

March 18, 2019

Please help our HECO team

Mr. Oshima, I've been honored to be employed by Hawaiian Electric as a SQL DBA this past year. I need your help. I sent a letter to Ms. Lau and include it here. I request your assistance as well.

Thank you so much for allowing me to serve HECO and the great people of Hawai'i.

August 15, 2019

Hawaiian Civil Rights Commission Compliant Notice

Aloha e Mr. Oshima,

As you can see, I wrote to you March 18th. This frustration has continued for six months. I do not believe you want this misunderstanding to fester this long. It's not good for the company. It has devastated our family.

I've researched this incident and believe I have clarified issues. The Hawai'i Civil Rights Commission is currently preparing a charge for your company. I reached out to Ms. Thao Tran numerous times but she remains unwilling to speak with me. This is unprofessional. I do not believe you prefer this.

I have attached my brief hoping to resolve this matter. HECO is a fine company. Your managers trained me well. My team needs my services. HECO and HEI need my services. I believe corporate policies were outdated. There is no reasonable justification to treat me as a criminal or second-class citizen.

Thank you for reviewing this matter. Thank you as well for allowing me to connect with you. Mahalo nui loa!

August 28, 2019

HCRC Charge

Last week, the Hawai'i Civil Rights Commission charged Hawaiian Electric Industries (HEI) CEO & President Constance Hee Lau with discrimination. The commission is investigating HEI's termination of Scott Goold on February 25, 2019, as well as HEI's refusal to allow him to apply for an open position February 27, 2019 (attached).

Mr. Goold suffers a confirmed mobility disability that limits his ability to walk and participate in many physical activities. Mr. Goold served Hawaiian Electric Company (HECO) as an IT programmer and DBA. His medical disability does not interfere with job duties, but does require pain medication at night to help him sleep.

HECO contracted Mr. Goold August 13, 2018 for a non-safety sensitive IT position, i.e., Mr. Goold sits at a desk working on a computer in a backroom away from the public. Although CEO Connie Lau claims a "drug-free workplace" policy, HEI did not require Mr. Goold or hundreds of other contract employees to submit to pre-employment or employment drug screens. His manager provided Mr. Goold a copy of HEI Code of Conduct. CEO Connie Lau does not list a restriction on medical cannabis; only prohibiting "illegal" and "unprescribed use" of controlled substances (section d below). Mr. Goold is a legal DOH-regulated patient with a "329" prescription from his medical team to use medical cannabis.

- d. Reporting to work under the influence of alcohol or drugs, drinking alcoholic beverages (other than as permitted at functions or events approved by your respective Company President), possession or **the unprescribed use** or distribution of any controlled substance or **illegal drug**, or any other illegal act which occurs on work premises (including any non-Company site where you are performing work on behalf of the Company) or during your work hours (including meal breaks or rest periods) or which interferes with work performance.*

Mr. Goold immediately received high performance reviews from his manager, Lori Yafuso, and IT team. Together they were making progress to close hundreds of vulnerable security breaches in the IT network across the islands. HECO spent an estimated million dollars training Mr. Goold and Ms. Yafuso's specialized team. HEI action removing Mr. Goold wasted this training. HECO just last week petitioned the PUC for a 4.1% rate increase to Hawaiian Electric customers.

Mr. Goold successfully assisted MECO on Maui and HELCO on Big Island to update company IT systems, as well as successfully completing a number of projects for HECO here on O'ahu. Due to his accomplishments, HECO extended Mr. Goold's contract in December 2018 through July 2019. When an internal Database Analyst position opened January 2019, his manager encouraged him to apply. Nobody in the HEI network warned Mr. Goold about a medical cannabis restriction.

Mr. Goold applied for the open position and HECO informed him he had been selected February 11, 2019, contingent on Mr. Goold completing the company background check and pre-employment drug screen. The company did not inform him of a medical cannabis prohibition. Mr. Goold's background check was excellent. On February 14, 2019, HR rep Elizabeth "Liz" Deer contacted Mr. Goold regarding the drug screen. Mr. Goold disclosed his disability and lawful prescribed medical cannabis use. Ms. Deer thanked Mr. Goold for being "pro-active" and said he "would be fine." Mr. Goold submitted to the standard urine drug screen at Straub Clinic, and informed the technician of his legal, prescribed medical cannabis use.

HECO IT Security rep Herman Lau contacted Mr. Goold February 20, 2019. He informed Mr. Goold he had spoken with HECO HR and they confirmed his official appointment to the company and had set his official start date as February 25, 2019. Mr. Goold ecstatically reported the good news to his manager, coworkers, and family and friends of the official selection. All were overjoyed by the announcement. Mr. Goold felt quite honored and respected to have earned the new position. His family celebrated that evening at an expensive Waikiki restaurant. It was a happy moment in their lives.



