

**CITY OF PASADENA**  
Department of Affirmative Action & Diversity  
**DISCRIMINATION COMPLAINT-INTAKE PROCEDURES**

LANCE A. CHARLES, DIRECTOR  
EXT. 4783

- |                              |                  |           |
|------------------------------|------------------|-----------|
| ◆ Administration:            | Frances V. Perez | Ext. 4216 |
| ◆ Employment:                | Lucille Coleman  | Ext. 4224 |
| ◆ Employment:                | Sonya Amos       | Ext. 4234 |
| ◆ Contracting:               | Colette Headley  | Ext. 6723 |
| ◆ Accessibility & Disability | Robert A. Gorski | Ext. 4782 |

**EXTERNAL ASSISTANCE:**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)  
255 East Temple Street, 4th Floor  
Los Angeles, CA 90012  
Telephone: (213) 894-1010

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DEPARTMENT OF FAIR EMPLOYMENT & HOUSING (DFEH)  
322 West First Street, #2126  
Los Angeles, CA 90012-3112  
Telephone: (800) 884-1684

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**TYPES OF COMPLAINTS:**

- ◆ Formal
- ◆ Informal
- ◆ Fire or Police
- ◆ Other

**CITY OF PASADENA**  
**Department of Affirmative Action & Diversity**

**CONFIDENTIAL**  
**DISCRIMINATION COMPLAINT FORM**

To be completed by Complainant	For office use only
Name of Complainant: _____	Investigator: _____
Race: _____ Male: ____ Female: ____	File Number: _____
Work Phone: _____	Additional Comments: _____
Date Filed: _____	_____
Classification: _____	_____
Department: _____	Director: _____
Employment Status: _____	Affirmative Action & Diversity
Hire Date: _____	Date: _____

**DETAILED STATEMENT OF COMPLAINT**  
(PLEASE TYPE OR PRINT LEGIBLY)

1. What happened? (Please be specific.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. When did it happen? (List date, time, and place.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Who or what is the cause of the alleged discriminatory incident?  
(Name the individual or event.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Who witnessed the alleged incident? (Please name individuals, their work stations, and  
telephone numbers.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Do you know if this has happened to others? (If yes, to whom did it happen.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. What is the basis for your complaint? (e.g.: Discrimination or disparate treatment based on race, sex, age, religious creed, color, national origin, ancestry, physical or mental disability, or other.)

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7. What would you like to see done as a result of your complaint? \_\_\_\_\_

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8. Additional comments: \_\_\_\_\_

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**I HEREBY AUTHORIZE THE DEPARTMENT OF AFFIRMATIVE ACTION & DIVERSITY TO FULLY INVESTIGATE AND TO HAVE ACCESS TO ANY AND ALL CONFIDENTIAL MATERIALS IN MY FILES.**

\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Complainant Name

\_\_\_\_\_  
Telephone number(s)

\_\_\_\_\_  
Complainant Address

\_\_\_\_\_  
City/State/Zip

**Complainant:** When "Discrimination Complaint Form" is completed, please submit Pages 1 through 4 to the Department of Affirmative Action & Diversity. Retain "Procedure Flow Chart" for your information. Prior to submitting to department, it is suggested that Complainant make a Xerox copy of "Discrimination Complaint Form" (pages 1 through 3) for your records.

FOR OFFICE USE ONLY  
DETERMINATION TO PROCEED

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COMPLAINANT: \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_

INVESTIGATOR: \_\_\_\_\_

I have reviewed the Discrimination Complaint Form and determined that:

- A. The Department of Affirmative Action & Diversity proceed with the investigation.
- B. Complainant be referred to the Department of Human Resources.
- C. Complainant be referred to an outside agency.

Name of Agency: \_\_\_\_\_

\_\_\_\_\_  
Investigator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Affirmative Action & Diversity

\_\_\_\_\_  
Date



# MANUAL OF PERSONNEL RULES, PRACTICES, AND PROCEDURES

SECTION: 5.00  
Equal Employment

SUBJECT: 5.05  
Discrimination Complaint  
Procedure

SUPERSEDES:  
March, 1990

NEW EFFECTIVE DATE:  
August 15, 1992

PAGE 1 OF 4

APPROVED BY CITY MANAGER

The Discrimination Complaint Procedure provides employees with an immediate mechanism by which their complaint will be evaluated. The procedure shall be utilized in the event that a complaint is brought by any employee alleging any of the following:

1. A violation of the Rules and Regulations of the Affirmative Action in City Employment amendment to Municipal Code, Section 2.39;
2. Offensive conduct focused upon race, religious creed, color, national origin, ancestry, handicap, age, marital status, sex or sexual orientation (e.g. such as derogatory terms or jokes, unwelcome verbal or physical advances of a sexual nature, etc.); and
3. Any other action which is alleged to be discriminatory and such alleged discrimination is based upon race, handicap, sex, or age.

Nothing in this procedure shall restrict the right of an employee to file a complaint with any State or Federal agency responsible for the enforcement of anti-discrimination legislation.

## I. Complaint

Any employee who alleges discrimination may file a complaint with the Director of Affirmative Action: Such complaint shall be filed within ten (10) working days of the alleged discriminatory act, or, in the event of an allegation of recurring acts of similar nature, within ten (10) working days of the most recently alleged occurrence, or within ten (10) working days from the time a complainant would be reasonably aware that the alleged discriminatory act had occurred. The Director of Affirmative Action or his/her designee shall take the complaint by conducting an interview with the complainant. The complainant may be accompanied by a person of his/her choice.

