

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the)
 integrity of SOUTHERN BELL)
 TELEPHONE AND TELEGRAPH)
 COMPANY'S repair service)
 activities and reports.)

DOCKET NO. 910727-TL

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 In re: Investigation into)
 SOUTHERN BELL TELEPHONE AND)
 TELEGRAPH COMPANY'S complaine)
 with Rule 25-4.110(2), F.A.C.,)
 Rebates.)
 -----)

FILED: 04/28/93

DEPOSITION OF: SYBIL CODY

TAKEN AT THE INSTANCE OF: The Staff of the Florida
 Public Service Commission

PLACE: 605 West Garden Street
 Pensacola, Florida 32501

TIME: Commenced at 11:30 a.m.
 Concluded at 12:15 p.m.

DATE: Monday, May 10, 1993

REPORTED BY: Michael J. Wierzbicki, CP, CRMS
 Registered Professional Reporter

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14
15 ALSO PRESENT:

16 EARL POUCHER
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S T I P U L A T I O N

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civil Procedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

1 WHEREUPON,

2 SYBIL CODY

3 was called as a witness and, after having been first duly
4 sworn, was deposed and testified as follows:

5 EXAMINATION

6 BY MS. RICHARDSON:

7 Q Ms. Cody, would you please state your name, and
8 then spell it for the reporter?

9 A Sybil O. Cody, S-y-b-i-l, C-o-d-y.

10 Q And your address, please?

11 A

12 Q Is that Jacksonville?

13 A

14 Q

15 A I'm sorry.

16 Q

17 A

18 Q And the zip code?

19 A

20 Q And phone number?

21 A

22 Q And is that your home address?

23 A Yes.

24 Q And what is your present position with the
25 company?

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A I'm a maintenance administrator.

Q And how long have you held that position?

A Let's see. Since '81, I believe, about 11 years.

Q In Pensacola the whole time?

A Yes.

Q Have you talked to anyone about your deposition here with us today, other than company counsel?

A Just that we were having -- I was having it. I had to tell my supervisor.

Q But you didn't talk about any questions or possible answers or anything?

A No.

Q Has anyone advised you that you would not be disciplined based upon what you tell us here today?

A Yes.

Q Has anyone advised you of the possible criminal penalties that could apply if you perjure your testimony here today?

A Yes.

Q Have you given a statement to the company in their investigation?

A Yes.

Q Did you give just one or more than one?

A Just one.

1 Q Was that here in Pensacola?

2 A Yes.

3 Q And do you know who was with you when you made
4 that statement?

5 A There was a security man. I don't remember his
6 name. He was from out of state. And then there was an
7 attorney in the back of the room.

8 Q Were both of them with the company?

9 A I don't know about the attorney, I can't
10 remember whether she said she was or she wasn't, but the
11 security man was.

12 Q Did you talk to anybody else about your
13 statement when you got through with that one?

14 A Just that I gave it.

15 Q But you didn't tell anybody what you said?

16 A I couldn't tell you what I said, because I can't
17 remember it.

18 Q Now, you've said that you've been a maintenance
19 administrator since 1981, and all that time in Pensacola.
20 Can you tell me who your supervisors were, your first levels,
21 starting from present and going backwards?

22 A Well, I can tell you who my supervisors have
23 been.

24 Q Well, who is it presently? Let's start with
25 that one.

1 A Jean Bailey.

2 Q Jim Bailey. And how does he spell his name?

3 A She spells it J-e-a-n, B-a-i-l-e-y.

4 Q I had Jim, so that wasn't right. I didn't hear
5 you. I'm sorry.

6 A Okay.

7 Q And who was it before Ms. Bailey?

8 A Okay. Before her was -- let's see. I think it
9 was John Wells. We've had so many, I -- I'm sorry, I
10 can't -- and before John, I had Ray Kinne. And before Ray, I
11 had -- I think I had John Wells again. And then Jean Bailey,
12 I had her. And it seems like there's somebody else in there,
13 but I can't remember. Most of those people are retired.

14 Q About what period of time was Mr. Wells --
15 you've given him twice. About what years did you have him?

16 A It seems like it was pretty much back right
17 after we went into being MA, that would've been in the
18 eighties, first of the eighties.

19 Q And the second time?

20 A Probably the last part of the eighties.

21 Q And how long has Ms. Bailey been your first
22 level?

23 A This time, since last, probably, November.
24 Before that, it was probably -- she was probably my
25 supervisor about a year, year-and-a-half, and I don't know

1 when that was.

2 Q I'd like you to do the same thing with your
3 second-level managers, if you can.

4 A Fred Hunter, and this -- let's see, her name was
5 Shirley Perry or Perring or something like that. She wasn't
6 there very long.

