

From: Ashley Gjovik ashleygjovik@apple.com
Subject: Re: Introduction
Date: July 4, 2021 at 5:37 PM
To: Antonio Lagares alagares@apple.com



Hey Tony,

Dave's still acting worse than before — and I have more updates and questions. I already feel like I'm being retaliated against.

So, Jenna had told me during the investigation closure meeting I had with her that the only next step was for "me to work with Helen (my HR BP) on figuring out how to continue to do my job." Which was a super weird thing to say and I asked her to clarify and she told me Helen would help me with role definition & there's nothing else to say or something like that. So I've been talking to Helen, and at first Helen seemed like she'd help and she almost seemed like she supported my concerns about Dave/Dan (sounds like she forwarded my feedback about Dave that I sent Dan in fall 2020 to you), but the last meeting I had with her was bizarrely adversarial.

She's been saying things to make me feel like everything about my concerns about Dave & my role are my own fault (like Jenna did in the last meeting). As far as role definition, she's been telling me I need to deal better with ambiguity. She said I should work with Dave to define the role again and even though he's never done it the million other times we've tried, she said it might help having a 3rd party. So I asked her if she's coaching Dave on what an EPM is (he doesn't know) and what the roles supposed to look like — and she said no, that she's just talking to me. Which leaves me very confused... because he's a director and its the req he created and he's admitted he needs to define the role... so how is this on me? I'm going forward you the latest email I sent her — which clearly outlines how I literally have no job description and I was even hired to a req that was a different code than what I am (PM v EPM).

The weirdest thing Helen's been saying is about ADA medical accommodations. During that last meeting with Jenna, I re-iterated my concerns about the safety of my office building on an active Superfund site. Jenna told me that we should just get me remote work accommodations so I don't have to go into the office. She said she'd send me the form and I "just need a doctor's signature, no medical diagnosis, and they'll push it through the system." When I got the form it was very detailed so I asked her again, are you sure I just need a signature? This is asking for a lot of data? And she's like, yeah just a doctors signature. In parallel I asked Dave to request the non-medical "100% telecommuting/remote work" thing that's mentioned on the People site & Deirdre's FAQs and he kept telling me it didn't exist, and then finally said he'd talk to Helen. He came back and said "Helen said no." I followed up with Helen and she said she doesn't approve it and he didn't ask her. I asked her to follow up with him and ask him to actually ask Dan+ like he's supposed to. The first time we talked, she said she would. The second time we talked, she laughed. She said, "DID YOU SEE DEIRDRE'S VIDEO?" And fake-smiled. [Helen knows I'm one of the two employees who emailed Tim and Deirdre the remote work advocacy letter/video/stories on 6/14. She seemed to be confirming what I already suspected, that Deirdre's video was a response to our letter, saying "no remote work, shut up, come back to the office."] But I kept my temper, and was like yes Helen, I did see the video, and it mentioned there is a rare exception for full remote work and I think I meet that exception since nothing I do needs to be in the office. I asked her again to talk to Dave about requesting it for me and she laughed again and told me there's no process for the request. And I was like, Helen, Dan can send an email to Dan, and Dan can email Yannick, and Yannick can email Ternes and if they all say yes then I have the role. That was the process before — why can't they do it now? And she's like, that process doesn't exist anymore, there will probably be a new process, but there's not one now. And I was like, wtf — but said, okay well I still feel very unsafe with the idea of going back to the active Superfund with poor oversight, that already made me faint in 2019, and with the delta variant circulating. Then she said... "well from Jenna it sounds like YOU THINK YOU MIGHT HAVE A MEDICAL ISSUE you can request an accommodation for." And I was like, wow... but said "yeah, Jenna did send me a medical form and said I could submit it to request remote work due to the chemical exposure...." Then Helen said something like, "well I recommend you ATTEMPT that and you should do it quickly because it takes a long time — we will go back and forth with you negotiating to see what accommodations you ACTUALLY need and what we are actually WILLING to provide." Then she fake-smiled at me again. The whole thing was super condescending and like she was trying to start an argument, or otherwise intimidate me.

The only way I can make sense of how Helen is acting is that she's trying to cover up the fact that this whole mess festered under her watch, so it's easier for her to blame/pressure/intimidate me then address the issues in a way that she had to admit things like she has employees working in unsafe buildings, or directors saying super inappropriate stuff to their female directs... or that her engineering partner (Dan) found it entertaining to sneak in a new req (mine) that she and his boss never approved and then brag later that he blind-sighted her, etc.

