Roger Gonzalez walked into his office on Nov. 8, 2021 not expecting to be fired. “They caught me completely flat footed . . . I was told ‘You’re done. We’re canceling the contract. We’re all done and we don’t have any money . . . We have no positions available and there is nothing that you’re qualified here to do, ’ ” Gonzalez alleged in a Dec. 9, 2021 Zoom call.

He was one of three former San Jose State Information Technology (IT) employees who formally filed discrimination, harassment and retaliation claims between November-December 2021, according to complaint documents obtained by the Spartan Daily.

Those former IT employees all said they were notified of an investigation into their allegations in early January by outside investigators, who told them more complainants are involved.

Gonzalez, former SJSU IT project consultant, believes he was wrongfully terminated and alleged the reasons given by IT management were “blatant lies,” according to his complaint document.

Bob Lim, SJSU IT chief information officer and vice president, and IT Associate Vice President Kara Li are the individuals in question in the complaints.

Gonzalez, who started in March 2021, said when he asked when his last day was, he was allegedly told: “right now,” according to his formal complaint.

Jason Dillon, former interim associate vice president and director of IT infrastructure and operations, said Lim and Li held a staff meeting hours after Gonzalez was fired in November.

Dillon, who was terminated on March 7, alleged Lim and Li announced new director positions including the director of digital transformation, which was previously promised to Gonzalez. He alleged Lim and Li also explained to the staff that they didn’t have to use university funding, grants or reserves to open the roles because they had “so much” remaining in their IT budget, contradicting what they told Gonzalez hours earlier about not having funds for his position.

Gonzalez worked on three IT projects and was allegedly told by Lim and Li on “multiple occasions” that he’d be given the director of digital transformation position, according to his formal complaint.

“I had those three projects that were huge projects and [Li] just ripped them out from under me [on my last day] . . . basically she smiled at me and said ‘this is contracting, sorry, ’ ” he alleged, adding that the projects were already well underway and vendors were onboard.

Cisco, one of the vendors, is a multinational technology corporation that makes and sells networking hardware, software, telecommunications equipment and other high-technology services and products, according to its website.

Gonzalez worked as a Cisco project manager mentor from 2014-21. He believes it was “blatantly untruthful, disrespectful . . . discriminatory,” when Lim and Li allegedly said he was unqualified.

INVESTIGATION

Investigation begins into discrimination, harassment & retaliation allegations after multiple IT affiliates file complaints

By Bryanna Bartlett

PRODUCTION EDITOR

Investigation begins into discrimination, harassment & retaliation allegations after multiple IT affiliates file complaints

By Bryanna Bartlett

PRODUCTION EDITOR
Under CSU Executive Order 1096, the CSU replaced the discrimination, harassment and retaliation policies previously in place.

### San Jose State University

San Jose State University is committed to fostering an environment based on mutual respect, professionalism and integrity. The university is aware of the allegations that have been made and taken all such reports seriously. Consistent with policy, a neutral, external party is looking into the allegations. There have been no findings regarding the allegations. Information is still being gathered. Complainants and respondents have the right to be interviewed before any determinations are made. We are unable to comment further on personnel matters or potential litigation.

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**Investigation**

**Complaints**

Complaints should be filed as soon as possible after conduct occurs to ensure the investigator’s response, ability to collect the relevant issues and provide an appropriate action.

Complainants are notified of whether their complaints are accepted or dismissed within 10 working days, which are Monday – Friday.

If accepted, complainants have intake interviews with the investigator.

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**CSU discrimination, harassment, and retaliation complaint process: a breakdown**

- **The Interim California State University System Policy Prohibiting Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking and Retaliation**
- **Complaints of discrimination, harassment and retaliation were previously under CSU Executive Order 1096. The CSU revised the policy on Jan. 1, combining Executive Order 1096 and two other executive orders under the same protocol.**
- **The new policy is provisional because it is pending final completion of the meet-and-conform process with various CSU labor unions.**

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**CSU INTERIM POLICY ON DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, SEXUAL EXPLOITATION, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING AND RETALIATION**

In these formal complaints and U.S. Equal Employment Opportunity Commission (EEOC) filings respectively, according to that complaint document:

San Jose State University is looking into the allegations. There is no information provided regarding the outcome of these complaints.