7 Q P-e-r-r-

8 A (Interposing) I think it's P-e-r-r-i-n-g.

9 Q Okay.

10 A And before her, Freddie Hunter. And then I
11 believe before Freddie, it was Ray Shoup.

12 Q And how do you spell Mr. Shoup?

13 A S-h-o-u-p. And Howard Griffin was in there
14 somewhere, but he wasn't very long.

15 Q Who is your present operation manager?

16 A Mr. St. Amant.

17 Q And who was it before Mr. St. Amant?

18 A I don't know. Maybe Mr. Poucher. I can't
19 remember. I know he was in there somewhere.

20 Q And is it just Mr. Poucher and Mr. St. Amant
21 have been your operation manager?

22 A No, no. There was another one. Let me think.
23 He's a tall guy, Mr. Mann.

24 Q M-a-n-n?

25 A Yeah. And he may have been before Mr. Poucher.

1 But anyway, I can't -- he was there for a long time.

2 Q From about when to when?

3 A Probably from about the time -- first of the
4 eighties to mid eighties, I guess, last part.

5 Q Mr. St. Amant has been your operation manager
6 about how long?

7 A Probably about four, five years now, I guess.

8 Q What do you do as an MA; what's your
9 responsibility?

10 A Well, right now I do the IO records, the LMOS
11 records of where the service order completes, and I keep the
12 line card records that all of our reports generate from.

13 Q And LMOS is L-M-O-S?

14 A Right.

15 Q And IO, what's an IO?

16 A Well, IO is the same -- I don't know what it
17 means. I just had the job since November. That's how all my
18 mail comes in, is IO, so I'm sure it's got to be the inside
19 records, something to do with that.

20 Q And did you say line records?

21 A Line records, that's what the reports are
22 generated from when we get a report from the customer. And
23 they're created by the service orders that are generated from
24 the service reps.

25 Q So this deals with really service orders, what

1 you're doing now, rather than repair?

2 A Well, I screen about an hour a day or I do my MA
3 work about an hour of the day. And if they get busy, I also
4 screen or answer the repairmen.

5 Q Before you started this new job in November,
6 what were your duties as an MA?

7 A I was the cable locate person, and I also
8 screened in -- I screened and answered the men.

9 Q And answered the?

10 A Men, station repairmen, cable repairmen, and
11 anybody else that called in.

12 Q And why would they call you, why would the men
13 call you?

14 A Because I was still an MA, and I did the same
15 functions as the rest of the girls, only I handled cable
16 locates specifically. That was where most of my time was
17 tied up.

18 Q So the men were cable repairmen that were
19 calling you?

20 A Cable repairmen, station repairmen, any of the
21 men out working in the field that needed access to the
22 records.

23 Q And cable locate, can you explain to me what
24 that process is?

25 A It was where any company that needed to dig

1 anyplace out on the road, they needed to -- they needed to
2 have a repairman -- not a repairman, but a cable locator out
3 there to locate any cable lines that we had out there.

4 Q So you would flag it so they don't dig it up?

5 A Right, they flagged it, and they called into me
6 to close it out.

7 Q And are those employee reports or how are those
8 statused?

9 A I believe they were made up as employee reports.
10 When I handled them, we got -- we just got it strictly from
11 UNCLE, which is in Miami.

12 Q And UNCLE is what, U-N-C-L-E? Is that an
13 acronym of Southern Bell?

14 A I don't know what -- no, it's the name of their
15 company, Underground something something.

16 Q Oh, okay.

17 A Anyway, they still handled the customer calling
18 into an 800 number. And now we have someone else that talks
19 to them about it, and they have their own men. We have a
20 private company, I guess it is.

21 Q So this is contracted out work?

22 A Right, it's contracted out.

23 Q And you're just sort of the company person who
24 gets involved in it for the company?

25 A I was at the time, we didn't have a contractor

1 to do it at the time. But back in November or December, I
2 believe it was, they took over, the contractor did, so I had
3 no reason to be doing locates anymore.

4 Q Now, as an MA then, did you work with
5 service-affecting and out-of-service reports?

6 A Yes.

7 Q And what's the difference between a service
8 affecting and an out of service?

9 A Out of service is one that's completely out of
10 service; I mean, they don't have any service. Service
11 affecting is just where their service is affected by some
12 trouble that's on the line.

13 Q No dial tone, what would that be?

14 A That would be out of service.

15 Q What about can't be called?

16 A Out of service.

17 Q Can't call out?

18 A That would be out of service.

19 Q Is there anything else that would be out of
20 service besides those three?

21 A If there's static on the line that they can't
22 hear when we call them back, and we know they can't hear us
23 and we can't hear them, then it's out of service.

24 Q Do you status a report out of service or service
25 affecting or does it come to you that way?

1 A We status it out.

2 Q So it's your decision to make then?

3 A To a certain extent.

4 Q And what do you base your decision on?

5 A Right now, we're basing our decision on the VER
6 code-

7 Q (Interposing) And that's V-E-R?

16

8 A V-E-R. -and number that comes up, and whether
9 it says no dial tone, can't call out or can't be called, if
10 those two are present, then it's automatically out of
11 service.

