



***RESPONSE to: Investigation for Possible Implementation of a
Performance Improvement Plan***

Form of Grievance

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Preamble

On 24 July I received a letter *Investigation for Possible Implementation of a Performance Improvement Plan* (Appendix 1).

The letter was requested by me in response to an *impromptu* meeting that I was called to attend on 13-June-2013 with my workgroup Manager, Edward Von Abendorff, Vice-President Marine Contract – Africa, Simon Cather, Regional President, Marine Contract – Africa, and David Nicholson, Human Resource Manager.

During the meeting assertions regarding my performance and competency were discussed. Due to the gravity of these assertions and their impact on both my personal and professional well-being, I felt it imperative that this issue be formalized.

To the extent that Contract Sales – Africa Management has viewed my performance as debilitating to the function of the group, and moreover the deleterious impact of the assessment on my personal and professional well-being causing great uncertainty and stress, I thought that the process should have been managed much better and differently.

I had reservations that this “performance management” meeting seemed to depart from the standard UK Personnel Handbook recommendations and PGS contracted training and development and otherwise conventional best practices.

It should be mentioned that I have received appraisals and “gap-analysis” reports from my Manager, Eddy Von Abendorff, that I almost fully disagreed with prior to this meeting, as they lacked depth and were not aligned with any performance or developmental objectives or assignments. On these occasions I have requested specifics about the asserted performance issues; how they were based and measured, and of course how we could move to manage and improve my performance, to the extent that improvements were needed. This was never done.

Following the meeting, I asked David Nicholson, UK HR Manager, if minutes of the meeting had been taken to record the content and context of the meeting. I was told that the meeting was *informal*, and as such no minutes of the meeting were *formally transcribed and distributed to participants*. (Although, HR had annotated notes of the meeting while the meeting was in progress.)

I not only disagreed with the base assertions made during the meeting (and subsequent letter), but I was additionally distressed at the intimidating urgency and tone of the meeting that I was called to moments before it occurred. (There was an apology for my being ambushed into such an intimidating arena.)

The summary of the meeting was that David Nicholson and Simon Cather would help investigate opportunities for me outside the Contract Sales – Africa group. I had applied for Quality Management positions with PGS DP and Simon Cather seemed to believe that this is an area where I had an aptitude and interest.

While I agreed with this outcome, I do not agree with the basis and assessment of my competencies and contribution to the work group as they apply to the Contract Sales Supervisor position.

I do not have issues with performing in Contract Sales Supervisor position. In a properly managed environment this could be demonstrated and developed more fully and the position could be enjoyable and rewarding. When I started in the group I came in early and left late enthusiastic about learning and developing in this role promoting PGS services.

I am hardworking and capable of learning new things. I have demonstrated this many times. I have worked on several different PGS vessels, remote offices, and main offices around the world. The assertion that I lack some capacity to learn or develop “acumen” in any area is without foundation. I make many positive and substantive contributions to the Contract Sales – Africa group.

Summary of Contributions to the Contract Sales – Africa group

- Eddy Von Abendorff has received two promotions since I started in Contract Sales – Africa
- I researched and compiled information to complete the 2013-2016 offshore Africa continent market analysis presentation for the regional president.
- I actively organized, created and uploaded content, maintained, shared, and made available more readily available information to assist and improve the bid assembling process onto the Contract Sales – Africa intranet site.
 - Bid Management workbook template
 - Risk Assessment form template
 - How to Initiate the bid/collection of feedback process tutorial presentation
 - Consolidated common PGS terms and conditions to reference during bid assembly process
 - Organized and placed in folders pertinent reference information
- I was instrumental in the 2013 Contract Sales – Africa group completing their KPI.
 - For the most part, I individually constructed and made functional the *Bid Management* workbook which is designed to link and consolidate pertinent information to pass forward to Project Management, as well as other workgroups. This was accomplished well within the time frame for completion.
- Written new technical content which is frequently used on many Contract Sales – Africa proposals
 - GeoStreamer®
 - Simultaneous Long Offset
 - 4D Acquisition
 - The Benefits of Wide-Tow and Deep Tow Ramform Acquisition
 - Security
- Organized Meeting for Supervisors to review and revise Contract Sales – Africa proposal style
- Actively worked to revise and improve the Risk Assessment form/process (with Project Management) to include more commercial information to facilitate more fact-based modelling.
- Work plan for Field Crew Secondment Assignment
- Presented to OTS plan for standard feedback form/format
- Worked with PM to create better RA form – test format
- Responsible for completing over 45% of the formal bid/ITT proposals for the Contract Sales – Africa group.
- Assisted in ISO 14001 Legal Register

Even though I am *heavily* relied upon to complete work within the Contract Sales – Africa group, Contract Sales – Africa Management implies that I am not performing to standard. This is ludicrous as well as contradicted by the amount work assigned to me individually and with compressed deadlines for completion (Appendix 2).

Contract Sales – Africa Management has used false claims regarding my contributions and performance in a destructive and damaging way. Contract Sales – Africa Management’s prior actions, as well as the tone of the discussion of the meeting and letter, demonstrate to me that Contract Sales – Africa Management was determined to justify their past and current negative

management behaviours and actions toward me rather than actually address claimed performance issues.

I had requested that Contract Sales – Africa management specifically identify and present to me any performance issues to support the assertions. There is no chronicle of past performance management initiatives that would allow Contract Sales – Africa Management to factually justify the conclusions presented during the meeting. If I do not know the objective or measurement criteria how can I act and improve my performance?

I found the meeting itself to be inappropriate. I am not a bad employee. I am responsible and take my work seriously. I show up to work and complete the tasks assigned to me diligently. Further, I am available for private meetings, frank discussions, or coaching from my first line supervisor most every day at the discretion of Contract Sales – Africa Management, to the extent that they are held in a thoughtful, respectful, honest, and constructive way.

I have been a devoted employee of PGS. I have always worked hard to advance PGS and its values and services to the best of my ability. I have worked for PGS around the world; in Houston, on OBS and streamer vessels, in remote Africa data processing centres, at the KL data processing centre, and finally now in the UK.

I am confident that my knowledge and abilities could be an asset in the role of Contract Sales Supervisor – Africa. I have given my best effort to perform my duties and also try to improve the efficiency and efficacy of the groups work. In no way have any of my activities been malicious or purposefully destructive to any person or to PGS.

I have done nothing to deserve being treated with such disrespect and indignity from my Manager to address “performance management” issues.

Contract Sales – Africa Management has abrogated their responsibility to provide constructive and meaningful development opportunities and constructive feedback to allow me to contribute to my full potential at great cost to me personally and to PGS. The meeting and subsequent letter is moreover the culmination of inappropriate and destructive management practices directed toward me.

Contract Sales – Africa Management have demonstrated no desire to improve and develop my performance or improve the processes and work environment that constitute the sales supervisors daily work. In fact, most all of these management functions have been deliberately impeded or ignored.

Contract Sales – Africa Management have made deleterious, far-reaching and inaccurate assessments regarding my capabilities and performance by proxy of position rather than objective and fair performance measures. They have invested more time and energy into trying to deny and suppress my opportunities and contributions while sustaining a stressful, unsafe and low morale work environment.