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**Investigation procedure**

Both parties have equal opportunities to present relevant witnesses and evidence in connection with the investigation.

Upon inquiry, the parties will be advised of the investigation’s status.

Before reaching a final report, the investigator should have advised all parties of the findings and given the parties the opportunity to respond to evidence.

The investigation should be completed within 100 working days after the interview and when the investigation is complete. The investigator will complete a final report, which includes a summary of allegations, the investigation process, a detailed description of evidence and findings. An investigation outcome notice should be sent within 10 working days after the final investigator’s report is out.

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**Tough to determine if conflict of interests exists**

John, who has worked in IT since 2013, resigns. He alleges his resignation is because of ongoing harassment and retaliation efforts toward him.

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**Turn the university’s full statement, view the quote box.**

According to the CSU interim policy, the outside investigators will send a final investigation report to those involved within 100 working days of the initial notice, which was usually extended. Investigation may require an extension of up to 30 days. John said he expects the CSU to uphold its investigation, harassment and retaliation policy and hopefully has leadership that “wants to protect people” and “wants to make sure that they’re not treated like they’re the one doing something wrong.”

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**Follow Bryanna on Twitter/Gabbybartlett**

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**Outcomes**

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**Complainants submit a formal written complaint.**

Complaints should be filed as soon as possible after conduct occurs to ensure the investigator’s response, ability to collect the relevant issues and provide an appropriate action.

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**CSU labor unions**

Aimed at the IT leadership team, Lim’s retirement was because of ongoing stress caused by the harassment, according to their complaint documents.

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**Laura Millora**

If they choose to. “I would like to give my side of the story. However, so far, [SJSU] has advised me to hold off talking to [the media],” she said in an email. “I believe they were discriminated against because [they were] unable to compel or prevent them from replying. The university’s only interest is ensuring that investigations are completed objectively and fairly,” Mashinschi said in an email. “Employees ultimately have the right to speak to the media if they choose to.”

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**Freedom of Information Act (FOIA)**

As of March 16, about three months since the investigation began, 13 total formal complaints from eight former IT employees have been completed objectively and fairly, “Mashinschi said in an email. “Employees ultimately have the right to speak to the media if they choose to.”

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**Informative by Bryanna Bartlett, Associate: CSU Executive Order 1096: CSU INTERIM POLICY ON DISCRIMINATION, HARASSMENT, SEXUAL MISCONDUCT, SEXUAL EXPLOITATION, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING AND RETALIATION**

For CSU labor unions, Uhlenkamp said.

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Aimed at the IT leadership team, Lim’s retirement was because of ongoing stress caused by the harassment, according to their complaint documents.
Facilities workers go on strike

By Jamie Bennnett
Senior Staff Writer

San Jose State pulsed on campus to protest SJSU and the California State University board’s decision not to negotiate with trade workers on their five-year contracts and wages.

The workers are represented by the Teamsters local that represents 14,000 workers in which includes State University employees.

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A class action lawsuit was filed Friday against San Jose State University and Scott Shaw, former SJSU director of sports medicine and athletic trainer, almost 10 days after the Department of Justice announced changes against Shaw, for alleged sexual misconduct during his time as a California State University employee.

Kenneth Mashinchi, SJU senior director of strategic communications and media, said in an email the university was aware of and reviewing the lawsuit.

The first investigation, concluded in March 2010 that the claims were unsubstantiated as Shaw’s treatment method, was a “hona” muscle treatment, according to an SJSU executive summary of the investigation.

After former SJU President Mary Papazian learned of the investigation.

Arthur Dunklin, who conducted the internal investigation, concluded in May 2010 that the claims were unsubstantiated as Shaw’s treatment method, was a “hona” muscle treatment, according to an SJSU executive summary of the investigation.

