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			OPI: HRM	
			ATTACHMENT: Attachment A-D	
			REVIEW DATE: December 19, 2017	
			Approving Authority Quincy L. Booth Interim Director	
	SUBJECT:	EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM		
NUMBER:	3800.1G			
Attachments:	Attachment A- EEO Complaint Form Attachment B- Sample Exit Letter Attachment C- Sample Warning and Assurance Statement Attachment D- DOC EEO Counselors and EOS List			

SUMMARY OF CHANGES:

Section	Change
Entire Policy	<i>Major changes have been made throughout policy.</i>
Added	Attachment B- Sample Exit Letter Attachment C- Sample Warning and Assurance Statement Attachment D-DOC EEO Counselors and EOS List

APPROVED:



Quincy L. Booth, Interim Director

12/19/16

Date Signed

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1. **PURPOSE AND SCOPE.** To establish the organizational structure of the EEO and Diversity Unit (Unit) of the DOC. To set forth the policy and objectives of the EEO program. To set forth the procedure for reporting, investigating, and resolving EEO claims.
2. **POLICY.** DOC prohibits and has a zero tolerance policy for acts of discrimination, sexual harassment, and retaliation. DOC is committed to promoting diversity and equal opportunity in all aspects of agency employment.
3. **NOTICE OF NON-DISCRIMINATION**
 - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex (includes gender, pregnancy, and a woman’s right to breastfeed), age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
4. **PROGRAM OBJECTIVES.** The expected results of this program are:
 - 1) To advise employees, employment applicants, contractors and volunteers of the DOC’s prohibition on discrimination, to include:
 - a) Discriminatory treatment,
 - b) Unlawful Harassment by managers, co-workers, or others in the workplace,

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- c) Denial of a reasonable workplace accommodation due to religious beliefs, pregnancy, or disability,
 - d) Retaliation due to participation for informally complaining about discrimination, filing an EEO complaint, or participating as a witness in an EEO investigation or lawsuit.
- 2) To promote equal opportunity in accordance with the law in all personnel actions such as selection, retention and promotion, compensation benefits, transfers, reduction-in-force (RIF), return from RIF, agency sponsored trainings, educational programs, and discipline.
 - 3) To provide counseling to, and/or recommendations for corrective or adverse action against, violators of federal and District EEO laws and policies, or other DOC policies.
 - 4) To promote cultural competence by providing diversity training aimed at enhancing employees' awareness, attitude, knowledge, and skills to effectively interact in a cross-cultural work environment.

5. DIRECTIVES AFFECTED

a. Directives Rescinded

PS 3800.1F Equal Employment Opportunity (EEO) Program
(03/14/14)

b. Directives Referenced

- 1) PP 3310.4 Sexual Harassment Against Employees
- 2) PP 3800.2 Accommodating Persons with Disabilities
- 3) Collective Bargaining Agreement between the District of Columbia and Fraternal Order of Police-Department of Corrections Labor Committee (CBA).

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6. AUTHORITY

- a. Title VII of the Civil Rights Act of 1964 (Title VII), as amended.
- b. Title I of the Americans with Disabilities Act of 1990 (ADA), as amended.
- c. The Equal Pay Act of 1963 (EPA), as amended.
- d. The Age Discrimination in Employment Act of 1967 (ADEA), as amended.
- e. § 504 of the Rehabilitation Act of 1973, as amended.
- f. Family Medical Leave Act of 1993 (FMLA), as amended
- g. 29 Code of Federal Regulations 1600 *et seq.*
- h. D.C. Human Rights Act of 1977 (HRA), as amended.
- i. D.C. Family and Medical Leave Act (DCFMLA), as amended
- j. Protecting Pregnant Workers Fairness Act (PPW)
- k. 4 DC Municipal Regulations (DCMR) 100 *et seq.*
- l. Mayor’s Order 2000-131, August 21, 2000, “Uniform Language in D.C. Government Anti-Discrimination Issuances and Equal Employment Opportunity Notices.
- m. Mayor’s Order 75-230, October 31, 1975, as amended by Mayor’s Order 79-89, May 27, 1972.
- n. Mayor’s Order 79-204, September 14, 1979.
- o. 29 CFR 1600 *et. al.*

7. STANDARDS REFERENCED

- a. American Correctional Association (ACA) 4th Edition, Administration of Correctional Agencies: 4-ALDF-6B-02, 4-ALDF-6B04-05, 4-ALDF-6B-07-08, 4-ALDF-7E-05

8. **APPLICABILITY.** This directive applies to all DOC employees, , volunteers, contractors and applicants for employment with the DOC.

