

STATE OF MICHIGAN
IN THE COURT OF APPEALS

JOHN CARRUTHERS,

Plaintiff/Appellant

v.

ISRINGHAUSEN, INC.,

Defendant/Appellee.

COA No. 296250

Kalamazoo County Circuit Court
Case No. 09-0127-CZ

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APPELLEE ISRINGHAUSEN'S BRIEF ON APPEAL

EXHIBIT 2

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Performance Appraisal

Please Print

Employee Name CARRUTHERS JOHN Title MATERIAL HANDLER
 Department WAREHOUSE Employee Payroll # 3351
 Reason for Review: Annual Promotion Unsatisfactory Performance Merit End of Introductory Period Peer Other
 Period covered by review 1/22/07 to 1/11/08 Date of last appraisal -/-/- Scheduled appraisal date 3/10/08

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check the rating box under the appropriate performance description to indicate the employee's performance. Indicate N/A if not applicable. The points for each performance description checked will be totaled and averaged for an overall performance score.

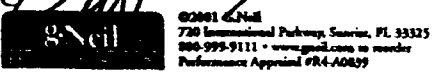
Areas to be Evaluated	N/A	Satisfactory (1)	Improvement Needed (2)	Good (3)	Very Good (4)	Outstanding (5)
1. Quality - The extent to which an employee's work is accurate, thorough and neat.				X		
2. Productivity - The extent to which an employee produces a significant volume of work efficiently in a specified period of time.				X		
3. Job Knowledge - The extent to which an employee possesses the practical/technical knowledge required on the job.				X		
4. Reliability - The extent to which an employee can be relied upon regarding task completion and follow-up.				X		
5. Attendance - The extent to which an employee is punctual, observes prescribed work break/meal periods and has an acceptable overall attendance record.			X			
6. Independence - The extent to which an employee performs work with little or no supervision.				X		
7. Initiative - The extent to which an employee seeks out new assignments and assumes additional duties when necessary.				X		
8. Initiative - The extent to which an employee seeks out new assignments and assumes additional duties when necessary.				X		
9. Adherence to Policy - The extent to which an employee follows safety and conduct rules, other regulations and adheres to company policies.			X			
10. Interpersonal Relationships - The extent to which an employee demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.		X				
11. Judgment - The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.			X			
12. _____						

Total Points 28 + Number of Areas Rated 11 = 2.55 Overall Rating
 Unsatisfactory (1.0-1.4) Very Good (3.5-4.4)
 Improvement Needed (1.5-2.4) Outstanding (4.5-5.0)
 Good (2.5-3.4)

Manager's Comments: _____

Employee's Comments: _____

Jeffrey A Jones Date 2/11/08 [Signature] Date _____



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Performance Appraisal

RECEIVED JUL 30 2008

Please Print

Employee Name John Carrothers Title Material Handler
 Department Warehouse Employee Payroll # 3351
 Reason for Review: Annual Promotion Unsatisfactory Performance Merit End of introductory Period Peer Other
 Period covered by review 1/11/08 to 7/31/08 Date of last appraisal 1/11/08 Scheduled appraisal date 11/1/09

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check the rating box under the appropriate performance description to indicate the employee's performance. Indicate N/A if not applicable. The points for each performance description checked will be totaled and averaged for an overall performance score.

Areas to be Evaluated	Unsatisfactory (1)	Improvement Needed (2)	Good (3)	Very Good (4)	Outstanding (5)
1. Quality - The extent to which an employee's work is accurate, thorough and neat.				4	
2. Productivity - The extent to which an employee produces a significant volume of work efficiently in a specified period of time.				4	
3. Job Knowledge - The extent to which an employee possesses the practical/technical knowledge required on the job.					5
4. Reliability - The extent to which an employee can be relied upon regarding task completion and follow-up.				4	
5. Attendance - The extent to which an employee is punctual, observes prescribed work break/meal periods and has an acceptable overall attendance record.				4	
6. Independence - The extent to which an employee performs work with little or no supervision.				4	
7. Creativity - The extent to which an employee proposes ideas and new and better ways of doing things.			3		
8. Initiative - The extent to which an employee seeks out new assignments and assumes additional duties when necessary.				3	
9. Adherence to Policy - The extent to which an employee follows safety and conduct rules, other regulations and adheres to company policies.				3	
10. Interpersonal Relationships - The extent to which an employee demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.			2		
11. Judgment - The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.				3	
12. _____					

Total Points 39 + Number of Areas Rated 11 = 3.5 Overall Rating

Unsatisfactory (1.0-1.4) Very Good (3.5-4.4)
 Improvement Needed (1.5-2.4) Outstanding (4.5-5.0)
 Good (2.5-3.4)

Manager's Comments: Need to improve patience + coaching skill to backup Bill with line feeder and receiving.