It is for these reasons that I chose to formalize the process and lend transparency to it and essentially tell my side of the story.

To this end, I am responding to the *Investigation for Possible Implementation of a Performance Improvement Plan* (Appendix 1) in the form of a grievance.

Form of Grievance

In response to the fore-mentioned meeting and the *Investigation for Possible Implementation of a Performance Improvement Plan*, I am initiating the grievance procedure, due to 'my belief' that PGS Contract Sales – Africa Management has breached in practice and principle UK Labour Laws, PGS Core Values, PGS UK Personnel Handbook practices, as well as established best practices as presented through PGS contracted training and development courses.

It is my contention that Contract Sales – Africa work environment is unsafe/unhealthy.

Further, the Contract Sales – Africa Manager has breached his trust and authority through exercising negative behaviours consistent with workplace bullying, harassment, discrimination, defamation and negligence.

UK Labour Laws

The Health & Safety at Work Act 1974 -- Duty of Care

All managers have a duty of care to their employees. (CIPD (website), 2013) An employer's duty of care are wide-ranging and may manifest themselves in many different ways, such as:

- Clearly defining jobs
- Ensuring a safe work environment
- Providing adequate training and feedback on performance
- Ensuring that staff do not work excessive hours
- Protecting staff from bullying or harassment
- Protecting staff from discrimination
- Consulting employees on issues which concern them.

(Acas (website), 2013)

Equality Act 2010

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic. Nationality is a protected characteristic. (ACAS (Advisory, 2011)

Duty of Trust

Duty of trust and confidence exists between the employer and employee, who owe each other a duty not to act in a way that is likely to destroy, or seriously damage the relationship of trust and confidence. This is a term which is implied by the law into every contract of employment. (Humphries and Company (website))

Defamation

Verbal or written communication that hampers the future prospects of the employee in the organization is defamation. Employees may not be able to change positions or be promoted due to such slander. This is often done by jealous fellow employees or an egomaniacal boss. Libel may be cleverly disguised in official company documentation. (buzzle.com, 2013).

Negligence

It is an implied term in the contract of employment that the employer will ensure the employee's health safety and welfare and will "not act in any manner calculated or likely to destroy the relationship of trust and confidence which should exist between the employer and employee"

Workaholics

The Contract Sales – Africa Manager is well known to work excessive hours. The *Health & Safety at Work Act – 1974* prescribes a limit for workers of 48 hours per week. However, staff can voluntarily agree to exceed the average 48-hour limit.

Workaholic employees are thus enabled to work as many hours as they want (unless they work for an enlightened employer that formulate and implement a policy to manage working hours and prevent excessive working hours). It is, arguably, up to management to prevent individuals from working excessive hours because the law does not do so directly.

However, even where long hours are worked voluntarily, an employer that condones an employee's extreme working habits may be in breach of the common law duty of care, if the working habits were to cause the worker a build-up too much stress. (propertyjobs.com, 2013) Overly excessive work hours should not really be tolerated. There are limits to the number of hours that can be worked and the workers ability to perform.

Workaholism is considered a symptom of obsessive-compulsive disorder, with a broader obsession with control at the expense of flexibility, openness, and efficiency. (oasas.ny, 2013) Workaholics are busy all the time but not as productive with their time.

The Contract Sales – Africa Manager's work habits are unhealthy and also negatively impact the overall performance of the Contract Sales – Africa group. When every day is managed as a crisis, the crisis is management. The excessive work hours demonstrate an under resourced, disorganized and stressed work environment. Everyone needs proper rest and a well-organized and balanced distribution of work to function at their best, develop, and to interact with co-workers and clients most effectively.

This is an intervention.

The Contract Sales – Africa Manager's poor time management and disorganization overflows to the sales supervisors work creating a less respectful, less efficient, less effective, and thus more stressful work environment. This is done in conjunction with additional destructive management practices.

Destructive Management – Bullying, Harassment and Discrimination

There are standards of acceptable behaviour. Behaviour that violates those standards is not acceptable whether it is unintentional or not. (Quailia Soup, 2013)

Bullying is not a leadership style, it's the opposite of leadership. Leaders inspire and build functional teams. They value others, reward competence, they encourage contribution. They set good examples by holding themselves to the same high standards that they expect of others. They aim for clarity, behave with integrity and maturity and take responsibility for their mistakes.

By contrast, bullies erode and disrupt functional teams. They may use team language but are not team players. They devalue others and feel threatened by competent staff and stifle contribution. They set bad examples and exhibit hypocrisy. They pollute the work place by projecting negative tendencies onto others and by creating confusion and uncertainty. They lack integrity and maturity. They blame others to disguise their own failings, focus on petty fault finding and generate conflict.

Companies that fail to control bullying,

- Lose money
- Lose productivity
- Lose good workers
 - Loyalty

- Trust
- Good will
- Valuable skills

Formal power is legitimately derived from one's workplace position (e.g. manager), such as having responsibility over human and physical resources. Thus, 'formal bullying' is inclusive of an abuse or inequitable application of legitimate rules and procedures, in which targets are unfairly treated. For example, unpleasant tasks may be allocated unfairly as a punishment. Formal power can only be directed vertically in a downward direction toward subordinates.

Bullying behaviours are derived from the abuse of power. These abuses of power include an unfair allocation of unpleasant tasks, the inconsistent enforcement of rules and the exclusion of people from communications. The 'intimidating' use of competence or discipline procedures' can only be implemented by perpetrators with legitimate formal power over subordinates. Additionally, destabilization (e.g. removal of responsibilities and overwork) mostly pertains to negative behaviours that require the perpetrator to have legitimate formal power.

Further to this, research shows that workplace targets are often strong capable individuals who have greater sources of personal power such as being more qualified or more competent than the perpetrator. Prior work has therefore found a relationship between envy and workplace bullying. Together, these findings suggest that workplace targets may be chosen not because they are perceived as being less powerful or powerless, but rather, because those whose egos they threaten develop a desire to weaken their more advantaged position. (McGrath, 2010)

It is said that those who raise awareness of bullying are their company's best friend by championing the values of dignity, respect and safety, and that they are individuals who have courage to speak out and seek change. No one should expect to put up with bullying or have their careers and well-being jeopardized in any way because of someone else's misconduct. (Quailia Soup, 2013)

Bullying behaviour constitutes a breach of the employer's **Duty of Care** whereby employers have a legal obligation to ensure both the physical and psychological wellbeing of their employees.

Bullying can be described as offensive, intimidating, malicious or insulting behaviour, or abuse or misuse of power, which violates the dignity of, or creates a hostile environment which undermines, humiliates, denigrates or injures, the recipient. (Chartered Management Institute (Website), 2013)

This abuse of power or position can cause such chronic stress and anxiety that people gradually lose belief in themselves, suffering physical ill health and mental distress as a result. Workplace bullying affects working conditions, health and safety, domestic life and the right of all to equal opportunity and treatment. (Lamplugh, 2002).

Stress results from a mismatch between the demands and pressures on the person. This includes not only situations where the pressures of work exceed the worker's ability to cope but also where the worker's knowledge and abilities are not sufficiently utilised and that is a problem for them.