The lawsuit “expands the pool of potential victims” of Scott Shaw’s sexual misconduct.

Sex Misconduct Investigation

SJSSU and Shaw named in class action lawsuit

A class action lawsuit was filed in the Santa Clara County Superior Court Friday against San Jose State and Scott Shaw, former athletic trainer and SJSU director of sports medicine.

The SJSSU is aware of and reviewing the lawsuit.

The lawsuit “expands the pool of potential victims” of Scott Shaw’s sexual misconduct.

Teamsters Local 2010, a union that represents more than 85,000 skilled trades, according to the union’s website.

CSU has been fighting that ever since they have been offering 0% for the week done in 2021 when they were on campus, you know, during the really dangerous work, keeping the lights on, keeping the buildings from falling, she said.

The CSU board also delayed negotiations because of former chancellor Joseph Castro’s Feb. 17 resignation.

Acting chancellor Steve Relyea said they do not have the authority to do so.

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CSU announces interim chancellor amid search

By Amanil Ameen 
EXECUTIVE PRODUCER

Jolene Koester, former president of California State University Northridge, has been appointed as interim CSU Chancellor, San Jose State Interim President Steve Perez announced in a Wednesday campuswide email.

Koester will assume the position after former CSU Chancellor Joseph Castro resigned on Feb. 17 after claims surfaced that he mishandled allegations of sexual harassment while in his role as president of Pomona State College, according to a Feb. 18 New York Times article.

The CSU system is the largest system of higher education in the country and serves over 477,000 students, and is run by 56,000 faculty and staff members, according to the CSU website.

“The California State University (CSU) Board of Trustees, has appointed Jolene Koester, Ph.D, to serve as interim chancellor,” a Wednesday CSU press release read. “This marks a return to the CSU for Koester who previously served as president of California State University Northridge (CSUN) from 2000-2011.”

Koester will serve as interim president starting May 1, and the CSU Board of Trustees will continue searching for a permanent appointee to the position during her 12-month stay as chancellor, according to the press release. Until she assumes the role, Steve Byers, executive vice chancellor and chief financial officer at the Office of the Chancellor, remains acting chancellor.

Before serving as president of CSU Northridge, Koester was provost and vice president of Academic Affairs at CSU Sacramento from 1993-2009, and a professor of communications studies at CSU Sacramento from 1980-1993, according to a biography of Koester on CSU Northridge’s website.

Originally from Plattsburgh, New York, she received her Bachelor’s degree from the University of Wisconsin-Madison in 1971, and earned a Master’s degree in communications from the University of Minnesota before taking a faculty position at CSU Sacramento in 1980, and continuing a “long-standing knowledge” of higher education.

Koester will serve as interim chancellor while the CSU Board of Trustees said they will continue searching for a permanent appointee to the position, according to the same biography.

“A longer-tenured, proven leader with a long-standing knowledge of the CSU system, Koester is the perfect person to lead the CSU during this time,” she said. “CSU’s graduation and retention rates have reached all-time highs, but there is still a great deal of work to be done. We appreciate Dr. Koester’s passion and commitment to reinvigorate the university.”

Follow Amanil on Twitter @Amani_Marie_...

By Evan Reinhardt
MULTIMEDIA, ASST. NEWS EDITOR

Continued from page 4

everything, Arbona said.

...workers, who are part of the CSU employee union, along with Teamsters Union representatives, marched across the university campus with slogans including, “We can’t take it anymore.”

“Given the area of where we live, we are sorely underpaid. What we’re asking for is a fair and equal raise based on the cost of living in our area. We are considered essential workers, and the negotiating table should reflect that.”

A protester and member of the Teamsters who wished to be identified as Mike because of privacy concerns, said he “see why the workers are treated with this treatment over the pandemic.”

“They call us heroes during the pandemic and they took us out during the halftimes of the basketball game with a big round of applause but in the end, all we get is a free basketball game.”

SJSSU trade workers said they don’t only fight for their wages but also for students.

A staff member who choose to go by the name of Hugo due to privacy concerns, said all he wants is “a living wage.”