12 Q And you said right now. Is that always the way
13 it's been done?

14 A No. It was left up to the discretion of the MA
15 at the time, and that was based on our VER code, which MLT is
16 where you get the VER code, and what we found when we tried
17 to call the customer. If we could call the customer and talk
18 to the customer, then they weren't out of service. They may
19 not have even been reporting no dial tone. It would -- there
20 was some -- may have been some problem between the repair
21 clerk and the customer as to what they were actually
22 reporting. We didn't have that many of them that weren't
23 out, completely out, when we talked to them, but there was a
24 -- we were given discretion there.

25 Q And the VER codes that are considered out of

1 service, has the number of VER codes that are listed as out
2 of service automatically increased in the last couple of
3 years?

4 A Not drastically. They may have -- they added
5 one the other day to it, but they haven't really increased.
6 I mean, we had a book that told us what was out of service
7 and what wasn't -- or not what was out, but to what extent
8 the trouble was or what was the trouble.

9 Q Was this a Bell South practice book or was this
10 something they-

11 A (Interposing) It was an MLT test book that we
12 were trained on, that's where we got our training from.

13 Q And did you ever have managers at any point
14 going back from 1981 forward that told you don't status any
15 out of services today, we just can't have any more?

16 A No.

17 Q Did you ever have a manager direct you on the
18 use of your discretion in statusing out of services?

19 A Direct me, no.

20 Q How closely are you supervised in terms of your
21 daily work; does the supervisor need to stand over you and
22 direct you on what numbers to do or how to decide out of
23 service or when to decide to clear?

24 A No. They're in a cubicle, and if we need help,
25 we buzz them. If there's some question we have about the

1 actual trouble we've got, where it should go and where it
2 shouldn't go, if we need help, if the customer needs to talk
3 to the manager, we buzz them.

4 Q Have you had any managers tell you to contact
5 them before closing out any out-of-service reports?

6 A No, not recently.

7 Q When did that occur?

8 A We had them -- we had a rule that we -- if it
9 was like -- I'm thinking it was 30 minutes. It's been a long
10 time ago. Within that 30-minute period right after the
11 trouble would've been out of service over 24, that we had to
12 refer it to the supervisor, we just to had to tell them.
13 They kept track of how many they were going to have out of
14 service over 24, or that's my understanding.

15 Q And do you know what they did when they were
16 told this one's just gone over 24-1/2 hours, you report one
17 of those to your supervisor; do you know what they did?

18 A They just told me either to go ahead and take
19 it, or if there was a question, like if it was just five
20 minutes over, they would, you know, ask to talk to the
21 repairman or they'd ask me to ask them, did they repair it
22 any sooner to give them service. But other than that, I have
23 given it to them if there was a question as to whether it was
24 completely out or -- not completely out, but whether it was
25 actually -- the service was connected or cleared before they

1 were talking about closing it.

2 Q And these directions then that you got about the
3 five-minute time period, was it your understanding there was
4 sort of a five-minute understood time that you could just
5 sort of back it up five minutes, because there would've been
6 routine work or something normally being done?

7 A No.

8 MR. BEATTY: Object to the form of the question.
9 It's leading, and it also assumes facts not in the
10 record at all.

11 Q (By Ms. Richardson) You can go ahead.

12 A Go ahead and what?

13 Q Answer.

14 MR. BEATTY: You can answer.

15 A No, no, we didn't have just a general rule that
16 if it was five minutes past time we could back it up, no.

17 Q (By Ms. Richardson) When you or the manager
18 called back to the outside man and said you're over 24 hours,
19 tell me what kind of conversation you had with the outside
20 ST.

21 A The only conversation I had was to tell him --
22 let him know that it was going over 24. And if it was going
23 over 24 after I contacted the manager, he would either say go
24 ahead and close it or go ahead and take what the man had
25 said. You know, it was just depending on the man as to who

1 was trying to close it out and how long it was going over.

2 Q And do you know if any of these outside repair
3 people, when you brought to their attention that it was over
4 24, said, "Oh, yeah, we can't miss that, let's just go ahead
5 and close it out early"?

6 A Not early. They'd say they'd clear it at a
7 certain time.

8 Q Was that time always within the 24 hours?

9 A Not always, no, because sometimes it actually
10 was over 24, so they said they -- whatever time they cleared
11 is what time they gave me, because clearing time, I took that
12 for what they were doing.

13 Q So do you know anybody that backed up clearing
14 times in order to meet that 24-hour time?

15 A Not that I'm aware of, no.

16 Q Ms. Cody, I'm going to show you a document.
17 This is Citizens' Third Set of Interrogatories filed June 6,
18 1991. An interrogatory is a written question. Instead of my
19 sitting across from the company like I'm doing with you here
20 today, I put a question down in writing and I mail it to the
21 company. And the company sends me a written answer by mail.
22 So that's what this is.

23 And our question basically asked the company to
24 identify any employees that they knew of that had knowledge
25 about falsifying completion times on repair reports, and the

1 A No, I didn't.

2 Q Did you just generally ask every time someone
3 called in to close out a report, "What time did you clear
4 it?"

5 A Well, it was a general question, yes, but that
6 was based on the time that we seen -- that the report was
7 actually taken.

