



Employee Disciplinary Report

Employee Information

Employee Name: Kim Bandorf Date: January 19, 2021
Employee ID: Job Title: Program Manager
Supervisor: Tony Deobil, Executive Director Department: Program Staff

Type of Warning

- Written Warning, Final Warning, Termination

Type of Offenses

- Tardiness/Leaving Early, Absenteeism, Violation of Company Policies, Substandard Work, Violation of Safety Rules, Rudeness to Customers/Coworkers, Other:

Details

The purpose of this written warning is to bring to your attention to deficiencies in your conduct and/or performance. The intent is to define for you the seriousness of the situation so that you may take immediate corrective action. Failure to correct the situation will result in further disciplinary action up to and including termination.

Description of Infraction: I was notified on the morning of January 27, 2021 that confidential information from a DCF Report may have been breached by you and inappropriately shared with the other Program Managers. As part of your responsibility as our DCF Grant Project Manager you received a confidential report containing privileged client information and employee personal data and salary information. You are responsible as Project Manager to verify the information before it is sent exclusively to the Volusia Flagler Coalition for Homelessness for billing purposes for our DCF grants. You then took it upon yourself to share the report and the fact that this report contained confidential employee information with the other Program Managers. You indicated that you had a concern about the information and decided to seek the advice of the other Program Managers. At no time did you notify me of your concerns nor did you ever discuss them with me. Instead you chose to go behind my back revealing the nature of the report and your concerns with staff not directly involved in the verification of the report.

When I asked you about the situation you quickly admitted that you did share this information with the other Program Managers and that they were disturbed by what you told them. You also indicated that you understood that the information was highly confidential and that it was inappropriate for you to discuss it with anyone other than someone in leadership. You also indicated that you had these concerns early October 2020 and spoke with the Program Managers at that time. However, you never spoke with me about your concerns. You indicated that you were intimidated by me and were afraid to bring up issues with me. However, since October you have participated in regular weekly virtual staff meetings, have personally texted me and called me on numerous occasions. During those contacts you brought up and discussed numerous issues of all types. I have an open communication policy that you have often availed yourself. You contact me at all hours, when I am off duty, and on weekends. So I am confused by your comments that you were intimidated by me and didn't feel comfortable to bring me issues.

I was very concerned by the fact that you knowingly breached confidentiality. However, I am equally concerned by your lack of respect and your undermining me as the Executive Director. During a recent weekly virtual meeting you openly accused me of not adequately communicating with the group. I challenged your accusations, reminded you that we had open weekly virtual meetings and asked you to give me specific instances where you felt that I had not properly communicated with the staff. You said that when I discuss things with the leadership team and make decisions I don't always share them with the rest of the staff. I explained that I make lots of decisions that can't be shared with others. I again asked you for specific issues where you thought I should have been more transparent. You could not give me any examples and when I pressed you again, you snapped at me and said forget I brought it up. I consider this type of public rhetoric disrespectful and a challenge to my authority.

I have warned you several times in the past about the way you have publically spoken to me and others and that it was inappropriate and disrespectful. You indicated that your approach to things can be a "bit unconventional." However, during your last Annual Evaluation you indicated "but if I have been disrespectful to you in any way, I do apologize and will keep a check on both from here on out." I had hoped that you would have headed all of these warnings.

Unfortunately, I believe that your bad behavior has escalated from disrespectful words to actions actively trying to undermine my authority by bypassing me and discussing inappropriate issues with others thereby breaching confidentiality. Due to the seriousness that any breach of confidentiality presents and the escalation of your unacceptable behavior, further conduct like this cannot and will not be tolerated. Therefore, any further breach of confidentiality or your continuation of your being disrespectful or undermining my authority in any way will result in your immediate termination.

Plan for Improvement:

Unfortunately, I believe that your bad behavior has escalated from disrespectful words to actions actively trying to undermine my authority by bypassing me and discussing inappropriate issues with others thereby breaching confidentiality. Due to the seriousness that any breach of confidentiality presents and the escalation of your unacceptable behavior, further conduct like this cannot and will not be tolerated. Therefore, any further breach of confidentiality or your continuation of you being disrespectful or undermining my authority in any way will result in your immediate termination.

Due to the seriousness of the behavior described in this disciplinary action no further warnings will be given.

