

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT EQUAL EMPLOYMENT OPPORTUNITY POLICY AND COMPLAINT RESOLUTION PROCEDURES	Number 96.50	Issue 2	Page 1 of 8
	Effective Date June 22, 2018		

1. PURPOSE

- 1.1. To reaffirm and communicate the City of San Diego's commitment to the principles of equal opportunity and to a work environment free of discrimination, harassment and retaliation.
- 1.2. To establish procedures for effectively handling *Reports* of potential violation of the City's Equal Employment Opportunity Policy when such *Reports* are brought forward within City departments, and to ensure that *Reported* issues are resolved in a prompt, appropriate and consistent manner which supports and promotes the well-being of employees as well as the business needs of the City.

(*Reports* of EEO Policy violations which are filed with the Personnel Department's *Equal Employment Investigations Office* will be handled pursuant to Civil Service Rule XVI and Personnel Manual Index Code K-2. See Section 5.8.1 for additional *Reporting* options available to employees).

2. SCOPE

- 2.1. This policy shall apply to all employees in the City of San Diego, including contract employees, interns and volunteers.

3. DEFINITIONS

- 3.1. *Equal Employment Opportunity Committee (City EEOC)* – Committee composed of representatives from the Human Resources Department, the City Attorney's Office, *Equal Employment Investigations Office*, and representative managers from operating departments, which meets on a periodic basis to review and recommend changes in the City's EEO policies and procedures.
- 3.2. *Equal Employment Investigations Office (EEIO)* – Located within the Personnel Department, this office is responsible for the administration of the City's internal program for the investigation and resolution of *Complaints* or charges of unlawful discrimination based upon Title VII of the Civil Rights Act of 1964. The *EEIO* acts as the City's liaison and primary contact with all Federal and State compliance agencies. As such, it is the duty of the *EEIO* to officially receive and process formal *Complaints* lodged by the agencies;

(Supersedes Administrative Regulation 96.50, Issued 1, effective September 5, 2000)

Authorized

Signature on File

CHIEF OPERATING OFFICER

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investigate and respond to such *Complaints*; arrange and schedule employee interviews and provide access to relevant records when requested by the state or federal agent or officer; and to receive and respond to any findings of fact presented by the compliance agencies as a result of their investigation. In addition, the *EEIO* receives internal *Complaints* directly or indirectly from applicants for City employment, employees, former employees, contract employees, interns, and employee representatives.

- 3.3. Department Head – All *Department Directors* and *Executive Directors* responsible for a Department or a Program.
- 3.4. Deputy Director - For this A.R., “*Deputy Director*” shall mean all positions given the Appointing Authority responsibility generally exercised by the head of a division, or major sub unit, within a department.
- 3.5. Supervisor – Any employee who has authority to undertake or recommend employment decisions, including authority to direct the daily work activities, review work performance, and recommend or implement disciplinary actions affecting one or more City employees. This includes first-level *Supervisors* and above.
- 3.6. Complaint (or Report) – An allegation of potential violation of the City’s EEO Policy, as documented on an EEO *Report* Form (see EDP-100).
- 3.7. Complainant (or Reporting Employee) – An individual *Reporting* a potential violation of the City’s EEO Policy.
- 3.8. Subject Employee – An individual who has allegedly violated the City’s EEO Policy.

4. POLICY

- 4.1. The City of San Diego’s Equal Employment Opportunity Policy is incorporated into this Administrative Regulation by reference as if fully duplicated at this point.

5. RESPONSIBILITY

- 5.1. *Equal Employment Opportunity Committee (City EEOC)*

The *City EEOC* will serve as the City’s working body for the review of Citywide EEO policies and procedures. This committee will meet periodically to discuss changes in federal and state EEO law and their impact on City procedures and policies; will review unique or atypical EEO *Complaints* and investigations to ensure procedural issues are adequately addressed; will review the impact this Administrative Regulation has on improving the City’s EEO *Complaint* resolution efforts; and will educate and inform departments on EEO issues.

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5.2. Human Resources Department

The Human Resources Department will serve as an additional resource regarding individual or Citywide EEO policy issues.