Employee's Comments: _____

Evaluator's Signature Joe Park Date 7/31/08 Employee's Signature [Signature] Date 7/31/08

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Performance Appraisal

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Please Print

Employee Name John Carrothers Title Material Handler
 Department Materials Employee Payroll # 3351
 Reason for Review Annual Promotion Peer Appraisal Unsatisfactory Performance
 Merit End of Introductory Period Other
 Date employee began present position 1/1/08 Date of last appraisal 7/31/08 Scheduled appraisal date 1/1/09

Instructions: Carefully evaluate employee's work performance in relation to the essential functions of the job. Check Rating box that indicates the employee's performance. Indicate N/A if not applicable. Assign points for each Rating within the Scale and write that number in the corresponding Points box. Points will be totaled and averaged for an overall performance score.

Definitions of Performance Ratings

- O - Outstanding. Performance is exceptional in all areas and is recognizable as being far superior to others.
- V - Very Good. Results clearly exceed most position requirements. Performance is of high quality and is achieved on a consistent basis.
- G - Good. Competent and dependable level of performance. Meets performance standards of the job.
- I - Improvement Needed. Performance is deficient in certain areas. Improvement is necessary.
- U - Unsatisfactory. Results are generally unacceptable and require immediate improvement. No merit increase should be granted to individuals with this rating.
- N/A - Not Applicable or too soon to rate.

General Factors Rating Scale Supportive Details or Comments

General Factors	Rating	Scale	Points	Supportive Details or Comments
1. Quality - The extent to which an employee's work is accurate, thorough and neat.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	66	Need to improve verbal communication of part issues
employee produces a significant volume of work efficiently in a specified period of time.	V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	89-80 79-70 69-60 Below 60	61	too much take time. Needs to help others more
3. Job Knowledge - The extent to which an employee possesses the practical/technical knowledge required on the job.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	72	Good knowledge of parts + warehouse
4. Reliability - The extent to which an employee can be relied upon regarding task completion and follow-up.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	66	Need to improve verbal communication of part issues
5. Attendance - The extent to which an employee is punctual, observes prescribed work break/meal periods and has an acceptable overall attendance record.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	65	3 unexcused absences in rolling year
6. Independence - The extent to which an employee performs work with little or no supervision.	O <input type="checkbox"/> V <input type="checkbox"/> G <input checked="" type="checkbox"/> I <input type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	71	

DEPOSITION EXHIBIT # 18
 8-19-09 Mary Myeno

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General Factors	Rating	Scale	Points	Supportive Details or Comments
7. Creativity – The extent to which an employee proposes ideas, finds new and better ways of doing things.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 62	The expectation is that the job knowledge should find creative ways to improve processes.
8. Initiative – The extent to which an employee seeks out new assignments and assumes additional duties when necessary.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 61	Limited to assigned tasks
9. Adherence to Policy – The extent to which an employee follows safety and conduct rules, other regulations and adheres to company policies.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input checked="" type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 55	Failed to perform Hilo safety checks
10. Interpersonal Relationships – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, subordinates and/or outside contacts.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input type="checkbox"/> U <input checked="" type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 55	This has been an ongoing issue the needs resolved
11. Judgment – The extent to which an employee demonstrates proper judgment and decision-making skills when necessary.	O <input type="checkbox"/> V <input type="checkbox"/> G <input type="checkbox"/> I <input checked="" type="checkbox"/> U <input type="checkbox"/>	100-90 89-80 79-70 69-60 Below 60	Points 62	

Rate employee's overall performance in comparison to position duties and responsibilities.

Total Points 696 + Number of Factors Rated 11 = 63 Overall Rating

Outstanding 100 - 90
 Very Good 89 - 80
 Good 79 - 70
 Improvement Needed 69 - 60
 Unsatisfactory Below 60

Complete all of the following sections:

- Accomplishments or new abilities demonstrated since last review _____
- Specific areas of needed improvement Interpersonal skills need improvement. John has capabilities in productivity, creativity + judgement that could be expanded.
- Recommendations for professional development (seminars, training, schooling, etc.) _____

4. Absences: Number of incidents 3 Number of days 365 days

Employee's Comments Most if not all of my scores are due to being reactions of past treatment or overwhelming work loads.

*If necessary, additional sheets may be attached.

Discussed with individual on 1/22/09 Employee's Signature: [Signature]
I acknowledge that this Performance Appraisal was discussed with me.

Follow-up requested/desired Yes No Follow up Date 3/22/09

Evaluator's Signature [Signature] Date 1/22/09