

From: throwaway987@freenet.de
Subject: Appelbaum wurde im Jahr 2015 ausgesetzt?
Date: June 9, 2016 at 1:00 PM
To: cyrus.farivar@arstechnica.com



-----weitergeleitete Nachricht-----

Von: "Tom Leckrone" []
Gesendet: Do. 18.03.2015 15:03
An: "Jacob Appelbaum" [jacob@torproject.org]

Dear Jacob,

This letter is to confirm our conversation of yesterday in which you were informed that, as a result of your actions on March 3rd at and March 6th at the company meeting Valencia, Spain, you have been issued an unpaid suspension for a period of ten business days.

I had been working with you regarding issues that have been raised regarding your words and actions, which are at times unprofessional and may cast Tor Project in a negative light or create issues with other members of the community. In particular, concerns have been raised as to past statements that caused other community members to feel uncomfortable or unwelcome. As you know, a community member advanced a complaint that included two separate instances. One of the instances involved a provocative conversation on the afternoon of March 6th. The person to whom you were speaking was not offended, but the provocative conversation could be overheard by others and created an unwelcoming environment.

The other incident raises more serious concerns regarding Tor Project's obligation to ensure a safe and comfortable work environment, especially as regards an environment that is unwelcoming or hostile to protected classes of community members. In this case, you made statements that implied that new community members were recruited in a sexually charged manner. This was made during the course of a Tor Project-sanctioned work session which you took part in leading. The very statement that the inception of a working relationship was in any way influenced by sexual conduct or even innuendo is offensive, especially in an environment where Tor Project is actively working to ensure that all community members are able to engage and advance themselves based on their skills and willingness to contribute rather than other attributes. In particular, it is essential that community members not raise or base opinions on attributes that relate to gender or are sexually charged. This statement would be, by itself, subject to discipline, especially where you were in a position of power and were on notice that you needed to avoid any appearance of unprofessional words or actions. However, in the repartee that followed, you expressly stated that the offensive sexualized recruitment "strategy" had "worked" with the complainant. This statement created an inappropriate and unwelcome environment for the complainant, and, indeed, any bystander who overheard this statement would be likely to perceive that the work environment at Tor Project was not welcoming and supportive of merit-based work.

We believe that, given the commitment to Tor Project that you have demonstrated and Tor Project's ability and willingness to support your further development, there is a strong likelihood that the employment relationship will be able to move forward in positive and productive directions. With this end in mind, we will work to develop a Performance Improvement Plan at the close of the suspension period. Emphasis will be on your ongoing obligation to scrupulously serve Tor Project's best interests and comply with employer expectations in performing your job. The Performance Improvement Plan will cover both affirmative job responsibilities, as well as your obligation to refrain from the types of harmful actions and statements that have been noted above. Further misconduct either through the close of the 90-day period or thereafter will be subject to further discipline, up to and including termination of your employment.

You will be expected to engage with me on performance and conduct issues, and Director of Communications Kate Krauss will play an important role in re-situating, supporting and coordinating your role going forward.

If you should not wish to continue with Tor Project under the terms of the suspension and the Performance Improvement Plan, you may resign and elect a severance package that includes three months of salary and benefits coverage at current levels. Should you elect to move forward and further performance or conduct issues ensue, Tor Project may terminate your employment without any severance payments.

You are expected to return to work on March 30, 2015, at which time we will develop the aforementioned Performance Improvement Plan.

If you have any questions, please contact me or Executive Director Andrew Lewman.

Sincerely,

Tom

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