A healthy job is likely to be one where the pressures on employees are appropriate in relation to their abilities and resources, to the amount of control they have over their work, and to the support they receive from management.

As health is not merely the absence of disease or infirmity but a positive state of complete physical, mental and social well-being, a healthy working environment is one in which there is not only an absence of harmful conditions but an abundance of health promoting ones. (WHO , 2013)

The negative behaviours from Contract Sales – Africa Management are exacerbated by the fact that I am a USA citizen working in the UK on a PGS sponsored Tier 2 visa. This harassment and mistreatment grounded in my nationality constitutes discrimination.

Because of my nationality, Contract Sales – Africa Management has substantial influence over not only my professional livelihood, but also my personal life. It is my belief that the extra power and control over my professional and personal life has provided an additional avenue for abuse and mistreatment.

PGS as well as I have personally and professionally made a substantial investment for me and my family to live and work in a foreign country. PGS paid for an international move and visas. My children are enrolled in the English school system, my wife and I invested in driving lessons to get the UK driver's license, signed long term lease for a home, etc. We have bought cars and made long term investments to live and work in the UK. However, destructive management practices and abusive behaviour have caused tremendous uncertainty and stress

Research indicates that it is the *perception* of job insecurity is the most important correlate with employee health and well-being. Perceived job insecurity impacts negatively on employee well-being. Perceived job insecurity is also associated with lower general health and increases in distress. (Sparks, 2001)

The **PGS UK Personnel Handbook** describes bullying as an abuse or misuse of power which undermines or humiliates an employee. The **PGS UK Personnel Handbook** further states that discrimination, bullying or harassment of any kind **will not be tolerated by the Company**.

A PGS core value is **People focus and integrity**. It is an implicit condition of employment with PGS that core values are adhered to and that the values of accountability and honesty are practiced and that people are developed and respected as valued team members. PGS' **Leadership in HSEQ** establishes a goal of zero injury to people.

Similarly, OHSAS 18001 standard certification establishes guidelines to identify and improve conditions of psychological risk in the workplace.

Misuse of the PGS Performance Management System

Contract Sales – Africa Management's departure from **PGS UK Personnel Handbook** recommended practices, in conjunction with PGS contracted **Management Development Workshop** (Coachwise) further demonstrate a misuse of authority and destructive management practice. Contract Sales – Africa Management has not undertaken any real constructive measures to relate, develop or improve my performance. My performance has merely been "rated".

To the extent that PGS has provided formal training, none of the identified deficiencies have been recognized in any way. The *Investigation for Possible Implementation of a Performance Improvement Plan* does not exemplify an effort by Contract Sales – Africa Management to develop and improve my performance. In a petty and amoral fashion, Contract Sales – Africa Management have used intimidating and malicious measures to justify the continuation of unhealthy, debilitating and destructive workplace practices.

Contract Sales – Africa Management has inappropriately used the performance management system assessment process with impunity to justify stifling my growth, and loading me with less desirable group work assignments, and otherwise humiliating me by defining and limiting my potential.

Rejection of PGS Core Values, PGS UK Personnel Handbook and Standard Best Practices

The **PGS UK Personnel Handbook** states guidelines for PGS' Performance Management System and Appraisals:

The Company has developed and put in place a performance management system, PeopleFocus, to assist in the development of both the Company and staff.

Information about the PeopleFocus system can be found at the Global HR site, ONLiNE. The system is an integrated system, which has the following objectives:

- To reflect PGS Core Values, KPIs and Performance Management policy;*
- To assist in the creation of an individual development plan for staff and to identify any training and development requirements;*
- To provide a unique, focused, two-way communication forum relating to individual career and objectives, and;*
- To provide transparency for management and employees on performance.*

The **Management Development Workshop** presented to PGS employees presented by Coachwise (which I attended) covers performance management as well.

The course included performance management materials to ensure that employee goals are consistently being met in an effective and efficient manner. The course covered S.M.A.R.T. objectives. S.M.A.R.T. objectives are,

- *Specific*
- *Measurable*
- *Achievable*
- *Realistic*
- *Time-bound*

The course and manual also recommends coaching as a practice to move people from where they are to where they want to be. The objectives of coaching are,

- *To assess current performance against agreed standards or job descriptions*
- *To identify and agree to current performance behaviours*
- *To coach skills and techniques*
- *To build a professional attitude through encouraging continual self-analysis and development*
- *To offer specific guidance in self-development which happens in the absence of the coach*
- *To determine training needs which require more formal attention*
- *To evaluate improvements in performance and praise accordingly*

ACAS (Advisory, Conciliation and Arbitration Service) recommends best practices for handling performance issues as well. (ACAS (Advisory, 2011).

Good performance management helps everyone in the organisation to know:

- *what the business is trying to achieve*
- *their role in helping the business achieve its goals*
- *the skills and competences they need to fulfil their role*
- *the standards of performance required*

- *how they can develop their performance and contribute to the development of the organisation*
- *how they are doing*
- *when there are performance problems and what to do about them.*

While employers are not mandated to follow such prescribed practices, tribunals use the ACAS standards as a basis in determining outcomes.

Contract Sales – Africa Management performance management practices have been bereft of most every recommendation stated in both the **PGS UK Personnel Handbook** and **Management Development Workshop** (as well as ACAS best practices).

Contract Sales – Africa Management is also aware of the concept of a work plan / development plan to help focus activities to develop people. When a field crew candidate was seconded to work within the Contract Sales – Africa group, I was assigned to complete the work plan for this individual, which I did (Appendix 3).

This work plan for the field crew candidate was recommended/mandated, I believe, from senior management outside the Marine Contract Sales - Africa group to monitor the success of the secondment assignment. This confirms the understanding of the importance and value of a Work Plan / Development Plan to the successful development of employees.

I am also aware of the significant value of a development plan through my training and experience as a teacher and work in Learning and Development. I am also fundamentally aware that aligned objectives need plans with benchmarks for success, clear and meaningful discussion and feedback regarding progress, and otherwise the time and attention of management to be most successful

Noting how I had been admonished – even back then – from normal development and work assignment opportunities, I asked the Contract Sales – Africa Manager where my work plan was. Contract Sales – Africa Management had already predetermined my role in the group to be assigned less desirable work and denied growth and development opportunities. No work plan was ever created for me.

To the extent that I was not perceived as functioning at an appropriate level, there was no intervention to correct this. To the extent that I conceded that I could not meet these expectations, there was never any focus to help guide or facilitate my growth into another area. In fact, Contract Sales – Africa Management has obstructed my progress to move outside the group as well as progress within the group.

Contract Sales – Africa Management deliberately misuses their authority and the performance management system to achieve pre-determined outcomes with *arbitrary caprice*, thus invalidating in principle and practice the intention of the performance management system to develop people for the benefit of PGS. These negative behaviours are malicious and destructive and very unprofessional. These harmful behaviours are also very detrimental to myself and PGS. They absolutely go against the principles and practice of PGS Core Values, and otherwise lack professional integrity.