5.3. Personnel Department - *Equal Employment Investigations Office (EEIO)*

It is the responsibility of the *EEIO* to record, track, and periodically review *Complaint* filings to identify potential areas of concern with regard to the timeliness of investigation and the resolution of complaints by departments. (Additional responsibilities of this office are outlined in Personnel Manual Index, Code K-2.)

5.4. City Attorney's Office

The City Attorney's Office shall review and disseminate, on an ongoing basis, any changes to the statutory requirements concerning EEO issues. The City Attorney's Office shall also review new cases interpreting the statutes. Any changes in the laws will be brought before the EEO Committee, which will review such changes and recommend necessary City-wide policy revisions.

5.5. *Deputy Director*

The *Deputy Director* shall be responsible for ensuring that individual *Reports* of potential EEO Policy violations are processed and resolved consistent with this regulation. The *Deputy Director* will be accountable for monitoring patterns of *Complaints* within their areas of responsibility and for ensuring that steps are taken to address potential violations on a preventive basis.

5.6. *Supervisors*

5.6.1. *Supervisors* are required to monitor City workplaces for actual or alleged violations of the EEO Policy and to take steps to stop actions contrary to these policies when they occur. Specifically, *Supervisors* shall:

- a. use appropriate education and training measures to both inform employees regarding the City's EEO Policy, and to ensure that employees are aware of the procedures for *Reporting* potential policy violations;
- b. stop behavior in violation of the City's EEO Policy when directly observed or upon direct knowledge of;
- c. ensure that instances of actual or potential EEO Policy violations are *Reported* as outlined in Section 5.8, below;

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- d. manage the effect in the workplace of EEO Policy violation *Reports* by maintaining confidentially, insofar as practical, regarding the allegations, the *Complainant* and other identified individuals; and
- e. ensure that individuals involved in EEO investigations, either as the *Complainant*, *Subject Employee*, or as a witness, are not subjected to direct or indirect retaliation.

5.7. Employees

- 5.7.1. It is the City’s policy that employees must set an example of acceptable conduct and will not participate in or provoke behavior that is discriminatory, harassing, or retaliatory.
- 5.7.2. Employees who observe or feel they have been subjected to conduct in violation of the City’s EEO Policy should *Report* these as outlined in Section 5.8.1, below.
- 5.7.3. In addition, employees are responsible for maintaining confidentiality when they participate in a *Complaint* process as a witness, subject or *Complainant*.

5.8. *Report* Origination Procedure

- 5.8.1. If an employee believes that a violation of the City’s EEO Policy has occurred, she/he is encouraged to *Report* these instances immediately to any of the following (the employee does not have to follow the departmental or divisional chain of command):
 - a. The employee’s *Supervisor*;
 - b. Another *Supervisor* within or outside the employee’s “chain-of-command”
 - c. The employee’s *Deputy Director*, or *Department Head*
 - d. The departmental Human Resources office
 - e. The Human Resources Department (619) 236-6313
 - f. The Personnel Department’s EEIO, at:
1200 3rd Avenue, Suite 1501
San Diego, CA 92101
Telephone: (619) 236-7133
Fax: (619) 236-7138
The time frame for filing a *Complaint* is one year from the most recent incident.
 - g. The State of California Department of Fair Employment and Housing (DFEH), at:
Telephone: (800) 884-1684
Website: <http://www.dfeh.ca.gov>
The time frame for filing DFEH *Complaints* is one year from the date of the alleged violation.

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- h. U.S. Equal Employment Opportunity Commission (U.S. EEOC), at:
555 West Beech Street, Suite 504
San Diego, CA 92101
Telephone: (619) 557-7235
Website: www.eeoc.gov
The time frame for filing U.S. EEOC *Complaints* is 180 days from the date of the alleged violation.

- 5.8.2. If the employee *Reports* possible violations to any of the above, the *Complaint* procedures listed in this section shall apply.
- a. *Complaints* filed with the Personnel Department's *EEIO* will be subject to procedures detailed in Personnel Manual Index Code K-2.
 - b. *Complaints* filed with the DFEH or U.S. EEOC will be subject to procedures of the respective agencies.
 - c. The ability to complete an effective and thorough investigation is in part dependent upon the length of time between the alleged act and when it is *Reported*.

