

To: Michael Redlinger, City Administrator, City of Fargo

From: Christina Sambor, Sambor Law & Consulting, P.C., Investigator

Subject: Investigative Report – CommsGA Inquiry

Date: August 6, 2025

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### **PROCEDURAL HISTORY**

On June 23, 2025, Investigator Christina Sambor, of Sambor Law & Consulting, P.C. (“Investigator”) was retained by the City of Fargo (“City”) to investigate the work culture of the City’s Department of Communications & Governmental Affairs (“CommsGA”). The investigation initially began after receipt of a complaint from then, now former, CommsGA employee Zoë Bolonyi (“Complainant”) on April 16, 2025. The City took steps to initiate an internal investigation, with the City’s Human Resources Department (“HR”) reaching out to subjects of the complaint to schedule interviews. After examining the scope of necessary inquiry and the various parties involved, the City elected to proceed with retaining this Investigator to conduct a third-party investigation.

Interviews were scheduled with nineteen (19) individuals between June 26th and July 14th, 2025. All interviewees were advised that their participation in the investigation was completely voluntary. All interviewees were also advised that due to the applicability of North Dakota’s open records laws, the Investigator could not guarantee the confidentiality of any statements offered, but that the Investigator would make all possible efforts to simultaneously comply with City Policy, State Law, and the Rules of Professional Conduct and Rules of Evidence that apply to attorneys licensed to practice in the State of North Dakota. Witnesses were advised that while the Investigator is a licensed attorney, that the Investigator was serving only as a third-party fact finder and does not represent the legal interests of, nor provide legal advice to, any party to this process. All interviewees indicated their understanding of this information and elected to proceed with an interview. Interview summaries are being prepared and will be included in the investigation file.

The scope of investigation requested by the City included the allegations raised in Bolonyi’s complaint, a pattern of similar concerns raised by exit interviews over several years, disciplinary summaries of CommsGA employees, attrition data, and information gathered through interviews with members of the Leadership Team, CommsGA employees, other City employees, and elected officials.

## **FACTS**

### **Bolonyi Complaint**

Bolonyi's complaint raises the following:

- Concerns as to how the CommsGA leadership team ("Leadership Team"), identified as Gregg Schildberger, Chief Communications Officer ("Schildberger"); Katie Ettish, Deputy Chief Communications Officer ("Ettish"); Ryan Green, Creative Services Manager ("Green"); and Emily Groth, Project Manager ("Groth"), engages with staff and manages expectations across the organization; and
- Allegations the Leadership Team exhibited disregard and disrespect for staff members by:
  - Frequently scheduling or rescheduling meetings with little notice, cancelling meetings with little to no notice, or being excessively late to scheduled meetings;
  - Applying different standards of conduct regarding meeting attendance to themselves than what is expected of other employees;
  - "Calling out" employees in large groups or with unnecessary parties present;
  - "Ambushing" employees with excessive critique of job performance and personal attributes;
  - Employing unclear, conflicting, and unreasonably high performance expectations;
  - Engaging in excessive and unclear supervision concerning personality and behavior, characterized as being gaslighting or manipulative in nature;
    - Noting specifically that employees are told they make unnamed others "uncomfortable";
  - Ignoring or deflecting employees' concerns;
  - Retaliating against employees when constructive feedback is offered to members of the Leadership Team; and
  - Leading the CommsGA Department without transparency, respect, or accountability.
- Bolonyi alleges the following impacts:
  - Creation of a toxic work environment which causes significant anxiety, takes an overwhelming emotional toll, and has had negative consequences on employees' physical, mental and emotional health;
  - Eroded confidence, increased tension in relationships, and a feeling of isolation by employees;
  - Significant feelings of being "gaslit" or emotionally manipulated.

Bolonyi's complaint alleges she had raised concerns directly with the Leadership Team and with City Administration but did not feel the issues raised had been addressed. Bolonyi also alleges she had met with Human Resources to determine the best course of action and felt she had done everything possible through available channels to communicate her concerns and had no other recourse than filing a formal complaint.

### **Exit Interviews and Attrition Data**

The Investigator was provided and reviewed a summary and copies of exit interviews from CommsGA employees who had voluntarily separated from employment, documents created by the Leadership Team in response to the exit interviews, and a summary of disciplinary actions taken against employees of CommsGA. The Interviewer also requested and was provided a summary of the number of voluntary separations in CommsGA and the length of service for separating employees.

The exit interviews, disciplinary summary, and attrition data showed:

- From 2018 to present, sixteen (16) employees voluntarily separated from their employment with CommsGA. One of those separations was due to the position being for a fixed term which expired. The data showed:
  - Of the separating employees, all but two (2) voluntarily separated after less than twenty-four (24) months of service;
  - Ten (10) employees separated after less than twelve (12) months of service;
  - Eight (8) employees separated after less than six (6) months of service; and
  - Three (3) employees walked off the job with no notice.
- Exit interviews with separating employees contained the following information related to reasons for voluntary separation, which was corroborated across multiple exit interviews (i.e. these complaints were not unique to one separating employee):
  - Left for new position;
  - Dissatisfied with/bad match for work required of position;
  - Excessively long and unpredictable work hours, with multiple reports of 50-60 hour work weeks and work being regularly required well into evening hours;
  - Desire for better work/life balance;
  - Management was difficult to work with;
    - Described as intense, rude, demeaning, causing employees to cry, micromanaging employees, not receptive to feedback, and manipulative;
  - High but unclear standards and excessive review/approval process for projects, often by multiple managers who give conflicting revisions;
  - Excessive and unwarranted discipline, noting discipline happened inappropriately and in front of other employees; and
  - Lack of training and support from leadership.
- Human Resources and/or City Administration received complaints over several years related to CommsGA from the following:
  - Four (4) Directors from other City Departments;
  - Two (2) Assistant Directors;
  - Four (4) current CommsGA employees;
  - Nine (9) exiting City employees; and
    - Eight (8) from CommsGA, one (1) from another department

- One (1) formal complaint (Bolonyi).
- Since 2020, five (5) CommsGA employees had been subject to varying levels of discipline, including:
  - 2 verbal warnings;
  - 1 written warning without a Performance Improvement Plan (“PIP”);
  - 2 written warnings with a PIP;
  - 2 written warnings with a PIP and Employees Assistance Program (“EAP”) referral;
  - 1 EAP referral without a PIP or warning; and
  - 1 requested EAP referral.