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9. DELEGATION OF AUTHORITY

- a. The EEO and Diversity Manager. The EEO and Diversity Manager (Manager) shall administer the provisions of this directive and report, as appropriate, to the Director and Deputy Directors, matters pertaining to diversity and EEO.
- b. The Manager shall manage DOC's EEO and Diversity Unit, and, in general, oversee the EEO and diversity operations of the agency. The Manager shall provide guidance and technical assistance to the EEO Specialists and Counselors. The Manager shall establish training programs for agency employees. The Manager shall establish procedures for handling EEO cases and matters arising from EEO cases. The Manager shall prepare EEO reports for management and external review. The Manager shall establish policies and program statements for the EEO program. The Manager serves as the primary liaison to the U.S. Equal Opportunity Commission and D.C. Office of Human Rights.
- c. The EEO Specialist. The EEO Specialist (EOS) serves as a key advisor to the Manager. The EOS shall respond to inquiries and charges of complaints of employment discrimination, including sexual harassment, and conduct investigations of the alleged employment discrimination. The EOS shall conduct interviews of the complainant, potential charging party, and identified witnesses. The EOS shall provide training to agency employees on employment discrimination and cultural competence. The EOS shall report investigative findings and recommendations for course of action.
- d. The EEO Counselor. EEO Counselors shall provide informal counseling to Complainants with the objective of immediately resolving the complaint. The Counselor serves only in an advisory, non-investigative role. All Counselors must be certified through D.C. Human Resources (DCHR) prior to designation as a Counselor. Designation is at the discretion of the Unit's Manager.

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10. **DEFINITIONS.** For the purpose of this directive, the following definitions shall apply:

- a. **Adverse Action-** employer's acts that are motivated by discrimination or retaliation. For discrimination, the action must significantly change the employee's employment status. For retaliation, the action taken must have the effect of likely dissuading an employee from engaging in protected activity. Examples of adverse action include: termination, non-hiring, denial of promotion or raise or transfer, unreasonable denial of training, decrease in compensation or benefits, change in assignments/posts, threats, unjustified negative evaluations, or increased surveillance.
 - 1) Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, or negative comments that are justified by an employee's poor work performance or history.
 - 2) Adverse actions does not include reasonable enforcement of disciplinary polices.
- b. **Age-** per the ADEA, age is forty (40) years and older. Per HRA, age is eighteen (18) years and older.
- c. **Business Day-** days of the week between, and including, Monday through Friday with the exception of government recognized holidays.
- d. **Color-** skin pigmentation or complexion
- e. **Complainant-** an employee or applicant for employment who files a complaint.
- f. **Complaint-** an allegation of discriminatory, harassing, or retaliatory acts, based on a protected trait or participating in a protected activity, that has subjected an individual to adverse action.

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- g. **Disability-** a physical or mental impairment that substantially limits a major life activity.
- h. **Discrimination-** an action, practice or policy that results in negative and/or different treatment of an individual based on a protected trait.
- i. **Equal Employment Opportunity-** when an employer agrees not to discriminate or retaliate in the terms, conditions, or privileges of an employee or applicant's employment.
- j. **EEO Counselor-** departmental employee who is certified to informally, provide advice/resolutions, and counsel to employees on how to use the EEO complaint process as well as other avenues for addressing the complaint.
- k. **EEO Manager-** employee of the EEO and Diversity Unit, working under the direct supervision of the Deputy Director of Management Support.
- l. **EEO Specialist-** employee of the EEO and Diversity Unit, working under the direct supervision of the EEO and Diversity Manager and authorized to conduct investigations of EEO complaints.
- m. **Family Responsibilities-** the state of being, or the potential to become, a contributor to the support of a person or persons in a dependent relationship, irrespective of the number of such persons including the state of being the subject of an order of withholding or similar proceedings for the purpose of paying child support or a debt related to child support.
- n. **Formal Complaint-** a complaint filed with the EEOC, OHR or the District of Columbia courts.
- o. **Gender Identity/Expression-** a gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's assigned sex at birth.