Comments from Employee:

Acknowledgment of Receipt of Warnings

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your supervisor have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning. *This written warning will be placed in your personnel file.*

Employee Signature

Date



2/1/2024

Manager Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date

From: Tony Deobil
Sent: Monday, February 1, 2021 2:54 PM
To: Kim Bandorf
Subject: Breach of Confidentiality

Good Afternoon Kim,

After investigation of the Breach of Confidentiality involving the FVCCH Confidential Report my findings are attached. I have spoken to the parties involved. I have determined that a Breach did occur and that you knowingly violated protocol.

I had four options on how to handle the incident including; Do Nothing; Terminate Your Employment; Suspend You Without Pay; Give you a Final Warning.

Unfortunately, I believe that your bad behavior has escalated from disrespectful words to actions actively trying to undermine my authority by bypassing me and discussing inappropriate issues with others thereby breaching confidentiality. Due to the seriousness that any breach of confidentiality presents and the escalation of your unacceptable behavior, further conduct like this cannot and will not be tolerated. Therefore, any further breach of confidentiality or your continuation of you being disrespectful or undermining my authority in any way will result in your immediate termination.

I would appreciate if you would sign and return the form and make any comments on the sheet. If you would like to set up a follow-up meeting I can set up an additional virtual meeting. Other wise I will expect you to return the signed sheet. If you refuse to sign the form I will make arrangements to have the form delivered personally to you and then certify your receipt.

I am sorry it has come to this but I see no other option. My impression is that you will not accept correction in any other format.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

Rev. Tony Deobil
Executive Director
Family Renew Community, Inc.
810 Ridgewood Avenue
Holly Hill, FL 32117
Office 386-239-0861
Fax 386-239-8626
www.familyrenew.org

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they (RAAO) came to the office to offer to bring the bus. I sent the clients to where they could possibly get a free test. I asked about the charge and they bill Medicaid for the testing. Client or agency are not charged. But I will get that in writing if we proceed.

Thanks,
Kim

Sent from [Mail](#) for Windows 10

From: [Tony Deobil](#)
Sent: Thursday, February 4, 2021 9:31 AM
To: [Kim Bandorf](#)
Subject: Re: Offer of covid testing for Deland campus

Good morning Kim,

I looked at their webpage and checked their license through Sunbiz. Since they are predominantly a HIV Advocacy Group, I am not sure how they are doing COVID testing. But if you would like to proceed you need to make sure you get a Release form from each person you are referring and make sure you place a note in their file that you offered the service to them and if they accepted or denied. Make sure that the client or FRC will not be charged for the service because testing is available for free from the County,

Also I am a bit confused if clients are approaching them and not you about any level of testing?

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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From: Kim Bandorf <kim@familyrenew.org>
Sent: Wednesday, February 3, 2021 6:50 PM
To: Tony Deobil <tony@familyrenew.org>
Subject: Offer of covid testing for Deland campus

Kim Bandorf

From: Tony Deobil
Sent: Thursday, February 4, 2021 11:59 AM
To: Kim Bandorf
Subject: Re: Offer of covid testing for Deland campus

BTW free COVID testing is available at:

Family Health Source
1205 S Woodland Blvd., Suite 4
DeLand, FL
familyhealthsource.org

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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From: Kim Bandorf <kim@familyrenew.org>
Sent: Thursday, February 4, 2021 10:56 AM
To: Tony Deobil <tony@familyrenew.org>
Subject: RE: Offer of covid testing for Deland campus

Tony,
Clients are approaching me first about testing. They have been having difficulty finding or accessing testing, even though the county has free testing, because many do not have transportation to NSB to access the free testing site. They did not have the issue with transportation when the testing was at the fairgrounds. I was notified that RAAO was doing free testing for covid so the clients without transportation who were in need of testing, I informed to call RAAO to see if they could get a test. They were doing by appointment only, so several of my clients were not able to get tested there right away. That is why

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From: Kim Bandorf <kim@familyrenew.org>
Sent: Friday, February 5, 2021 1:09 PM
To: Tony Deobil <tony@familyrenew.org>
Subject: Employee Disciplinary Report/ Grievance

Tony:

In further reviewing the employee disciplinary report and in preparation of filing a grievance, it has occurred to me that I will need you to provide me with the specific codified FRC policies (policy, page and paragraph) that you believe I violated.

Your instructional email sent with the disciplinary report states "After investigation of the Breach of Confidentiality involving the FVCCH Confidential Report my findings are attached. I have spoken to the parties involved. I have determined that a Breach did occur and that you knowingly violated protocol.". Please provide your investigative findings and the exact protocol you believe I have violated.