## **Interviews**

- All members of the CommsGA Leadership Team were interviewed. Their interviews provided the following information:
  - The Leadership Team uniformly expressed dissatisfaction with how this investigation has been conducted, noting that the change from an internal to external investigation was poorly handled. They expressed that they were contacted to set up interviews several months ago, then those interviews were cancelled without explanation. They expressed that current CommsGA employees were very stressed about the situation and were asking questions the Leadership Team could not answer.
  - The members of the Leadership Team expressed admiration for Schildberger, noting that they had grown immensely in their abilities under his leadership. Schildberger was described as a visionary who provides clear direction. The members of the Leadership Team could not identify any conduct by Schildberger that they found troubling or fundamentally flawed.
  - When asked about their perception of employees’ allegations of problematic supervision conduct, none of the members of the Leadership Team could point to specific situations where they felt supervision or coaching was inappropriate, insincere, manipulative, or contained yelling or shouting, and none reported feeling they had been subjected to unfair or inappropriate supervision.
    - One member of the Leadership Team was placed on a PIP early on in their tenure with CommsGA and described the experience as enabling them to turn things around and eventually be successful in their position. Their experience was cited by other members of the Leadership Team as an example of an effective intervention with an employee that “got them back on track.”
  - Certain members of the Leadership Team raised a concern about toxicity within local government but did not see it as an issue within the CommsGA team.
  - Certain members of the Leadership Team pointed to stress due to budget cuts and lack of support from Administration.

- Certain members of the Leadership Team described uneven work distribution and divergent performance from employees as creating significant difficulty.
- The Leadership Team expressed great frustration with underperforming employees. In reviewing situations where employees had expressed extreme dissatisfaction with the work environment, the Leadership Team explained various performance issues that were leading to a situation where the employee was being closely supervised, or had duties removed from them, due to persistent errors. These same perspectives were reflected in written responses to exit interviews. They noted:
  - Certain employees engaged in workplace behavior that they found performative and intentional, such as laying their head down on the desk during meetings. The Leadership Team uniformly attributed the complaints of these employees about workplace culture to their performance problems and/or attitudes.
  - Certain employees exhibited disregard for management, disinterest in supervision, and generally were unwilling to accept supervisory correction;
  - Certain employees were provided significant support and adjustment of job duties but continued to fail to meet performance expectations;
  - Certain members of the Leadership Team expressed frustration with staff who do not speak up for themselves, relying on others to advocate on their behalf;
  - Certain members of the Leadership Team emphasized the importance of maintaining professionalism and decorum in meetings to avoid conflicts; and
  - Members of the Leadership Team reported struggling with perceived inability or unwillingness on the part of CommsGA employees to learn aspects of their job or adapt to job requirements.
- The Leadership Team expressed dissatisfaction with the Human Resources Department, perceiving HR as antagonistic and unsupportive of CommsGA, for various reasons. There is a perception within the Leadership Team that Human Resources is looking for problems within the department and that this is motivated by Human Resources' own negative opinion of CommsGA. The Leadership Team also expressed a lack of support from City Administration, noting a lack of understanding from Administration and HR about CommsGA's role, and a lack of defense of CommsGA when it is attacked in the media. Complaints included:
  - Human Resources actively pursuing exit interviews with separating employees that they believed would be negative;
  - Supervision practices that are now being questioned were recommended to CommsGA by HR to respond to performance issues with employees; and
  - A lack of support from HR in addressing employee issues, leading to a sense of powerlessness in adequately addressing personnel challenges.

- No one on the Leadership Team identified any systemic management issues internal to CommsGA. The Leadership Team uniformly expressed an opinion that systemic cultural issues outside of CommsGA were negatively affecting the department. The Leadership Team perceived CommsGA as being targeted by Human Resources and/or City Administration for various reasons. This was expressed as “not being supported” by Human Resources and City Administration.
  - One member of the Leadership Team expressed that this investigation was the most recent in a pattern of investigations targeting department heads at the City.
- No members of the Leadership Team had significant formal leadership training, and report learning about management and leadership from working under Schildberger.
  - Team members detailed various attempted interventions with underperforming employees including “etiquette training,” removal of certain job duties, and significant review and feedback processes.
  - Interventions consisted primarily of meetings with the employee and extended attempts to have the employee explain to the Leadership Team why they were underperforming and to assist Leadership with finding a way to correct performance issues.
  - The Leadership Team perceives supervision meetings as cooperative discussions mutually seeking progress. As further discussed below, the perception of these meetings by the Leadership Team varies dramatically from the employees’ perception.
- The Leadership Team uniformly sees the CommsGA as being expected to be available 24/7 and feels that this part of the job is clearly explained to prospective employees. The 24/7 nature of the job is due to a very high volume of work being expected of the CommsGA team by other City Departments, and by themselves. When questioned by the Investigator as to the practicality of municipal employees being expected to be available at all hours of the day and on weekends, the Leadership Team 1) believed this was an unavoidable reality for a CommsGA team, 2) that this responsibility was distributed across CommsGA employees, and therefore 3) generally resisted the assertion that employees regularly worked more than 45 hours per week. To the extent more hours than that were expected due to a particular project or event, the Leadership Team was uniformly firm that they saw no alternative due to the external expectations placed on the department.
- Various situations have significantly impacted the CommsGA Department, including the process of integrating three positions into CommsGA that were specifically dedicated to the Police Department and various times when CommsGA was seeking changes or integrating new positions into CommsGA that required work with HR. Multiple stressful situations with HR were identified wherein HR

- failed to communicate decisions or updates, leading to frustration and needing to find answers elsewhere. The “stay interview” process with the Police Department was identified as giving rise to a strained relationship between CommsGA and HR.
- Dynamics of the interplay between the City Commission, Mayor, and City Administration compounded the expectations of and stress upon CommsGA.
  - The Leadership Team has been significantly impacted by recent negative press coverage of the department. The Leadership Team feels that they have been unsupported in the face of the criticism, and that the department is frequently the subject of undue focus. There is a perception by the CommsGA Leadership that they are routinely the target of significant public criticism, and they feel that the lack of support of the department reflects the opinion City Administration and other City Departments have of the CommsGA Department.
  - The relationship CommsGA has with the Police Department (“PD”) is significant and is a source of pride and stress for CommsGA Leadership. The Public Safety Public Information Officer position has been difficult to adequately staff and places significant strain on the CommsGA leadership.
  - The Leadership Team spoke about the Wallin incident and subsequent response indicating that it had a significant and catalyzing impact on the Leadership Team. It provided a level of bonding amongst Leadership and was noted as an example of the importance of the CommsGA department generally as well as of 24/7 responsiveness.
  - The Leadership Team did not identify having strategic planning work done other than for managing their work level internally – meaning there have been no processes to look at the overall level of work requested of CommsGA across the various City departments to determine what type and how much work is reasonable to expect of CommsGA. Certain members of the Leadership Team felt that the workload required of CommsGA is unsustainable.
  - The Leadership Team explained several different ways they had internally adjusted practices in response to information received through employee exit interviews, such as implementing project management software and increasing departmental meetings.
- Current and former CommsGA employees were interviewed.
    - All interviewees acknowledged that members of the Leadership Team produced excellent work and were talented. Many interviewees expressed that they had learned a lot on the job, very much enjoyed serving the City of Fargo, and got job satisfaction from feeling that they were helping Fargo residents understand the work the City does. They held this in contrast to how they felt about the day to day working conditions in CommsGA, which most interviewees found poor.
    - Excessive work hours were routinely cited as overwhelming for CommsGA employees, with many expressing dissatisfaction with work/life balance. In

addition, many interviewees expressed dissatisfaction with the unpredictable nature of “closing time” and feel there are consequences to their reputation with the Leadership Team if they need to leave work at 5:00 pm. Employees report experiencing both direct comments as well as indirect perceptions about their “commitment” if they are not willing to stay at work significantly past 5:00 pm on a regular basis.