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- p. **Genetic Information-** means information about the presence of any gene, chromosome, protein, or certain metabolites that indicate or confirm that an individual or an individual's family member has a mutation or other genotype that is scientifically or medically believed to cause a disease, disorder, or syndrome, if the information is obtained from a genetic test
- q. **Hostile work environment/harassment-** unwelcome conduct that is motivated by an individual's protected trait where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- r. **Marital Status-** being married, in a domestic partnership, single, divorced, separated, or widowed and the usual conditions associated therewith, including pregnancy or parenthood.
- s. **Matriculation-** enrolled in a college, or university; or in a business, nursing, professional, secretarial, technical or vocational school; or in an adult education program.
- t. **National Origin-** being from a particular country or other part of the world, or having a non-American English accent, or appearing to be of or are of a certain ethnicity or ethnic background.
- u. **Personal Appearance-** the outward appearance of any person, irrespective of sex, with regard to bodily condition or characteristics, manner or style of dress, and manner style of personal grooming, including, but not limited to, hair style and beards.
- 1) It shall not relate to the requirement of cleanliness, uniforms, or prescribed standards when uniformly applied to a class of employees for a reasonable business purpose; or when such bodily conditions or characteristics, style or manner of dress or personal grooming presents a danger to the health, welfare or safety of any individual
- v. **Political Affiliation-** belonging to or endorsing any political party.

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- w. **Pre-Complaint-** internal agency complaint, using Attachment A, filed by an employee or applicant for employment alleging discrimination. Usually filed after not reaching a resolution with the EEO Counselor.
- x. **Protected Trait-** identities protected under federal and local equal employment laws and regulations. Protected traits include race, color, religion, national origin, sex (includes a person’s gender, pregnancy and a woman’s right to breastfeed), age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, and genetic information.
- y. **Pregnancy-** the state of carrying an embryo or fetus.
- z. **Race-** group of individuals who share a common culture or history or physical distinction.
- aa. **Religion-** sincerely held beliefs, practices and observances that can be theistic or non-theistic (morals and ethical beliefs). Religion includes not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, or only subscribed to by a small number of people or one person.
- bb. **Respondent -** individual against whom the complainant is alleging discrimination.
- cc. **Retaliation-** taking or threatening to take adverse employment actions against an employee because they have participated in a protected activity such as participating in an employment discrimination proceeding or opposing a practice believed to be discriminatory.
 - 1) Legally protected activity includes resisting or opposing discriminatory acts, oral or written complaints about discriminatory acts, and testifying at, assisting in, or otherwise participating in EEO matters. Such activity is protected regardless of whether the conduct of which the employee previously complained about was actually proven.

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- dd. **Sex**- a person's gender; includes sexual harassment, a woman's right to breastfeed, and pregnancy.
- ee. **Sexual Harassment** - unwelcome sexual advances, requests for sexual favor, and other verbal, non-verbal or physical conduct of a sexual nature when:
- 1) The request to submit to such conduct is made, either explicitly or implicitly, a term or condition of employment;
 - 2) The submission to or rejection of such conduct is used as the basis for employment decisions; or
 - 3) Unwelcome conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment (*See also* PS 3310.4G).
- ff. **Sexual Orientation**- an individual's physical, romantic and/or emotional attraction to members of the same and/or opposite sex to include heterosexuality, gay, lesbian, and bisexuality.
- gg. **Substantiated**-an allegation was investigated and determined to have occurred.
- hh. **Unfounded**-an allegation was investigated and determined not to have occurred.
- ii. **Unsubstantiated**-an allegation was investigated and the investigation produced insufficient evidence to make a determination as to whether the incident occurred.