5.9. *Complaint* Intake Procedure

- 5.9.1. *Supervisors* shall complete and forward to their *Deputy Director*, an Equal Employment Opportunity *Report* Form in any of the following instances:
- a. an employee expresses a desire to file a *Complaint* of potential EEO Policy violation;
 - b. discussions with an employee leads the *Supervisor* to believe that an EEO Policy violation with regard to workplace harassment may have occurred, whether or not the employee wishes a *Complaint* filed; or
 - c. a *Supervisor* determines that observed employee behavior is one which is contrary to City's EEO Policy and which will likely lead to written discipline.
- 5.9.2. Instructions on proper EEO *Report* Form completion and routing, including key information to be aware of when taking an employee *report*, are found on the back of the form.
- 5.9.3. When completing the EEO *Report* Form, the *Supervisor* shall:
- a. also inform the *Complainant* of the alternate *Reporting* avenues listed in Section 5.8.1;
 - b. advise the employee that confidentiality will be maintained to the highest degree possible, but cannot be guaranteed; advise the employee of his/her responsibility to protect confidentiality;
 - c. inform the employee that she/he will be officially notified of *Complaint* results; and

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- d. emphasize that if the employee feels she/he is being retaliated against, she/he should notify any of the individuals listed in Section 5.8.1 above immediately.

These points are summarized on the Employee Record portion of the EEO Report Form, (see EDP 100) which the *Supervisor* and *Employee* shall sign for the record.

- 5.9.4. All *Complaints* received shall be held in strict confidence to protect individual privacy rights and the reputations of those involved, and will be shared only with individuals who have a legitimate operational responsibility for investigating or resolving the issues identified.

5.10. EEO Report Form Review and Delegation for Action

- 5.10.1. The *Deputy Director* shall review the EEO Report Form and determine what, if any, additional action will be taken (e.g. formal fact finding) including by whom and when. The *Deputy Director* shall route a preliminary copy of the EEO Report Form to the *EEIO* through confidential transmittal, and refer, if appropriate, the *Reported* issue(s) to the delegated staff member for follow-up action, to be completed within 60 days absent extenuating circumstances.

- 5.10.2. A management designee, shall review the final results of any investigatory or follow-up action for thoroughness and consistency with established EEO policies, procedures and City-wide investigatory practices. (For actions involving formal fact finding investigations, refer to the Dimensions in Discipline training manual, which outlines appropriate procedures for effectively completing these types of investigations.)

- 5.10.3. Upon the conclusion of the follow-up action, notification is made to the *Reporting* and *Subject Employees* that the preliminary investigation, or follow-up action, has been completed. (No *Report Determination* information, such as that outlined in Section 5.11.1, is shared at this time.) The *Subject* and *Reporting Employee* are also notified that they will be informed of final determination subsequent to any disciplinary action and appeal, within an additional 60 days.

5.11. Report Determination and Close-Out

- 5.11.1. Upon conclusion of the disciplinary process and appeal, if any, the *Deputy Director* shall record the final determination of the *Complaint* on the EEO Report Form, based on the following classifications:
 - a. Unfounded – The alleged act(s) did not occur.
 - b. Not Sustained – Follow-up investigation could not clearly prove or disprove the allegations

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- c. No Violation – Alleged act(s) did not violate any City Policy
- d. Violation of City EEO Policy – Alleged act(s) occurred and violate the City’s EEO Policy.
- e. Violation of City Policies – Alleged act(s) occurred and violate City Policy(ies).

5.11.2. The *Deputy Director* or his/her designee will ensure that the *Reporting* and *Subject Employees* are notified of the final determination of the *Complaint*, based on the classifications above. The date of notification and the signature of the individual performing the notification shall be recorded on the *EEO Report Form*.

