members of our ICLM Council

January 30, 2024 A Guide for First-Time Flyers: What To Expect and How To Prepare

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Ongoing Pervasive Conduct

The ongoing discriminatory and retaliatory actions taken by Bennett Novitch, Mark Lucas, and Helen Nguyen among others, since my return from FMLA leave are part of a broader pattern of unlawful behavior that has severely impacted my ability to recover, return to work, and continue my career at UCLA with my novel discovery. The failure to provide reasonable healthcare accommodations, the arguably retaliatory lab transfer, and the ongoing hostile work environment are clear violations of ADA, FEHA, Title VII of the Civil Rights Act of 1964, and California Government Code § 12940 among others.

These actions must be addressed promptly and comprehensively to ensure that my rights are upheld, the harm I've suffered is rectified, and that future violations are prevented. I am requesting that UCLA take immediate action to correct these issues, compensate for the damages incurred, and hold the responsible parties accountable for their unlawful conduct.

Continued Discrimination, Misinformation, and Denial of Healthcare Accommodations:

This pattern of behavior adds to the bigger picture of a concerted effort to terminate me arguably and unlawfully. By repeatedly blaming me for mishaps in experiments, misrepresenting my work, and erroneously shifting responsibility onto me, Bennett is furthering a narrative that undermines my credibility and performance. This is a continuation of the broader strategy to arguably fabricate and create a false record of non-compliance and incompetence by design, which would ultimately serve as justification for my unlawful termination. Moreover, arguably the attempt to place me in a PI's lab that is set to retire further illustrates the lack of regard for my career development and well-being. This lab placement seems more like an attempt to sideline me rather than provide a meaningful opportunity for growth. On top of all this, the continued denial of my reasonable healthcare accommodations is a clear indication that they are intentionally creating obstacles to prevent me from succeeding and thriving in my role. These actions are not isolated incidents—they are part of a coordinated effort to push me out of the department and punish me, making it impossible for me to fulfill my professional potential and secure the basic support I need to do my job which has materially and negatively impacted and continues to impact my employment terms at UCLA among other things without limitations.



Harout Gulesserian

Current Experiments

To: BENNETT NOVITCH, Bcc: Nguyen, Helen A.

Sent - iCloud January 17, 2025 at 10:45 PM



Details

Hi Ben,

I noticed several ongoing critical issues that have impacted my ability to progress in the project you currently have me working on which I suspect might not be assigned to me after I get it to work, as is the pattern with all other projects that I have participated in thus far. I want to address these matters in hopes that they be resolved to ensure both the integrity of the project and my professional development are respected.

The first issue I would like to highlight is the persistent discrepancies in the experiment protocols and materials, which have made it virtually impossible for me to standardize the procedure. These inconsistencies seem to set me up for failure. As you are aware, during my previous attempt, one of the plasmids required for the experiment was not provided to me, which made it unreasonable to expect the experiment to proceed as planned. Now, in the current set of experiments, I am encountering further discrepancies that are once again beyond my control.

For example, the initial protocol you provided via email on 11/2/2024 called for 1uL of the 100ng/uL CIG plasmid, which you only handed to me yesterday (1/15/2025). Additionally, the DMEM-based media used in the previous experiment contained different components (i.e. Dorsomorphin) compared to the current experiment, which specifies the supplemented N2B27 media with lW1Re and SB4 only. Around noon yesterday, you confirmed that this discrepancy was on your end, not mine. As a result, I had to switch to N2S media with the addition of + B27 without vitamin A into that media. These inconsistencies in both the protocol and the materials are exactly what is preventing me from following a consistent and reproducible procedure.

I hope these discrepancies do not negatively affect the results of the experiment, especially given the tight deadline for your grant proposal. I simply want to ensure that the data is generated and that the experiment proceeds smoothly, so I feel it is important to bring these issues to light, as they could potentially delay our results.

For your records, I washed each well with PBS approximately 20 minutes past noon on 1/16/2025 per your directions and swapped to N2S media + lW1RE + SB4 + B27 without vitamin A.

As a reminder, I also re-shared my successful PCR results with you in the main lab yesterday, which I am happy were positive and mostly aligned with the expected outcomes that you reconfirmed. You shared your results, where you observed the correct bands, albeit with additional bands which did not present in my samples to which you tried the primer sets separately instead of a trio. Your PCR results further confirmed another 2 potential Hets. You noted that dTomato Clone 1, Clone 4, Clone 7, and Clone 14 I created were likely Hets based on your PCR attempt. It's good to see that we could come to a common agreement about the clones, specifically with ~3-4 being Hets.