8 Q So you calculated 24 hours then?

18

9 A If it was three o'clock here and three o'clock
10 here, we knew it was 24 hours.

11 Q From receipt time to the time he's closing out
12 with you on the phone?

13 A Uh-huh (indicating affirmatively).

14 Q The actual time, you would calculate that
15 24-hour period?

16 A With whatever time that was there on the status,
17 line of status. The time it was actually taken was up in the
18 corner and the date, and then the clearing time -- or not the
19 clearing time, but the time that we were actually talking to
20 the repairman came up automatically through the computer.
21 And our question would always be, "Is this the time you
22 cleared it?" Because clearing time was one time sometimes,
23 and then the cable ticket would actually reflect the time he
24 spent on it, whether that was routine work or anything else.

25 Q Are you familiar with certain disposition --

1 well, what's a disposition code?

2 A It tells what the repairman went out and done,
3 what part of the cable that he worked on.

4 Q Would there be a disposition code for cable and
5 maybe another disposition code for inside wire for a
6 residence?

7 A Yes, uh-huh.

8 Q And what about cause codes, what are cause
9 codes?

10 A That's what caused the trouble that they found.

11 Q And would one of those maybe be weather codes?

12 A Yeah, we have some weather codes.

13 Q What about customer action?

14 A Yes, we have those too.

15 Q What about one for the company, the company
16 caused the damage?

17 A If it's a person, Telco employee, that's what it
18 says on the sheet.

19 Q Is multiple cable failure a cause code?

20 A Multiple cable, I don't think so. I don't --
21 well, I don't know. The ones that are more familiar with me
22 is the 100 codes, which are something to do with the
23 employees, something defective or weather, that's the only --
24 that's the only ones that's really familiar. If it's
25 something out of the ordinary, you know, I might question

1 them as to what it is, because I have to put a narrative on
2 many of them.

3 Q And you indicated something about 24 hours. Are
4 you aware that the company is required to repair
5 out-of-service reports within 24 hours of at least 95 percent
6 of the time?

7 A I knew they had an index to clear them by a
8 certain percent.

9 Q Do you know any disposition and cause codes that
10 if you put on an out-of-service report would keep it from
11 counting as a miss on that index for the company, in other
12 words not count against the company?

13 A I'm sorry. I didn't understand.

14 Q That's all right. We have some out-of-service
15 reports, and the company is required to get them done within
16 24 hours.

17 A Uh-huh (indicating affirmatively).

18 Q Now, if it goes over 24, are there any
19 disposition or cause codes that you can put on there to keep
20 it from counting against the company as a miss?

21 A The only thing I can think of is maybe the
22 weather. I've heard that at times saying if it's weather,
23 then it would be taken out. I didn't know it didn't count at
24 all, but I knew it would be taken out, it kicks out of the
25 computer.

1 Q Do you know of anybody who's used those weather
2 codes improperly?

3 A No, not that I know of.

4 Q Do you know of anyone who used those weather
5 codes when the weather code didn't apply?

6 A No, not that I'm aware of, no.

7 Q Has anyone ever told you to use a certain cause
8 code or disposition code on a particular day on the reports
9 you do?

10 A No, not that I can recall. I mean, the
11 repairman is the one that tells us what to use there, they
12 tell us all the time, because we just don't arbitrarily put
13 one there.

14 Q Do you know of any repairman that has told you
15 he's supposed to be using a certain code?

16 A None come to me right off, no.

17 Q Do you know what a no access is?

18 A Yes.

19 Q What's a no access?

20 A It's trouble that when the repairman goes out
21 there, there's no one there to let him in to see if the
22 trouble -- I mean if the trouble is going inside, or it could
23 be if their protector is inside of a fence and there's a dog
24 there, they won't go in there. And if no one's at home, then
25 they no access it.

1 Q And do they notify the customer that they've
2 been there?

3 A Leave a tag, yeah.

4 Q Do you know if that no access stops that 24-hour
5 clock?

6 A I think it does. I don't know.

7 Q Do you know-

8 A (Interposing) I don't get into that. I mean, I
9 don't get into -- involved with that.

10 Q Do you know of anyone who has used the no access
11 without dispatch?

12 A No, uh-uh.

13 Q Do you know of anyone who has no accessed a
14 report just to keep them from going over that 24 hours?

15 A No.

16 Q Have you ever heard a manager tell other MA's,
17 "No access all of those out of services, because we're not
18 going to get to them"?

19 A No.

20 Q Do you know what a test-OK is?

21 A Yeah.

22 Q What is a test-OK?

23 A Test-OK is when you can contact the customer and
24 there's no trouble on the line.

25 Q And by not trouble, you mean it's not an out of

1 service?

2 A No, there's no trouble. If there's noise or
3 something, that's not out of service, but it's still service
4 affecting.

