

**From:** Ashley Gjovik ashleygjovik@apple.com  
**Subject:** Re: Notes from our Friday call  
**Date:** July 29, 2021 at 5:18 PM  
**To:** Ekelemchi Okpo (ER) eokpo@apple.com  
**Cc:** Antonio Lagares (ER) alagares@apple.com

AG

Hi guys,

I talked to Ekelemchi about Jenna's investigation at length today. As I've mentioned before, there are numerous areas I have reason to believe she didn't investigate at all. I forwarded several emails to Ekelemchi along with a timeline I find very suspicious for a quick resolution with no follow up questions from Jenna.

What I'd like to ask from y'all after you two chat, is for ER to provide me a list of the items which Jenna investigated and closed out finding there were "no Apple policy violations" and no action would be taken. I think we should get this from Jenna before Ekelemchi and I complete this pre-discovery phase — since if there's things she didn't close out, I want to ensure Ekelemchi looks at those — and it's very unclear what she did or did not actually investigate.

There was so much terrible stuff that happened to me at Apple and continues to happen to me — I think it will help everyone during litigation if we can draw a clear line of what events Apple has already closed investigation into (Jenna's round) and which things Ekelemchi will be investigating (which I know I still in progress) — and then the closure of each of Ekelemchi's items as well with outcomes. Ideally if we can also sort by area of law, it will help me route to the different lawyers (labor, ADA, FMLA, employment discrimination, whistleblower, toxic tort, etc).

When you send over the list of Jenna's items that she closed I'd also appreciate you noting whether or not she looked into my concerns about work place safety at the Superfund office and if so if she also closed that as an ER investigation as well (since she was so heavily involved in the communication of those conversations, and facilitated all dialogue between me & EHS, and I sent her numerous emails expressing my deep concerns and asking for help).

Thanks!

Ashley M. Gjovik

🍏 Engineering Program Manager

⬆ Mac Systems Quality Strategic Planning & Communications

⬆ Product Systems Quality Internal Communications; Employee Engagement; Inclusion, Equity, & Diversity

📞 (408) 204-9976

On Jul 28, 2021, at 4:00 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

As I mentioned to you in today's meeting — I told Jenna on 4/27 that I had many other issues at Apple & with my team. **Jenna never addressed either of these notes verbally or in writing.**

*Me to Jenna, 4/27:*

**"My tenure at Apple has been full of horrors. I could give you a list of hundreds of things to look into."**

**"if I am not fulfilling Apple's expectations by holding back on other concerns I have about my time at Apple, or Dave, or other sexual harassment issues from coworkers — we're going to need A LOT more time."**

Ashley M. Gjovik

🍏 Engineering Program Manager

⬆ Mac Systems Quality Strategic Planning & Communications

⬆ Product Systems Quality Internal Communications; Employee Engagement; Inclusion, Equity, & Diversity

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Begin forwarded message:

**From:** Ashley Gjovik <ashleygjovik@apple.com>  
**Subject:** Re: Notes from our Friday call  
**Date:** April 29, 2021 at 5:24:55 PM PDT  
**To:** Jenna Waibel <jwaibel@apple.com>

Quick update -

Talked to Dan West today (my bosses boss). He will not move me out from under Dave. He will not move me under him (Dan), or John, or anyone else. He says he doesn't want anymore re-orgs.

My choices are either I stay under Dave (I told him I cannot do this) or I leave the organization or Apple completely. He says he

my choices are either I stay under Dave (I told him I cannot do this) or I leave the organization or Apple completely. He says he understood this likely means I will leave Apple.

Dan said when I leave, the role will likely be recycled into a standard Engineer or Manager role, and the PSQ EPM role will be dissolved.

No timeline was set.

—  
**Ashley M. Gjovik**  
🍏 Engineering Program Manager  
(408) 204-9976

On Apr 27, 2021, at 6:57 PM, Ashley Gjovik <[ashleygjovik@apple.com](mailto:ashleygjovik@apple.com)> wrote:

Hi Jenna,

Thanks for the notes! Clarifications inline. Wrote in your view (you/me) for ease of translation inline, but of course not putting words in your mouth. Please fix as needed.

—  
**Ashley M. Gjovik**  
🍏 Engineering Program Manager  
(408) 204-9976

On Apr 27, 2021, at 4:56 PM, Jenna Waibel <[jwaibel@apple.com](mailto:jwaibel@apple.com)> wrote:

Hi Ashley,

Thank you for your time on Friday. As I explained, Apple takes your concerns seriously and I am the person from Employee Relations who will look into the issues you raised. In our conversation, I explained that my role is that of an objective fact-finder as I conduct the investigation into your concerns.

