

Thursday, 15 August 2019

Ms Jullian Uren
50 Yalding Avenue
North Rocks, NSW, 2151
DELIVERED BY EMAIL:

Dear Jill

RE: Request to attend disciplinary meeting

The purpose of this letter is to formally advise you that allegations of poor workplace attitude, performance and misconduct have recently been brought to our attention.

Specifically, it is alleged that on 2 August 2019 you engaged:

- With a customer wishing to purchase a vehicle and during those negotiations, failed to take reasonable steps to manage the sale.
- In unprofessional behaviour by getting into a verbal argument with that customer in the presence of other staff.
- In unprofessional and unsatisfactory behaviour with staff that has the potential to be in conflict with your role as Assistant Sales Manager, by querying why a colleague had proceeded to sell vehicles to the customer, and by making unsupportive comments to staff members on your own team.

If proven, this misconduct may result in a written warning, a final written warning or the termination of your employment.

Prior to any decision being made, and to enable a full and detailed investigation of this matter, we request your attendance at a disciplinary meeting which has been specifically convened to provide a suitable opportunity for you to respond to these allegations.

This disciplinary meeting is to be conducted at 12.00 pm on Friday 16 August in the Dealer Principal's office at Brad Garlick Ford.

You are expected to make every effort to attend this meeting and are placed on notice that the Company reserves the right to make a determination in your absence if you fail to attend this meeting for whatever reason.

I will have sole responsibility for the conduct of this meeting, together with any resulting decision which is to be made.

You are of course welcome to bring a support person to this meeting should you choose.

All matters and information relating to this allegation are confidential and you are directed not to discuss them with any other person without my express prior consent. Any failure by you to maintain confidentiality may lead to disciplinary action.

If you have any enquiries in relation to this matter, please contact me on 02 9332 8167.

Yours sincerely



David Berlusconi
Human Resources Manager

John Austin

Spoke to John Austin this morning at Brad Garlick Ford regarding Dean Jones. This morning, Dean Jones rang John this morning crying and said he is suffering from clinical depression and is currently medicated for it. This was due to being abused as a child. With all the issues surrounding Jill, he called his mum (since the meltdown last Friday from Jill) and now he and his mum are fighting. This has taken its toll and this morning, his partner left to go to work and advised him she is leaving him and effectively, they have split up. Dean knows I am having meetings with Jill today and may come in to assist as he was supposed to. John mentioned this to keep me apprised of where Dean is at mentally as Jill will no doubt bring up these issues. John suggested I interview Ruben and Luke as well as they witnessed the meltdown on Friday. Luke saved the deal. Chris Markham was also there and witnessed everything. John also mentioned a staff member Ruben was going to resign over Jill's conduct and John was able to save this. I will check this as well.

Ruben Naganayagam (08.08.19 @ 10.00 am) DP Office in Hyundai approx. 30 m duration

I spoke to Ruben this morning around 10 am regarding the alleged meltdown by Jill. Ruben said I have been the business for a few weeks and do not have the IT access nor have I been trained in x-time. Dean (the manager) said if I had to do deals while IT were fixing the access, pass them to him, Jill, or Chris.

Last Friday 2 customers came in for a i30. I greeted them and showed them the vehicle. I then passed them to Jill. Jill started doing the deals. While she was doing that, another customer with his wife and son came in looking for 2 x i30's. I greeted them and showed them the vehicles. Luke spoke to them and then I then passed them to Jill. The customer asked Jill to price match and showed her an email from Castle Hill Hyundai. Jill said she could not match that and he would need to buy it from them at that price. The customer then said if there is no way you can get it to that price can you contact you manager to confirm because I will get them if you can match it. Jill said no and the two got into an argument over it.

The customer got up and walked out and along the way, he and Jill were exchanging words access the showroom while customers were with Luke in finance. The customer when walking out said to me this place is no good and this is not the way to sell cars.

Luke came out just after the customer left and passed his existing customers to Stephanie in aftermarket. I told him what happened and then Luke went downstairs to Ford to speak to John. From what I gathered, they tried to contact the customer to call him back. This was around 11 am

Another customer came in at that point and I spoke to her about the deal. Jill said something like "it's like I am going to be your secretary now and process all your deals". I told her again I have no access and Dean said go to him, Chris or yourself. She said don't worry about it and I could see she was angry at me so I tried to avoid her the rest of the day.

At that point Luke came back from Ford and John was getting the customer back and they would see him at the Ford dealership. When the customer arrived, I went downstairs and to see them and assist. At that time, I told Luke that this place is not the environment I want to be in and I am going to resign. Luke then said let us sort this out first. That is when I came back up, Luke and Ruby dealt with them. I then went back up to Hyundai

When I got back the previous customer had agreed to buy the vehicle and Ruby was doing the finance. Jill was upset at that stage I didn't know why. I asked if everything was ok, she said everything was fine and I left her alone.