Per FRC's grievance policy, I have five days to advise you of a grievance. Please accept this email as notification of my intent to file a grievance.

Once, I have received the above information, I should be able to formulate both a response to the disciplinary report, and articulate my grievance.

Per FRC policy, it may be necessary for me to contact the Board's President, please provide contact information for Allison Miller.

Respectfully,

Kim Bandorf

Sent from [Mail](#) for Windows 10

Kim Bandorf

From: Tony Deobil
Sent: Monday, February 8, 2021 12:07 PM
To: Kim Bandorf
Subject: Re: Employee Disciplinary Report/ Grievance
Attachments: Bandorf Request for Documentation 2-8-2021.PDF

Good Afternoon Kim,

This is to acknowledge receipt of the attached email of your intention to grieve the Employee Disciplinary Report dated January 19, 2021. I have not accepted this email as your formal grievance. I am attaching several documents as per your request.

Please remember during our Virtual Meeting on 1/27/2021 you fully acknowledged that you discussed the contents of the DCF Report with the other Program Managers. You also acknowledged that it was a confidential document, and it was inappropriate to share it. We also discussed the severity of this breach of confidentiality. I indicated during that meeting that because of the seriousness of the situation I would have to document the situation in a Disciplinary Action. After discussing the incident with the other Program Managers, they were very upset with your sharing the existence of the DCF Report with them. Your admission of the breach and the corroboration of the other Program Managers lead me to determine my degree of the action.

In addition to the attached documents, I would like to remind you that confidentiality is a core assumption of what we do. I would also like to remind you that you participated in numerous trainings which clearly emphasize the significance of confidentiality.

Please let me know how you would like to proceed with your action and that you are filing a formal grievance. If you need any further information, I would like you to include your request as part of your formal grievance. Although I have not identified you personally as the breach of confidentiality, I have already notified the Board leadership of the incident. If you proceed with the grievance, I will loop the Charman of the Board in my response to keep her informed. Until you have exhausted your rights under this policy, I would ask you to refrain from contacting her or any other Board member on this matter.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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Kim Bandorf

From: Tony Deobil
Sent: Tuesday, February 9, 2021 8:49 AM
To: Kim Bandorf
Subject: Re: Employee Disciplinary Report/ Grievance

Good Morning Kim,

As I still don't know what your grievance is, I would ask that you formally state your case so that I can review your concerns and make a final determination on it. So unless you state your case in writing I will have to consider the matter closed according to the policy.

I will state once again that it would be inappropriate for you to discuss this matter with the Board Chairman or any other Board member until the final grievance is filed and responded to. I would greatly appreciate if you would please follow the policy and show the respect for our system and for me as the Executive Director.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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From: Kim Bandorf <kim@familyrenew.org>
Sent: Monday, February 8, 2021 4:38 PM
To: Tony Deobil <tony@familyrenew.org>
Subject: RE: Employee Disciplinary Report/ Grievance

Tony,
Good Afternoon,
I am in receipt of your below email and attachments.
I have to say that your interpretations of our virtual meeting are not in total agreement with my interpretations.
Further, I am of the belief that the documents you provided today will support my interpretations.

I am requesting clarification on something in your below email response today. Within the below email, you state, “Until you have exhausted your rights under this policy, I would ask you to refrain from contacting her or any other Board member on this matter.” My question is - does the “ask” equate to ordering me not to make contact with the Chairman of the board? I am in no way trying to circumvent your authority, but I am trying to preserve my rights under the grievance policy. I believe for the benefit of all involved, that an independent review of the matter by the FRC President would bring these matters to a quick closure.

Please advise.

Respectfully,

Kim

Sent from [Mail](#) for Windows 10

From: [Tony Deobil](#)

Sent: Monday, February 8, 2021 12:07 PM

To: [Kim Bandorf](#)

Subject: Re: Employee Disciplinary Report/ Grievance

Good Afternoon Kim,

This is to acknowledge receipt of the attached email of your intention to grieve the Employee Disciplinary Report dated January 19, 2021. I have not accepted this email as your formal grievance. I am attaching several documents as per your request.

Please remember during our Virtual Meeting on 1/27/2021 you fully acknowledged that you discussed the contents of the DCF Report with the other Program Managers. You also acknowledged that it was a confidential document, and it was inappropriate to share it. We also discussed the severity of this breach of confidentiality. I indicated during that meeting that because of the seriousness of the situation I would have to document the situation in a Disciplinary Action. After discussing the incident with the other Program Managers, they were very upset with your sharing the existence of the DCF Report with them. Your admission of the breach and the corroboration of the other Program Managers lead me to determine my degree of the action.