There are no laws that require, prohibit or regulate employee performance assessments. But their legality can still be challenged if they are not fact-based, fairly and objectively done and are not focused on the essential tasks of the job. (eHow UK website)

Commercial Acumen

Contract Sales – Africa Management has used the overly general and deleterious claim that I lack “*commercial acumen*” as an *ad hoc* justification for limiting my professional experience and opportunity and essentially treating me unfairly.

Contract Sales – Africa Management has also related this assertion to other workgroup managers for positions that I have applied for (in my effort to leave the Contract Sales – Africa work environment). This additionally demonstrates Contract Sales – Africa Management’s unethical negative management behaviours consistent with discrimination, harassment, and bullying.

This assertion regarding my *commercial acumen* is without qualified foundation and in its form within the *Investigation for Possible Implementation of a Performance Improvement Plan*, and also by broadcasting this negative assertion with other workgroup managers verbally, constitutes *defamation* (libel and slander).

A main motivation for my response in the form of a grievance is that one should never allow a defamatory statement to go unchallenged. Silence is perceived as acceptance. If one does not respond about what has been said and written about them – especially at a professional level - then it must be true.

This grievance action is about my reputation, self-respect and dignity.

This assertion had also been made in the past to me in person (from my EvA/SC). While I disagreed, I decided to put my effort into applying for other positions outside the group. I was told that I was too valuable to the Contract Sales - Africa group in one case. More recently, Contract Sales – Africa Management related that I lacked “commercial acumen” as a deterrent to outside hiring managers.

I participated and completed **Tom Hopkins Sales Training** (Guru Salesman) course several years ago. Some aspects of this training course made an indelible impression on me. Tom Hopkins does not believe that there is a “naturally born” anything – including sales people. He believes most everything can be learned and developed. Many companies provide training courses to develop and improve commercial and business acumen skills. My Google™ search for *commercial acumen training UK* resulted in 3,340,000 hits. Tom Hopkins, as well as many business training companies, do not believe that commercial acumen is something some people are simply born with. Neither does PGS, as I have completed internal sales training courses. (I similarly was never assessed beyond Contract Sales – Africa Management as having no commercial business sense.)

There has been no constructive attempt by Contract Sales – Africa Management to even define what specifically I lack, much less develop it. I am a trained educator and have taught at the high school level in the USA and have Teaching English to Students of Other Languages (TESOL) training. One of my principal functions while working in the remote centres of Lagos, Nigeria and Luanda, Angola was to help develop and train staff. Prior to my move to the UK my job was *Learning & Development and Quality Management Coordinator*. One of the key objectives of these roles was to make the complex more palatable. While within the Contract Sales – Africa group I have organized information and created tutorial/guide presentations to assist team members. There are no awards – to business or to students (and I will add to subordinates) - for making that which is simple overly complicated and unclear.

As a life-time learner and someone who is not insecure or bothered by sharing information and knowledge, it is quite frankly offensive to be told in such an extreme way that I do not have the capacity to do something. Even if there were some truth to the assertion, is it really to the level that nothing more can be done? This is more a failure of Contract Sales – Africa Management to either

provide the opportunity and / or the time to allow me to demonstrate my capability. I am quite sure that I know more about *commercial acumen* than Contract Sales – Africa Management asserts. (During the meeting they did recognize and relate that I was still a “smart guy” as to placate the otherwise disparaging tone of the meeting.)

From the very start of (even before) my position as a Contract Sales Supervisor I set-up Google™ alerts to keep me informed of Africa exploration and seismic acquisition news, including news about PGS competitors. To the extent possible, I keep informed of the competition and their competing technology and solutions. I often forward pertinent alerts to share with the group.

I subscribe to the *Harvard Business Review* and read/own books and articles about risk management, fact based decision making, business, proposal writing, ISO/OHSAS management systems, and management in general. I am a member of the SEG, EAGE and PESA (and until recently, SEAPEX). I also receive and read additional industry serials and used to keep all of these in my office book cases. I have not been lackadaisical in regards to keeping track of the industry and other best practices.

I have worked to improve the risk assessment form/process by adding and organizing cells for current and project specific commercial information (this information often resided in mails or other not easy to find places). I individually was responsible for creating the BidManagement excel workbook used by our group that fulfilled our group KPI objective.

I created / wrote new content for the Contract Sales - Africa proposals to better present and promote PGS technologies and services that more elaborately differentiate PGS from the competition. This included sections for GeoStreamer®, SLO acquisition, 4D acquisition, security and the benefits of wide tow and deep tow Ramform vessel acquisition.

I often use survOPT™ software to check PGS Bidbase program acquisition geometry and durations and include images, where appropriate, to supplement and add credibility to our acquisition proposals and services.

I completed the 2013-2016 Africa Market Analysis presentation for the Marine Contract – Africa president using IHS and industry news along with information stored in PGS Comptrack to support management decision making.

Commercial acumen is learned, not innate. A person develops commercial acumen through the combination of experience and formal training. Such personal development requires an understanding and application of the management processes to ensure a disciplined and consistent approach to analysis and decision making. (Financial Times Lexicon, 2013) I would also note that face time and discussion with the group and/or the group manager would be tremendously useful. Recently my office companion and I were discussing how useful and informative a more thoughtful “brain storming” bid review meeting was.

Contract Sales – Africa Management does not apply a disciplined and consistent approach. Nothing is written down for reference. Rather, Contract Sales – Africa Management’s approach to commercial bid card modelling is (overly) erratic and subjective. The Contract Sales – Africa Manager uses obtuse naming conventions that make future review of bid card models cumbersome. Bid cards are poorly commented and values for commercial items are often lumped together. Applied weather models are also highly subjective. Without direct interaction and explanation they are difficult to decipher and match independently. However, on a personal-professional level, I simply am not afforded the time and attention from the Contract Sales – Africa Manager to discuss the process, as these meetings are on his schedule and at his discretion. I have very little one-on-one time with the Contract Sales –

Africa Manager and it is generally rushed final discussions prior to dispatching a proposal. I have never had developmental or coaching sessions.

When Contract Sales – Africa Management initially assessed my “deficiency” in commercial acumen I was frankly aghast. I mentioned that there was nothing technically beyond me in understanding Bidbase. In fact, I told them I could probably *write* Bidbase, as I spent some time in the role of an applications programmer while working at White Sands Missile Range (New Mexico) for a project using Visual Basic and C++ to convert mainframe computer program applications to the Windows environment that could use over-the-counter (MS Office) software products. (During my time with PGS DP I also did quite a lot of script program writing.)

Early on I had noted that the degree of uncertainty of our commercial models was likely becoming larger than our bid profit margins (we were bidding break-even) and I thought that our models could be more fact based and tighter. I mentioned that one measure of commercial modelling acumen might be comparing Bidbase bid sheet award models with project management term sheet results. Contract Sales – Africa management seemed uninterested in demonstrating what commercial acumen was from this vantage point.

One of our competitors recently listed a position opening for Regional Sales Manager. One of the duties listed in the position requirements is:

- *Post-job calibrations of tender models versus actuals*

If the idea of modelling is to try to estimate project variables and cost the job correctly, then a perfect model estimate would match the result exactly. (Noting that this would actually be impossible to achieve in a dynamic real world.)