This email summarizes my understanding of the issues you raised. During our meeting, you stated that it is detrimental to your mental health to continue to report to Dave Powers, your current supervisor. You also have a concern about being sexually harassed by a Director in the Software organization. The points that you believe support both concerns are summarized below:

I'd like to state that the original reason I reached out to ER was because of comments Dave made to me in my 1:1 with him several weeks ago related to the TRW Microwave EPA Superfund site (aka our office building Stewart 1). I've captured my concerns in separate emails. I know you already talked to him — but I'd like the formal list of concerns to reflect that was the original and primary concern. I also let Dan know that was my primary concern on 4/9 and he also said he would talk to you about it.

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Concerns related to Dave:

- You said you don't have a job description or a category 1. You said both Dave and Dan West, your skip-level manager, have admitted that.
  - You said Dave is not a good people manager. You said if you push back (on feedback that I feel is unfair or biased) then he (often) says you can't take feedback well.
  - You said Dave has called your data driven advice and/or logic "emotional" when it challenges what he wants to do instead and that you have "yelled" escalated to Dan enough — enough at Dan West about that, that Dave has stopped using that term.
  - You said Dave rarely gives you credit for your work, and sometimes gives credit to a man (&/or men) instead.
- 
- You said you think Dave wants to be inclusive but he doesn't do the right things to support that intention.

^separate line

- You said working with Dave feels like an abusive relationship: you hear yourself saying "He had a bad day, that's why he yelled at me." Personally attacked me, or shut me down, etc." But you believe he has had enough trainings to know it's not cool.
- You have recently facilitated I&D trainings called "5 Simple Things" by request of Dave. You said he had you develop the training. When you asked him for feedback, you recall Dave telling you the sessions were going good. Then more recently, you said Dave told you he got feedback that you were being "too hard on the white man" and that it seemed like he agreed with the feedback. You said you would like him to focus his feedback on work product,

rather than attacking personalities and communication style. (This was a talking point in the training). You later told me someone submitted similar feedback in the survey (you emailed the comment to me), but this time it seemed like Dave didn't agree with it. You don't know if this has anything to do with the ongoing ER conversations.

- You said that when you returned to work after a leave of absence last year, Dave did not respect your modified return to work restrictions. You said he approved the accommodations and then on your 2nd day back asked you to present in a meeting, and lead discussion ("lead a meeting"), which was called out on your restrictions as something you should not do. You said you wrote him an email remaining him of the accommodations and at first he pushed back that he didn't think presenting slides was "presenting" and leading discussion was not "leading a meeting." You said you pushed back more and then he apologized for this after realizing that his request was in conflict with the restrictions given.
  - You were also concerned that he gave credit to a male employee on your team for creating the slide deck you put together for the presentation, rather than giving you credit for your work. This was after he assigned you a huge presentation for HWE executives on your first day back after six months of medical leave, with only a day turn around — and you did it because he asked, but had to put a lot of work in to it. So it was upsetting he thanked the man for the work you did. You said when you call him out for not thanking you, he will remember to thank you for the next week, but then falls off again. (You complain to Dan that Dave does not thank you, and you think Dan reminds him around review time, and Dave will thank you for a week or two, but then stops most of the rest of the year.)
- You said Dave calls you "emotional" or says you are "harping" when you ask him to follow NPS rules, like following disclosure guidelines.
- You shared an example of when you recall Dave acting hostile towards you in the last two months: You said Jason Ivan doesn't seem to like your role in the org, and Dave asked you in text message if you were "scolding Jason". When you said no, Dave said he's "sensitive to the relationship you two seem to have," despite you previously telling Dave you try to work cooperatively with Jason and that you don't want to be labeled as permanently "in a conflict with Jason." You said Dave was arguing illogically with you while he knew you were having heart issues and were sick. You recall Dave saying you had not told him you were having heart issues or sick, but that you know you had. There is an email about it to him that he responded to before the texts— and you had submitted a sick day later that week to him before that text exchange. You told Dave in that conversation that he was making you cry stressing you out, "Dave I'm really sick, I had to order a COVID test, I just told you I apparently have a serious heart condition, can we talk about this in person instead?" not via text. You told me you were crying during this exchange. These text messages, emails, and sick time receipt were provided to me by you on 4/23. You said that Dave verbally later told you that you were correct about the tentpoles and Jason's request was indeed problematic, as you had pointed out in the original Slack & text exchange.
- You said resolution would look like moving to report to Dan West directly ideally, or to John Basanese as 2nd option. You said you have told Dan twice before that you would look for another opportunity at Apple if he didn't move you from reporting to Dave / Dave's team, but that you are serious this time. You would also like to see Dave receive training, whether or not you report to him. You said you already do a significant amount of work for Dan and his overall PSQ org.
  - You said you don't think Dave needs to be fired, but that he should have to take mandatory manager and I&D classes, and be required to take a test at the end or some way of ensuring he actually paid attention and understood.
- You would like to find a job that is fully remote so you don't have to go back into the office.