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11. PRE-COMPLIANT PROCESS.

a. Complainants:

- 1.) An employee, contractor volunteer or applicant who believes that he or she has been discriminated against because of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, matriculation, political affiliation, genetic information, and disability in connection with any aspect of District government employment shall consult an EEO counselor or EOS or the EEO Manager within **one hundred-eighty (180) days of occurrence of the alleged unlawful discriminatory act.**
- 2.) Employees, contractors, volunteers or applicants are encouraged to make every effort to resolve their complaint through the agency's internal complaint process. However, the complainant has the right to seek resolution through the use of any District government designated EEO Counselor. The EEO Counselor listing is available can be located at www.ohr.dc.gov, respectively.
- 3.) At any stage of the complaint process, the complainant shall have the right to a representative of their own choosing. The complainant and their representative shall have a reasonable amount of time for preparation and presentation of the complaint, as permitted by the applicable union contract or District Personnel Manual. The representative shall make themselves available for participation within forty-eight (48) hours of notice to the Unit.
- 4.) The Complainant may first consult with an EEO counselor prior to filing (Attachment A). The initial consultation with the EEO counselor shall occur within seven (7) days of receipt of notice of a complaint. If after the initial consultation, the employee wishes to file an internal complaint, the EEO Counselor shall refer the complainant to the EEO and Diversity Unit. Alternatively, the employee may contact the EEO and Diversity Unit, as described in steps 2-3, without consulting an EEO Counselor.

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- 5.) Using Attachment A the Complainant shall provide the basis of the complaint, a detailed account of the incident(s) that led to the allegations, and the name of the respondent(s) and any witness (es) prior to meeting with the agency's EEO Counselor.
- 6.) The Complainant shall submit the complaint by email to eeo.doc@dc.gov.

A complaint will not be determined as received by the EEO Unit if the EEO Complaint Form (Attached A) is not completed.

- 7.) Within two (2) business days of receipt of the complaint, the EEO and Diversity Unit will assign the complaint to an EEO Counselor to commence the resolution process. The EEO and Diversity Manager may also assign the matter to an EOS for investigation.
 - 8.) The Complainant will have five (5) business days to respond to any inquiries from the EEO Counselor or EOS such as scheduling interviews or receiving additional information. Complainant's failure to respond or participate in the process, after filing a complainant, will result in immediate issuance of an Exit Letter
- b. EEO Officer, Specialists and Counselors:
- 1.) The EEO Counselor shall:
 - a) Make an inquiry and review of the matter.
 - b) Seek a solution of the matter on an informal basis.
 - c) Counsel the employee and his/her representatives concerning the issues of the matter.
 - d) Conduct the final interview with the employee no later than thirty (30) calendar days after the date on which the matter was called to his/her attention by the employee and/or his/her representative.

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- e) If the complaint of discrimination has not resolved to the employee's satisfaction, the EEO Counselor shall provide the employee and/or his/her representative with an Exit Letter.
 - f) Provide the EEO and Diversity Manager with all documented counseling activities within forty-eight (48) hours after completion of the resolution process.
- 2) The EEO Specialist shall:
- a.) Make a thorough review of the circumstances underlying complaints including interviewing the Complainant, Respondent, and any others pertinent to the matter.
 - b.) Conduct a formal investigation related to an EEO complaint, if appointed to do so, and provide the Position Statement or other records
 - c.) If necessary or required, within 30 days of the initial interview, provide the Complainant with an Exit Letter and Notice of Right to File a Formal Complaint with OHR or the U.S. Equal Employment Opportunity Commission.
 - d.) If necessary, disclose to the Director a summary of the investigation, and advise of any violations of anti-discrimination laws or the agency's EEO policy as well as potential recommendations for resolution or discipline.
- 3) The EEO and Diversity Manager shall adhere to the same requirements (2a-2d) as the EOS when the Respondent has been identified as the Director, Deputy Director(s), Warden, Deputy Warden(s), Training Administrator, or Major(s).