At that time towards the end of the day (around 4.45pm), Chris walked back in with the paper work from the customer who Luke and John resurrected with the i30. Jill saw that and then started crying and screaming in a high pitch voice saying I have had enough and I am done, I am leaving, enough is enough. She was sitting at her desk. She stormed out for a five or so minutes and came back with a packet she left on his Deans desk.

When she came back, Chris came out to speak to her and she had then calmed her down.

This was around 5.30 pm and I had locked up. Chris said I could go home. I didn't want to make things worse by getting involved any further.

NOTE: My view is this was a return customer going to buy 2 x cars. If she had exhausted all her avenues and could genuinely not match the price the customer had been quoted, then in that situation, she should called her manager or John rather than send the customer away. The cars were quoted for \$24k including tints. We sold the cars to the customers for \$23,500 plus tint.

Chris Markham (08.08.19 @ 11.36 am) Isuzu showroom 27 m duration

Around 11 am I greeted the customers (family, mother father and son) after they had just parked their car in the customer parking outside the Hyundai showroom. I asked if they need any help and at the time they replied all good. A little later when I went back in to Hyundai they were waiting in the lounge area, 5mins later I went over and offered them drinks.

I also noticed they previously purchased from the dealership before from the plate frames and sticker.

I figured at that point, they were returning customer and probably use our services. I knew Ruben and Jill were free so I went back to Isuzu and let them interact with them.

Later in the day though as I walked back down to Ford (maybe around 2 pm) I was called over by Ruby and Luke. I was informed the customer that where up in Hyundai had done finance and it was approved.

I was asked if I could match the price they had.

The customer pulled out a contract for a Hyundai i30 hatch. That John Johns had sold them previously. The RBO stated the sale price and was on the official Ryde Hyundai contract.

NOTE John Johns was a previous employee here.

I could see he lives in Dundas Valley around the corner and indeed, gets his car serviced at Hope Street. I knew we would make money that way as well

There also was aftermarket on the vehicle contract. So knowing Stephanie was on site we had a great chance of even more money back in the deal.

I looked at both the contract and quote and said you are asking for \$24,000 with tint included and entered it into the system. Immediately, I saw we could match it and said yes.

He then said he wanted a second car as well (manual as well as auto). He was calm with me but I could see there was frustration in him because I could see he wanted to buy cars from us and it was unfortunate we made it hard for him.

Later in the day I went back up to Hyundai and walked past Ruben saying I had done the two deals and proceeded to give those contracts to Luke so he can finish them off.

I then went down to Ford after leaving Luke's desk. When I got to the fleet department and speaking to Paul Tomes, Jill approached me and said she just looked on ERA and could see I had done the two deals for the customers she previously spoke to and asked why I had signed them up.

I said first and foremost, they wanted to buy a car from us and secondly, I punched the numbers in the system and could see we could match their quote. I said they were returning customer, it is a finance deal, use our service and they have aftermarket attached to it

There were no witnesses.

She then replied saying they were rude to her. I replied saying irrespective of their rudeness; they wanted to buy a car from us. She replied saying well they were rude to me and I was not going to put up with that. I replied saying well that is fine and that is why I sold them the car and told her to calm down.

From what I understand, she went to John Austin and resigned. This was around 4.45 pm.

At around 5 pm I went back upstairs and sat with her and explained to her the right and wrong sides of what I believed she had done. I could see she was angry, she was tearing up and sobbing at times.

That is when John walked through the dealership and I waved him away. This conversation went for about 15-20 minutes.

It was about 5.35 and by then I had already sent Ruben home. I told Jill that she could act the way she did in front of a new staff member. I also explained that as an assistant sales manager her role is to put

the needs of the department ahead of her personal targets. I think she knows this but her main goal is still about getting to her own numbers first before helping the staff. I think this attitude is part of the problem and she has gone stale sitting behind the desk all day. She appears at times to be reactive and not proactive and maybe retaining is the way to go.

Luke (08.08.19 @ 10.07 am) – in Luke Office 18.36 m

When Jill was looking after Madeline and her dad (who were the initial customers), Ruben asked me to sit with Irene and George (the customers in question) about their finance.

I looked them up, I told them if they brought both cars from us, I could match their finance package (i.e. rate) they got last last time as long as they met the criteria.

They told me Hyundai was not their final destination and they were going to look at Ford next door as well. I said that is also us and I could arrange for Ruben to take you downstairs and show you those cars.

