

Can my supervisor fire, demote, or treat me less favorably because I filed a complaint of discrimination or participated in an investigation of discrimination?

No. Employers, including supervisors, managers, and co-workers, cannot retaliate against employees who file a charge of discrimination or participate in an investigation as a complainant, respondent or witness.

Is the Rule 20 process confidential?

An individual's desire for confidentiality is respected to the greatest extent possible. However, in most cases, it is necessary to share information with other County personnel on a need-to-know basis. This helps ensure a successful resolution for all parties involved.

Is the County EEO Office the only place I can file a charge of discrimination?

No. Complaints can be filed with the California Department of Fair Employment and Housing (DFEH), (800) 884-1684, or the Federal Equal Employment Opportunity Commission (EEOC), (800) 669-4000, at any time before, during or after the Rule 20 process.

DFEH charges must be filed within one (1) year and **EEOC** charges must be filed within three hundred (300) calendar days of the alleged discriminatory act.

I think I have been discriminated against, but I'm not sure. What do I do?

Individuals who feel they have been discriminated against have the option of calling the EEO Office. Based upon the reported nature of the concerns, the individual will be directed to either schedule an appointment with the EEO Office or with a Department EEO Coordinator to discuss the workplace concerns.

What information is available on the County EEO Office website?

The following information can be obtained through the County EEO Office Website at www.sjgov.org/eoo/ or by contacting the County EEO Office at (209) 468-3374:

- County Civil Service Rule 20
- County Harassment-Free Work Environment Policy
- County Equal Employment Opportunity (EEO) Policy
- County listing of Department EEO Coordinators
- County (Formal Process) Discrimination Complaint Form
- Civil Service Commission Request For Appeal Form

San Joaquin County
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Stockton, California 95202
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**SAN JOAQUIN
COUNTY**



**Human Resources
Division**

**Equal
Employment
Opportunity
Office**

Frequently
Asked
Questions

What is discrimination and harassment?

Discrimination is an employment practice in which someone is treated unfairly or harassed because of a protected basis. **Harassment** occurs in many forms, but in general, it is unwelcome, unwanted, and repeated behavior that focuses on a protected basis.

What is considered a protected basis?

The County forbids workplace discrimination and harassment based on the following protected bases:

- Age
- Ancestry
- Color
- Creed
- Gender
- Gender expression
- Gender identity
- Genetic information
- Marital status
- Medical condition
- National origin
- Physical or mental disability
- Political affiliation or belief
- Pregnancy
- Race
- Religion
- Sex (gender)
- Sexual orientation

What types of complaints can be filed through the County EEO complaint process?

A Civil Service Rule 20 (Rule 20) complaint may be filed when the alleged discrimination or harassment is based upon one of the above-listed protected bases. Rule 20 is the County's internal process for resolving and investigating complaints of employment discrimination and harassment.

Who can file a Rule 20 complaint?

Rule 20 complaints of discrimination or harassment can be filed by:

1. Any County employee
2. Former County Employees
3. Applicants for County employment

When should I file a complaint?

A Rule 20 discrimination complaint must be filed with a Department EEO Coordinator or with the EEO Office within 60 days of the alleged act of discrimination.

What are the steps in the Rule 20 process?

Rule 20 is a three-step process consisting of the:

- Informal Process
- Formal Process
- Appeal Hearing Process

The **first step** in addressing allegations of discrimination is for individuals to file an informal complaint with a Department EEO Coordinator. The Department EEO Coordinator will conduct a limited inquiry into the allegations, and seek to resolve the matter at the lowest level. If the issues are not resolved, individuals may proceed to the **second step** and file a formal written complaint with the EEO Office. Individuals not satisfied with the findings of the EEO Office in the formal process may file a written request for appeal before the Civil Service Commission, which is the **third step** of the Rule 20 process.

Job applicants and former employees must report concerns of discrimination directly to the EEO Office within 60 days of the alleged act of discrimination.

What is a Department EEO Coordinator?

Department EEO Coordinators are County employees who are neutral third parties and serve as a liaison between the employee and management in order to attempt informal resolution of discrimination issues at the department-level. Every County department has at least one (1) Department EEO Coordinator.

A listing of Department EEO Coordinators can be obtained through the EEO Office Website or by contacting the EEO Office.

What does the EEO Office do when it investigates a complaint?

The EEO Office investigators will review the complaint form, interview the person who filed the complaint (complainant); the person(s) the complaint is filed against (respondent); and witnesses that have been identified. All written documents are also reviewed. The information gathered during the investigation is evaluated to determine whether or not County EEO policies have been violated.

What are the County policies that prohibit discrimination and harassment in the workplace?

The Equal Employment Opportunity Policy and the Harassment-Free Work Environment Policy prohibit discriminatory or harassing behavior in the workplace.

The EEO Office is part of the County. How can it conduct an independent, objective investigation of my complaint?

The EEO Office investigators are neutral fact-finders and do not represent the complainant or the County department involved.

I am a County employee. Do I have to use personal time to meet with a Department EEO Coordinator or the EEO Office?

No. Employees involved in the complaint process (as the complainant, respondent, representative, or witness) may schedule an appointment and meet with an EEO representative during regular work hours, without having to take personal time. Although employees must notify his/her supervisor of the date and time of the meeting, employees are not required to inform his/her supervisor of the nature of the meeting.