Meanwhile, Jenna finally got a response from EH&S and the guy, Michael, who has been overseeing these chemical clean up sites for Apple for eight years is now quitting / fired. The last meeting I had with him he read a script, I assume from legal, where he very uncomfortably said that he is the expert, and the oversight was all his decision, and he personally feels its safe. Literally an hour after that meeting he went on short term disability medical leave — and now apparently upon returning, he's leaving Apple. Also, Jenna's update from EH&S included the fact they did find cracks in the floor of my office (which is exactly how vapor intrusion from chemicals directly beneath the floor can end up in the indoor air). They said they would test the indoor air at a "TBD" time, but only AFTER fixing the floor. I specifically asked if they can test BEFORE they fix the floor since they haven't tested the indoor air for six years, since 2015 before any Apple employees were moved in — or anyone it was vacant forever — and despite a long history of indoor air vapor intrusion above max industrial limits, Apple only did "limited testing" and called it good, even though that testing showed industrial chemicals again above industrial limits. I told EH&S & Jenna I want to know which chemicals are in the air and at what levels — for future cancer monitoring, etc. The only reason I can think of that they're refusing to do this testing after they previously planned on doing it, was that all the questions I was asking were very good questions and revealed major gaps/issues — so they're going out of their way to not have evidence of their negligence.

I think everyone is forgetting I work in engineering & I'm in law school. I know how toxic torts work. I also know how employment discrimination & labor law works. I'm not an idiot.

I'm anxious to hear back from you on if there are any other next steps for my situation — because right now it feels like I'm not only being harassed by my manager and my HR BP, but it appears there's a conspiracy to force me back into what appears to be a very physically unsafe office building. I thought what [I went through last year](#) was bad, but this year has turned into another nightmare — & this time, it's Apple doing.

-Ashley

Sent from my iPhone

On Jun 30, 2021, at 11:14 AM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Hi Tony!

Welcome back. Hope you had a nice break.

Thanks! Appreciate it.

Btw, turns out my instinct was right and my manager, David, has continued with more inappropriate and offensive comments following the completion of Jenna's investigation. I've been sharing some updates with Helen to see if she can help reign him in. It really does feel like he was emboldened by whatever Jenna said to him, or whatever he interpreted Jenna said to him. He seems to think he's completely justified in all the biased and sexist stuff he said/says — and is really on a tear now.

I really don't know how I'm going to be able to continue. As mentioned, I don't want to quit Apple yet but I'm too close to graduating & passing the Bar exam to transfer to another role. And because Dan refused to move me to any other managers in PSQ, I'm stuck with Dave and the stuff he continues to inflict upon me. It's miserable.

-Ashley

—
Ashley M. Gjovik

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On Jun 30, 2021, at 11:04 AM, Antonio Lagares <alagares@apple.com> wrote:

Hi Ashley,

I'm just back from some full-time vacation days and catching up on email. Just wanted to acknowledge receipt of your email and that I'll review and respond accordingly shortly.

Best...

....TL

On Jun 22, 2021, at 12:25, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Hi Tony,

I hope you're well. Thank you again for talking last week and asking someone to do a secondary review. I really appreciate it and I look forward to our next conversation about findings/next steps.

The more I've thought about our last conversation, the more I've felt the need to clarify something you asked about. You asked if there's any new information/events worth including and I mentioned that there was a lot as far as past events that I didn't feel were included in the investigation but should have been, missed due to a lack of follow up & contextual questions from Jenna. I could see how me replying the way I did to you might be too vague. I wanted to share with you three concrete examples to show the magnitude of what I'm talking about. I understand per Jenna the primary investigation is done, so I assume these might not actually be looked into at all, but I'd like you to see & decide how you'd like to proceed on your end.

1) John Basanese is another director reporting to Dan West, peers with David Powers. A few years ago he was frequenting making comments to me and giving me a hard time about not being married or having kids. He expressed direct displeasure that I was single and dating at my age, and continued to comment its time for me to settle down. He brought this up during work settings and especially at work parties and gathering when others would bring their spouses. I told John to knock it off and he wouldn't so I asked Dan to step in. Dan said he told him to stop it and John did finally stop bringing it up directly.