To the extent that the Contract Sales – Africa Manager creates and/or approves most every final bid card commercial model, the Africa 2013 group tender margins as presented during our team meeting (term sheet agreed) varied from ~ 5.4 % - 24.8 % and result (term sheet result) varied from -41.4 % - 20.2 % (!). The average deviation between term sheet award and term sheet result was ~ 19.2 % and the cumulative revenue generated (result) was ~ 43 % of the revenue modelled (agreed). But, Contract Sales - Africa never discusses the fidelity or veracity of our models once the bid is out the door. (Appendix 4)

Commercial acumen is multifaceted. It is not only Bidbase commercial modelling sheets, but must include assessment of other intangibles. How to account for these intangibles is highly subjective and worthy of thoughtful discussion. The claim that I lack commercial acumen is not true and not demonstrated through my contributions to the group. It is only “apparent” to Contract Sales – Africa Management with negatively biased and predetermined motivations

Separating out a single element of a strategic process to serve as evidence for a predetermined conclusion about the whole is also not a valid means of assessment. It is meaningless in real terms. Except for the fact that when this information is negatively broadcast to other managers and colleagues it has a damaging impact on my professional reputation, personal and professional growth, and personal and professional well-being.

Negotiation, Planning, and Client Interaction

I have accompanied the Contract Sales – Africa Manager to meeting and negotiations on a few occasions. I never received any feedback that would have indicated that I had affected discussions in a negative way.

When I do accompany the Contract Sales – Africa Manager we do not meet or discuss a plan or strategy as is prescribed in training courses. I am usually a transcriber during the meetings. In the evenings I am rarely tasked with analysing commercial terms. In my experience evenings were mostly spent working on other tenders remotely or generating survopt™ plots.

To the extent that I tend to be a person who plans and prepares for meetings – or events in general, I cannot see that I do not have this ability. I have taken courses with and outside PGS on negotiations and never received any comments suggesting that I lack negotiation skills.

Recently the Contract Sales – Africa Manager was discussing how much extra time and effort was required in the course of final contract negotiations due to the difficulty of getting correct and relevant technical feedback. Of course I could relate since this a principal undertaking of completing tenders. Even at the negotiation stage, much of the discussion is beyond the price sheet and to HSEQ and other technical issues. And this is what consumes so much energy. (In fact, only recently (~Sep-13) the Contract Sales – Africa Manager was mentioning how much time was invested during final negotiations verifying and correcting technical specification information.)

Most courses emphasize planning and preparation as the key negotiating skill. Most every contract meeting and negotiating requires the support of technical, HSEQ, and legal departments in some fashion. I have never witnessed the Contract Sales – Africa Manager navigate a negotiation independently without some discussion and support from other PGS work groups.

Since I am involved and interact with the different workgroups on a frequent basis due to the volume of tenders that I complete, I am certain that I have what it takes to navigate a negotiation if given the opportunity.

Development and Growth Opportunities Denied

Assignments

Contract Sales – Africa Management has used the “commercial acumen” canard in the *Investigation for Possible Implementation of a Performance Improvement Plan* as justification to thwart my expressed desire to have the opportunity to participate and gain experience beyond completing tenders.

Contract Sales – Africa Management has had a predetermined agenda to limit my opportunities for some time. Completing tenders is one of main group outputs. Tenders require attention to properly format and supply specified requirements. Feedback from other PGS work groups is solicited and then needs to be compiled into a proposal that essentially sells PGS services. It is the main “selling” that supervisors do.

Formal tenders are mostly non-commercial to the extent that commercial terms and price sheets are regarded as the only commercial part. Formal tenders consists of many components all or in part, such as: due diligence and company legal and financial information, HSEQ, technical equipment specifications, legal, insurance, and operational feedback, etc., all need to be properly organized and compiled. Requirements differ between clients, but the amount of information required to complete a proposal tends to be proportional to the size of the client company. All of the compiled department feedback that constitute the bulk of the proposal support the commercial terms and pricing.

Budgetary proposals on the other hand are mostly commercial and do not require the substantial supporting technical, legal, HSEQ, etc. feedback. Thus, they are generally less stressful and time consuming to complete. While I am not assigned too many budgetary proposals to complete, I was complimented one in particular that I did complete by a colleague in Houston. Budgetary proposals

completed by the Contract Sales – Africa Manager are often not posted or distributed to supervisors for reference or review either.

Completing tenders is the most demanding and stressful work in the group and requires attention and concentration. Tenders need to be completed within a designated time frame (usually perceived as not enough!). Most tenders do not win work (unfortunately). However, unless there is “no bid” – which are rare – completing proposals is still demanding. Successful tenders lead to the more desirable contract work and negotiations. Every current supervisor in the group understands this.

The work and stress involved in completing tenders is further encumbered by the non-optimal process where required information is either not provided at all or incorrectly provided by certain workgroups. This makes compiling and completing tenders even more demanding for sales supervisors, requiring expending the time and energy to research and find the information or simply indicating we do not have the information (i.e., “TBC”).

Because I “lack of commercial acumen” I am assigned a substantially disproportionate number of full tenders to complete. (Appendix 2). Last year I calculated that I had been assigned over 47 % of the formal tenders for a group of three supervisors. This means that I am provided significantly less opportunity and exposure to other aspects of the positions work and functions and develop in other areas.

I am often assigned multiple tenders to complete in compressed time frames even when other supervisors are able to be exposed and develop in other areas. I am even re-assigned tenders that were originally assigned and worked on but not completed by other sales supervisors. Thus providing other supervisor’s with the opportunity to develop in new areas whereas I am not.

The assignment of work is by design and deliberate and at the complete discretion of the Contract Sales – Africa Manager. I have protested the disproportionate assignment of the least desirable work. The other group supervisors have even requested that a Bid Administrator be hired into the group to help with the completion of tenders. I have not requested a Bid Administrator, even though I clearly work on more tenders than the other individual supervisors. I only request a more fair allocation of less desirable work. Again, to bully’s it is all about personal control.

I personally think that it is dangerous to the team and PGS not to develop all of the supervisor’s abilities in a planned and proportional fashion. What happens when there are several contracts and negotiations needed to be dealt with simultaneously?

Contract Sales – Africa Management has their predetermined agenda. And when I protested the unfairness in assignments they misused performance ratings as a basis to justify this.

KPI Opportunities

My KPI opportunities have also been thwarted during the past two years. My KPI for a past year was to attend a start-up meeting for a project/proposal I had worked on. This had been planned for months and I had even re-arranged personal schedules to accommodate this KPI opportunity. However, right before my scheduled departure, my KPI opportunity was cancelled.

A tender assigned to be managed by another supervisor for several weeks prior had very little progress made on completing it. What had been ample time turned into a rushed job. The tender was reassigned to me – bid responsible – with a very short amount of time before the deadline. The reassignment essentially freed the burden and stress from the other supervisor and shifted it onto me. I protested this unfair redistribution of work. The redistribution altered family plans. I did request and

received some assistance from another supervisor. However, the burden and responsibility can be changed as easily as font colour.

A second Developmental KPI opportunity was also thwarted again the week following the fore mentioned impromptu meeting.