5.11.3. The *Deputy Director* shall ensure that appropriate disciplinary measures are taken against any employee who violates the City’s EEO Policy or procedures. The final action(s) resulting from the *Complaint* (e.g., reprimand, counseling) is recorded on the *Complaint* form.

5.11.4. The *Deputy Director* shall designate appropriate follow-up contact with the *Complainant*, witness, or others who may have participated in any investigation, to ensure that direct or indirect retaliation has not taken place. Follow-up action(s) to be performed are recorded on the *EEO Report Form* in the space provided. The original form is then signed by the *Deputy Director* and forwarded to the *EEIO* for records retention.

5.12. Records Maintenance

5.12.1. The Personnel Department’s *EEIO* shall maintain a record of *Report Form* filings. The *EEIO* shall maintain these records in such a fashion that a list of *EEO Report* filings whose final determinations have not been completed within 120 days shall be forwarded to the respective *Department Heads* to ensure prompt completion, absent extenuating circumstances. This 120 day period is defined as the time between the date of *Report* filing and notification to the *Reporting Employee* of the final *Complaint* determination.

5.12.2. The *EEIO* will review incoming *EEO Report Form* filings and bring forward to departments any specific issues regarding these filings, based upon the circumstances surrounding individual policy violations or violation trends.

5.12.3. The *EEIO* will maintain the confidentiality of *EEO Report Form* records by releasing information only at the request of *Department Heads*, *Deputy Directors*, or appropriate designees for good and sufficient cause.

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APPENDIX

Legal References

Civil Service Rule XVI - Discrimination *Complaints*
Personnel Manual Index Code K-2, Discrimination *Complaint* Procedures
“Fact Finding Investigations” - Dimension in Discipline Manual
Equal Employment Opportunity Policy – Annual Statement

Forms

[Equal Employment Opportunity Report Form \(EDP-100\)](#)

Subject Index

Personnel
Equal Employment Opportunity Policy and *Complaint* Resolution Procedures

Administering Department

Personnel Department



EQUAL EMPLOYMENT OPPORTUNITY VIOLATION REPORT FORM **(Reference Administrative Regulation 96.50)**

The **Administrative Regulation 96.50 (A.R. 96.50) Equal Employment Opportunity (EEO) Violation Report Form** (A.R. 96.50 EEO Violation Report Form) is used to report, track, and record the resolution of alleged violations of the City of San Diego's EEO Policy. The process is outlined in A.R. 96.50, EEO Policy and Complaint Resolution Procedures ([A.R. 96.50](#)), and is coordinated by the Equal Employment Investigations Office (EEIO), an office of the City of San Diego's Personnel Department. The EEIO is available to answer questions or to provide consultation during the process. The EEIO may be contacted at (619) 236-7133.

All City of San Diego employees are required to be familiar with the City's EEO Policy ([EEO Policy](#)). Both A.R. 96.50 and the City's EEO Policy reaffirm the City of San Diego's commitment to providing fair and equal treatment in the workplace, equal opportunities to succeed, and a work environment free of discrimination, harassment, and retaliation. Through A.R. 96.50 and the EEO Policy, the City seeks to ensure that the principles of fair and equal treatment are consistently understood, respected, and practiced.

Supervisors are required to use the A.R. 96.50 EEO Violation Report Form whenever an allegation of a violation of the EEO Policy comes to their attention. This generally occurs in at least one of three ways: **1)** an employee, volunteer, intern, or contractor (Reporting Employee) reports a violation of the EEO Policy or expresses a desire to formally file a report or complaint of a violation of the EEO Policy; **2)** a supervisor observes behavior contrary to the EEO Policy; and **3)** a supervisor learns of information indicating that an EEO Policy violation may have occurred. **The City must respond to all allegations or observations that a violation of the City's EEO Policy has occurred.** The City must take all reasonable steps necessary to prevent and promptly correct discriminatory, harassing, and retaliatory conduct and may be required to take action regardless of a Complainant's wishes.

In the event of unique or serious circumstances, the Appointing Authority should contact the EEIO to discuss.