2) When I was at the final Apple party at the Grace Hopper Convention in 2017, Dan West approached me and gave me a desert and told me to eat it. I asked him what was in it and he just said to eat it. I asked again, and again he said, just eat it. I took a bite and said "is there coconut in this?" And he smiled and said proudly "yes!" I yelled at him that I have a peanut

took a bite and said "is there peanut in this?!" And he smiled and said proudly, "yes!" I yelled at him that I have a peanut allergy (I was fairly certain I told him that previously too). He just stared at me. I told him I need allergy medicine ASAP and I spit the peanut gelato back into the cup. He said he'd get some and disappeared. I started having symptoms of anaphylaxis and hadn't heard from him for about 15min so I tracked him down and he said he was drunk and forgot he was supposed to get me medicine. He said he'd go get it and be back. About maybe 45min after the peanut intake he finally showed up with a single Allegra-type allergy pill. I took it but it was too late and I told him I was having severe symptoms. He disappeared and I never saw him again that night. Another EPM looked after me at the party for a little bit but I felt so sick I wanted to go back to my room and lay down. I got lost walking through the hotel alone, circling for maybe an hour, and when I finally got to my room I puked my guts out in the bathroom and fell asleep on the marble floor there. Dan never followed up or reported it. I told Dave when I got back and Dave said he just sent a joking text to Dan complaining he was trying to "kill his EPM." I saw him text it, so if they both have their iMessage records from that time, it should still be there. Further, I contracted Pertussis/whooping cough during the flight to that conference and ended up getting a full-blown case for the full 100 days despite being fully vaccinated. The theory from the doctors was that I got so sick because while the Pertussis was taking hold, I also got so sick from the peanut allergy via Dan. In addition to standard Pertussis symptoms like coughing so hard I'd vomit every 20 min or so for months — I also bruised my ribs coughing and got bronchitis.

3) I was eating out at a Michelin star restaurant in Mt View in winter of 2017. It was a restaurant Dan insisted I try several times, so when I sat down I texted him that I looked forward to the meal. I didn't realize before that Dan West and Yannick Bertolus (Dan's boss, our VP) are very very good friends with the head Chef of the restaurant. As soon as I texted Dan, he replied right away and within maybe 10min the Chef came out to greet me personally as a friend of Dan and was bringing out special dishes I didn't ask for. He also came out to talk to me mid-way and was telling me very personal stuff about Yannick. About 1/2 way through the dinner the Chef and Dan both told me they were trying to set me up with the Sous Chef at the restaurant, [REDACTED]. Apparently they told [REDACTED] the same thing. [REDACTED] was 24, ten years my junior. I expressed no interest in [REDACTED] or dating him — but they persisted. Dan also told the head Chef he would pay my entire bill, and he did. I protested strongly to both the Chef and Dan and told the Chef to reject Dan's payment and I would pay myself, but they wouldn't let me. They both also continued to send the Sous Chef out to wait on me instead of the waiter and pressured both of us to exchange numbers. It's was humiliating. I've met Dan's [REDACTED] & [REDACTED] a couple times and they were/are both aware of this night and say it's a running topic in the household of how weird and inappropriate it was of Dan to do that.

Etc.

Hopefully this helps paint a better picture of what I meant but "lots of historical events not actually investigated."

—
Ashley M. Gjovik

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On Jun 13, 2021, at 5:09 PM, Ashley Gjovik <ashleygjovik@apple.com> wrote:

Hi Antonio,

Sure! Please feel free to set something up.

Thanks.

—
Ashley M. Gjovik

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On Jun 10, 2021, at 4:58 PM, Antonio Lagares <alagares@apple.com> wrote:

Hi Ashley,

I am following up on Jenna Waibel's introductory email. I lead the ER teams for the Corporate functions (non-Retail and non-AppleCare lines of business). I understand that you disagree with the findings and conclusions of Jenna's recent investigations. If you are agreeable, I would like to schedule time for us to talk next week and understand your concerns with the investigation and potential next steps.

Please let me know if you have any preferred days and/or time to meet next week and I will schedule time in iCal for us to meet via WebEx. Don't hesitate to reach out if you have any questions in advance or our talking further.

Best...

...Tony

On Jun 10, 2021, at 15:17, Jenna Waibel <jwaibel@apple.com> wrote:

Hi Tony,

Ashley Gjovik (cc'd) is an employee in Hardware who would like to speak with you about two investigations I have recently wrapped up. Would you please reach out to Ashley to speak with her about her concerns?

Thank you,

Jenna Waibel

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