5 Q Do you know of anybody who has taken test-OK
6 reports and stated them out of service?

7 A No, no.

8 Q Have you ever heard of that being done?

9 A No. I don't see how they could do it. I mean,
10 I don't see the point.

11 Q Okay. Do you know what the CON code, C-O-N,
12 carried-over no code is?

13 A No, I don't know what it is.

14 Q Have you ever used it?

15 A If I don't know what it is, I couldn't have used
16 it.

17 Q Do you know of anybody else who has used
18 somebody else's employee code?

19 A Not lately, no.

20 Q When you say not lately, that means you may know
21 something about it in the past. When?

22 MR. BEATTY: Objection to the form of the
23 question. It assumes facts that have not been stated.
24 And let's put on the record, counsel's interpretation
25 of what has been stated, I suggest, is improper.

1 Q (By Ms. Richardson) You can answer.

2 A We do have repairmen that will call in and close
3 out for different men. If they're busy filling their time
4 report out, they'll close out -- get the information from the
5 repairman. We can hear them hollering in the background
6 asking about it. That's what you're talking about as far as
7 employee codes, everybody has one.

8 Q And is that still true today, that they can do
9 that?

10 A The repairmen, I really don't talk to them
11 enough. As far as I know, they don't.

12 Q And when they were doing this in the past, why
13 wouldn't the person whose code was being used just go ahead
14 and talk to you?

15 A Well, like I said, it was -- usually, he was
16 either filling out his time report or he had to go home
17 early. Sometimes the supervisor would call it in for him, he
18 had either -- he left sick, he left for some reason. I don't
19 know -- we didn't question them as far as why, unless it was
20 another repairman, we'd ask them, because sometimes they
21 would help each other, and they would -- one would -- it
22 would be put on one's log, and the other one would close it
23 out, because they both worked on it.

24 Q Do you know of any other instances, besides when
25 they worked together or the ones you've mentioned, where

1 someone else has used another person's employee code to
2 status trouble reports?

3 A No, uh-uh.

4 Q Do you know any instances of managers coming in
5 on weekends to status and work trouble reports directly, not
6 through an MA or not through an ST, just managers coming in
7 on weekends and handling trouble reports?

8 A No. If I had, I would've handled it through the
9 union.

10 Q Have you handled any questions about statusing
11 trouble reports with the union?

12 A Statusing reports, no.

13 Q What about trouble reports in general, any
14 grievances or handling something through the union in dealing
15 with your job of dealing with trouble reports?

16 A I haven't handled -- had to handle it, no.

17 Q Has anyone else?

18 A I mean, we -- I really don't know what you mean
19 by that. As far as handling it, we have a contract that --
20 and the contract says that supervisors do not do Craft work.
21 And when I find out that they do something, like generate a
22 report or pull up a report, then I go to that supervisor and
23 I handle it at that time. I don't have grievances on it,
24 unless it continues.

25 Q Has that ever occurred where you have handled

1 that type of situation?

2 MR. BEATTY: Objection to the form of the
3 question, it's ambiguous.

4 Q (By Ms. Richardson) Well, I want to make sure
5 that you're not just giving me an example of what you would
6 do. I want to know if this has actually happened where you
7 have gone to a supervisor and said, "You're doing Craft work,
8 don't do it."

9 A Yes, I have.

10 Q Can you explain that to me?

11 A I don't have a record of it, no. I can tell you
12 that any time that one does Craft work that I -- you know, I
13 do go. I may not see it, but if it's brought to my attention
14 by someone else, then I'll take it to them and -- I'm trying
15 to think of an instance. I can't think.

16 I had an instance where a supervisor had
17 generated a report, it was a hot-line report, and I told her
18 -- or I didn't tell her. I told second level that we had a
19 supervisor -- I didn't mention the name, nor did I mention
20 what was going on. I did tell him that the supervisors were
21 doing Craft work, and I had went to them.

22 Q And who was the second level that you reported
23 to?

24 A Mr. Hunter.

25 Q And approximately what year or what time was

1 this?

2 A Well, that particular case was the other day
3 when I had a meeting with him on some general trouble that I
4 was having in the test center, which is nothing to do with
5 this here.

6 Q Then can you think back for me beyond, let's
7 say, before 1992?

8 A We change so much as far as how we take care of
9 troubles. I can't really give you any specifics, because I
10 don't remember them. I've got -- I know that we -- I've
11 talked to supervisors before about doing Craft work, they're
12 not supposed to be there doing what we do, and if I find out,
13 then I do go to them.

14 Q Are you a union representative of the company?

15 A Well, right now I'm a rep, yes.

16 Q You are a union rep?

17 A Uh-huh (indicating affirmatively).

18 Q Have any employees filed grievances through you
19 about instructions they have received from managers that they
20 felt were improper in terms of handling trouble reports?

21 A I've only been a rep for about -- since
22 November, so I -- I would only know about the ones I've
23 handled, and I don't -- because we're not supposed to discuss
24 those grievances.

25 Q Are you aware of any grievances that were filed

1 by other reps before?

2 A About any of this?

3 Q Yes.

4 A None come to my mind right away. I'm not -- I
5 can't tell you there wasn't, but I don't know of any right
6 offhand.

