



Corporate Offices Corrective Action Record

Thomas Johnson
(employee name)

11221786
(employee ID number)

Warehouse Group Lead
(job title and description)

3-17-05
(date)

3-17-05
(supervisor's name)

80866
(cost center/Location)

Please Attach Additional Comments and/or Documents When Necessary

Corrective Action: Written Counseling

Reason for Action: Misconduct Company Policy Violation

(Note: Up to two reasons may be indicated for the action)

Facts or Events — *Identify behavior, performance, special facts, or events requiring corrective action:*

Over the past two months Thomas has had negative interactions with temps which has created a hostile work environment within the Gaithersburg facility. These include yelling at temporary employees and behavior that may have been construed as sexual harassment. Thomas has also participated in providing direct performance feedback and counseling sessions with temporary employees.

Company Standard — *What is the company standard/expectation/policy/procedure?*

Per Blockbuster Handbook (pg. 14) Harassment, discrimination, or other inappropriate conduct, whether intentional or unintentional, has no place at Blockbuster. All Blockbuster employees are responsible for respecting the rights of their co-workers and associates. Additionally, it is the role and responsibility of the DC Manager to provide any formal discussions with employees related to job performance

Why a Problem? — *Why is failure to meet standard a problem for the company, department or other employees?*

Thomas' actions have created a negative work environment which inhibits individuals from reaching their full potential. This results in a reduction in productivity, efficiency, and accuracy which ultimately affects service levels to our customers.

Previous Corrective Action — *List dates and summaries of all previous counselings (both verbal and written)*

In February of this year, Thomas was made aware of a complaint registered by a temporary employee (Niema Fields) related to the way she was treated by Thomas.

Improvement Required and Time Allowed — *Briefly state what employee must do to improve*

Thomas must be sure to communicate respectfully with all employees and temporary labor at the facility. Immediate and sustained improvement is required in all areas addressed in this corrective action.

Consequences of Failure to Improve — *What disciplinary action will follow for failure to improve?*

Failure to demonstrate immediate and sustained improvement will result in further corrective action, up to and including termination of your employment.

Employee Comments *(If additional space is needed, please use back or attached additional paper)*

I have received a copy of this Corrective Action Record. I also understand that the company has an Open Door Policy under which I may discuss this issue or another employee relations issue with my supervisor's supervisor and/or Human Resources and/or the company Employee Relations Specialist.

[Handwritten signature]
(employee signature)

3/23/05
(date)

[Handwritten signature]
(supervisor signature)

3-28-05
(date)

Employee reviewed *Corrective Action Record* and refused to sign. *Note- If Verbal Counseling, employee is not required to sign.

EXHIBIT	<u>5</u>
WIT:	<u>Collen</u>
DATE:	<u>6/24/08</u>
MERRILL LEGAL SOLUTIONS	

CONFIDENTIAL

Original: HR Records, Spartanburg

Copy: Employee

Copy: Supervisor

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