Aside from the positive developments that I wish to continue presenting, I keep facing ongoing setbacks due to factors outside of my control. I am the one doing the work and generating results, yet my contributions are constantly and consistently overlooked or handed off to others without proper acknowledgement or notice. Worse, I am blamed for things that go wrong, which is both unfair and unacceptable. Regardless of what noise revolves around me, I am eager for progression and growth for the experiments that I partake in.

In fact, I know team members are speaking poorly of me because this was reported to me by a person with higher authority who heard it first-hand. I want to be clear: I am fully committed to the success of this project (provided you let me stay on this time) but I cannot tolerate a working environment where my efforts are not recognized and where I am prevented from presenting my results, or receiving due credit and work privileges that I rightfully deserve – especially when I see others benefitting from these same privileges.

To illustrate how this feels, I will reiterate what I told you in the main lab that I would liken it to being a baseball player who has hit a home run, running around the bases, and just as I'm about to cross the final base to score my points, my legs are broken, preventing me from completing the task and getting the recognition I've earned. I've put in the hard work and achieved success, but I'm being stopped from finishing the process due to factors beyond my control which I have repeatedly asked to cease.

Interestingly, I recently read a piece on Moana 2 and its "earworm" of a song "How Far I'll Go." Though not my typical source of inspiration I find that regardless of "lofty titles" we are encouraged to strive to go beyond any "ceilings that may impede us". All I ask is for a fair and equal opportunity in the lab instead of roadblocks that are placed to dampen my scientific standing on paper.

Ideologies aside, will you kindly provide a written standardized protocol for the next steps of the experiment so I can move forward with this assignment given I am provided the opportunity to continue working on what I have accomplished.

Lastly, Weekend and Holiday Feeding on Monday 1/20/2024:

I will return to the lab on Tuesday after the holiday. In preparation, I have made three pre-made 6-well Matrigel plates and left the media (SF media and N2S media + supplements) out for the weekend. The Google document has been updated with the current batches and ongoing experiments and what was needed to be done for Saturday. I uploaded this around 3:00pm today see images below and find all information here on the shared google document.

Thanks for your time.