- Employees report that “flex time” is available only in theory. For example, if they have a project that requires evening or weekend work, employees uniformly feel that if they “flex” that time by not reporting to work the next day, they are penalized, often passive aggressively and indirectly, and treated as not being committed to their jobs.
- Interviewees uniformly expressed that they regularly work more than 50 hours a week. Several employees noted that they were advised when in the interview process that the jobs in CommsGA, in particular the Public Safety Public Information Officer position, were described as on-call, stressful, and time-consuming. They also described being advised by Leadership that the position would require a lot of mental energy and time.
- The Leadership Team is perceived as being “workaholics” who implicitly expect all CommsGA employees to mirror their availability. Multiple employees expressed the number of hours worked and 24/7 availability is not always necessary but rather is cultural, akin to a “badge of honor.” At least three interviewees expressed that the way work and meetings are managed during the day leaves final review work on the Leadership Teams’ desks until the evening or weekend hours, and that they feel expected to make requested changes and submit revised work after hours and quickly after receipt.
- Employees uniformly expressed dissatisfaction with the Leadership Team’s review/finalization process over projects. Employees feel overwhelmed by the varied tasks expected of them, coupled with a very high degree of expected execution and tight turnaround time. Again, this was related to the fact that the Leadership Team’s review of their work often happens late in the day or after hours, and employees feel expected to turn around edits quickly, but are harshly criticized for any mistakes. Several employees stated that “mistakes” made during internal review processes were treated very harshly and as unacceptable – specifically editing-type “mistakes.” This was expressly inquired of by the Investigator to understand whether the Leadership Team, when addressing “mistakes” is deeming errors identified in the review process as “mistakes” as opposed to an error being identified after the work product is published. The nature of the criticism is described further below.
- Several employees expressed that the ongoing, static level of anxiety that the work environment produces makes it very difficult to produce high quality work – i.e.



because they are so worried about making “mistakes” they are too anxious to see their work clearly and see the mistakes they’re making.

- One employee described a particularly high level of intervention and restriction placed on them due to some, by their own admission, significant mistakes made by them early in their employment. They described:
  - Being overwhelmed by the core demands of their job coupled with a major writing project;
  - A lack of proper onboarding and mistakes being treated as a sign of incompetence;
  - Due to the stress and lack of clarity they had as a relatively new employee, they made several mistakes that had created very oppressive supervision;
  - A distinct lack of trust from their supervisors and that the lack of trust impacted their ability to perform their job duties;
  - A lack of any HR involvement in internal supervision meetings;
  - Being asked to “come up with” a management style for the Leadership Team to use because nothing in the management style books was working with them; and
  - Being told their supervisor is their “biggest cheerleader” despite also being told that the only reason they haven’t been terminated is because the Leadership Team likes them so much.
- Several employees reported that the level of anxiety they are experiencing on the job has had a negative impact on their mental health and self-esteem, in particular those who have been placed on PIPs. Several employees reported needing to start or increase anti-anxiety medication, increases in binge eating or excessive drinking, and interrupted sleep due to the amount of stress they were experiencing due to work. Several employees reported having bouts of crying both inside and outside the office due to the stress level. This goes beyond their work-related identity. The interviewer pressed these experiences to better understand why this is happening, with the conclusions reached explained below.
- Many employees expressed that much of the negative impact on their mental health is due to a “gaslighting” or manipulative behavior pattern by all members of the Leadership Team. A frequent specific report that is illustrative of this complaint is the Leadership Team’s tendencies to make vague and general assertions of receiving reports from unnamed employees that another employee was making them “uncomfortable.” Accounts of the Leadership Team using this specific term in supervisory discussions were numerous. When employees receiving this feedback requested specifics so that they could understand and address the situation, the Leadership Team often refused to provide that information, leaving the subject employee feeling extremely confused and humiliated, as they perceived

the assertion that they are making their colleagues “uncomfortable” as a very loaded and personal accusation.

- One employee described a situation in which they were repeatedly accused of insubordination due to repeated mistakes, and of making the mistakes intentionally.
  - They also pointed to being retaliated against for providing candid feedback that was expressly solicited by the Leadership Team. This was corroborated by the Investigator’s review of recorded supervisory meetings.
  - They provided specific examples of being repeatedly told they were making at least four other employees in the department “uncomfortable.” When the employee requested names so they could address the issue, the Leadership Team declined to provide them, or to give actionable specifics as to what “making others uncomfortable” meant. When this employee was eventually told who they were allegedly making “uncomfortable” and went to the person to apologize and discuss the matter, the person denied both feeling uncomfortable and complaining about any such feeling to Leadership.
  - They feel that Leadership, specifically Schildberger, regularly tells employees that he must “fight” to keep their positions in order to keep employees feeling “off-kilter” about their job security.
- Several employees have been referred to EAP as part of the supervisory or “coaching” process. Several employees found perceived performance issues were tied to personal characteristics by all members of the Leadership Team – i.e. if an employee persistently made the same type of mistakes, supervision/correction around those mistakes took on a personal nature, such as “what is going on with you that we keep seeing this type of mistake?” Employees reported that when they tried to explain the conditions that were making it difficult to produce the quality of work expected (see explanation above of after-hours review, excessive hours expected, very high or perfect expectations of work product), those explanations are discounted or ignored. Instead, the Leadership Team began to assume and communicate to the employee that something “deeper” is going on with the employee that is causing performance issues. This was reported as deeply troubling to the mental health and self-esteem of the CommsGA employees that find themselves in this cycle.
  - One former employee stated they were recruited to the CommsGA department. Once there, they found working for CommsGA as the worst job they’ve ever had, having a toxic environment marked by favoritism, sexism, and disregard for employee’s well-being. They described:
    - Falling asleep at work due to being told to stay late and experiencing panic attacks due to belittling and degrading treatment;

- Being accused of intentionally making mistakes and being questioned about their integrity and thought process;
  - Aggressive treatment for minor mistakes, such as forgetting a period in an email, which in their opinion was handled with disproportionate severity;
  - Being asked to refrain from talking about their family or personal life, which in their opinion emphasized the lack of camaraderie and support in the workplace; and
  - Gaining weight due to resorting to binge eating and drinking to cope with stress.
- Two interviewees had a much less negative experience as an employee in CommsGA. They noted that CommsGA had high standards but found them attainable. Both employees who did not experience the dissatisfaction expressed by other employees expressed clarity in the necessity of meeting the Leadership Team's expectations and were amenable to withholding their opinions or objections to the Leadership Team's opinions and direction. One interviewee expressed opinions very akin to that of the Leadership Team, namely that those employees who were very dissatisfied with the conditions of their employment in CommsGA tended to lack commitment to their position, could not follow the directives of their supervisors, and acted in immature or unhelpful ways.
- One employee who did not express any concerns about the Leadership Team's performance did note concerns about retaliation from HR and City Administration. They shared sentiments like those of the Leadership Team, namely that CommsGA is negatively affected by a lack of support and perceived cultural issues external to CommsGA.
  - One employee who themselves did not report significant dissatisfaction nevertheless expressed:
    - CommsGA lacks realistic workload management, makes frequent last-minute assignments, and gives out mismatching deadlines between Leadership Team members;
    - Needing to carefully navigate interpersonal dynamics and moods, noting they've been able to successfully do that because they are specifically aware of it;
    - A general sense that working until 5:00 pm is "not enough" and that there is an implied sense of needing to work long hours to earn respect, despite the lack of overtime pay;
    - Though "flexing" time is represented as available to employees, that it is not culturally supported and those who take it are encouraged to hide it from others to avoid setting a standard;
    - They had been instructed by Leadership to be friendly with or spend more time with certain employees and to avoid others, which they