First of all, the Contract Sales – Africa Manager was not altogether helpful in assisting my scheduling of this KPI opportunity. Because of my visa renewal time line, there were only certain weeks that I would be able to travel for my opportunity in Oslo. The holiday schedules of the Oslo office staff created additional constraints for the time that I could actually be accommodated for the work assignment. On my own initiative, I contacted OM and PM to determine a time window for my developmental assignment.

There were several preconditions to my being able to travel to Oslo to fulfil my developmental KPI. Essentially, there could not be any additional tenders arriving before my departure date. I needed to have an open ticket.

These initial conditions were met. However, mid-week of my assignment I was again recalled back from my KPI assignment to help complete a tender. The week that I was in Oslo everyone in the group – three people - were in the office except me. In spite of this, they all could not complete the tender before my return. (I am unaccustomed to such luxuries as being able to leave unfinished work with others.) However, the following week when I was the only one to be scheduled in the office another supervisor was allowed to meet their KPI unencumbered. I was essentially left alone to finalize a proposal that other supervisors had worked on for previous weeks yet were unable to complete. Had the roles been reversed I am all but certain that I would have never even been able to start my KPI. Instead my opportunity was cut short. And again, the stress to meet the tender deadline was moved from the other supervisor(s) onto me.

This is clearly a double standard and unfair treatment. But, let us also be clear about something. I meet my deadlines. For all of the criticisms and bullying I receive regarding my work, I am relied upon to get the work done. I am serially assigned more tenders with more compressed deadlines.

However, the Contract Sales – Africa Manager remains undaunted and unashamed in claiming I have quality issues when he is the one who allocates the work disproportionately and assigns the work with compressed deadlines.

The contribution and effort involved in completing tenders is also undervalued. This is even though the time to complete the *non-commercial* part of tender is substantially more than the *commercial portion*. The *non-commercial / technical* discussions during contract negotiations also significantly cover non-commercial issues. I am blamed for the veracity of technical information in the tender more than the technical team that provided unclear or incorrect feedback.

There is minimal assistance or reassignment for tenders that I am assigned. More work in less time and resources would seem to have an obvious outcome as well as an obvious solution that Contract Sales – Africa Management denies. I am simultaneously regarded as indispensable and incompetent.

I had been on schedule to participate in the MSA discussions/work for a client along with the Contract Sales – Africa Manager prior to the meeting and letter. Following the meeting my name – opportunity – was removed from the assignment list clearly in a punitive gesture.

Selective Sharing of Information and Feedback

There are times when the team needs to pull together. The Contract Sales – Africa group rarely does this. Contract Sales – Africa management assigns tasks, provides opportunities, and shares information individually on a select and biased basis. We do not carry out the work of the group as a team.

One of the more troubling indicators of the hostile and destructive Contract Sales – Africa work environment is the poor communication. The Contract Sales – Africa has mostly a “closed door policy.” I have been provided very little feedback about my work. Often, the final review of my work is done remotely and without discussion. There has been no coaching or informal training focused on me to address any of the performance issues highlighted in the *Investigation for Possible Implementation of a Performance Improvement Plan*.

I have also tried to advance a more organized and efficient means to collect feedback and provide better information to our clients. Several supervisors have followed in this effort as well. Even though the fidelity of information provided to us from other workgroups has a significant commercial affect, there has been no advocate for change at the management level where it is required. Instead the errors and inefficiencies are blamed on supervisors (me in particular).

I had made a recommendation that weekly the Contract Sales – Africa group should meet and discuss general information about work since often because of the individualized aspects of our daily work we do not always know details about what other supervisors are doing; problems, solutions, information, etc. This would be a platform for knowledge sharing that could help align strategy, content, and processes. (This was during a time when the composition of the group staff-supervisors was different.)

The Contract Sales – Africa group did have these weekly meetings for a few weeks. But, these meetings were always a bit unsettling to the Manager who was predisposed to be erratic and spontaneous in approach and practice. The reason attributed to time and having everyone around at the same time for meetings they just stopped happening.

However, just this past year the suggestion for these meetings was made again to be the Group KPI. Again, the Contract Sales – Africa Manager did not really support the idea. The group KPI became the Bid Management workbook. It is functioning and in use now. While it could likely be improved, I am never explicitly provided time to do so.

The selective and individual nature of how work related information is shared and distributed to supervisor's is also stressful and again demonstrates bully tendencies to want to control. Controlling information is detrimental and another aspect of negative management and bullying behaviours.

General information is not shared to the entire group and the Contract Sales – Africa Manager rarely speaks to me directly. He even talks past me to my office companion. He is also frequently on the phone with my office companion and when I am included put on speaker phone for input. (Contract Sales – Africa Manager's conversation with my office companion are usually not conducted on speaker phone.) The Contract Sales – Africa Manager also has several more individual meetings with my office companion than he has with me (which is zero except for certain reviews before dispatch).

I have a good work ethic and manage my work efficiently and get things done. However, since the Contract Sales – Africa Manager notes so many performance issues, you would think that there would be some constructive actions and direct interventions required. You would think that I would require more direction and individual communications. This is not the case.

I do separate work from family life. And I would not necessarily care if I were omitted from social activities with co-workers. However, there is a level of professionalism that requires positive and direct interactions, discussions and feedback. To the extent that I contribute substantially to completing the work of the group, I am entitled to the respect and time for constructive work related discussion.

I do not care to be overly social with my manager. However, when your manager shuns direct professional communications with you while simultaneously using office time for planning (and taking) holidays with co-workers, you cannot help but feel the game is rigged and something unprofessional and unethical is going on that only exacerbates an already stressful and hostile and low morale work environment.

Over 90 % of Mistakes Are Due to the System

Quality management Guru and lecturer W. Edward Deming has demonstrated that between 90-95 % of mistakes are due to the systems that people work in (Red Bead Experiment). While the exact percentage varies, it is a well-established fact that management is the principal driver of system outcomes.

Formal certified management systems that PGS has implemented, such as OHSAS 18001, ISO 14001, and ISO 9001, recognise this and require that top management take responsibilities for the systems that they oversee. This means not just being responsible for the final product, but also training and developing employees, as well as managing the environment and processes that create the final product.

The PDCA cycle (also known as the Deming cycle or Shewhart cycle) is integrated into OHSAS 18001, ISO 14001 and ISO 9001 systems. Practice-Do-Check-Act is a method for continuous improvement. Certified management systems also require evidence that systems and processes are achieving desired outcomes and that system deficiencies are detected and improved.

It is not enough to simply identify the failures in these systems because this by itself does not lead to improvement. Management must act to ensure the systems are changed such that the systems that manage safety, the environment, and quality (DP) are monitored, reviewed, and improved on a continuous basis.

The Contract Sales – Africa Management devotes essentially **no** time and attention to the work environment and processes used. Most efforts and recommendations to improve processes and the environment of supervisor's daily work are actually impeded. The organization of created office documents in terms of where and how to store them is hardly discussed and left to supervisors to sort out as well.



Contract Sales - Africa Management also fundamentally controls the resources to manage and complete work within the designated time frame. The Project Management (Triple Constraint) triangle illustrates the interdependencies of time, resources, and scope with the final outcome quality.