### A. Interview

The complaint interview shall include the following questions:

1. What happened?

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2. When and where did it happen?
  3. Who or what is the cause of the alleged discriminatory incident?
  4. Who witnessed the alleged incident?
  5. Do you know if this has happened to others? If so, to whom?
  6. What is the basis for your complaint (e.g. race, religious creed, color, national origin, ancestry, physical or mental disability, marital status, age, sex, sexual orientation, or other.) If so, why do you feel that way?
  7. What would you like to see done as a result of your complaint?
  8. Do you have additional comments?
- B. Determination of jurisdiction: Based upon information obtained in the complaint interview, the Director of Affirmative Action shall make a preliminary finding as to whether the allegation is of a nature which falls within the purview of the Discrimination Complaint Procedure. If the complaint does not fall within the criteria established for the Discrimination Complaint Procedure, the complaint shall be referred to the appropriate administrative process.
- C. A copy of the complaint form, signed by the complainant and the Director of Affirmative Action, shall be distributed as follows:
1. Copy to the complainant;
  2. Original retained by the Director of Affirmative Action;
  3. Copy to Director of Human Resources;
  4. Copy to the department head.
- II. An investigation shall be conducted by the Director of Affirmative Action (or designee) in cooperation with all appropriate parties. The Director of Affirmative Action or designee shall attempt to complete the investigation within thirty (30) days of completion of the signed summary transcript of the complaint interview (hereinafter referred to as "complaint").
- A. The investigation shall include, but not be limited to, the following subjects:
1. Verification of the allegations;

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2. Interviews of witnesses or other relevant individuals;
  3. Interview of accused employee(s); and
  4. Review of documentation on file in the complainant's department, or Human Resources Department which might have a bearing on the complaint.
- B. If, during the course of the investigation, the information discloses that the complaint is not one of discrimination within the purview of the procedure, the Discrimination Complaint Procedure will stop. The complainant will be informed and referred to another administrative procedure if appropriate.
- C. If, during the course of the investigation, the complainant alleges adverse actions against him/her as a result of filing the original complaint, said allegations shall be investigated and, if sustained, incorporated into the original complaint.
- D. If, during the course of the investigation, the complainant wishes to withdraw the complaint, a notation to that effect will be made on the Director of Affirmative Action's copy of the complaint. To assure that the withdrawal from the procedure is solely based upon the complainant's volition, the investigator shall conduct a brief interview, the results of which shall be written, signed by the employee, and filed. The Director of Affirmative Action may proceed with the investigation if he/she so chooses.

### III. Recommended Disposition

- A. The Director of Affirmative Action will communicate the results of the investigation to the director of the department complained against, and, if appropriate, to the Director of Human Resources. The complainant shall be advised of the recommended disposition of the complaint. The report shall contain the recommended level of disposition, as follows:
1. Not sustained - insufficient evidence, no action;
  2. Sustained - (1) against accused employee - disciplinary action warranted, or (2) against a practice or procedure - remedial action or reasonable accommodation will be taken to correct practice or procedure.
- B. In the event of a recommended disposition of "Sustained" against an employee, the Director of Affirmative Action shall meet with the Department Head to consider the appropriate disciplinary action.



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- C. In the event of a recommended disposition of "Sustained" against a systematic practice or procedure, the Director of Affirmative Action shall meet with the Director of Human Resources and the Department Heads, if appropriate, to consider remedial action or reasonable accommodation to correct the practice or procedure. In the event agreement cannot be reached, the City Manager or designee will decide the matter.

#### IV. Appeals

- A. If dissatisfied with the disposition of a complaint, a complainant can submit a request, within 10 working days of the resolution of the complaint, for reconsideration of the case by the City Manager or designee.
- B. Within 30 days of a request for reconsideration, the City Manager will either uphold the resolution of the complaint, modify the resolution, or replace the resolution with a new one. The decision of the City Manager shall be final and it shall be communicated to both the complainant and the Director of Affirmative Action.

**CITY OF PASADENA**

**DEPARTMENT OF AFFIRMATIVE ACTION**

**STEPS TO FILING A COMPLAINT**

1. Complaints are filed with the Director of Affirmative Action or his designee.
2. Complaint should be filed within (10) working days of the most recent occurrence or from the time that complainant was aware that alleged discriminatory act had occurred.

**NOTE:** Investigation of a complaint begins as soon as jurisdiction is determined by the Director of Affirmative Action.

**PLEASE SEE FORMAL COMPLAINT PROCEDURE FLOW CHART**

**THE CITY OF PASADENA AFFIRMATIVE ACTION DEPARTMENT ENCOURAGES YOU TO FILE A COMPLAINT IF YOU THINK YOUR RIGHTS HAVE BEEN VIOLATED.**

**FOR ADDITIONAL INFORMATION AND ASSISTANCE REGARDING COMPLAINT PROCESSING, PLEASE CONTACT THE AFFIRMATIVE ACTION DEPARTMENT AT:**

**CITY HALL  
100 NORTH GARFIELD AVENUE  
ROOM #323  
PASADENA, CALIFORNIA 91109**

**(818) 405-4216  
(818) 405-4371 (TDD)**

**STEPS:**

**FORMAL COMPLAINT PROCEDURE FLOW CHART**