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12. **INVESTIGATORY INTERVIEWS.** - Investigatory interviews are conducted during an EEO investigation by an EOS or the EEO and Diversity Manager. All interviews are recorded. All employees are required to make themselves available for an interview within seven 7 days of the investigator’s request. All interviewees will be required to read and sign the Warning and Assurance Form (Attachment B). All employees are required to participate in interviews in a forthcoming manner. Failure to participate, fully participate, or truthfully participate will result in discipline.
13. **FORMAL COMPLAINT PROCESS.** - Within fifteen (15) calendar days of receiving the Exit Letter and Notice to File a Formal Complaint, the Complainant may file a complaint with the D.C. Office of Human Rights (OHR). Detailed procedures for filing with OHR are located at ohr.dc.gov, respectively. DOC employees, contractors, volunteers and applicants also have the right to forego the administrative process by filing a formal complaint with the U.S. Equal Employment Opportunity Commission (EEOC). Detailed procedures for filing with the EEOC are located at www.eeoc.gov.
14. **RESPONSIBILITIES-** All employees will be informed that discrimination is prohibited. All employees shall receive EEO training when attending Basic Correctional Training (BCT), pre-service training, or in-service training. All employees shall take seriously all reported statements from their fellow colleagues alleging claims of discrimination based on the terms and conditions of their employment, retaliation, hostile work environment, or any other form of discrimination. If contacted by an external party regarding discrimination claims of DOC employees, all employees must refer the party to, as well as immediately contact, the EEO and Diversity Office.
- a. **Managers and Supervisors.** All managers and supervisor are responsible for:
- 1) Ensuring that the policies regarding EEO are communicated, implemented, and enforced.
 - 2) Promoting a workplace that is free of discrimination and retaliation, and ensuring that complaints of such conduct are promptly forwarded to the Unit in accordance with DOC policy and procedure.

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- 3) Monitoring the workplace to ensure that incidents of discrimination and retaliation are detected promptly and that each employee is aware of DOC's EEO/retaliation policy and complaint procedures.
 - 4) Ensuring that employees who file EEO complaints are protected from retaliation.
 - 5) Maintaining the confidentiality of employees who lodge EEO/retaliation complaints or report evidence of discrimination or retaliation.
 - 6) Complying with procedures for forwarding complaints, cooperating with investigations of allegations of discrimination, and carrying out remedial and disciplinary orders of the Director or his/her designee.
- b. **Employees-** Each DOC employee is responsible for:
- 1) Reviewing and becoming familiar with DOC's EEO policies and procedures.
 - 2) Refraining from discriminatory or retaliatory conduct.
 - 3) Refraining from using discriminatory or offensive language in the workplace.
 - 4) Refusing to tolerate or condone discrimination and/or retaliation by other employees.
 - 5) Cooperating with the EEO Manager, the EOS, the EEO Counselors or DOC Supervisors /Office Administrators during an EEO proceeding.

15. PENALTIES

- a. Any employee found to have knowingly and intentionally made materially false statements or representations in relation to an EEO claim or investigation shall be subject to discipline.
- b. Any employee found to engage in acts of coercion, intimidation, or interference towards those participating in the EEO process shall be subject to discipline.

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- c. Managers and supervisors who fail to report acts of discrimination or fail to take appropriate action to resolve issues of discrimination at the workplace will be subject to disciplinary action.
 - d. The Director or his/her designee, upon recommendation from the Unit, will be responsible for ensuring that disciplinary action is taken against persons found in violation of the agency's EEO Policy and Procedure.
 - e. Non-supervisory employees subject to discipline for EEO violations may engage in the appeals process as set forth in the CBA or the Chapter 16 of the District Personnel Manual.
16. **DISSEMINATION** The DOC will comply with the statutory posting notices and ensure that such notices of employees' rights are displayed on all employee bulletin boards. Information will also be provided through usual mechanisms used by managers and supervisors as well as through training.
17. **CONFIDENTIALITY OF RECORDS AND REPORTS**
- a. All Counselors, Specialists, and the Manager will hold all EEO related information confidential. Confidential information is any information of any kind, nature, or description concerning matters affecting or relating to a Complainant's EEO complaint received either verbally or written. Information may be disclosed to authorized personnel in the following limited circumstances:
 - 1) Complying with the investigative process of the Federal, State and Local agencies charged with enforcing or implementing such EEO laws or civil remedies, or
 - 2) To other witnesses when the disclosure of the information or documents is necessary to obtain information from the witness to explain the allegations in an EEO complaint, or

DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS		EFFECTIVE DATE:	December 19, 2016	Page 17 of 17
POLICY AND PROCEDURE		SUPERSEDES:	3800.1F March 13, 2014	
		ATTACHMENTS:	Attachment- A-D	
		REVIEW DATE:	December 19, 2017	
SUBJECT:	EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM			
NUMBER:	3800.1G			
Attachments:	Attachment A – EEO Complainant Form Attachment B – Sample Exit Letter Attachment C – Sample Warning and Assurance Statement Attachment D – DOC EEO Counselors and EOSs List			

- 3) The Complainant has filed a civil complaint seeking damages or other relief and the file is requested by the Office of the General Counsel or an attorney in the Civil Litigation Division of the Office of the Attorney General in connection with the litigation, or

- 4) An affected party to the EEO matter in a disciplinary proceeding.
 - a) After the completion of an EEO investigation, requests for departmental records shall be directed to the Department's Privacy Officer.
 - b) EEO Counselors shall submit the required EEO counseling reports to the EEO and Diversity Manager by the 5th day of each month.
 - c) DOC will comply with all Federal and District mandatory reporting requirements. DOC shall produce a report shall produce an annual report detailing the number of complaints received, investigated, and resolved.

DOC/PP3800.1G/12/19/2016



**THE GOVERNMENT OF THE DISTRICT OF COLUMBIA
EEO COMPLAINT FORM
D.C. Department of Corrections**

Information required herein will assist EEO staff to determine the nature and extent of discrimination as defined by the Federal/Local Discrimination Laws.

1. COMPLAINANT

Today's Date: _____
Name: _____
Address: _____
City/State/Zip: _____
Tel # (H): _____
Tel # (W): _____
Tour of Duty: _____
Immediate Supervisor: _____

IF REPRESENTED BY COUNSEL/UNION REPRESENTATIVE, PLEASE PROVIDE THE FOLLOWING:

Name: _____
Telephone/Fax: _____
Address: _____

2. RESPONDENT(S)

Name(s): _____
Position Title: _____
Tour of Duty: _____
Address: _____
City/State/Zip: _____
Tel #: _____
Fax #: _____

3. BASIS OF COMPLAINT

The basis is the reason you feel you were treated differently than others outside of your protected class. I feel I was discriminated against because of my:

(Please check appropriate box and provide detail, if necessary.)

- | | | |
|------------------------------------------------------|--------------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Race _____ | <input type="checkbox"/> Sex _____ | |
| <input type="checkbox"/> National Origin _____ | <input type="checkbox"/> Religion _____ | |
| <input type="checkbox"/> Color _____ | <input type="checkbox"/> Age _____ | |
| <input type="checkbox"/> Disability _____ | <input type="checkbox"/> Gender Identity or Expression _____ | |
| <input type="checkbox"/> Genetic Information _____ | | |
| <input type="checkbox"/> Matriculation _____ | <input type="checkbox"/> Marital Status _____ | <input type="checkbox"/> Personal Appearance _____ |
| <input type="checkbox"/> Political Affiliation _____ | <input type="checkbox"/> Family Responsibilities _____ | <input type="checkbox"/> Sexual Orientation _____ |

4. ISSUES

What action was taken that made you feel you were treated differently?

- | | |
|---------------------------------------------------|-----------------------------------------------------------------------------|
| <input type="checkbox"/> Family Medical Leave | <input type="checkbox"/> Failure to Hire |
| <input type="checkbox"/> Promotion | <input type="checkbox"/> Discharge |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Discipline |
| <input type="checkbox"/> Demotion | <input type="checkbox"/> Failure to Accommodate (i.e. Religion, Disability) |
| <input type="checkbox"/> Retaliation | |
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Hostile Work Environment | |

5. D.C. FAMILY AND MEDICAL LEAVE ACT

(Only complete section if your complaint deals with FMLA.)