It is simple to see that compressing the time line while maintaining the same scope and resource affects quality of the final product.

Managing is not so much about detecting errors as much as it is about changing the system that produces the errors. If I

am personally responsible for so many critical errors why am I assigned so many opportunities to make more of them? Why are my KPI assignments cut short? What has been done to remedy the negative situation?

The Contract Sales – Africa Manager’s critique of performance does not seem to actually carry over to assigning tasks in such a way to address the “problem.”

Time Management

Time is a crucial factor which is uncontrollable. On the other hand, failure to meet a tender deadline could result in disqualification. Time management is thus a critical issue in the Contract Sales – Africa group. How resources are allocated affects individual stress loads and impacts outcomes. Assignments are designated by colour code and distributed to sales supervisors with (often outside office working hours) with little discussion.

There is often disparity in the workloads and the variety of work assigned. The disparity could be better controlled through shared workloads and allocating more/different resources to each project so people are exposed to different things and ideas can be exchanged. Again, work variety and distribution is in the control of the Contract Sales – Africa Manager. Supervisors are put-on and taken-off tasks randomly. Several simultaneous “priorities” are created rather than concentrating time and energy to complete one project and move to the next. There are usually too many things going on at once and completion is delayed to the last possible moment increasing the likelihood of error and increasing stress. Workaholics do not like efficiency.

There is usually a single “bid responsible person” who is ultimately tasked to complete the entire tender. In most cases there is often not a second set of eyes to review or opportunity to discuss things during the assembly process. Only the Contract Sales Manager completes a final review prior to dispatch.

The way in which assignments are assigned does not really allow for proper review. Individualizing tasks however is also a way to control opportunities and regulate how information is communicated and shared, as these conferences are also most usually individualised. Assignments equate to opportunity which the Contract Sales – Africa Manager allocates as reward and punishment.

The Contract Sales – Africa Manager is aware of my desire to be exposed to a greater variety of work but continues to assign the least desirable tasks along with the compressed deadlines to me.

The Contract Sales – Africa Manager has a “closed door policy” is a terrible time manager. In spite of the excessive hours worked everything is rushed to the last minute. There is no time allocated for sensible discussion during a proposal final review, performance management or improving processes that in the long run could save time and resources and produce better outcomes. Meetings with supervisor’s are most often delayed and/or cancelled. Final reviews of tenders are almost always postponed to the last possible moment.

The Contract Sales – Africa manager does not consider the amount of time required to actually finalize a proposal *following* a final review. The reviewed content often needs to be reconstituted and/or printed and dispatched and/or e-mailed.

The tender that was mentioned in the *Investigation for Possible Implementation of a Performance Improvement Plan* was such a case. Data processing prices were inadvertently included in a section where they were not supposed to be. This was another rush job that required printed and emailed copy. The final review was literally postponed to the last possible moment, as documents needed to be dispatched and uploaded/emailed on the same afternoon. In the rush, a mistake was made.

The client called me and alerted me that he had discovered the mistake. Because I am organized, within five-minutes – while on the phone – I was able to verify the mistake and confirm pages to be removed. I immediately shared the information with my Manager following the call. There was no ducking of responsibility. Mistakes only happen when you do something my wife reminded me. And PGS was not disqualified. The work was postponed and we have provided additional proposals to the client since then. Even the client understood that mishaps happen and was trying to work with me/PGS to correct the situation – which we did in short order. They would not have benefited in any way by having PGS disqualified and there was certainly nothing malicious done on my part.

What is disturbing is how the Contract Sales – Africa Manager removed himself from any of the blame. Quite frankly, all supervisors worry about this because of the tendency for the Manager to procrastinate. Again, the Contract Sales – Africa Manager wants to bring up this event but take no responsibility for being a significant part of the problem and use the mistake in a malicious and harmful way toward me, rather than determine and implement a constructive solution so that it does not happen again.

Recently, under similar circumstance, two sets of prices were provided to a client by accident which caused some confusion. (This was done by another supervisor.) Whenever there is a bad process or system which is under resourced project quality is affected. Anyone with project management experience should know this. And management controls the system and resources.

Summary of Grievance

The Contract Sales – Africa work environment is managed in a way that makes completing work more stressful and less healthy than it could or should be.

When Contract Sales – Africa Management exercises destructive behaviours and broadcast unfounded and unnecessary negative assertions with a malicious intent to damage my professional reputation and personal well-being, such amoral and deleterious actions and practices become intolerable and must be addressed. There are many better avenues that should have been taken to avoid the grievance process which has been initiated.

I thought about my work with PGS for the past 14 years while I was on holiday recently. PGS has been an important part of my life and allowed me to see the world and meet and work with people from different cultures and countries on vessels and onshore. I had felt less anxiety over boat-to-boat transfers in choppy seas than how I presently feel about working with the Contract Sales – Africa group because, while possibly dangerous, the transfers were managed and planned thoughtfully with the concern of safety for each individual in mind.

Wouldn't it had been a better investment of time and energy for the Contract Sales – Africa Manager to communicate and manage and develop proficiencies in a considerate and constructive way, rather than be negative and deny opportunities that deliberately damage and rob individuals of future opportunities and cause great uncertainty and stress?

Bullying is the key workplace health and safety issue of our time. Bullying is not an easy issue to deal with. But, difficult issues need to be confronted and resolved. Ignoring difficult issues until they become so unbearable for people that they cannot face going to work cannot be acceptable by PGS.

Bullying is characterised by an abuse of power, where vulnerable targets are 'pushed into positions from which they have no avenue of escape'. As such, bullying is part of a 'continuum of severity of the misuse of authority or actual power'. (House of Representatives Standing Committee on Education and Employment (Australia), 2012)

Contract Sales – Africa Management behaviours are consistent with bullying and discriminatory negative behaviours listed in literature including,

- Misuse of power or position
- Psychological intimidation.
- Unfair Treatment
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking progression or development opportunities.
- Giving employees menial or trivial tasks as a way of humiliating them.
- Undermining an employee's reputation
- Withholding information deliberately
- Undervaluing your contribution

Contract Sales – Africa Manager's behaviours contradict PGS core values categorically. They create a more unsafe and stressed work environment, they lack integrity and the desire to develop the team, they stifle innovation and improvement that in sum costs PGS and diminishes the services that we provide to customers.

The Contract Sales – Africa Manager has divorced himself of any of the responsibility to manage the work areas and processes and to develop staff in a fair and balanced way to create a strong, cohesive productive team.

Further, the assertions made in the *Investigation for possible implementation of a Performance Improvement Plan* illuminate poor management more than anything else. Because the real question is not what problems were found, but more so what was done once the problems were found?