- perceived as indirect pressure to conform to the Leadership Team's social norms and opinions about employees;
  - Their previous experience working with a narcissistic manager has help them navigate the CommsGA dynamics;
  - There is a lack of support for new ideas and feedback coming from non-management staff;
  - Excessive revisions to their projects leading to a feeling of lack of ownership and lack of connection to work;
  - When they feel it is socially acceptable to do so, some members of the Leadership Team will make fun of others' appearance; and
  - Noted that favoritism impacts how an employee is treated.
- A few employees saw the CommsGA's integration into the Police Department as excessive and not commensurate with the attention paid to other City Departments. They felt the Public Safety Public Information Officer Position should be returned to the Police Department, rather than remain at CommsGA. Those employees cited the position as having the most demands and fueling the 24/7 nature of demands on CommsGA.
- Three employees began recording supervisory meetings with the Leadership Team. As part of their interviews, these recordings were provided to and reviewed by the Investigator. The Investigator's perceptions of the recorded meetings are contained in the Findings section below.
- City employees from other departments were interviewed.
  - Again, it was uniform across the interviews that CommsGA is perceived as providing excellent work product.
  - HR employees detailed an extensive history of disciplinary issues within CommsGA.
    - They explained the typical process HR and City Departments engage in for handing performance issues and conflicts within departments. This was described as follows:
      - Employee contacts HR manager assigned to the CommsGA Department, they are advised, if appropriate, to address concerns with their direct supervisor. If necessary, the process can involve escalation to higher levels of management, including to City Administration.
      - The City aims to resolve conflicts at the lowest possible level and minimizing the number of people involved in a conflict.
      - HR employees also explained they provide coaching and guidance where appropriate and/or requested.
    - They described the importance of HR's role in advising and informing managers of risks and benefits to contemplated disciplinary action within

their department and HR's role as being cooperative with managers, providing a sounding board.

- They described multiple attempts to address issues with CommsGA leaders in response to observable negative trends in exit interviews. They noted the following:
  - A disciplinary situation where an employee was called a liar and “snake oil,” noting the employee resigned shortly thereafter;
  - A lack of communication from CommsGA with HR concerning formal disciplinary actions against CommsGA employees that departs from standard procedure;
  - Complaints about employees that were brought to HR but later found to be unsubstantiated;
  - Observing a trend of employees being told they make others “uncomfortable” as a tactic for disciplinary actions;
    - Several specific examples of this trend were provided to the Investigator by HR and later corroborated through interviews with the affected employees and through recorded supervision meetings.
  - Observing a trend of CommsGA leadership's tendency to dominate conversations during disciplinary meetings, leading to employee resignations;
    - This was corroborated through interviews with former employees and through recorded supervision meetings.
  - The inappropriate involvement of peers or other managers in disciplinary meetings;
  - Lack of management training for all members of the CommsGA leadership team;
  - Concerns with triangulation and distortion of truth;
    - A specific example was provided of an instance where an HR manager was accused of “chasing” negative exit interviews by doggedly pursuing an exit interview with an employee who did not wish to provide one by repeatedly calling the exiting individual. The HR manager reported that they had not done so and specifically provided evidence that they left a single voicemail for the employee, which was returned. The HR manager noted that despite meeting with CommsGA leadership to clarify the issue and detailing their specific conduct, that the HR manager later found out that Schildberger and Ettish continued to misrepresent the HR manager's conduct to others.

- Concerns about the Leadership Team’s tendency to “diagnose” employees with cognitive issues; and
  - This was corroborated by other interviews wherein employees described CommsGA Leadership indirectly suggesting that something “deeper” may be going on with them that is causing performance issues or asking the employee repeatedly to help Leadership understand “what is going on” with the employee that is causing performance problems.
  - This was also corroborated by the use of EAP referrals in situations where there did not appear to be an emotional, mental, or other issue causing an employee’s performance problems that was not caused by the environment.
- HR’s perception that employees who set boundaries with the Leadership Team in terms of working hours, etc. were perceived as not being team players, which creates tension.
- HR employees expressed a belief that the stressful environment in CommsGA was negatively impacting employees’ ability to perform the functions of their jobs, and that the predictable decline in job performance was then blamed solely on the employee.
- They described a feeling that despite ongoing efforts to coach and support CommsGA leadership, that there was a persistent lack of change in the Leadership Team’s behavior.
- They expressed widespread concerns reported by employees that complaining about Schildberger or other CommsGA leaders would lead to retaliation and that Schildberger had outsized influence with elected officials, which contributes to the belief that Schildberger has the ability to negatively impact others’ professional reputations and possibly get them fired.
  - HR staff specifically noted their perception that this situation had negatively affected the HR team’s credibility within the City.
- The HR department expressed frustration as to lack of action by City Administration to pattern of concerning management practices within CommsGA and the need for external intervention. HR employees uniformly felt strongly that an independent, objective investigation was necessary to prevent interference due to the interest and involvement of elected officials in the situation.
- The HR Department expressed frustration with the tendency of disagreements with CommsGA getting escalated to City Administration and/or to elected officials.

- The HR Department noted that there are differing perceptions amongst elected leaders as to CommsGA's role within the City. They noted that from their perspective, strategic planning was necessary to assess the scope of responsibilities of the CommsGA Department and evaluate staffing needs, and that the way the CommsGA Department grew in recent years is not aligned with other departments' staffing levels.
- They have had to rotate through different HR Managers because their working relationship with CommsGA became so difficult. Of particular note, there were several situations explained in interviews where HR and CommsGA had disagreements about reclassifications and disciplinary actions, where HR took a position opposite that of CommsGA. When this occurs, other individuals outside of HR and CommsGA seek to intervene or question HR's position.
- Administrators reported:
  - There has been an awareness of management challenges within CommsGA for about two years, and ongoing discussions have occurred as to finding the best path forward.
  - Concerns have been raised about unprofessional behavior in team meetings and in feedback interactions. Staff who provide feedback perceived by the Leadership Team as critical find the feedback turned around on them.
  - Bolonyi raised her concerns prior to her formal complaint, which highlighted the need for better management and communication within CommsGA.
  - The Deputy City Administrator witnessed a supervision meeting between Schildberger, Groth, and an employee that caused her concern. She and the City Administrator, Michael Redlinger, discussed with Schildberger their concerns and discussed workload management and potential interventions. The meeting focused on understanding the pressures Schildberger felt and finding ways to improve the situation.
  - There is concern with Schildberger's confrontational supervision methods which could lead to staff dissatisfaction and turnover if not addressed.
  - Extremely high expectations within the CommsGA Department are not sustainable and could lead to burnout.
  - CommsGA is able to offer significant services to the City, but there is a need to balance ambition with reasonable expectations and team dynamics.
  - Leadership training could help Schildberger and other CommsGA leadership better manage the team and expectations. There is potential for improvement and better management practices.