HEI CEO Connie Lau

HECO HR Rep Shana Bucu

HECO HR director Shana Buco contacted Mr. Goold February 25, 2019 and terminated his employment. She told Mr. Goold she considered him “intoxicated and impaired at work”; a “danger to coworkers, the company and general public”; and that he was “engaged in illegal activity.” Ms. Buco told him HEI has a “zero tolerance” drug policy, and directed him to immediately leave the building.

Mr. Goold was devastated. This was the first notification HEI had provided about a medical cannabis restriction. Mr. Goold told Ms. Buco he had a legal prescription and Ms. Deer said he would be fine. Ms. Buco said it didn’t matter. She reiterated Mr. Goold needed to leave the building immediately and not return. A standard urine screen does not indicate intoxication or impairment. Only the more sophisticated DOT test provides this assessment. Mr. Goold requested a DOT test. HEI denied his request.

Mr. Goold begged Ms. Buco to allow him to speak with legal or someone higher in the chain of command. Ms. Buco denied his request. Mr. Goold went to see his manager. Ms. Yafuso was in tears. Ms. Buco had notified her similarly. Ms. Yafuso asked Mr. Goold for his ID badge and gave him a hug good-bye. Mr. Goold left the Pacific Park Plaza in tears and has not returned.



Mr. Goold was able to speak with Ms. Buco on February 27, 2019. He told her he had not been aware of the restriction; that he would change medication; that he would do whatever HEI wanted him to do to be employed. Ms. Buco denied his repeated requests for accommodation. Mr. Goold asked to re-apply for the open position. Ms. Buco told Mr. Goold HEI policy bans him from now working for the company. Mr. Goold asked Ms. Buco why HEI didn't provide any information about the medical cannabis restriction. Ms. Buco told Mr. Goold in her tenure with the company (over seven years) she has never seen any written documentation about medical cannabis prohibition. HEI legal and corporate management only provide this information in verbal communication.

Mr. Goold is currently 61-years of age. As an IT professional, he provided opioid research data to Department of Health epidemiology programs. He is uniquely trained by the University of New Mexico School of Medicine in opioid addiction and pain management. Mr. Goold had been prescribed opioid pain analgesics for his injuries, but feared their highly-addictive and dangerous OD potential. CEO Connie Lau would not have fired Mr. Goold had he been using a prescribed opioid for pain management.

Mr. Goold claims this is the greatest irony and injustice of his situation. The State of Hawai'i sued the Sackler family and Purdue Pharma June 2019 due to the company's alleged role fueling the opioid epidemic. This week, an Oklahoma District judge ordered Johnson & Johnson to pay \$572.1 million in damages for adding to the opioid epidemic through its marketing of addictive painkillers. Yesterday, the Sacker family offered a \$10 billion to \$12 billion compensation package to settle thousands of claims related to their opioid marketing. Mr. Goold has been trained to avoid these drugs. HEI fired him for not using an opioid. Upside Down World.

Asked about HEI CEO Connie Lau, Mr. Goold said, "KITV in April called Connie one 'remarkable woman' in these islands. Ms. Lau chairs the Consuelo Foundation, and Consuelo reminds all, 'What matters in life is not great deeds, but great love.' I have been a stock holder in Hawaiian Electric since 2009. I respected CEO Lau. She traumatized and destroyed our family. She made \$5.7 million last year — yet put our family in the poor house. How is this remarkable? How is this great love?"

Mr. Goold added, "I was, I am, willing to meet any policy demand by HEI. All CEO Lau had to do was include in their policy, 'Medical Cannabis Prohibited.' How hard is that?"

August 29, 2019

Department of Justice Memo on Medical Cannabis

Mr. Oshima,

I keep writing you, as I hope and believe you are a reasonable and good man. Due to CEO Lau policies, HECO fired me 2.25.19. HR director Shana Buco claimed I was engaged in "illegal activity." In letter by Thao Tran and Susan Li, April 12, HEI top counsel claimed I was engaged in "illegal activity." These allegations are false. I spoke with HPD, FBI and DEA officials. They do not consider my use of medical cannabis to be illegal.

The U.S. Department of Justice, 2009, provided guidance on the illegal v legal status of medical cannabis. They defer to state law for "individuals whose action are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana [cannabis]."

This policy is found on the U.S. Department of Transportation website, as it remains the current policy guideline for the federal government.

<https://www.transportation.gov/odapc/medical-marijuana-notice>

Please communicate with me. Thank you!