7 Q Thinking back to those occasions where you've
8 indicated that you have had occasion to talk to a supervisor
9 about doing Craft work, in any of those discussions that you
10 had, was it your impression that the managers were doing
11 Craft work in order to meet that out-of-service over-24
12 index?

13 A No, out of service wasn't the question.

14 Q Was statusing of trouble reports the question?

15 A No, they weren't statusing the report.

16 Q Can you recall what they were doing with those
17 reports?

18 A The most recent one is the one I've already
19 described to you.

20 Q I'm looking for one further back than that.

21 MR. BEATTY: I object to the form of the
22 question. When you said you're looking for one
23 further back, is that a question that you posed?

24 Q (By Ms. Richardson) Can you recall any of those
25 further back than the present one with Mr. Hunter?

1 A Not at this time, I can't, because my mind is
2 blank right now.

3 Q Did you know of anyone who has taken an
4 out-of-service report that's about to go out over 24 and
5 close it, and then open up an employee-originated report?

6 A No, not recently. In the past I had known of
7 them doing that, yes.

8 Q And can you tell me about when, when you say in
9 the past?

10 A Oh, it's been several years ago.

11 Q Mid eighties maybe?

12 A Probably. It's -- it was -- in general what
13 they did was they'd have a cable, either a multiple or
14 regular report, and they had to do some routine work on it.
15 The customer had service, but they had to go ahead and get
16 rid of the report, because, you know, for all actuality, they
17 had service, and what we were going to be doing would not
18 have anything to do with their service. It would be routine
19 work they had to do outside, like, you know, burying a pit or
20 closing up a splice or something like that.

21 Q Do you close out cable reports also; is that
22 part of your function?

23 A When the repairman calls, the cable repairman
24 calls in.

25 Q And have you done that since 1981, closed the

1 cable reports?

2 A Uh-huh (indicating affirmatively).

3 Q Are you familiar with the bulk closing process,
4 closing out a lead ticket?

5 A Yeah, it's on a -- if it's a multiple, yeah.

6 Q Do you know whether or not closing that lead
7 ticket, the status on the lead ticket, would change the
8 status of any attached tickets?

9 A I know it closes them out all at one time.

10 Q Let me give you an example. Let's say your lead
11 ticket is service affecting.

12 A Uh-huh (indicating affirmatively).

13 Q Or let's say it's out of service, your lead
14 ticket is out of service, and you have ten service-affecting
15 reports attached, you close out the lead ticket, do you know
16 if that changes the rest of those ten to out of service?

17 A No, not that I'm aware of.

18 Q Is part of your responsibility to detach reports
19 that are not statused the same as the lead ticket before bulk
20 closing?

21 A No. The only time we detach anything is if it's
22 not involved in that particular cable trouble, whatever. If
23 the trouble is going back to the station, we give it back to
24 the station then to repair.

25 Q On cable troubles, can you give me an estimate

1 for the number that are statused up front and those that are
2 statused at closing?

3 A What do you mean?

4 Q In terms of whether or not they're out of
5 service or service affecting up front or wait till closeout
6 to determine it.

7 MR. BEATTY: I object to the form of the
8 question as compound.

9 MS. RICHARDSON: All right. Let me rephrase.

10 Q (By Ms. Richardson) Do you know whether or not
11 it's generally accepted to take cable troubles and leave them
12 service affecting up front, and then wait until the repairman
13 has been out there to look at it, and on closeout status it
14 out of service if he's told you it's out of service?

15 A Not that I'm aware of, no. I know that there is
16 a practice that has just been verbally told to us, that we
17 would make sure that all troubles on a multiple were statused
18 out of service before we closed them out. Now, that's just
19 been recently. I mean, supposedly it has to do with the
20 settlement they had with the Attorney General's Office.

21 Q But that wasn't always the case then?

22 A Well, the way that the multiples were made up
23 were -- whatever trouble was in that count of cable was put
24 on one ticket. It was -- if it was screened individually, if
25 that trouble individually was out of service, it was out, I

1 mean it was statused out. If the machine generated the
2 multiple, then my understanding was that they were statused
3 out at that time also, because everything that was in there,
4 if it was -- if the cable was cut, then it was out.

5 Q Do you know what it is to exclude a report, what
6 that procedure is?

7 A Yeah.

8 Q When do you exclude reports?

9 A Well, we have several times we exclude it. I
10 don't know all of them right offhand.

11 Q Can you give me one example?

12 A One example is if the customer is reporting a
13 feature that they're not billed for, we exclude it. And,
14 generally, if they want it, we just refer to the business
15 office. If they -- well, let's see. Let me think of another
16 one.

17 Q What about a service was due that day at five
18 o'clock, and they're calling in earlier than five?

19 A Oh, no, we don't exclude it then. There would
20 be no reason to.

21 Q What about third-party reports?

22 A Third-party reports, they're handled just like
23 all the rest of them, I think, except for like when they're
24 receiver off the hook, you can't exclude them if a
25 third-party is reporting its receiver off the hook.