INSTRUCTIONS

For the purposes of this form, "**Deputy Director**" (DD) refers to an Appointing Authority or head of a division or major department sub-unit. "**Complainant/Reporting Employee**" is the individual reporting the potential violation; "**Supervisor**" is the supervisor to whom the report is made or who observes or learns of the alleged conduct; and "**Subject**" is the/a person who has allegedly violated the EEO Policy.

Section I: The **Supervisor** who receives the report or observes or learns of the alleged conduct completes **Section I** and submits the entire A.R. 96.50 EEO Violation Report Form to the Deputy Director. Additional pages may be attached.

Section II: The **Deputy Director** reviews **Section I** and completes **Section II**, recording the follow-up action, if any (e.g., a fact-finding investigation), that will be completed within 60 days, and ensuring Subjects are notified of their right to representation. The Deputy Director makes a preliminary assessment regarding the alleged **EEO Basis of the Complaint** (i.e., the protected class(es) that is/are the alleged motivating factor behind the conduct, such as race, gender, sex, sexual orientation, age, disability, etc.), and records this information on the form.

As soon as possible, the **Deputy Director provides a copy of Sections I and II to the EEIO Manager** to allow initial review and tracking of the A.R. 96.50 EEO Violation Report Form and to obtain the required Reference Number. The Deputy Director **enters the assigned Reference Number in the space provided at the top of Section I.**

Section III: Once **Sections I and II** are completed, the **Deputy Director** signs at the top of **Section III (Supervisor/Reporting Employee Receipt)** and sends it (**Section III only**) to the **Supervisor**. The Supervisor then signs at the bottom of the page, has the Reporting Employee sign, provides a copy of the Supervisor/Reporting Employee Receipt to the Reporting Employee and Deputy Director, and retains a copy as proof of processing.

Section IV: The original A.R. 96.50 EEO Violation Report Form is retained by the **Deputy Director** until the conclusion of the fact-finding investigation or other follow-up action. Then, the **Deputy Director** completes **Section IV**, ensuring that the Reporting Employee and Subject(s) are notified of the **Follow-up Action Completion** (e.g., completion of fact-finding investigation). Once the disciplinary process, if any, is completed, including any appeal, the **Deputy Director** ensures **Final Notification** is made to the Reporting Employee and Subject(s), and records who notified the Reporting Employee and Subject.

Once the entire A.R. 96.50 EEO Violation Report Form is completed, the **Deputy Director** forwards it, along with any fact-finding investigation report or other record of follow-up action, to the **EEIO Manager** for review/filing.

A.R. 96.50 EEO VIOLATION REPORT FORM

A.R. 96.50 Rpt. Ref.# _____
(Call EEIO at 619-236-7133)

SECTION I

COMPLAINT INFORMATION

Complainant Information, to be Completed by Supervisor

Complainant Name:		PERNR:	Date:
Job Class/Title:		Department:	
Work Location		Supervisor Name:	
Work Phone:	Alternate Phone:	Supervisor's Work Phone:	

Complainant Concerns:

Record the key elements of the alleged conduct that violates the EEO Policy (who/what/when/where/how). Include how long the conduct has been occurring (e.g. "at least two weeks" or "since John was promoted"). Record the names of potential witnesses and anyone who may be able to provide relevant information. Ask if the Complainant has shared the concerns with anyone and include the details. Attach any supporting documentation provided.

Witness List Attached **Additional Pages Attached** (Label attachments "A.R. 96.50 Rpt. # _____, Section I")

Potential Reasons for Conduct

Record the reason the Complainant feels the reported actions have occurred. Examples may include favoritism, conflict of interest, poor supervision, discrimination, lack of knowledge, retaliation for something, etc.

Remedy Sought by Complainant

For example, reassignment, correction of problem, "wanted to inform supervisor," etc.

Immediate Corrective Action Taken

Record what, if any, immediate, non-disciplinary action was taken. No discipline (verbal or written counseling, reprimand, etc.) should be issued without approval of DD or higher.

Routed to (Print Name of Deputy Director): _____

Reporting Supervisor Name (Print):

Reporting Supervisor Signature:

Once Section I is completed, route entire A.R. 96.50 EEO Violation Report Form to Deputy Director.