References

- ACAS (Advisory, C. a. (2011, 11 01). How to Manage Performance. Retrieved 08 22, 2013, from The Management of Systems
- Acas (website). (2013). Acas (Advisory, Conciliation and Arbitration Service). Retrieved 08 18, 2013, from <http://www.acas.org.uk/index.aspx?articleid=1461>
- buzzle.com. (2013). Defamation of Character in the Workplace. Retrieved 09 02, 2013, from <http://www.buzzle.com/articles/defamation-of-character-in-the-workplace.html>
- Chartered Management Institute (Website). (2013). Best Practice: Bullying in the Workplace - Guidance for Managers. Retrieved 08 18, 2013, from <http://www.managers.org.uk/page/best-practice-bullying-workplace-guidance-managers>
- CIPD (website). (2013). Harassment and bullying at work. *Chartered Institute of Personnel and Development*. Retrieved 08 18, 2013, from <http://www.cipd.co.uk/hr-resources/factsheets/harassment-bullying-at-work.aspx>
- eHow UK website. (n.d.). Legalities of performance appraisals. Retrieved 08 18, 2013, from http://www.ehow.co.uk/info_7865414_legalities-performance-appraisals.html
- Financial Times Lexicon. (2013). business acumen. Retrieved 09 04, 2013, from <http://lexicon.ft.com/Term?term=business-acumen>
- House of Representatives Standing Committee on Education and Employment (Australia). (2012, 10). Workplace Bullying: We just want it to stop. Canberra, Australia.
- Humphries and Company (website). (n.d.). Employment at a Glance. Retrieved 08 19, 2013, from http://www.humphreys.co.uk/private_solicitors/employment_1.htm
- Lamplugh, D. (2002). Workplace bullying. What we know, who is to blame, and what can we do? London: Taylor and Francis.
- McGrath, D.-L. (2010). The Abuse of Formal and Informal Power: Workplace Bullying as a Dichotomous Construct.
- oasas.ny. (2013). *Creating a Healthy Organizational Culture*. Retrieved 09 13, 2013, from <http://www.oasas.ny.gov/admed/documents/OWEworkbook.pdf>
- propertyjobs.com. (2013). How to... manage workaholics. Retrieved 09 11, 2013, from <http://www.propertyjobs.co.uk/article/how-to-manage-workaholics/>
- Quailia Soup. (2013, 02 28). Workplace Bullying. Retrieved 09 05, 2013, from http://www.youtube.com/watch?v=wAgg32weT80&list=TLs2l_6zXjSSA
- Sparks, K. (2001). Well-being and occupational health in the 21st century workplace. *Journal of Occupational and Organizational Psychology*.
- WHO . (2013). Work Organization and Stress. Retrieved 09 11, 2013, from http://www.who.int/occupational_health/publications/pwh3rev.pdf

Appendix 1

Investigation for Possible Implementation of a Performance Improvement Plan

24 July 2013

Mr Steven Kalavity
4 Dovecote Close
Weybridge
Surrey
KT13 8PW

Dear Steven,

Re: Investigation for possible implementation of a Performance Improvement Plan

We refer to our meeting of today in which I informed you that the Company continues to have reservations regarding your performance and it is necessary for such matters to be investigated for possible implementation of a Performance Improvement Plan (PIP). We refer you to earlier meetings we have held with you in which we informed you that we intended to progress this matter on an informal basis. You have, however, informed us that it is your preference that we progress on a formal basis which now requires the company to consider your present performance against the expectations of a member of staff in the position of Sales Supervisor in the Marine Contract Sales – Africa Department.

You are invited, to a meeting which will be held on Wednesday 11 September 2013 at 10.00 during which you will have the opportunity to present your case to the Company in response to the matters which we highlight below.

The following has been brought to our attention, and these are the matters which we will be considering at the meeting:-

Performance

Continued concerns about your performance have been raised with you by Eddy von Abendorff at our recent meeting on Tuesday 13 June 2013. The dissatisfaction regarding your standard of performance manifests itself as follows:-

- You show a lack of the appropriate level of commercial acumen for a member of staff who has been in position of Sales Supervisor for a period of nearly three years. This has a debilitating effect upon the range of work which can be offered to you in a commercial sales environment.
- Due to your deficiency in this particular area of your work, we are unable to expose you to direct client discussion and negotiation as this could jeopardise the company position commercially.
- The Company take the view that the work you produce is of a limited quality with the result that your immediate supervisor is required to review your work before it can leave the department. Whilst it is accepted that it is necessary for employees' work to be subjected to scrutiny from time to time, your work has to be constantly reviewed in order to maintain a proper level of quality.
- You are inclined to make errors in your work and whilst it is accepted that mistakes can be made, you appear to fail to ensure that your work is checked in such a manner that it meets Company expectations.. Indeed, in late 2012, one mistake which can be directly attributed to a project in which you had involvement nearly resulted in the Company being disqualified from further bid work.

Appendix 3

Work Plan (Sample)

Work Plan

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Marine Contract Sales – Africa

The Marine Contract Sales – Africa group principal task is to secure proprietary marine seismic acquisition contracts for projects conducted offshore the continent of Africa.

Team Focus Africa

- **The Bid Process - Prepare technical and commercial proposals**
Prepare documentation that addresses customers requirements.
- **Negotiate and Finalize marine acquisition contracts**
Following the successful proposal, contract details are specified to be passed on to Project Management.
- **Business Development**
Pursue leads for future marine seismic acquisition work with new or existing companies.

Work Plan

Much of the work load for of Marine Contract Sales – Africa is completing proposal documents in what we refer to as the Bid Process. PGS aligns its acquisition capabilities to customer requirements (Invitation To Tender – ITT; Request For Quotation – RFQ, etc.)

The emphasis of the Marine Contract Sales – Africa assignment will be working on and understanding the technical aspects of these proposal requirements. This will involve understanding customer requirements and interacting with different PGS work groups, such as Operations, Project Management and Legal/Insurance.

The work plan will strive to assist in developing understanding and competencies in these areas. This assignment should offer a platform by which your current position experience and knowledge can be of direct service to the group. You will be learning by doing!

The Bid Process



Name: _____ Assignment: Marine Contract Sales - Africa

Receive Invitation

Key Objectives	Progress (3-month)	Progress (Exit)
Understand proposal requirements and create template for final proposal	{N/A}	{N/A}

Distribute Information for Feedback

Key Objectives	Progress (3-month)	Progress (Exit)
ProSHARE knowledge management/sharing platform	{N/A}	{N/A}
Solicit feedback from PGB workgroups		
Develop report and communicate with other PGB workgroups.		

Assess Risk

Key Objectives	Progress (3-month)	Progress (Exit)
Evaluate proposal requirements as they align to PGB capabilities	{N/A}	{N/A}
Assess project risks with Operations and Project Management		
Compile Technical and Commercial contract Exceptions/Clarifications		

Bid Review

Key Objectives	Progress (3-month)	Progress (Exit)
Develop understanding of how project risks, vessel location and availability are assessed and developed into a commercial strategy.	<i>[N/A]</i>	<i>[N/A]</i>

Compile information into a Final Proposal Document

Key Objectives	Progress (3-month)	Progress (Exit)
Be involved with the final compiling of proposal content.	<i>[N/A]</i>	<i>[N/A]</i>
Quality control and editing of the final proposal.		
Printing and dispatch procedure.		

Business Development and Contracts

Key Objectives	Progress (3-month)	Progress (Exit)
Use BioBase application to develop commercial price models	<i>[N/A]</i>	<i>[N/A]</i>
Use Comtrack to add proposal content and determine commercial strategy.		

