

UCLA WHISTLEBLOWER RETALIATION COMPLAINT FORM

Part I: Statement of the Complaint Additional details will be added soon to this initial complaint.

This form is intended for use by an individual who believes he/she has been retaliated against in his/her role as a UCLA employee or applicant for UCLA employment, in violation of the University of California's Whistleblower Protection Policy. The completed form and any supporting documentation should be returned to: Locally Designated Official, UCLA Administrative Policies & Compliance Office, 2255 Murphy Hall, 405 Hilgard Avenue, Los Angeles, CA 90095-1405 (or use Mail Code 140501 for campus mail).

1. Complainant (person alleging retaliation)

Name:	Job Title/Classification or position applied for:
James E. Enstrom, Ph.D., M.P.H.	Researcher, Environmental Health Sciences Department

2. Respondent(s) (person or persons alleged to have retaliated against Complainant)

Name(s):	Dept(s):	Relationship(s) to Complainant:
Richard J. Jackson, M.D., M.P.H.	Environmental Health Sciences	EHS Department Chair
Hilary Godwin, Ph.D.	Environmental Health Sciences	EHS Faculty & Assoc Dean
Linda Rosenstock, M.D., M.P.H.	School of Public Health	EHS Faculty & Dean

3. Protected Activity (engaged in by Complainant and alleged to be the basis for the retaliation)

Describe the Protected Activity (what and when) of the Complainant.

My December 10, 2008 CARB comments document the fraudulent Ph.D. degree of Hien T. Tran, lead author of key October 24, 2008 CARB Report (http://www.arb.ca.gov/lists/truckbus08/897-carb_enstrom_comments_on_statewide_truck_regulations_121008.pdf). These comments make reference to my April 22, 2008 CARB comments which document serious flaws in the appointment process for the CARB Scientific Review Panel on Toxic Air Contaminants (SRP). These whistleblower complaints, repeatedly presented by me in subsequent forums, including my November 12, 2009 meeting with UC President Mark G. Yudof, were discussed with Dr. Jackson on February 5, 2010. The validity of my whistleblowing has been sustained: the 2008 CARB Report is currently being redone and at least six new appointments have been made to the SRP in 2010, including removal of SRP Chair and EHS faculty member John R. Froines as of July 22, 2010.

4. Alleged Retaliation (alleged to be retaliatory)

Describe the Adverse Employment Action or Actions (e.g., termination, demotion, or other change in working or academic conditions) experienced by the complainant, including when the action or actions occurred.

Dr. Jackson, who has direct authority over my appointment, notified me on February 10, 2010 that I would be layed off effective April 21, 2010 based on alleged lack of funding for my position. His calculation of my total funding was incorrect. Dr. Jackson then cancelled my scheduled April 21, 2010 presentation to EHS faculty and proceeded to have the EHS faculty vote on my reappointment without allowing me to directly respond to criticism by Dr. Froines and other EHS faculty. Dr. Jackson layed me off again on June 9, 2010 effective June 30, 2010 due to programmatic and financial reasons which are not documented or valid. On June 30, 2010 Dr. Godwin, extended my EHS appointment to August 30, 2010, but on July 29, 2010 confirmed my non-reappointment as of August 30, 2010. Dean Rosenstock has fully supported the actions of Drs. Jackson and Godwin.

5. Related Actions (other proceedings where above retaliatory actions were/are being considered)

Type of Proceeding/Case Number:	Date Initiated:	Administrator coordinating the matter:
APM 140 Complaint	August 12, 2010	Jane Lopatt



Part II: Confidentiality Statement and Declaration

1. Confidentiality Statement

A Whistleblower Retaliation Complaint is dealt with by the University as a confidential matter. The complaint and any information derived as a result of an investigation of the complaint will be disclosed only to persons with a legitimate need to know in order to resolve the complaint or to assist in an investigation of the matter, or in other circumstances where the University is required by law to release the information.

The complaint itself and other information submitted by the complainant in support of the complaint will be made available to the person accused of the retaliation. Other information that may be derived from an investigation of the matter may, at the discretion of the investigator, be revealed to other persons, including a party to the complaint, in order to ascertain the truth of matters asserted or to otherwise further the investigation. Before the investigator reports the results of an investigation, the person accused of the retaliation shall be given a reasonable opportunity to review and provide a response to any information upon which the investigator intends to rely in reaching findings or conclusions adverse to such person.

Until a decision in the matter is reached or the complaint is dismissed or otherwise resolved, persons who are parties to the complaint are expected to treat the matter as confidential so as not to compromise any investigation and to respect the rights of the parties. However, nothing is intended to preclude a person from reporting any matter to a University or public official or to otherwise limit a person's free speech rights. All University employees are required to cooperate as requested in the investigation of Whistleblower Retaliation Complaints. The unwillingness or inability of a party to a complaint to cooperate in an investigation may warrant findings adverse to that party.

2. Declaration

I agree to cooperate in any investigation of this matter and declare that I have read and understand the confidentiality statement above. If I have designated a person below to represent me in this matter, I understand that all notices to and communications with the named representative will be treated as if such notices and communications had been made to me. As required by the California Whistleblower Protection Act, I swear under penalty of perjury under the laws of the State of California that the facts set forth in the statement of the complaint, and in any supporting information submitted with the complaint, are true and accurate to the best of my knowledge and belief.

James E. Enstrom

August 27, 2010

Complainant's Signature

Date

3. Complainant's Contact Information

Phone: (310) 825-2048 & (310) 472-7145	Department: Environmental Health Sciences
E-Mail: jenstrom@ucla.edu	Mailing Address:

4. Complainant's Designated Representative (optional)

Name:	Job Title/Classification:
Phone:	Department or Affiliation:
E-Mail:	Mailing Address:

