

**COUNTY OF SAN DIEGO
ADMINISTRATIVE MANUAL**

SUBJECT:	DISCRIMINATION COMPLAINTS FILED WITH THE COMMISSION	ITEM NUMBER	0080-04-08
DATE:	APRIL 8, 2014	PAGE	1 OF 2

Purpose

To provide an orderly process for prompt resolution of employment discrimination complaints as provided for in Civil Service Rule VI.

Procedure

1. Filing of Complaint

- A. Complaints must be filed in writing with the Commission within 60 calendar days of the alleged discriminatory practice (or knowledge thereof). A Rule VI discrimination complaint form is available on the Commission's website.
- B. The complaint should include the following information:
 - 1) the date(s) on which the alleged discriminatory practice occurred;
 - 2) a statement of essential facts;
 - 3) the basis of discrimination (i.e., race, color, creed, sex, age, national origin, disability).

2. Office of Ethics and Compliance (OEC) Referral

- A. The Commission will refer the complaint to OEC for review and report back to the Commission within 60 calendar days from date of receipt, unless the matter is time sensitive necessitating a request by the Executive Officer for a more timely response.
- B. The Commission may investigate the complaint concurrently with OEC.
- C. If the complaint is resolved through County procedures by OEC, the Commission will receive and file the report.
- D. If OEC finds probable cause that an action of discrimination has occurred, the Commission will conduct a hearing.
- E. If, prior to the hearing, the discrimination complaint is remedied to the satisfaction of the investigating Commissioner, he/she may request the complaint be withdrawn.

3. Commission Hearing.

- A. Within 5 working days after the Commission has determined to proceed with a hearing, a copy of the complaint, the OEC report, and any Commission investigative report shall be served on all parties.
- B. The hearing date will be scheduled within 20 working days after determination to proceed with a hearing.
- C. The Commission may issue temporary orders, as necessary, to maintain the status quo, as it existed at the time of filing the complaint, pending outcome of the hearing.

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- D. The respondent must file an answer to the complaint within 5 working days from date of service. Failure to answer may be construed as an admission of the charges.
4. Decision
- A. The Commission's findings and decision shall be final.

Approved:



Helen N. Robbins-Meyer
Chief Administrative Officer

Responsible Department(s):
Civil Service Commission (Approved 4/2/2014)

Concurring Department(s):
Department of Human Resources