

## Supplement to CD 2.09 - EEO Policy

### **EEO COMPLAINT FILING GUIDE**

The purpose of this guide is to provide employees with a clear process for filing an EEO Complaint.

All investigations conducted will be done in confidence. Information obtained from the complainant who seeks the assistance of the EEO Compliance Officer will not be discussed with other personnel except as necessary to investigate and resolve a complaint or other matter. All EEO matters shall be handled under the supervision of the Department of Human Resources in consultation with the City Attorney's Office.

#### **STEP 1:**

Contact the City's EEO Compliance Officer at (757) 382-6492 or [eeoco@cityofchesapeake.net](mailto:eeoco@cityofchesapeake.net) and inform them of the complaint.

#### **STEP 2:**

EEOC Compliance Officer will have complainant complete an Employee Concerns Form, provide a written account of the events surrounding the complaint or obtain the full details of the complaint through phone conversation.

#### **STEP 3:**

EEO Compliance Officer will review the specifics of the details surrounding the complaint. If the complainant is an employee of the City, the EEO Compliance Officer will arrange to meet with them outside of their normal work location in order to ensure confidentiality. Arrangements may also be made to hold the meeting before or after office hours, or during their lunch period.

An employee or applicant may bring a representative of their choice to the meeting with the EEO Compliance Officer, provided advance notice is given. An employee has the right to meet privately with the EEO Compliance Officer during working hours; however, the employee should obtain approval prior to leaving their work assignment. An employee need not disclose to their supervisor the specific details or the purpose for meeting with an EEO Compliance Officer. Requests of an employee to meet with an EEO Compliance Officer during work hours cannot be denied by management. Management shall allow employees to meet with the EEO Compliance Officer at the earliest practicable time consistent with the operational needs of their units.

#### **STEP 4:**

EEO Compliance Officer will make a determination regarding if the allegations brought forward in the complaint are EEO related in nature.

- a) If the allegations are found to not be EEO related in nature, the case will be deemed management related and thus the Department Director will be contacted by the EEO Compliance Officer and notified of the outcome. In addition, the complainant will be notified in writing of the decision.

- b) If the allegations are determined to be EEO in nature, the EEO Compliance Officer will notify the Department Director of their intention to launch an official internal EEO investigation. In addition, the complainant will be notified of the intention to launch an official investigation.
- c) If a complaint alleges that a Department Director/Agency Head has engaged, or is engaging, in unlawful conduct, the EEO Compliance Officer shall notify the City Manager or designee prior to commencing the investigation.

**STEP 5:**

The EEO Compliance Officer will conduct an official internal investigation, which includes interviewing all witnesses in a timely manner. There are varying levels of complexity and time requirements; however, the EEO Compliance Officer will strive to complete the investigation as promptly as possible.

**STEP 6:**

The EEO Compliance Officer shall present a confidential written report of the investigation to the Department Director/Agency Head. If the results of the investigation confirm a violation of discrimination laws and/or the City's EEO policy, appropriate corrective action shall be recommended to the Department Director/Agency Head for prompt implementation.

After speaking with the Department Director/Agency Head, the EEO Compliance Officer shall advise the complainant and the alleged offender of the outcome of the investigation in writing.