- This was supported by positive interactions with Schildberger where he was receptive to feedback and willing to have a candid conversation.
- The CommsGA environment has an impact on overall City operations.
- Employees of other City Departments noted:
  - Complaints are not related to work product, which is uniformly identified as excellent. Rather, the complaints are related to relational conduct.
  - Difficult interactions, predominantly with Schildberger, who is perceived as doggedly pursuing his priorities at the expense of respecting relationships and boundaries with lateral employees.
    - This includes situations that are perceived as relatively inconsequential and not meriting the intensity or aggression with which Schildberger approaches the situation.
  - A widespread perception that disagreeing with/challenging Schildberger was likely to negatively impact the person's professional reputation, as Schildberger has significant access to and influence over elected officials' perception and opinion of City employees.
  - Disparity between how other Department heads have been supervised and how Schildberger is supervised.
  - Individuals in positions lateral to Schildberger's expressed the belief that Schildberger likely had the ability to get them fired. They believed that this was likely to occur indirectly, through a sustained effort to undermine their qualifications and performance in response to conflict or disagreement over priorities or projects.
  - Contractors had refused to work with Schildberger. They relayed with credible specifics stories of long-term vendors indicating they would question working with the City if it required interacting with CommsGA.



## **APPLICABLE LAW AND POLICY**

### **State Law**

There are no statutes in North Dakota law that pertain directly to workplace bullying or non-discrimination-based harassment. North Dakota law prohibits employer retaliation against employees who complain about violations of state or federal law. There have been no allegations in this investigation of bullying, harassment, or retaliation related either to discrimination or whistleblowing as defined in North Dakota law. Therefore, there is no applicable state law that expressly prohibits any of the conduct alleged in the complaint, in exit interviews, or in the witness interviews.

### **City Policies**

The City has both an Employee Handbook and Human Resources Policy Manual that provide workplace policies and procedures for City Employees. Relevant portions of policies and procedures applicable to the complaints raised in this investigation are provided below.

**CONDUCT/ETHICS:** All City employees are to perform their duties in a cooperative and efficient manner. Each employee has the responsibility to treat co-workers and citizens with respect. Any conduct in the workplace that creates an intimidating or otherwise offensive environment will not be tolerated.

While it is impossible to anticipate every circumstance in which an employee may be confronted with a questionable ethical dilemma, each employee has the responsibility to carefully consider the ramifications of a given situation, and seek the advice or counsel from either the appointing authority (i.e. department head) or the Human Resources Department. Employees are encouraged to use good judgment and common sense when responding to these types of situations.

Employees must avoid any action which would result in or create the appearance of:

1. Using public employment for private gain.
2. Giving preferential treatment to any person, business, or other entity.
3. Failing to ensure impartiality.
4. Making decisions outside of official channels.
5. Affecting adversely the confidence of the public in the integrity of City agencies, departments, or programs.

**Disciplinary Action:** Elected and appointed board officials are not subject to disciplinary action except through election and/or appointment process. City employees who refuse or fail to comply with this policy may be subject to disciplinary action including, but not limited to reprimands (verbal and written), suspensions, demotions, and termination.

**PERFORMANCE EVALUATIONS:** The City of Fargo requires that annual written evaluations of performance of assigned duties and responsibilities be made for full-time and part-time

benefitted employees. New employees should receive a six (6) month evaluation and another after completing the probationary period.

**UNSATISFACTORY PERFORMANCE:** Unsatisfactory performance occurs when an employee consistently and frequently fails to meet the standards of performance established for the job. Performance problems occurring because of ability are assessed to determine possible solutions.

Deliberate and willful performance problems relating to motivation rather than capability are subject to disciplinary action in order to maintain and obtain compliance with standards of employee work performance or conduct.

The Human Resources department is available to provide assistance in dealing with difficult performance problems.

**DISCIPLINARY GUIDELINES:** Employees are expected to comply with City policies and standards of conduct at all times. Employees are informed of policies and conduct standards through oral communication with their supervisors and/or department head. *As an employee, are you are responsible for knowing the contents of the City of Fargo Personnel Manual, copies of which are available in each department.* The policy encourages a positive problem solving approach to discipline. (Employees should become familiar with the nature of offenses and their consequences as outline in the discipline guide accompanying this handbook. The guide will continue to be revised as needed.)

**Progressive Discipline:** The following sequence of actions is the normal course of progressive discipline. These steps need not be followed in cases of dishonesty, gross insubordination, recklessness resulting in serious injury or property damage, major violations of work or safety rules, blatant sexual harassment or whatever behavior a department head judges to justify suspension or termination.

The employee shall be given a fair hearing and opportunity to explain her or his behavior at each step. Documentation shall be completed in all cases of disciplinary action and sent to Human Resources to be placed in the employee's personnel file. Documentation shall include the employee's and supervisor's or department head's signatures and any comments or responses the employee may wish to make.

1. **Oral Warning:** Used in cases of minor infractions which may or may not require further disciplinary action. The oral warning shall explain the nature of the violation and the consequences of repeat and/or continued inappropriate behavior. Although this is an oral warning, a record of the warning shall be completed and placed in the employee's file.
2. **Written Warning:** Used in cases involving more serious infractions or in cases where oral warnings are not heeded. The written warning shall include the nature of the violation, reference to the previous oral warning (if one was given), and the consequences of repeat and/or continuing inappropriate behavior.

The documentation procedure outlined above should be followed. The supervisor or department head must obtain the employee's signature and any comments the employee may wish to make regarding the warning. It is emphasized that signing a letter of warning only indicates that the employee has received the letter, not that the employee necessarily agrees with its contents.

3. **Suspension Without Pay:** Used in cases of serious infractions. The notice of suspension shall include the nature of the violation, reference to any previous warnings an/or probation (if administered), and the length of the suspension. Further infractions after suspension may result in immediate termination.
4. **Termination:** Used in cases of continued unsatisfactory performance and/or misconduct or in cases of gross negligence following review by the Human Resource office and the appropriate Commissioner. Written notification of termination will include reasons and effective date.

### **TERMINATION:**

**EXIT INTERVIEWS:** The Office of Human Resources shall hold an interview with every employee separated from employment with the City for the purpose of gathering information that may facilitate control of the employee turnover rate.

**PROBLEM RESOLUTION:** Grievances are disputes or disagreements regarding job-related interpersonal conflicts, or the interpretation or application of City policies. Civil service employees wishing to utilize the problem resolution process must file the grievance(s) within six (6) months of the alleged dispute.