“Given the area of where we live, we are sorely underpaid. What we’re asking for is a fair and equal raise based on the cost of living in our area.”

Hugo, anonymous SJSSU staff member

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Multimedia

Career Center’s free closet

The San Jose State Career Center is offering students the opportunity to use its free closet.

After opening in 2018, the closet supplies a variety of business attire for students who want to look their best for professional job interviews and career positions.

Trisha Gilges, career success promotion specialist for the Career Center, said hundreds of students use the closet each semester and find it invaluable.

“Professional dressing is very expensive and students are on a budget, they have other things to worry about,” she said. “I feel that this closet is a huge resource for them to take that financial burden off of them. And when you look good you feel good, right?”

Although traffic has been high this semester, volunteers and community members have cleaned out their closets to donate piles of professional clothes.

Follow Evan on Twitter @EvanReinhardt...

Reporting of video by
evanreinhardt

MULTIMEDIA, ASST. NEWS EDITOR
OPINION

Tor browser protects free speech

Jamie Bennett
SENIOR STAFF WRITER

Twitter has decided to open up a Tor service for their site, allowing users to get a more private and uncensored version of Twitter.

The addition of this service is a step in the right direction and is a light at the end of the tunnel for full internet privacy.

The Tor browser, developed by the United States Naval Research Laboratory to protect U.S. communications, is an open-source browser that allows anonymous internet connections through an encrypted server.

Twitter's move to Tor has also given many Russians access to Twitter, which will allow citizens from authoritarian regimes to get access to alternative media sources.

Twitter’s Tor version can also help prevent users from being “doxxed,” which is the nefarious practice of posting a user’s personal information online.

An echo chamber is a dangerous phenomenon on the internet in which users get their information only from sources that echo their own beliefs, according to a Global Learning article.

I have used Duck Duck Go, another browser that prioritizes privacy and an uncensored browsing experience, since the beginning of the coronavirus pandemic.

Since then, I’ve no longer been bombarded by tailored advertisements or biased Google search results and I have access to a wider range of news sources.

Twitter's Tor version can also help prevent users from becoming “doxxed,” which is the nefarious practice of posting a user’s personal information online.

The Tor network encrypts user traffic and sends that data through multiple servers throughout the world to give users anonymous searching.

However, some Twitter users are worried this tool may be used to attract bad actors because of the browser’s ability to function as a way to buy drugs and child pornography online.

This shouldn’t take away from the fact that this tool is still needed by thousands of people across the world to access uncensored information freely and privately.

While people argue that the use of filter systems can help prevent users from seeing dangerous information and content, everyone has the right to form their own opinions and political leanings.

Preventing users from accessing certain information because it is “too extreme” can easily spiral out of control and lead to the censorship of non-dangerous or critical information.

Internet giants including Google shouldn’t have the power to decide what is dangerous content because humans are biased and could influence the political wing Google filters out more often.

For example, if a religious group believes homosexuality is a sin, the group has the right to discuss this doctrine online. However, there may be pressure on Google to hide such rhetoric which could lead to a lack of a space for religious leaders and followers to discuss their beliefs.

This will only create more political polarization in our country.

Services like the Tor browser must continue to exist, especially with access to sites like Facebook and Twitter, because people will always want a private and uncensored internet.

Twitter users now have access to Twitter, which will allow citizens from authoritarian regimes to get access to alternative media sources.

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Celebs, advocate or pass the mic

Celebrities aren’t always helping a cause, just inflating their egos

By Eva Martin

Being famous gives power to one’s voice, not legitimacy. Celebrities should know their appropriate place when deciding whether they should speak about world issues; thousands of followers don’t make a person knowledgeable about an issue, only their ability to learn and activism do.

With great power comes great responsibility and celebrities should not forget the effect of their words or their decision to be silent. Fame makes some celebrities think their speeches have meaning just because they have a large platform for them.

Another way celebrities can use their fame wisely is by turning the spotlight to people directly involved or affected by issues and make sure their voices are heard.