They then said they were also going to Holden to which I replied, no problem, if you chose a Holden, I could still do your previous fiancé package as their details are already on our system. It would be easy for them and good for us. So she would use our finance regardless where they buy their car.

After that, I went back to my office to work with getting the finance for Madeline and her dad as they had now left Jill and were ready to start the finance process.

I came out of my office a few times while Madeline and her dad was doing the paperwork and at one point I saw Irene and George stand up from Jill's desk and it looked like they were getting ready to leave. I saw George pull out his phone and said to Jill if you can match this quote, I will buy cars from you.

I figured at that point he was not going to Holden and we had him as a customer. The fact he was asking us to match the quote he already had, was a previous customer, lived around the corner and already had finance with us, I had no doubt they were looking to buy from us.

I didn't hear any loud voices from Jill or the customers. When I finished with Irene and her dad, I passed them to Stephanie and at that point I was surprised when I looked around the dealership, and didn't seem anymore. I asked Ruben where they went thinking I was going to sign them up and found out they had left.

I went down to Ford straight away to catch them because they said they were still going to look at Ford and I was hoping to chat with them. Ford staff said they never went in. So I figured they skipped Ford and went straight to Holden. I picked the phone in Ford and called them back straight away and just apologised profusely. There was no excuse for the way we treated them and I told them that. They said they were literally in the driveway at Holden and I believed them.

They ended up coming back to see me at Ford. I asked Chris to help me and chat to them and we ended up selling them a car.

Later when I spoke to Jill, Jill told me that she could not do the deal because the customer wanted a coloured car at that price. When I negotiated with the customer, he was clear in saying that he knew the car was white and if he wanted colour, it would cost more. He was more than happy to pay extra (which he did). I thought he was quite fair.

I did not hear Jill raise her voice on the morning but did see Jill crying. When the customers came back to Ford, we did the work in Ford and to save drama and bad blood in Hyundai, I asked Chris to leave the paperwork and just have Dean do it the following day. I didn't want to add fuel to the fire. John Austin was aware of this.

Chris did the deals anyway. Then towards the end of the day, he walked into the showroom telling Ruben he had done those two deals and waiving the deals in the air. I thought trouble would occur because Jill would have certainly heard that. I thought it was unnecessary.

She then went downstairs and from what I understand resigned in John's office and came back. She was crying, banging stuff around loudly and screaming. I called John straight away from my office and John could hear Jill screaming from her desk and even asked if that was Jill in the background, it was so loud. I said yes and please come upstairs.

Chris had just walked in, sat with her, and consoled her. She calmed down at that stage when John got in.

I do think she failed on the day to fulfil the duties of her role. Her actions cost us two cars that day and if I didn't call the customer and resurrect the deals, I would have also lost the finance because there is no way they would have come back to me after that.

The customer told me that he even told Ruben to look for another job because place was not a good environment to work in and the business is not about selling cars. For a customer to say this is a very poor reflection on our business. I do not think there is tension between Jill and Dean, I think it is more of a control issue and she does not like being controlled.

This is constant behaviour on her part in my view. For example, on the same Friday with another customer as well, Jill came into my office and said Ruby just kicked out of Dean's office. I questioned Ruby on this later and she said no, that never happened. Ruben was next to Ruby at the time and I asked him if that had occurred and he said no. My view was it was a blatant lie to discredit another staff member for no reason. It may have been that she was under stress but this is the norm with her.

Again though, at no time did I hear her raise her voice with the customer. Later towards the end of the day yes, but not in front of the customer.

Jill (08.08.19 in Service Manager Office 3.35 pm) Following is an email I sent John at 3.46 pm.

Hi John, I just met with Jill and our conversation went for around 10 minutes. In a nutshell I advised

- John called me looking at options early this week for an issue that occurred last Friday. I told him there are many options including performance management, asking if she wanted to step down, and even asking her if she could think of anything we have not.
- John did not accept any resignation and the discussion about the change role was promoted for me as an alternative to explore.
- Dean had no say in this particular issue and this was all about a customer that was sent away by her (to which she denied – and I said lets discuss this later after I finish going through the stories from staff).
- I have spoken to a few people already and some issues were conflicting so I will revisit today and early next week, I can put everything in writing so she can see the issues and then I will give her the opportunity to prepare a response next week.
- Ultimately it was not Dean but rather John (as DP) that makes these decisions however John is bound by company policy as any DP

She said it was one bad day over the year and I said the performance management path is standard across the group and any sales manager in this situation would be performance managed in this same manner. So lets discuss next week after I gather all the stores and we can then address it. Today was just a catch up on where we are placed and how we are moving forward. She said that was fine so I will continuing working on this.