^This is true but separate. I haven't raised the remote issue with Dan yet. Last I heard from Dave, HWE is expecting everyone to come back to the office 100% by fall or even summer. I've previously told Dave and Dan I want to be the very end of Phase 4, but I haven't pressed harder on the issue yet. Wanting to be fully remote was something I shared with you casually.

#### Concerns related to Rob Yopez:

I asked that we not formally investigate this. Of all the he said/she said, I expect this investigation to cause the most noise and have the least benefit. Though I welcome you to investigate him generally.

- You said you were sexually harassed by a Software Director named Rob Yopez sometime in the last 2-3 years, but you don't recall the exact date.

Jan 9 2018

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- You said you didn't want to raise this concern to ER, but that Rob is an I&D champion in Software and that bothers you.
- You said you have heard rumors that Rob is notorious at the Grace Hopper conference for hooking up with female employees.
- You said Rob asked you to get drinks. Since he is a peer of your boss you said you didn't feel like you could say no. You asked him who else you could invite, and he never responded. Because you sent the invite, you chose BJs (aka IL7) because you saw it as an extension of the office. You weren't comfortable meeting him alone, so you asked several friends if someone would shadow, and a female friend who also works for Apple went with you to meet him at BJs in Cupertino since it was so close to work. You said he was dressed like he was going on a date and his face

~~at Bob in Cupertino since it was so close to work. You said he was dressed like he was going on a date and his face seemed to fall when he saw you had a friend with you. Your friend noted the same. You said Rob bragged about cheating on his wife, and that his wife has cameras in their garage to try to catch him. You said he also said at the end with a weird expression, "we should do this again."~~

- You said you shared your concern about Rob's "abuse of power" with Dave and Dan West, and Dan confirmed verbally that Rob bragged about girls chasing him at Grace Hopper. You said Dan told you he ~~would talk~~ talked to Rob about your concerns.

In our meeting, you told me that the above were all of your concerns about Dave and Rob. If I have missed something or if there is additional information or concerns that you did not share with me, please let me know immediately so that I may include them in my investigation.

Please confirm if you mean additional information limited to Dave and Rob, and/or per the specific issues you're looking into.

I don't want me not telling you something right now to foreclose any future option I have to act on it. I want to reiterate what I said this morning, that I don't think this investigation will yield much/any benefit because it is so she said/he said, and I worry it will cause me additional problems. I would like to it be stopped, but understand you said you said you can't stop it now.

My tenure at Apple has been full of horrors. I could give you a list of hundreds of things to look into. Again, instead I'd prefer to shut this down. But if your'e going ahead, I don't want my silence to suggest I might not want to do something about the other stuff later.

We also discussed the investigation process, which includes speaking with all involved individuals, including you, and reviewing other relevant information and documentation. I may also consult with others whom I believe may assist me in conducting a thorough investigation. Apple's expectations of you during the investigation include that you cooperate fully throughout the investigation by answering questions honestly, and providing any additional relevant information to me promptly.

Per the item above, if I am not fulfilling Apple's expectations by holding back on other concerns I have about my time at Apple, or Dave, or other sexual harassment issues from coworkers — we're going to need A LOT more time.

In terms of confidentiality, since my process involves speaking with others, I'd like these individuals to feel comfortable speaking openly with me without feeling influenced, so I'd ask for your discretion in speaking with others about this matter so as not to compromise my investigation.


I read this as, please don't tell people ER is investigating. If that's true, I won't mention it further. Though I have mentioned it to a couple work friends — because I'm struggling and need someone to talk to. Because Apple internal stuff is so confidential, I don't think I'm supposed to talk to anyone about it other than coworkers.

Given the sensitivity of the issues being investigated, it's also important that we respect the privacy of everyone involved. If you have any concerns about potential retaliation, please let me know immediately. You may view Apple's no retaliation policy at <https://businessconduct.apple.com/noretaliation>.

If you have any questions, please contact me at 510-396-7823 or via email at [jwaibel@apple.com](mailto:jwaibel@apple.com).

Best,

**Jenna Waibel**

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