Celebrities should learn about when it is appropriate to take the mic, to leave it on the floor, or give it to people who are more knowledgeable about the ongoing issue.

Gal Gadot regretted her rendition of the popular John Lennon song “Imagine” which was posted on Instagram at the beginning of the coronavirus pandemic on March 18, 2020. The “Wonder Woman” actress came back down to earth after realizing that singing a world about “no possessions” with other celebrities doesn’t really sound nice as the majority of the world is struggling through economic and health crises.

“It wasn’t the right timing, and it wasn’t the right thing,” Gadot said. “It was in poor taste. All pure intention but sometimes, but sometimes you don’t hit the bulls-eye right?”

Some artists’ words are worth hearing when they are paired with action. Nadia Tolokonnikova, the founder of the pop-punk activist group Pussy Riot, was sentenced to two years in jail in 2012 after singing “Punk Prayer: Mother of God, Drevo Putin Arey” inside Moscow’s Cathedral of Christ the Saviour, according to a March 8 The Guardian article.

After Russia invaded Ukraine on Feb. 24, Tolokonnikova collaborated with crypto currency artists around the world to create a non-fungible token of the Ukrainian flag and invited people to bid to obtain collective ownership of the image. She raised $7.1m in five days, according to the same The Guardian article.

“Use your voice while you can still use it,” Tolokonnikova said to MSNBC News on March 7.

She used her fame for the benefit of efficient activism, and not performative activism with the sole purpose of which is to just make themselves look good.

Another way celebrities can use their fame wisely is by turning the spotlight to people directly involved or affected by issues and make sure their voices are heard.

The 61-year-old actor Sean Penn went to Ukraine in November 2021 to make a documentary about the conflict and had to evacuate to Poland after the beginning of Russia’s invasion of Ukraine according to a March 1 USA Today article.

“The director came to Kyiv specifically to record all the events taking place in Ukraine and as a documentary filmmaker to tell the world the truth about Russia’s invasion of our country,” the Ukrainian presidential office said in a Feb. 24 Facebook post.

Penn decided to use his skills and knowledge to turn the camera on what was happening at the Russia-Ukraine border and his concrete actions speak volumes.

Celebrities should learn about when it is appropriate to take the mic, to leave it on the floor, or give it to people who are more knowledgeable about the ongoing issue.
Irene Berrones-Kolb talks to attendees about her artistic influences during the Feminist Creativities speaking event on Tuesday in the Martin Luther King, Jr. Library. She said she incorporates her passion for psychology into her artwork.

She said that many of her experiences including her friends’ father’s suicide and uncle’s psychotic break, among other experiences, led her to a career in the mental health field with a focus on art therapy. "Art therapy is a form of therapy that uses the creative process to address personal issues and to address emotional, whatever emotional kinds of things you have going on," Berrones-Kolb said. "The main goal is self expression. And with that being the case, there is no wrong or right way to use the art materials or to create things."

She said working in psychiatric hospitals and residential programs dedicated to adults with severe mental illnesses was very challenging but rewarding as well. "I've worked with teenagers, the elderly, people of color... and everyone had their unique stories and experiences," Berrones-Kolb said. "It was an honor hearing people's experiences."

Her art includes themes celebrating her culture as a Mexican-American woman. "Growing up, like a lot of people of color, I didn't see people that look like me in mainstream media," Berrones-Kolb said.

She started to embrace her culture when she met international students in college who helped her become proud of her identity as a woman of color. "As a Mexican American and as a woman of color, I really began to see how I could use my art to do some important things," Berrones-Kolb said. "Celebrates my personal culture, as well as the cultures of other underrepresented groups, and to use my imagery to heal, inspire, and create change."

Cynthia Kreah, SJSU sociology junior who attended the event, said she realized after Berrones-Kolb's talk how artists can show activism through their art. "Something that I learned was that you can express any type of theme through art," Kreah said.

Michelle Montrose, SJSU sociology junior who also attended the lecture said that Berrones-Kolb could lead more people to start being involved in the artistic field. "It looked like her art really meant something to her," Montrose said. "That just engages people in the art more."