1 Q Do you know if it's proper to exclude
2 out-of-service reports?

3 A We don't go by out of service. We go by what
4 they're reporting.

5 Q Do you know of anyone who has systematically
6 excluded out-of-service reports in order to help with that
7 index?

8 A Not that I'm aware of, no.

9 Q Have you heard of that being done?

10 A No, not me. I don't remember hearing anything.

11 Q Has anyone ever directed you to to exclude
12 out-of-service reports outside of the practice that you've
13 been given?

14 A No.

15 Q Have you heard of building the base, that
16 phrase?

17 A Building the base, yeah, I've heard of it.

18 Q And what does it mean to you?

19 A Well, I think the base is supposed to be the
20 out-of-service base, and that would be like statusing
21 troubles to out of service to build out the base for the
22 index. I'm assuming that's what it's supposed to be. I
23 don't do those figures, so I don't know.

24 Q Have you heard of that being done here in
25 Pensacola?

1 A No, I haven't heard of it being done.

2 Q And in what context did you hear of building the
3 base; where did you hear it?

4 A Just by like if I were to question a supervisor
5 as to whether something was actually out of service, and if
6 that supervisor at the time said no, if you status that out
7 that might be considered building the base, so we wouldn't do
8 it.

9 Q So you've never heard or have you ever heard of
10 any manager or supervisor going around saying that he needed
11 to build his base?

12 A No.

13 Q Do you know of anyone who has created fictitious
14 trouble reports?

15 A No.

16 Q Do you know of anyone who has falsified a
17 trouble report?

18 A No.

19 Q I'm going to shift gears here.

20 Have you ever helped sell for the company?

21 A I guess you could call it sell. A customer
22 asked me if they -- if I could -- I don't know how. Like on
23 maintenance plans mostly, if he asked me about the
24 maintenance plan, at one time we were filling out the sheets
25 saying that they wanted it, and we'd send it to the rep. The

1 last -- the last way we did that, we FAXed it.

2 Q And are you still helping sell for the company?

3 A No.

4 Q Was this voluntary on your part?

5 A Voluntary? Well, we're told we could do it, so
6 I guess if a customer said they wanted it, then I voluntarily
7 filled out the sheet for them.

8 Q Did you ever participate in any of the sales
9 programs or campaigns for the company?

10 A Participate? Well, yeah, I had sales, so I
11 guess that would be it.

12 Q Did you win any prizes or get points or awards?

13 A Yes, I got a Water-Pik.

14 Q Toothbrush?

15 A One of those Water-Pik things. I've never
16 figured out how to use it, so I -- I mean, I almost drowned
17 myself with it. That's all I can tell you.

18 Q It's going to make a good gift for somebody at
19 some point.

20 A Yes, it will.

21 Q Do you know of anyone who has falsified a sales
22 record for a customer?

23 A No, I don't.

24 Q Do you know anybody who has sold a wire
25 maintenance plan or recording selling a wire maintenance plan

1 to a customer without contacting that customer?

2 A No.

3 Q Do you know of anyone who recorded a wire
4 maintenance plan as a sale to a customer without that
5 customer's approval?

6 A No.

7 Q Do you know of anyone who has sold any service
8 or product for the company without the customer's approval.

9 A No.

10 Q Were you trained for sales when you did that?

11 A No.

12 Q Did anybody tell you that you needed to keep
13 track of your time spent selling versus the time working on
14 the trouble reports?

15 A No.

16 Q Did you, in fact, actually just do it on your
17 own, keep track of your time?

18 A No. We didn't have any time set aside to sell.
19 We just -- if we were doing -- in the course of our MA job
20 came in contact with a customer that wanted something, we
21 tried to give them all the information we had, and if they
22 wanted it, we filled out a sheet. We didn't actually call
23 the customers to sell.

24 Q And was this sheet a sales sheet; did it show
25 sales or just a blank piece of paper?

1 A It was a carbon copy type thing, and it had up
2 there whether it was -- whether it was a maintenance plan or
3 if there was a feature that they wanted. And then down at
4 the bottom we had our sales codes that we were given.

5 Q And when you were doing sales or they talked to
6 you, your managers talked to you about doing sales, did they
7 encourage you to sell everything on that list?

8 A No. They just -- the main thing that we even
9 talked to the customer about was a maintenance plan, because
10 when we contacted a customer, if they didn't have it, then if
11 we went out there, then they might get billed. So that's
12 usually how the sales came up, was if they didn't have it,
13 we'd tell them that they could be billed. And at that time,
14 usually they'd ask us about how much it was and that.

15 Q Are you familiar with the old TIP maintenance
16 plan for the company?

17 A TIP plan, yeah.

18 Q Are you familiar with the Sequence 1-X plan?

19 A SEQ 1-X, yeah.

20 Q Do you know of anybody who reported a sale to
21 the customer for both the TIP plan and the SEQ 1-X plan
22 together?

23 A It's my understanding SEQ 1-X was both of them
24 together.

25 Q Then do you know of anyone who sold both plans

1 and billed for both plans separately on a customer record?