In addition to the attached documents, I would like to remind you that confidentiality is a core assumption of what we do. I would also like to remind you that you participated in numerous trainings which clearly emphasize the significance of confidentiality.

Please let me know how you would like to proceed with your action and that you are filing a formal grievance. If you need any further information, I would like you to include your request as part of your formal grievance. Although I have not identified you personally as the breach of confidentiality, I have already notified the Board leadership of the incident. If you proceed with the grievance, I will loop the Chairman of the Board in my response to keep her informed. Until you have exhausted your rights under this policy, I would ask you to refrain from contacting her or any other Board member on this matter.

Please let me know if you have any questions?

FAMILY RENEW COMMUNITY, INC. MEMORANDUM

TO: KIM BANDORF, PROGRAM MANAGER
FROM: TONY DEOBIL, EXECUTIVE DIRECTOR
SUBJECT: GREIVANCE RESPONSE
DATE: FEBRUARY 15, 2021
CC:



This is to acknowledge receipt of your email dated 2/12/2021 “Response to Employee Disciplinary Report” which I received via email this morning on this date. Your grievance goes beyond the stated issues and I will only be specifically addressing the pertinent issues. I will also make some general observations about some of the other accusations contained in your Grievance.

First, I need to correct the date on the original Disciplinary Report. It should be dated January 27, 2021. That was my mistake and I apologize for any inconvenience this may have caused.

Concerning the issue of your breach of confidentiality; you indicated that during our virtual meeting you never admitted to releasing any confidential information. That is not my recollection of our discussion and you did in fact verbally admit that you shared the VFCCH/DCF report and that you knew it contained confidential information. This was verified through my interviews of the other Program Managers who also acknowledged that you inappropriately shared information with them.

Therefore, the fact remains that you took the confidential VFCCH/DCF report and shared it with the Program Managers sometime in October 2020.

I find it very hard to comprehend that with your academic background, on the job training and experience that you would fail to understand that what you were doing was inappropriate and that it was a serious breach of confidentiality. However, I know you are relatively inexperienced in Social Work and this may have led to your misunderstanding. Therefore, I would like to treat this as a teachable incident and instead of putting you on a Final Warning I will reduce it to a Written Disciplinary Action. I want to give you the benefit of the doubt but need to make sure you learn and appreciate the seriousness of your actions.

In your Grievance you make several statements and accusations about me personally which I will only respond to by saying they are false and I strongly deny each one of them. Although, they are not pertinent to the confidentiality issues they do illustrate your ongoing disrespect and your continual undermining of my authority as the Executive Director. This behavior is counterproductive and damaging to the FRC esprit de corps and is very disrespectful to me personally.

Therefore, based on my findings I will reduce the written Disciplinary Action from a Final Warning to a Written Warning with the following Corrective Plan to be implemented immediately:

Going forward you are to consider all information and documentation concerning any FRC clients, staff or business as confidential and not to be shared with anyone without permitted direct involvement and on an approved need to know basis. In the event you require clarification on who you can disclose information to, you will submit a request to me in writing and wait for a response. Failure to follow proper confidentiality guidelines will result in further disciplinary action up to and including termination.

As a result of your misrepresentation of verbal discussions you will now be required to make all information queries, statements, requests and clarifications to me in writing. This written communication should take the form of emails, texts and letters via my work related devices. Failure to use written documentation will result in further disciplinary action up to and including termination.

You will cease all disrespectful rhetoric and undermining behavior towards me and about me. As the Executive Director I am due a level of respect and I believe I have also worked diligently to earn respect. I have worked very hard to create a strong organization and we all have a difficult job to do. Your inappropriate behavior only harms the fiber of the organization and in the long term does not serve our clients well at all. Failure to refrain from being disrespectful or undermining behavior will result in further disciplinary action up to and including termination.

I have tried to comprehensively and fairly investigate this incident and I believe I have tried to give you the benefit of the doubt where I could. I have tried to raise your awareness on the importance of confidentiality and for being a team player.