Kind regards,

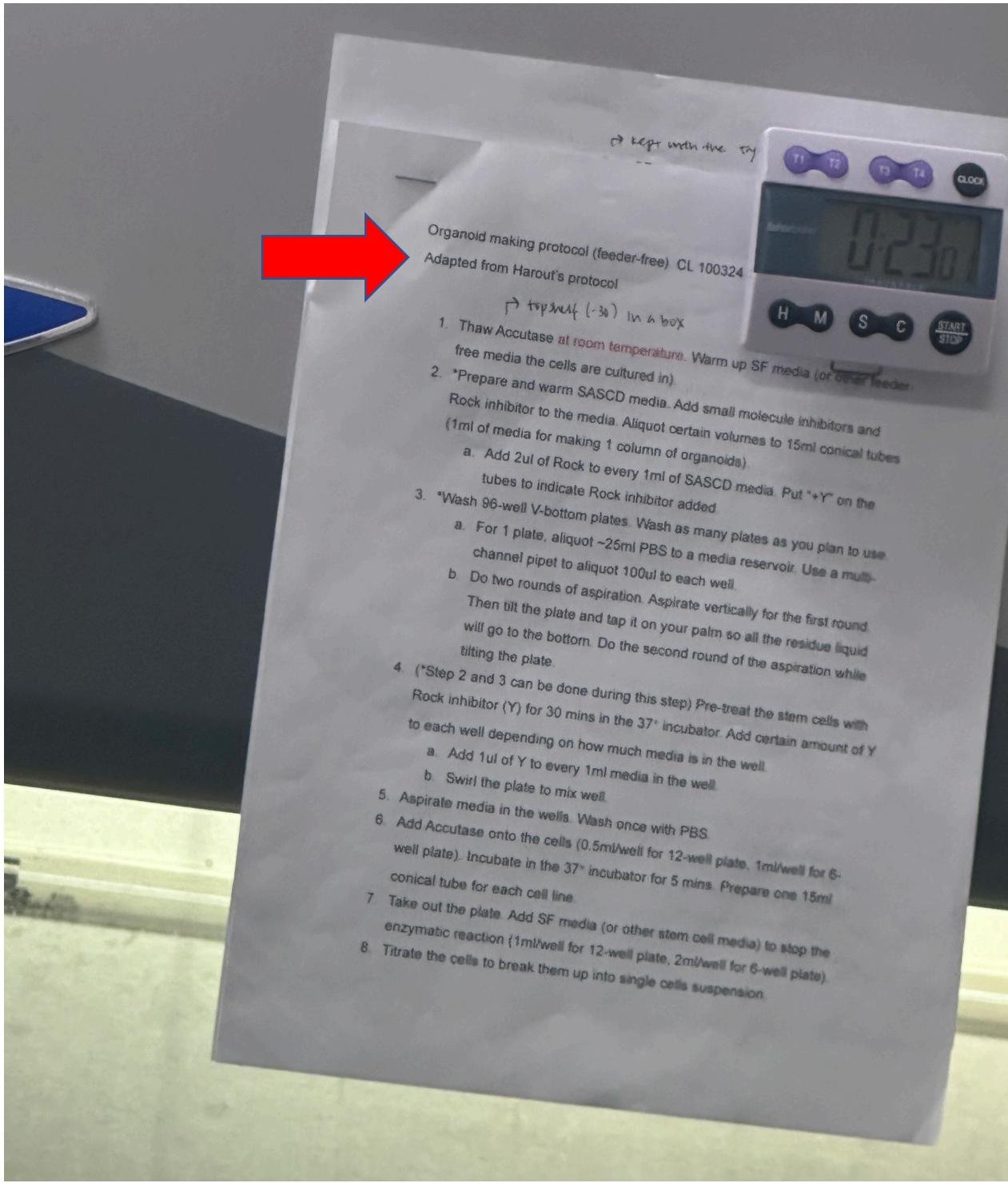
Harout Gulesserian

Misappropriation of Intellectual Property and Deceptive Actions by Bennett Novitch and Cendi Ling

Lastly, I have obtained new evidence that supports the claims made in my earlier memorandums, specifically regarding attempts to misappropriate my discovery and trade secret from Ben Novitch and Cendi Ling. The individuals involved created a sub-protocol based on my FF protocol, falsely attempting to claim ownership and influence over the methodology. I have continuously not waived my rights to the invention or discovery, and my intellectual property rights remain fully intact.

The Technology Development Group (TDG) sought the MTA and sponsor information from Bennett Novitch in order to complete the necessary application process. However, instead of signing off and passing the relevant details to the appropriate parties, Bennett Novitch chose not to protect the university's interests—or my own—and instead passed the protocol on to others without the proper protections. This action directly contradicts the university's obligations to safeguard both my work and its intellectual property. As evidenced by this, Bennett Novitch did indeed pass my protocol to others, without taking the necessary steps to protect the integrity of the process. Now, these same individuals are falsely misrepresenting their involvement in the protocol, attempting to deceive the university and undermine both my work and the university's intellectual property interests.

Please see next page.



Summary

In summary, the same individuals—Supervisor CAO Mark Lucas, HR rep Helen Nguyen, and Supervisor Bennett Novitch—who have without limitations obstructed my ability to take FMLA leave, denied me the use of my accrued time, denied me work privileges, instructed me to violate policy, pressured me to return to work prematurely before medical clearance, and made false statements about my compliance, have also now worked to arguably interfere with my lateral transfer. This coordinated effort appears to be part of a broader strategy aimed at undermining my employment and ultimately orchestrating my unlawful termination at UCLA. Their actions reflect a troubling pattern of retaliation and discrimination, stemming in part from my whistleblower status, among many other things. The retaliation has been continuously reinforced by false narratives, misleading information, and a willful disregard for both my legal rights and well-being along with the lack of adhering to university policies pertaining to intellectual property among many other things.

As a whistleblower, I am entitled to protections under both state and federal law, and these actions clearly violate those protections. Their misconduct is not only an attempt to suppress my rightful concerns but is also an effort to retaliate against me for speaking out about unethical and potentially illegal practices within the workplace.

I am reaching out to you for support in addressing these issues, as the current environment is untenable and has taken a serious toll on my mental and physical health. It is essential that these ongoing concerns be resolved without the interference or involvement of Supervisor CAO Mark Lucas, Supervisor Bennett Novitch, HR rep Helen Nguyen, or others within the Department of Neurobiology who have contributed to this hostile environment.

I deeply appreciate your attention to this matter and your continued support. Your help is invaluable, and I look forward to working together to ensure that these issues are addressed fairly, with whistleblower protections fully upheld, and without further retaliation. Thank you again for all your assistance—I look forward to hearing from you soon.