



The University of Georgia

Office of Legal Affairs

June 5, 2007

Dr. Piyush Kumar
Associate Professor
Department of Marketing and Distribution
Terry College of Business
CAMPUS

Dear Dr. Kumar:

This letter is to advise you that I have completed an investigation of allegations made by Dr. Barbara Carroll, Associate Professor, that the Department of Marketing and Distribution in the Terry College of Business is biased in favor of Asians in the hiring/pay process. My investigation of this matter included a review of offers of employment made to candidates for tenure track marketing positions, publication records of various faculty members within the marketing department, salary information and the electronic communications of Dr. Carroll. In addition, I interviewed Dr. Rob Hoyt, Interim Dean, Dr. Sandra Gustavson, Associate Dean, Dr. Rajiv Grover, Department Head, Dr. Carroll, a number of faculty members within the department, including you. Based upon my investigation of this matter, I found no evidence of unlawful bias in the Department of Marketing and Distribution.

During the course of my investigation, I interviewed a number of individuals that felt that they had been publicly and unfairly attacked and harassed by Dr. Carroll based upon their national origin and/or Dr. Carroll's perception of their national origin and that this behavior had created a disruptive, harmful, hostile and intimidating work environment within the Department. Based upon the investigation, I determined that Dr. Carroll did in fact create a hostile and intimidating work environment in violation of the University's non-discrimination and anti-harassment policy. Consequently, Dr. Carroll will be disciplined as a result of her behavior and required to attend non-discrimination and anti-harassment training.

It is a violation of University policy to retaliate against any person who has participated in the investigation of a complaint under the University's non-discrimination and anti-harassment policy. If you experience any harassment and/or retaliation as a result of your meeting with me in the investigation of this matter, please contact me immediately at (706) 542-0006.

Thank you for your cooperation in this matter.

Sincerely,


S. Elizabeth Bailey
Associate Director for Legal Affairs



The University of Georgia

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June 5, 2007

Dear Mr.

This letter is to advise you that I have completed an investigation of allegations made by Dr. Barbara Carroll, Associate Professor, that the Department of Marketing and Distribution in the Terry College of Business is biased in favor of Asians in the hiring/pay process. My investigation of this matter included a review of offers of employment made to candidates for tenure track marketing positions, publication records of various faculty members within the marketing department, salary information and the electronic communications of Dr. Carroll. In addition, I interviewed Dr. Rob Hoyt, Interim Dean, Dr. Sandra Gustavson, Associate Dean, Dr. Rajiv Grover, Department Head, Dr. Carroll, a number of faculty members within the department, and you. Based upon my investigation of this matter, I found no evidence of unlawful bias in the Department of Marketing and Distribution.

During the course of my investigation, I interviewed a number of individuals that felt that they had been publicly and unfairly attacked and harassed by Dr. Carroll based upon their national origin and/or Dr. Carroll's perception of their national origin and that this behavior had created a disruptive, harmful, hostile and intimidating work environment within the Department. Based upon the investigation, I determined that Dr. Carroll did in fact create a hostile and intimidating work environment in violation of the University's non-discrimination and anti-harassment policy. Consequently, Dr. Carroll will be disciplined as a result of her behavior and required to attend non-discrimination and anti-harassment training.

It is a violation of University policy to retaliate against any person who has participated in the investigation of a complaint under the University's non-discrimination and anti-harassment policy. If you experience any harassment and/or retaliation as a result of your meeting with me in the investigation of this matter, please contact me immediately at (706) 542-0006.

Thank you for your cooperation in this matter.

Sincerely,

S. Elizabeth Bailey
Associate Director for Legal Affairs



The University of Georgia

Office of Legal Affairs

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED

June 5, 2007

Dr. Barbara Carroll

Dr. Carroll:

Dr. Rob Hoyt, Interim Dean of the Terry College of Business, and I have attempted to meet with you to discuss the investigation of your allegations that the Department of Marketing and Distribution in the Terry College of Business is biased in favor of Asians in the hiring/pay process. However, you have failed to cooperate in setting up a meeting to discuss this matter and indicated your refusal to meet during summer months. Consequently, I am writing to inform you of the outcome of the investigation of this matter and to inform you of steps that you must take as a result of the investigation.

You indicated in an email, dated December 11, 2007, that bias exists in the Department of Marketing and Distribution:

... in large part because rajiv grover is our department head and srini reddy is our director for the center of marketing studies. both of these powerful people in our department are asians and appear to favor asians as new tenure-track hires. and, since these two men took "power" in our department, all new american hires are much lower-paid "teaching fellows." and, many of the holdover americans who have given years of service to this department in terms of research and teaching are paid dramatically less than asians performing the same work.

In investigating this matter, I have reviewed offers of employment made to candidates for tenure-track marketing positions, publication records of various faculty members within the marketing department, salary information and your electronic communications regarding your complaint. I have discussed your allegations with Dr. Robert E. Hoyt, Interim Dean; Dr. Sandra Gustavson, Associate Dean; and Dr. Rajiv Grover, Department Head. In addition, I have met with you, as well as, a number of faculty members. Based upon my investigation of your allegations, I have found no evidence of unlawful bias in the Department of Marketing and Distribution.

During the course of my investigation, I interviewed a number of individuals that felt they had been publicly and unfairly attacked and harassed by you based upon their national origin and/or your perception of their national origin and that your behavior had created a disruptive, harmful, hostile and intimidating work environment within the Department of Marketing and Distribution.

Dr. Barbara Carroll

June 5, 2007

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Based upon a review of the electronic communications sent by you to various individuals and listservs, as well as my interview with these individuals and you, I have determined that you did in fact create a hostile and intimidating work environment in violation of the University's non-discrimination and anti-harassment policy.

I have discussed my findings in this matter with Dr. Hoyt. Based upon my discussions with Dr. Hoyt and my conclusion that you have violated University policy, I have determined that the following disciplinary action is appropriate:

- You will be required to attend NDAH training with Ms. Kimberly Ballard-Washington, Associate Director for Legal Affairs. You must contact Ms. Ballard-Washington no later than August 31, 2007 to arrange a time for the NDAH training. She can be reached at (706) 542-0006. You must confirm your attendance at the training session in writing to me.
- You will cease and desist from making hostile and discriminatory public comments about your co-workers.
- You will cease and desist from making complaints and/or accusations through electronic communications.
- You will have this letter placed in your employment file indicating a violation of University policy which may be considered in the future in evaluating your performance within the department and college.
- You will agree to follow established University policies in making any future complaints.

If you do not meet these conditions or if you otherwise violate the University's non-discrimination and anti-harassment policy in the future, you will be immediately subject to Board of Regents Policy 803.11- Discipline and Removal of Faculty Members.

(<http://www.usg.edu/academics/handbook/section4/4.12.phtml>). If you ever need clarification about what is required of you, I am available to discuss the matter with you.

Finally, it is a violation of University policy to retaliate against any person or attempt to intimidate any person who participated as a witness in the investigation of this matter. Therefore, if you engage in any retaliation, you will also be subject to immediate disciplinary action up to and including termination of your employment.

If you have any question about my investigation and/or resolution of this matter, you should contact me at (706) 542-0006. I will not respond to any further electronic communications from you.

Sincerely,



S. Elizabeth Bailey
Associate Director for Legal Affairs

Cc: Dr. Robert E. Hoyt, Interim Dean of the Terry College of Business

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PS Form 3800, June 2002

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Dr. Barbara Carroll

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