Have you been employed with this agency for at least one (1) year and have worked at least one thousand (1,000) hours? YES NO

Date(s) you requested:

Reason you requested:

Person who denied your request:

Title: _____

Others who have requested leave:

How are these persons different from you:

Have you tried to resolve this matter with Respondent? If so, please describe with whom you spoke and their response:

Name/Title:

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS**



FROM: Name of EEO Counselor
Position Title
Name of Agency where EEO Counselor is employed

TO: Name of Employee
Position Title
Address

SUBJECT: **Exit Letter & Notice of Right to File a Formal Complaint**

DATE: Date of Exit Letter

Dear Employee [insert name]:

On _____ [date of initial contact], you contacted me regarding a claim that you have been _____ [discriminated/retaliated/harassed/sexually harassed] by _____ [name of person, title, and agency] based on your _____ [insert protected trait(s)].

Case Summary

During the internal case review process, you presented _____ [summary of issues, bases, and facts presented by the employee]. In response to your concerns, I reviewed the circumstances of your case. Finally, I attempted to informally resolve the claim which was met with a (successful /unsuccessful) outcome.

Notice of Right to File a Formal Complaint

At this time, this Exit Letter is being provided to inform you that if your complaint has not been resolved to your satisfaction, you may file an individual or class-based discrimination complaint based on race, color, national origin, religion, sex(including pregnancy), age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, genetic information, family and medical leave act, and/or reprisal. If you choose to file a formal complaint, you must do so with the Office of Human Rights (OHR) within FIFTEEN (15) calendar days of your receipt of this letter.

OHR also requires that you fill out an Intake Questionnaire and schedule an intake interview with their office within FIFTEEN (15) calendar days of receipt of this letter.

The address and contact information is as follows:

**Office of Human Rights
441 4th Street NW
Suite 570 North
Washington DC 20001
Phone: 202-727-4559
ohr.dc.gov**

A complaint shall be deemed timely if it is received or postmarked before the expiration of the fifteen (15) day filing period, or in the absence of a legible postmark, if it is received by mail within five days of the expiration of the filing period. If the complaint is not filed within the 15 calendar days, the complaint shall be dismissed by the Office of Human Rights as untimely. The complaint must be specific and contain only those issues specifically discussed with me, or those which are directly related to issues that you discussed with me.

If you retain an attorney or any other person to represent you, you or your representative must immediately notify the DC Office of Human Rights in writing. You are also required to provide change of address and/or telephone information. You and/or your representative will receive a written acknowledgement of your discrimination complaint from the appropriate OHR agency official.

Employee Counselor (print name & signature) Date

EEO Counselor (print name & signature) Date

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS**



EEO AND DIVERSITY UNIT

**WARNING AND ASSURANCE TO EMPLOYEES REQUIRED TO
PROVIDE INFORMATION**

RE: _____

You are being interviewed to assist in an Equal Employment Opportunity (EEO) inquiry. The matter under investigation could constitute misconduct, violations of civil rights or improper performance of official duties. You have a duty to participate in this interview.

You may request the presence of a representative whether or not you are a member of the bargaining unit. Your representative does not have to be a member of the bargaining unit. If you request a representative, no further questions will take place until your representative is present. If your representative is not available within five (5) days of your request, questioning may proceed without a representative being present.

This matter is confidential. Failure to maintain confidentiality shall result in disciplinary action. Failure to participate in this interview, or reply fully or reply truthfully to inquiries in this matter shall result in disciplinary action.

Employee Signature/Date

Interviewer Signature/Date

DOC Office of EEO & Diversity



Listing of EEO Counselors at the DC Department of Corrections

Name	Email	Office
Ms. Shelia Venning Equal Opportunity Specialist	Shelia.venning@dc.gov	(202) 671-2095
Ms. Tecora D. Martin Equal Opportunity Specialist	Tecora.martin2@dc.gov	(202) 671-2108
Mr. Frederick Rogers Educational Administrator/EEO Counselor	Frederick.rogers@dc.gov	(202) 523-7099
Ms. Paulette Hutchings- Johnson Employee Labor Relations/EEO Counselor	Paulette.johnson@dc.gov	(202) 671-2068
Ms. Rosetta Taylor-Jones Management Liaison Specialist/EEO Counselor	Rosetta.taylor-jones2@dc.gov	(202) 523-7016