2 A We didn't have anything to do with billing
3 anyway.

4 Q Have you heard of whether or not there were
5 certain Craft people asked to do, I'm going to use the
6 phrase, cold calling, put in a room with a bunch of
7 telephones and given customer lists, and said contact these
8 people and make sales; do you remember that being done here?

9 A Not in the maintenance center, I don't.

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10 MS. RICHARDSON: Okay, Ms. Cody. I think I've
11 exhausted my questions, unless -- oh, excuse me. I do
12 have one more.

13 Q (By Ms. Richardson) Do you know who your union
14 stewards are now?

15 A In where, in the maintenance center?

16 Q In the maintenance center, uh-huh.

17 A I don't have any.

18 Q You don't have any?

19 A I was the last.

20 Now, in my building, I have some. Now, if I you
21 want those, I can tell you those.

22 Q Yes. Who are they in your building?

23 A Ronnie Lewis is the steward, Brenda Frey -- no,
24 wait. Excuse me. It's Osborne now.

25 Q O-s --

1 A O-s-b-o-r-n e, I believe.

2 Q Okay.

3 A I have two inactive in the maintenance center.
4 Now, they don't do any -- they don't do any grievances, but
5 they do carry that title, and that's Sandy Lee and Tammy
6 Arrant.

7 Q Can you spell Tammy's last name?

8 A A-r-r-a-n-t, I think.

9 Q And can you remember who they were back in the
10 period of, say, '87, '88?

11 A Inside the maintenance center?

12 Q Yes.

13 A Was myself, Eileen Bloski. And I know there had
14 to be somebody else, but I can't remember. We handle most of
15 the grievances, I guess.

16 Q Can you spell Eileen's last name?

17 A B-l-o-s-k-i.

18 Q So it was just you and Eileen then between
19 around '87 and the present?

20 A Well, there was some more, but I don't know
21 whether they ever got their titles. Vivian Sammons, I
22 believe, may have been -- went to steward school, and maybe
23 Joyce Lewis. I can't remember if they ever got their titles.

24 Q What other grievances have you heard of in the
25 test center prior to your becoming a union representative?

1 MR. BEATTY: Objection, that's been asked and
2 answered twice now.

3 A I don't know what you mean as far as what other.
4 There's several others, but that shouldn't be a concern of
5 anyone.

6 Q (By Ms. Richardson) None of them concern
7 records?

8 A No.

9 MS. RICHARDSON: Okay. Thank you very much, Ms.
10 Cody. Before you go, some of these people at the end
11 of the table, these good folks, may have a question or
12 two for you.

13 THE WITNESS: Okay.

14 MR. GREER: I've got a couple dealing with the
15 grievance thing.

16 EXAMINATION

17 BY MR. GREER:

18 Q Have you ever -- I believe you said you were a
19 representative since November?

20 A Yeah.

21 Q Is that right?

22 A Our rep left, and I took over.

23 Q And I believe you also said that you have had
24 people come to you and file grievances from maintenance
25 center employees; is that correct?

1 A Yeah, they have.

2 Q Have any of these grievances dealt with
3 operations within the maintenance center?

4 A None come to my -- you know, none that I can
5 think of right now. As far as operations, most of my
6 grievances concern their appraisals, their attendance
7 records, their personnel records.

8 Q So as far as you can recall, none of the
9 grievances have ever dealt with anything that somebody has
10 directed the employee to do or any of that type or nature?

11 A Forced overtime, I was -- we were -- dealt with
12 that quite a bit. That's a directive.

13 Q Could you elaborate a little bit on the scenario
14 of forced overtime?

15 MR. BEATTY: Objection, relevance.

16 You can respond.

17 A Forced overtime is when the employee does not
18 wish to work and management says that service requirements
19 say you have to work.

20 Q (By Mr. Greer) When you say service
21 requirements, you mean load-

22 A (Interposing) A load.

23 Q Have you ever had any grievances from employees
24 that deal with insufficient number of employees to handle the
25 load?

1 A You mean -- I don't understand what you mean by
2 that.

3 Q Maybe you don't have enough service techs to
4 deal with the load that's going on for that day or that week
5 or whatever.

6 A Nothing that I can -- not specifically that type
7 of grievance. Forced overtime, they don't -- evidently they
8 don't have enough or they wouldn't have to force us.

9 Q If an employee comes to you and files a
10 grievance, do you keep a written record of that?

11 A The -- the union hall would have all the written
12 records and what the outcomes were.

13 Q Does that include, I want to say, informal
14 grievances, but-

15 A (Interposing) If a grievance is settled
16 informally, we don't have a record. There's nothing supposed
17 to be written down in an informal.

18 Q Have you ever had any informal grievances that
19 deal with directions for an employee to do something that
20 they believe was improper?

21 A None that I can remember. An informal, I keep
22 no records, so I don't -- I mean, if it was ten years ago, I
23 sure don't remember.

24 Q But as far as you can recall, you can't-

25 A (Interposing) Not recently, no.

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MR. GREER: Okay. That's all I have.

MR. BEATTY: Okay. That's it.

MS. RICHARDSON: Thank you, Ms. Cody.

WHEREUPON, the deposition was concluded.