**STEP 1:** An employee (complainant) shall initially discuss the matter with his or her immediate supervisor as soon as is reasonably possible after the event(s) giving rise to the complaint occurs.

- A. Upon receiving a complaint from an employee, the immediate supervisor shall inquire of the complainant as to the specific event(s) alleged to have occurred and the names of witnesses to the event(s). The immediate supervisor shall investigate the complaint by interviewing principals and witnesses in an effort to determine the facts and to determine an appropriate response or remedy. The immediate supervisor may consult with his or her next level manager for guidance in determining each response or remedy.
- B. The investigation by the immediate supervisor and determination of the response or remedy shall be completed as promptly as reasonably possible; except in unusual circumstances, this process should be complete, and the complainant informed of the results of the investigation and the resolution or remedy, within three working days after the day the complaint is made.
- C. Upon the making of a complaint or grievance, the immediate supervisor may take such action to separate the principals or such other action as may be appropriate while the investigation and decision making process is occurring.

- D. The immediate supervisor of the complainant shall inform his/her next level manager of the complaint, the results of the investigation and the resolution or remedy prescribed within the same three-working-day period as described above.
- E. In the event the complaint involves actions or words which may constitute sexual harassment (as defined by Policy No. 200-002), the immediate supervisor shall, within 24 hours of the complaint, inform the Department Head and the City Administrator (or, if the City Administrator cannot be reached, the City Attorney) of the nature of the complaint and what, if any, action the immediate supervisor has taken regarding the matter.

*Note: Step 2 may be used when the situation cannot be resolved in an informal manner.*

**STEP 2:** If any persons involved disagree with the factual determination, the resolution or the remedy as determined; such employee has the right to meet with the next level manager or division head within another ten working days. The employee should be prepared to identify the manner in which he/she disagrees with the factual determination and/or resolution determined by the immediate supervisor. Documentation of the discussion is necessary and forms are available in each department.

**STEP 3:** If not resolved within ten (10) working days, all parties involved shall submit written descriptions of their perceptions of the problem to the department head. The department head meets with the parties to discuss the problem. A written determination by the department head will be given to all parties involved within ten (10) working days following the meeting.

**STEP 4:** Department head decisions may be appealed to the City Administrator within ten (10) working days. Documentation of the appeal is necessary and forms are available in each department. For Civil Service employees, decisions may be appealed to the Civil Service Commission through the Human Resources department.

**STEP 5:** If the employee is not satisfied with the decision of the Civil Service Commission, she or he has the right to present the matter to the full Board of City Commissioners for consideration and determination. Grievances involving the City Administrator shall be addressed in writing to the appropriate liaison commissioner via the Human Resources department, and are subject to the same time limitations as previously stated.

At any point in this process, the Human Resources department may be contacted, as the parties involved deem necessary. It is important to note that the role of the Human Resources department is to provide information, policy interpretation or communication/dissemination of the problem resolution process, and is consulted only when the parties concerned, the Civil Service Commission or the Board of City Commissioners deem it necessary. The Human Resources department does not serve in an advocacy capacity for either the employee or management.

## **EMPLOYEE ASSISTANCE PROGRAM:**

Purpose: The purpose of the Employee Assistance Program is to provide a service which will assist an employee in overcoming personal problems. An offer of assistance to help resolve these problems in an effective and confidential manner will be extended to the employee.

Policy: The policy of the City of Fargo is to assist through an outside consultant, and in a strictly confidential manner, employees and their immediate family who are experiencing problems with physical, emotional, or mental illness, financial difficulties, marital or family distress, the disease of alcoholism or drug dependency, or other personal concerns. The seeking of assistance through the program will neither enhance nor jeopardize employment status.

### Responsibility:

1. Employee: The decision to seek assistance for personal distress is the responsibility of each individual employee. However, if a personal problem affects job performance, where the employee has not sought assistance, the employee may be encouraged to seek assistance by a supervisor.
2. Supervisor: A supervisor is not responsible for diagnosing personal problems but should refer the employee to the program when it is apparent that training or normal supervision does not succeed or bring about acceptable job performance.

Implementation: An employee can enter into this program in one of two ways:

**Self-Referral Procedure** - Employees and their immediate family members who need assistance are encouraged to independently seek information about counseling on a confidential basis by contacting the EAP provider. One need only identify her/himself as an employee or immediate family member of an employee of the City of Fargo to obtain an appointment. Knowledge of an employee's involvement in the program may be required when an appeal of a health insurance claim is pending. In all other cases, management will have no knowledge of an employee's participation without the employee's written consent.

**Supervisor Referral Procedure** - The supervisor shall refer the employee to the EAP provider if deemed appropriate, AFTER:

1. Identification of job performance problem(s).
2. Constructive interview(s) with the employee.
3. Appropriate documentation of the interview(s) with the employee.
4. Consultation with the EAP provider staff.

Supervisors are encouraged to consult with the EAP provider at any time during this process.

Employees may use sick leave for appointments with EAP, as with other clinical appointments (doctor, dentist, etc.). No explanation on the part of the employee is necessary regarding the reason for the clinical appointment.

**WORK WEEK/HOURS:** The normal work week for all City employees (excluding sworn personnel) shall be forty (40) hours. A work week shall begin at 12:00 midnight Sunday and end 12:00 midnight the following Sunday. Each department may adjust these work weeks if necessary. Designated personnel within the Police and Fire Departments, consistent with the provisions of FLSA, work on the 207(k) Exemption Plan.

## **FINDINGS**

The nature of Bolonyi's complaint, the exit interviews, and the attrition data shows a diffuse cultural problem within CommsGA, as opposed to specific discrete events. Employees are complaining not about one meeting or interaction, but rather the culmination of a pattern of norms and behavior. In assessing the work culture of the CommsGA department, there are two distinct spheres in which CommsGA functions, one – within its own confines, in terms of how the leadership manages its employees – and two – within the larger context of the City organization.

The Investigator generally found all interviewees to be credible. The divergence in opinion between CommsGA Leadership and the direct reports comes down to cultural issues and perception of interpersonal interaction. So the divergence in perspective does not indicate that one group is being truthful and the other is not, but rather that the two groups have starkly different perspectives on the nature of the problem and the responsibility of the other party.

The Investigator additionally finds that for members of the Leadership Team, their lack of awareness/acceptance of employees' negative experiences and their tendency to attribute the difficulties solely to perceived deficiencies in the employees is concerning and indicates an immaturity and self-focus in how they approach management. Put another way, the Investigator finds that the CommsGA Leadership Team had enough information in front of them that they should have identified a management/culture problem for themselves. Instead, they have been and remain committed to a narrative that the problems are caused by a combination of external pressure/toxicity and poor employee performance. The Investigator observed no meaningful recognition by any member of the CommsGA Leadership Team that they were part of the problem. Identifying the cultural problem and being curious as to their role in it as leaders is a reasonable expectation of the Leadership Team. The failure to do so indicates a level of distorted mindset, group think, and large blind spots in the Leadership Team as presently constituted.

