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TM Complaint Store 4520  
Stephanie Kepler to: Nick Thomas  
Cc: Timothy Shaw

08/22/2016 11:32 AM



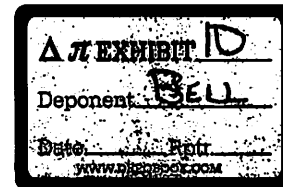
Brian Bell statement.pdf

Nick,

I have received a complaint from SM Brian Bell against his District Manager Chris Watters. Mr. Bell has multiple complaints of harassment, retaliation and hostile work environment. His complaints regarded a written warning he was issued in December 2014, and promises of a second commercial delivery truck as well as the Incentive program and complaints of working conditions due to his health. If you would, please look into his complaints and follow up with me, if you have any questions or concerns, please feel free to contact me. Thank you in advance for your help.

*Have a Wonderful Day :)*

Thank You,  
Stephanie Kepler  
Team Member Relations Specialist  
Human Resources  
417-862-2674 EXT: 1476  
Fax: 417-829-5742.



INF 015

Trn# 309244  
Brian Bell  
Store 4520

To whom it may concern:

My name is Brian Bell and I have been the manager of O'Reilly Auto Parts Store: 4520 in Belfast, ME for the past year. In this year I have had the privilege to work for this company, learn the systems and take in the culture and become a part of the brand. However, aside from the positive aspects of what I have learned this letter is one of grievances. On multiple occasions over the course of the year I have felt a hostile work environment and lack of communication that is not in line with the company culture, policy and most importantly, what is in the financial best interest for both the immediate future as well as long term prosperity of store 4520. The following will outline the situations, circumstances and specific examples of these accusations with regards to my district manager (DM) Chris Watters.

First, I wish to bring to your attention is a matter that has already been addressed but does lay the ground for the following grievances. Early in my tenure at this store, I received a write up for attendance. I was arriving 15 minutes before opening the store (as opposed to 30 minutes before the store opened) and on days when other team members had taken lunch and the store was fully staffed, if I had not taken lunch I left an hour early to compensate. While the daily tasks were all completed, store never opened late or went without coverage I was accused of "theft of time", and told that if my boss had his way he would have fired me for the infraction as he "took it as a personal insult". This issue was approached and addressed at the time and we both agreed on better lines of communication, and to put the instance behind us and move forward.

However it has felt that this type of communication and hostility has not been the exception but the rule. After a few months of being in the store I hired the stores first ISS and launched a successful commercial program since the stores opening under the O'Reilly banner. At this point both the ISS and I were given the criterion to move forward with the program, such as get a dedicated workstation, portable phone and to pass established sale numbers in order to obtain a second delivery truck. As each of this criterion were met (20k in sales, 25k in sales, 30k in sales and finally 20k excluding VIP), the promises fell short or were not addressed at all (the store is in need of a second commercial delivery truck and is still without one). This is disheartening to feel that when given a set expectation/goal once reached it is continuously denied or changed arbitrarily.

Secondly, when the pay conversions from the VIP standard to the incentive program was implemented I was told that there would be discussion of its implementation for certain crew members, most notably my ISS who I hired under the pretense of both his base pay and the incentive when it was instated rather than having his pay adjusted down when it was

implemented. This was voiced to Tim Shaw who assured me the situation would be given voice, currently it has not been allowed to be discussed passed a firm "No" from my DM. This makes the company and myself liars, which I take personally as we are not holding ourselves accountable for the steps and commitments we said we would follow through on.

Lastly, there has been questionable judgements used when addressing the employment of certain individuals at my store. One instance of this is regarding former employee Dana Southard. Dana was let go for performance related issues (he had health limitations but was able to perform his job to the best of his ability that did not interfere with company guidelines) that should have been addressed and not resulted in his termination. From the time I took this store I was told that he needed to be let go. During my conversations with my DM I began to feel that this was personal and not truly a performance based issue. I felt that I was not able to bring this concern up to HR at the time as I felt that my own job was being threatened. In a conversation I had with my DM in which he stated "I do not care if you put a stereo in his personal vehicle and then find it while walking him out to his car". This conversation was overheard by my ISS and ASM. This type of behavior is unprofessional and is not a representation of our integrity and moral standards as a company.

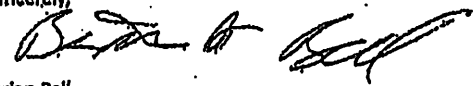
Another instance of serious concern that I have encountered is about the recent termination of my RSS, Jason Fletcher. Jason went to lunch, and then walked out on his shift due to a family emergency and failed to call to inform me until later in the day. It was reported to HR and I was given multiple courses of action which could be taken. When I presented the options to my DM, I was informed that he had been made aware of rumors regarding Jason and another employee (which have no validation and are nothing but hearsay). Rather than addressing the issue or simply dismissing it as workplace chatter, I was told to terminate for the infraction.

This termination left the store remarkably short staffed both as a whole and in management coverage. I worked from that Wednesday 5/27/2015 to Wednesday 6/3/2015 open to close with relatively little break with the exception of that Saturday. On Thursday 6/4/2015 I was exhausted and was having issues with my own personal health and the medication I take for it. Once the store was open and coverage arrived I retired to my truck to collect myself and try to regulate the reaction I was having. My DM, fully knowing I was having some health concerns from his visit the day before called me on my personal phone, told me he had other managers who were working the same hours; that it was outrageous that I be out of the store at this point in the day and to "get your ass back in the store now". I had only intended a short break but was not feeling well and given the circumstances had to go get a note from my healthcare provider for the day. After notifying my DM of my providers concerns, Chris informed me he would be billing me a vacation day (having worked 4 days open to close this week and 6 days the week before, which had a holiday as well). This type of harassment, retaliation and hostility

I once again found to be unprofessional and intolerable as it has been constant and sadly to say now somewhat expected behavior from a colleague who I thought was supposed to encourage and support growth for the store and all employees. My provider told me due to the medication and my medical condition that I should take the next few days to allow my body to regulate itself and to adjust to having less medication in my system as I had taken doses beyond my prescribed amount to ensure that the store was staffed with a manager. The only reaction I received was "Who will be closing your store" when I let Chris know what was going on, I would think that at this point he may have some small amount of compassion and try to help alleviate the situation or at least consult the management team at the store before posing the question to me in a way which implies I am forsaking my duties to the store.

As of now, there is a vast difference between the stated policies and the practiced ones. I would like for this letter to act both as a formal grievance and as a basis for conversation moving forward. Please let me know if more information is needed or if my complaints need to be addressed differently. I am open to all forms of communications. I also know that some actions that I have displayed have not been on par with company standards, and on those occasions Chris has taken the time to address them with me more personally than professionally. I have taken those conversations in stride and tried to make the changes required to make a better professional relationship, but without full previous transgressions are always on the horizon and do not allow for the ability to move beyond the past. I feel that for the store and myself to move forward successfully that these situations cannot be allowed to continue, and again would like the opportunity to have open lines of communications.

Sincerely,



Brian Bell  
O'Reilly Auto Parts  
Store Manager # 4520  
Belfast, ME  
(207) 338-0561 (work)  
(520) 850-1273 (cell)