A.R. 96.50 EEO VIOLATION REPORT FORM

A.R. 96.50 Rpt. Ref.# _____

SECTION II**PRELIMINARY DISPOSITION**

(Completed by Deputy Director)

Alleged EEO Basis of Complaint (check all that apply): Race/Ethnicity/National Origin Gender/Sex Gender Identity Sexual Orientation Age Disability/Medical Condition Marital Status Religion Pregnancy Sexual Harassment Other (please specify): _____

Retaliation (please specify the basis of the retaliation):

Action Required or Referral to (please specify):

If applicable, Fact-Finding Investigation to be conducted by (list names and titles):

No Further Action Required (skip to Section IV)

Target Completion Date: _____

Notice of Fact-Finding Investigation (gives Subject(s) notice they are the/a Subject and have the right to representation)

Memo(s) to Subject(s), issued by _____ Date Issued _____

Comments:

Additional Pages Attached (Label Attachments "A.R. 96.50 Report # _____, Section II")

Deputy Director (please print):

Deputy Director Signature:

Once Section II is complete, Deputy Director transmits copy of Sections I and II to the EEIO and enters the provided Reference Number in Section I. Deputy Director then signs the top half of Section III (Supervisor/Reporting Employee Receipt) and routes it (Section III ONLY) to Supervisor.

A.R. 96.50 EEO VIOLATION REPORT FORM

A.R. 96.50 Rpt. Ref.# _____

SECTION III

SUPERVISOR/REPORTING EMPLOYEE RECEIPT

Report Routed to Deputy Director (Print): _____ SIGNATURE _____ DATE _____

This receipt is signed by the Deputy Director, Supervisor, and Reporting Employee. It is then sent to the Deputy Director, with a copy retained by the Supervisor and the Reporting Employee as a record of timely processing. The Supervisor should not keep the other pages of the form — these are kept by the Deputy Director and the EEIO. The Supervisor and Reporting Employee sign below to acknowledge receipt of this page. NOTE: This receipt need not be provided to reporting individuals who are not City of San Diego employees, volunteers, interns, or contractors.

SUPERVISOR:

As a supervisor, you are responsible for managing reports of potential EEO Policy violations in the workplace by maximizing confidentiality, insofar as practical, regarding the allegations, the Complainant, and other identified individuals. The information relayed to you in this report is confidential and should not be shared with others unless there is a specific need to know. In addition, your responsibilities include ensuring that individuals involved in EEO-related investigations, either as a Complainant, Witness, or Subject, are not subjected to direct or indirect retaliation. Refer to A.R. 96.50 regarding the City’s procedure for handling reports of potential EEO Policy violations. *Please provide a copy of this Supervisor/Reporting Employee Receipt (Section III) to the Reporting Employee once signed by all parties. Receipt is not needed if complainant is not a City employee, volunteer, intern or contractor.*

REPORTING EMPLOYEE (reporting employee, volunteer, intern, or contractor):

Thank you for coming forward with your concerns regarding a potential violation of the City’s EEO Policy. This **Supervisor/Reporting Employee Receipt** is being provided to you as a record of your report and as assurance that prompt and appropriate action will be taken regarding the issues you have reported. Please also be advised of the following:

1. You have the right to report any conduct you believe violates the City’s EEO Policy. Your report is taken seriously and will be addressed in accordance with the procedures detailed in A.R. 96.50.
2. In addition to reporting conduct to your department, you also have the right to file a complaint directly with any of the following: The City’s Human Resources Department (619) 236-6313; the City’s EEIO (619) 236-7133; the California Department of Fair Employment and Housing (800) 884-1684; or the U.S. Equal Employment Opportunity Commission (800) 669-4000. You should contact these offices or agencies directly to determine the time limitations for filing complaints.
3. The information you reported will be kept confidential as much as legally permissible and reasonably practical, subject to: 1) the responsibility of the City to investigate possible EEO Policy violations and to take preventive and corrective action where appropriate, and 2) the rights of the accused individual(s) to obtain information about the allegations should the conduct result in discipline. In all cases, your report will only be discussed with those who have a need to know and legitimate responsibility for investigating or resolving the issues identified.
4. Any questions regarding follow-up action(s) should be directed to one of the following: the Supervisor to whom you reported the conduct, your Deputy Director or equivalent (i.e. the head of your Division or major Department sub-unit), your Department Director, or the City’s EEIO. This helps to minimize workplace disruptions, preserve the reputations of all parties involved, and helps to preserve the integrity of any investigation which may follow.
5. You will be notified of the final determination regarding your report. Should you fail to receive such results within 120 days, you should follow up with your Deputy Director, Department Director, or the City’s EEIO by referring to the A.R. 96.50 Report Reference Number above. Information regarding what, if any, disciplinary action has been or will be taken against another individual will not be disclosed.
6. Retaliation toward you for reporting conduct or participating in an investigation is illegal and will not be tolerated. If you feel that you are being retaliated against, please contact your Deputy Director or equivalent, Department Director, the Human Resources Department, or the City’s EEIO.

REPORTING EMPLOYEE (Print) _____ SIGNATURE _____ DATE _____

SUPERVISOR (Print) _____ SIGNATURE _____ DATE _____

A.R. 96.50 EEO VIOLATION REPORT FORM

A.R. 96.50 Rpt. Ref.# _____

SECTION IV**FINAL DISPOSITION***(Completed by Deputy Director. Forward Sections I-IV to EEIO once the Discipline/Appeal Process is Complete)*

Notification of Follow-up Action Completion: *Issue memos to the Reporting Employee and Subject(s) stating that follow-up action, such as a fact-finding investigation (if applicable), has been completed. Include a brief statement of the result, (e.g. "sufficient/insufficient evidence was found to substantiate violations of EEO/non-EEO Policy"). Disciplinary action is never shared with the Complainant/Reporting Employee and is not included in this memo.*

- Memo to Reporting Employee, issued by _____ Date Issued _____
- Memo(s) to Subject(s), issued by _____ Date Issued _____

Final Determination (to be completed at the conclusion of the Discipline and Appeal Process, if applicable):

- Unfounded** *(the alleged acts did not occur)*
- Not Sustained** *(sufficient evidence was not found to clearly prove or disprove the allegations)*
- No Violation** *(alleged acts occurred but did not violate any City policies)*
- Violation of City's EEO Policy** *(some/all of the alleged act(s) occurred, and some or all violate City's EEO Policy)*
- Violation of Other City Policy** *(some/all of the alleged act(s) occurred, and some/all violate Non-EEO policy)*

Notification of Final A.R. 96.50 EEO Violation Report Determination (as checked off above) to /and Subject

- Memo to Reporting Employee, issued by _____ Date Issued _____
- Memo(s) to Subject(s), issued by _____ Date Issued _____

Final Action:

- No Action Required**
- Action(s) Required** *[Specify resulting discipline (once discipline and appeal process concluded) or other action below]:*

Additional Pages Attached

Specify Future Follow-up Plan (see instructions below):

Additional Pages Attached

Follow-up to be conducted by: _____ **Projected Date(s) of Follow-up:** _____

Deputy Director (print):

Deputy Director Signature:

Follow-up Plan: The key to demonstrating the City's commitment to a long-term discrimination, harassment, and retaliation prevention program is regular follow-up with the Complainant/Reporting Employee and witnesses, typically 3 and 6 months after final resolution, by supervisory or higher-level staff, to ensure that violations, including retaliatory actions, have not occurred or reoccurred. In the space provided above, indicate the nature of the follow-up action(s) to be performed. Please include the name of the supervisor or manager delegated to conduct the follow-up, the individual(s) to be contacted, and the projected follow-up dates.

A copy of the fully completed **A.R. 96.50 EEO Violation Report Form**, along with a copy of the fact-finding investigation report, if applicable, is transmitted to the **EEIO Manager** upon completion of the fact-finding and discipline/appeal process, or other action. **A copy of the A.R. 96.50 EEO Violation Report Form is NOT provided to the Supervisor, Complainant/Reporting Employee, or Subject(s).**