The Investigator finds the current culture of the CommsGA department does not align with City Policy on Conduct/Ethics, Unsatisfactory Performance, Problem Resolution, Progressive Discipline, use of the Employee Assistance Program, and Work Week/Hours. Specifically, the problems with the way supervision and discipline have been employed in the CommsGA Department, as well as unreasonable employee performance and scheduling standards, have created an environment for many employees that is intimidating and offensive. This is also indicated where multiple Department heads have complained about interactions with the CommsGA Department. The complaints are corroborated by recorded meetings and written communications that indicate conduct, some intentional and some perhaps not, that does not encourage a healthy work environment.

As to Unsatisfactory Performance, the Investigator finds that employees are being over-identified as willfully failing to meet their job requirements when the deficiencies are caused, at least in part, by the dynamics discussed below. The attrition rate and number of complaints from CommsGA employees strongly indicates that systemic problems are significantly contributing to poor

employee performance. Because employees are being overidentified as giving unsatisfactory performance, the Problem Resolution and Progressive Discipline procedures are likewise not being appropriately followed, in that they are being applied to employees who are not willfully declining to execute their job duties. Employees widely feel that the number of hours they are expected to work is out of line with City Policy on Work Week/Hours, as discussed below. Lastly, the way EAP referrals are being utilized within CommsGA does not comport with City Policy, as further discussed below.

### CommsGA internal culture

Schildberger has grown a management team within the department that mirrors his leadership and work style. There does not exist within the department leadership a counterbalance to Schildberger's hard driving tendencies. These tendencies are not inherently bad or wrong. Schildberger is very driven, cares deeply about creating a unified brand for the City, cares about his employees, and demands excellent work product of his staff. However, the other members of the Leadership Team - Ettish, Green, and Groth - are very similar to Schildberger in terms of their willingness and even desire to work excessive hours and, sometimes blindly, demand excellence. Again, these are not inherently "bad" traits, and they produce good work product coming from CommsGA.

On the other hand, attrition rates, exit interviews, and the Investigator's in person interviews with CommsGA staff illustrate the negative impacts of the Leadership Team's approach to running CommsGA. There are significant blind spots and a need for better management skills, in particular self-awareness and interpersonal communication. The Leadership Team has been responsive to negative exit interviews in that they have changed processes to attempt to address various issues. However, the problems persist. The evidence is clear that the problems are due to the *relational* aspects of the leadership and management of the department, as opposed to the *procedural* aspects. For example, employees are not primarily complaining about a lack of responsiveness. They are complaining about how they are treated when responded to.

As was discussed in the facts section, it is common for a new employee in CommsGA to hit a wall in terms of the Leadership Team's perception of the employee's ability and willingness to meet expectations. Many of the individuals selected by CommsGA were directly recruited into their positions due to their success in a previous position. Yet, when these individuals join the CommsGA department, they have found themselves in a persistent cycle of corrective supervision/discipline, begin to experience significant anxiety and job dissatisfaction, and ultimately are leaving the department in concerning numbers after very short windows of employment. They are reporting extraordinary negative impacts of working for the department. While the Leadership Team points to performance problems with each of the employees who eventually left the organization, there are simply too many people who experience the same sequence of events to attribute the dissatisfaction and attrition problems in CommsGA to any



individual's performance. Reinforcing this is the fact that the people were in fact recruited as talented individuals.

In addition to the group think dynamic identified above, the negative employee experiences are three-fold. One, the job descriptions for CommsGA positions appear to the Investigator to require an extraordinary level of experience and skill for young professionals. If a person who had a high degree of success in a previous similar position is not able to execute the demands of them within CommsGA, then the expectations of those individuals need to be examined as a contributor to, if not the source of, the problem. The Leadership Team points to individuals who have succeeded in the current environment, as proof of concept of their expectations and the achievability of assigned tasks. However, few people have successfully been able to navigate the culture and expectations, remain employed for a long period of time, and promote into a leadership position. There will be employees who succeed, but too many are not.

Two, when performance problems exist, the manner of supervision/coaching that the Leadership Team engages in is ineffective and at times harmful. As mentioned above, recordings of supervisory meetings made by three different employees were provided to the Investigator. The concerning nature of employees' belief that making the recordings was necessary will be further discussed below. As to the actual supervision, the Deputy City Administrator, Brenda Derrig, witnessed a portion of one of these supervisory meetings in early 2025. Her impression, relayed to the Investigator in her interview and confirmed by her actions in response, was that the manner in which the employee was being spoken to was not appropriate nor in line with how the City expects its employees to be treated. Accordingly, Derrig indicated that she and Redlinger met with Schildberger about the incident to communicate that his behavior in that supervision meeting was not appropriate. In response, Schildberger indicated that he had tried other, less intense, methods of supervision with this employee that were ineffective.

Essentially, the Leadership Team perceives that employees are not adequately performing and begins verbal "coaching" sessions with the employee to correct the performance issues. Upon listening to three different examples of these coaching sessions, the Investigator makes the following observations:

1. The employees in each instance communicated to the supervisor – in these recordings Schildberger and Ettish – issues that the supervisor did not take seriously and internalize, despite the employee clearly stating them. The issues were: overwhelming volume/complexity of tasks, too many and irregular work hours, lack of clarity on expectations, and crippling anxiety experienced by the employee on the job.
2. The supervision sessions devolved into extended questioning of the employee about "what was going on with them" that they were making perceived mistakes. This is the most troubling aspect of the current supervision style being employed by CommsGA Leadership and is, at the risk of using an unhelpful term, "gaslighting" their employees and causing the self-esteem issues reported to HR and the Investigator. To explain what the Investigator

means by “gaslighting”: When an employee is struggling to perform, Leadership attributes the performance issue to some personal shortcoming of the employee and *communicates that fact to the employee* and asks them, repeatedly, how *they* can fix some loosely defined attribute of themselves. Because the Leadership Team is not accepting the stressors the employees are telling them are the source of performance issues, but instead demands the employee explain *what it is about them* that makes it impossible to be successful, they are misperceiving and/or misrepresenting reality to their employees. Employees are exhibiting the telltale characteristics of being manipulated or “gaslit” – they report feeling very confused, very anxious, and begin to doubt their own perception of reality.

