

SKAMANIA COUNTY CLAIM FOR DAMAGE FORM

CLAIMANT: THIS CLAIM MUST BE FILED WITH THE

SKAMANIA COUNTY CLERK OF THE BOARD

Skamania County Auditor's Office

240 North West Vancouver Avenue, Room 27

Stevenson, WA 98648

FOR OFFICE USE ONLY

CLAIM NO. _____

DATE FILED: _____

COPIES TO: _____

**NO DAMAGES CAN BE PAID BY SKAMANIA COUNTY UNLESS THIS
FORM IS COMPLETE. THIS PROVISION CANNOT BE WAIVED.**

ATTACHMENTS: YES (#) NO

1. Name (including spouse if married): (Please Print)
Peggy B. Lowry and her spouse, Mark Lowry
2. P.O. Box 235 Carson Washington 98610-0235
Address City State Zip
3. HM Phone: 509-427-4200 WK Phone: None MSSG Phone: 360-905-1101
4. Date and time of incident: Approximately February of 2006 though July 27, 2006
5. Location of incident: County Auditor's office
6. Describe in narrative form and in detail the exactly how the incident occurred:
Peggy Lowry worked for the Auditors office for almost 18 years. Ms. Lowry,
now over the age of 40, was wrongfully discharged and replaced in July 2006 with a
younger women. (See attached.)
7. What is the amount of damages claimed arising out of the following circumstances
(Include estimates and bills, if available): Lost wages in an amount to be
determined at trial, emotional distress, loss of enjoyment of life, humiliation, pain
and suffering , and embarrassment \$250,000.

8. Please list name and address of any and all witnesses or persons involved: (Please Print)
J. Michael Garvison, Angela Moser, Racheal Hegewald, Brenda Sorensen and all in the County Auditor's office.
9. Describe the damages or injuries you sustained as a result of the incident:
Back pay, future earnings, emotional distress, loss of enjoyment of life, humiliation, pain and suffering embarrassment experienced.
10. Was incident investigated by a police officer? Sheriff: No State Patrol: No
City: NA
11. If a vehicle was involved in the incident, describe: Make NA
Model NA Year NA State NA License No. NA
12. Describe what you did after the incident occurred: She went home and cried.
13. Describe the conversations you had, if any, with County Personnel during or after the incident occurred. She has spoken with many Skamania County employees who have contacted her to express their shock.
13. How did you identify the County as the party responsible for your damage?
This was an intentional action of the County Auditor. His name and signature appear on the documents associated with the action and his statements were witnessed by co-workers.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this claim is true and correct.

DATED THIS 8th DAY OF October, 2006

Peggy B Lowry
Claimant's Signature

NOTE: Personal property (car, etc.) damages are to be accompanied by 2 estimates for repair costs. The Skamania County Risk Manager will investigate this claim. The decision to honor this claim will be based upon that investigation. Making a false report or providing false evidence is a crime and punishable by fine and/or imprisonment. Additional pages may be attached if needed to answer the questions.

6. Continued:

Peggy Lowry ("Lowry") worked for the Auditor's office for almost 18 years. During her tenure, prior to the activity resulting in her termination, she had received only two (2) disciplinary actions, both of which took place in 2004.

The quality of Lowry's performance is evidenced by a letter written by County Auditor Michael Garvison ("Garvison"), in October of 2005, supporting Lowry's promotion to a lead position. However, shortly thereafter things began to change. In early-2006, Garvison hired a younger woman, Rachael Hegewald ("Hegewald"), to "assist" Lowry.

On or about May 10, 2006, Garvison asked Lowry to show Hegewald how to record a DD214. On average Skamania County gets less than seven (7) DD214s in a year. On May 5, 2006, Lowry did receive a DD214 to record. However, it had recently become necessary to revise the way these documents were recorded. As of May 5, 2006, Lowry had not yet had the opportunity to set up the new system. Consequently, rather than training Hegewald to record it in a system that would no longer be used, Lowry showed Hegewald the document and told her she would show her how to record one using the new procedure the next time they received one for recording. On July 11, 2006, Lowry received another DD214. Having the new system in place, Lowry showed Hegewald how to record the DD214 using the new procedure at that time.

On or about May 22, 2006, Garvison casually asked Lowry if she was showing Hegewald how to record a DD214. Lowry responded affirmatively. Lowry understood that she had shown Hegewald the DD214 and was providing the requested training.

Garvison said nothing further at that time. Over two (2) months later, on July 21, 2006, Garvison gave Lowry a Notice of Proposed Disciplinary Action ("Notice"). The Notice did not meet the requirements set forth in 9.6.2 of the Skamania County Personnel Policy. The sole allegation identified in the Notice related to Lowry's response to Garvison's question, almost two (2) months earlier, regarding her training Hegewald to record a DD214.

In response to the Notice, Lowry wrote a memorandum to Garvison explaining the situation. Despite her reasonable explanation, her tenure with the County, and the fact that, at most, this was an isolated minor infraction, Garvison terminated Lowry's employment. Garvison did not even allow Lowry the opportunity to gather the personal possessions she had accumulated at the worksite during her 17+ years of County service. Rather, he humiliated her further by demanding that she had five (5) minutes to get out.

When Lowry sought to return and gather her personal possessions and get a copy of her personnel record, she was subjected to further humiliation by Garvison. In full view of all in the Auditor's office, Garvison demanded that she immediately leave. He went onto claim she had no right to her personnel file and that she could not collect her personal possessions.

Lowry appealed the decision to terminate in accordance with Skamania County Personnel Policy No. 9.7 on July 27, 2006. Garvison immediately denied her appeal on the same day, July 27, 2006.