It was very clear to me from our virtual meeting and your email that you intend to take your grievance one step further. I understand you have already been in contact with Allison Miller identifying her personal email address. I fully support your following the Grievance Procedure if you feel it is necessary. Please let me know if in fact you will be taking your grievance to Allison Miller so I have the opportunity to provide her with all of the background information she will need to conduct an appropriate investigation and render a fair decision.

Kim Bandorf

From: Tony Deobil
Sent: Tuesday, February 16, 2021 8:28 AM
To: FRC Staff
Cc: jcdeobil
Subject: Answer to prayer

Good morning all,

I am pleased to announce that Rich is back and ready to go. He has a clean bill of health and note allowing to return to full duty. Please contact him directly with any outstanding maintenance issues and he will prioritize them. Kim, I brought Rich up to speed concerning your mail issue in Deland. I would appreciate if you would turn anything you have done to date over to him.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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Kim Bandorf

From: Tony Deobil
Sent: Wednesday, February 17, 2021 9:49 AM
To: Kim Bandorf
Subject: Re: Response to Employee Disciplinary Report
Attachments: Bandorf Final Greivance Response 2-15-2021.PDF

Good Morning Kim,

Attached please my final review based on your grievance emailed on 2-12-2021. I support your right to take this grievance to the final step. If you intend on taking your grievance to the next level, please let me know. I understand you have already been in contact with Allison Miller and have her personal email address. I would also like to send her appropriate background information so she can best make her decision.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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From: Kim Bandorf <kim@familyrenew.org>
Sent: Friday, February 12, 2021 5:05 PM
To: Tony Deobil <tony@familyrenew.org>
Subject: Response to Employee Disciplinary Report

Tony,
It is with a very heavy heart that I submit to you my response to your employee disciplinary report. Please see attached PDF . Please know that it was not written with malice or disrespect in any way.
Have a Blessed weekend,
Kim

Sent from [Mail](#) for Windows 10

From: Kim Bandorf
Sent: Wednesday, February 17, 2021 8:36 PM
To: Margie K
Subject: Fwd: Response to Employee Disciplinary Report

Got his response this morning

Sent from my iPhone

Begin forwarded message:

From: Kim Bandorf <kim@familyrenew.org>
Date: February 17, 2021 at 10:28:42 AM EST
To: kim@bandorf.org
Subject: FW: Response to Employee Disciplinary Report

Sent from [Mail](#) for Windows 10

From: [Tony Deobil](#)
Sent: Wednesday, February 17, 2021 9:57 AM
To: [Kim Bandorf](#)
Subject: Re: Response to Employee Disciplinary Report

Good Morning Kim,

Attached please my final review based on your grievance emailed on 2-12-2021. I support your right to take this grievance to the final step. If you intend on taking your grievance to the next level, please let me know. I understand you have already been in contact with Allison Miller and have her personal email address. I would also like to send her appropriate background information so she can best make her decision.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

Kim Bandorf

From: Tony Deobil
Sent: Monday, February 22, 2021 11:23 AM
To: Kim Bandorf
Subject: Re: Acknowledgement of Feb 15th email regarding disciplinary action

Good Morning Kim,

Based on the attached letter you indicated that none of your prior correspondence constitutes a Grievance of the original Disciplinary Action dated 1/27/2021 (corrected date) and only your responses to the charges. Thank you for clarifying your response.

I would like to restate the Grievance Policy:

"Employees must notify the Executive Director in writing within five days, of any grievance considered appropriate for handling under this procedure. This grievance procedure is the exclusive remedy for employees with appropriate grievances. As used in this policy, the terms "timely fashion", "reasonable time", and "promptly" will mean five working days."

"Employees who believe they have an appropriate grievance should promptly bring the grievance to the attention of the Executive Director in writing. The written grievance should provide all necessary facts and concerns, since it will be used as the sole basis for processing and action. If the grievance involves the Executive Director, the employee may address the written grievance directly to the Chairman of the Board. The Executive Director will, within five days, confer with the employee and any other persons involved; investigate the issues and communicate a decision in writing to all parties involved."

I have reviewed all of your correspondence and taken them in consideration and based on my review modified my original decision. Therefore, based on your clarification that no Grievance has been filed and the requirements of the policy I will consider this matter closed. I will place all correspondence including my decision to down grade my decision to a Written Warning in your Personnel File.

Since you decided to not exercise your rights under this policy this matter is closed I would ask you to refrain from discussing this matter with anyone else.

Please let me know if you have any questions?

Thanks for your continued support, stay safe, have a great day and God Bless!

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Respectfully,

Kim Bandorf

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