3. Once employees start struggling due to this dynamic, the Leadership Team in some situations asserts a need for an EAP referral, further cementing the message that there is some emotional or mental health problem with the employee that requires intervention by a mental health professional. EAP referrals are being misused to the detriment of the employees. That is not to say that the EAP process can’t be helpful, but employees who are being made anxious due to problematic job conditions should not then be sent to a counselor under the guise of having an anxiety problem. By doing this, the Leadership Team is creating the conditions that produce the emotional problems, then pointing to the emotional problems as the cause of the performance issues, when the performance issues appear to have been caused in large part by unreasonable demands in the first place.
4. There is a tendency by the Leadership Team to turn the supervision meeting into an opportunity for the supervisor to relay to the employee how difficult the demands of their own job are. In each of the recorded meetings, the supervisor excessively talked to the employee about how the employee’s performance problems were in turn creating hardship for the supervisor in executing their job duties. This is counterproductive, causes the employee to feel bad and helpless, and isn’t the appropriate venue for the supervisor to process their own challenges.
5. The leaders are not listening. They respond defensively or dismissively to an employee complaint and react on a personal level, attacking the validity of the complaint. Mature managers accept feedback as valid, informative, and important, rather than a personal attack. In particular, the Investigator listened to a pair of recordings. The first was a session where an employee was, at the request of the Leadership Team, offering feedback in a “stay” interview *expressly intended to solicit candid feedback from employees*. During the entirety of the employees’ comments, the Investigator could hear loud typing going on, indicating that Schildberger and/or Ettish were either taking notes or doing other work. Additionally, there were very limited and clipped responses to the employee’s feedback. In short, simply by listening to the recording of the meeting, the Investigator could palpably sense how hostile the environment was in which the employee was attempting, at Leadership’s request, to give them honest feedback. In a subsequent coaching meeting (the one witnessed in part by Derrig), Schildberger brought up the previous meeting, and berated the employee for giving him “harsh” and “uncalled for” feedback. The Investigator

heard the same feedback Schildberger did and found none of it harsh or uncalled for. Rather it was candid and instructive feedback, delivered thoughtfully and respectfully, that illuminated many of the same issues observed during this investigation.

To return to the fact that employees feel compelled to record supervisory meetings, this signals that employees have been trying to communicate their concerns about their experience to others but believe they must have “hard proof” of the problem, as their own accounts have not been listened to or did not result in observable change or intervention. This appears related to external dynamics which may have slowed or prevented supervision of Schildbeger, Ettish and the others. Multiple employees expressed doubt as to the City’s inclination to respond to their complaints.

Many employees have been complaining to Human Resources over a number of years about the same problems, yet there have been not been sufficient signs to current employees that change is possible. Human Resources indicates that many employees came to them to discuss concerns but were unwilling to make a formal complaint because they feared retaliation and doubted anything would be done about their complaint. The evidence reviewed by the Investigator shows that there has been an awareness for at least two years of challenges within CommsGA. Some of the responsibility for the lack of addressing these problems falls on the employees who declined to make formal complaints about work conditions they found intolerable. At the same time, the widespread unwillingness to formally come forward with complaints points to other issues regarding supervision of Schildberger and the other members of the Leadership Team.

The third cause of employees struggling to meet the Leadership Team’s expectations seems to be a generational culture issue. The Leadership Team has a very authoritative culture that rewards compliance. Many of the people they hire expect a degree of autonomy, candor, and flexibility that is not appreciated. Two of the employees interviewed who have been successful in CommsGA noted that being successful in CommsGA requires an awareness of Schildberger’s (and by extension the other leaders’) expectations and personality, and an ability and willingness to adapt style and performance to meet them. Employees who struggle to meet the Leadership Team’s compliance expectations or who voice disagreement with overall direction of a project are treated as having performance problems or lacking dedication to their job. The Leadership Team has an overly rigid perception of what acceptable performance is. The Team has acknowledged that the workload within the department is unsustainable, yet they fail to take that into account when an employee begins struggling. Standards within CommsGA need to be adjusted, not to *lower* levels, but to *different* levels that allow the individual traits, talents, and abilities of their staff to breathe, and that place reasonable expectations on staff in terms of number of hours worked and the ability to go home regularly at 5:00.

#### CommsGA in the larger City organization

The CommsGA department grew from a small team consisting of 1-2 employees to a team of twelve (12) over the past ten (10) years. As a result of this growth, CommsGA provides many services to many different City Departments. Schildberger was the head of the department during

the entire period of growth. The CommsGA department is regarded as prolifically producing very high-quality work, and the department works closely with the many other departments in the City. Schildberger demonstrates an impressive capacity to understand many complex areas of communications work, from design to narrative/story telling. He is a very driven individual, which has caused problems in his relationship with other City Departments. Interviews showed Schildberger can be perceived as willing and able to navigate around opposition to his priorities at the expense of workplace relationships and can be very harsh in his communications with lateral City employees not under his direction.

The Investigator's review of HR documentation related to complaints received from other Departments, as well as information received through interviews with City employees in other departments, shows that they feel significant stress around interactions with CommsGA. Supporting documentation reviewed by the Investigator shows sharp criticism of others that does not comport with a mutually respectful environment. Those on the receiving end of such communications expressed significant impact on their job satisfaction as a result. They also noted a significant fear of retaliation should they complain about the interactions. As this investigation was focused primarily on internal dynamics within CommsGA, there is likely to be context around these interactions that has not been fully fleshed out. Even accounting for this, the objective evidence shows that Schildberger's conduct when interacting with other departments can lack decorum and respect. It is not clear to the Investigator that Schildberger intends the effect he at times has on others. But it recalls a comment made by one of the interviewees, who noted that ambition must be tempered with reasonable expectations and team dynamics.

When discussing the complaints raised by CommsGA employees, the Leadership Team pointed to the individual performance issues with the employees, but they also talked about the overwhelming nature of the workload in the CommsGA Department. It is not within the Investigator's scope to assess the entirety of that problem – i.e. right sizing the workload of the CommsGA Department. The Investigator does find that current level of expectation shouldered by CommsGA causes significant stress and is unsustainable. The current level of expectation is a problem created in part by external forces but in part by the Leadership Team's own culture and expectations. This stress trickles down to CommsGA employees. Again, it is the Investigator's opinion that the Leadership Team should have engaged with these pressures of their own accord and reflected on their own role in perpetuating unhealthy performance expectations of themselves and the department.

A particular source of this stress appears to be the public information positions that are dedicated to the Police Department, which were moved in house to CommsGA. These positions are uniquely demanding, as they involve time sensitive communications that are sent out to Fargo residents regarding police activity. Ettish has been highly involved with CommsGA's working relationship with the Police Department and believes CommsGA must be available 24/7 to meet the demands. This pressure impacts the CommsGA Department as a whole. Ettish expects a very high level of performance for the individual in this position and struggles to effectively manage the position. As

a result, more than one employee in the position has expressed extraordinary dissatisfaction and has reported suffering adverse effects to their mental and physical health.

As a result of these dynamics, several employees believe the Police Department's public information/communication position(s) should be returned to the Police Department. At their core, these positions require a work schedule that demands 24/7 availability of the CommsGA department, and this has a significant impact on the overall internal culture of CommsGA. That is not necessarily unnecessary or unworkable but may be more in line with scheduling expectations that a member of the police force, versus a communications/media professional, contemplates as part of their job duties. Having these positions in house at CommsGA also creates an imbalance in the amount of attention the department pays to the Police Department versus other City departments and is a direct contributor to the sense communicated by the CommsGA Leadership Team that their workload is unsustainable.

## **CONCLUSION**

The evidence reviewed by the Investigator indicates that culture and management practices within the CommsGA Department, including workload management, performance expectations, and employee supervision/discipline, are currently not aligned with various City policies, based upon the formal complaint of Zoë Bolonyi, attrition and disciplinary information, exit interviews, and in person interviews with nineteen (19) City employees.